

Prisoner's rights

In the Law Regulating Egyptian Correction and Rehabilitation Centers and Internal Regulations of Correction and Rehabilitation Centers

Compared to international conventions



Preamble

Prisons are institutions designated by law for the enforcement of custodial sentences, whether short or long. The primary aim of punishment, according to contemporary penal policy, is to deter, rehabilitate, and reform the convict, preparing them to return as constructive members of society. Consequently, prisons bear the essential responsibility of training and rehabilitating inmates to reduce and prevent crime.

Incarceration is undeniably a harsh experience, often leaving a lasting impact not only on prisoners but also on their families. The prison institution frequently fails in its core mission of social reintegration for inmates. It has been shown that prison can even prompt criminal behavior, as it tends to corrupt rather than reform, particularly for novice offenders. Additionally, it does not necessarily eradicate the criminal tendencies of habitual offenders, leading many legal scholars to question the efficacy of imprisonment as a punishment. This has spurred interest in alternative sanctions that avoid subjecting offenders to a prison environment, thus ensuring their reform and reducing the likelihood of recidivism.

This document presents a legal study on the conditions of individuals whose freedom has been restricted in various detention facilities in Egypt, including public, central, and other correctional institutions. It examines the extent to which Egyptian legislation aligns with international conventions regarding detainee welfare and rights.

Executive Summary

The Egyptian Constitution guarantees the rights to freedom, personal security, and human dignity for all individuals, whether citizens or otherwise. It emphasizes the right to communication and the preservation of social and familial bonds, asserting that personal freedom is a fundamental, inviolable right that must be respected at all times. No individual may be arrested, imprisoned, or have their freedom restricted without a judicial order founded on the necessity for investigation and due process. Furthermore, anyone deprived of their liberty must be informed of the reasons for such deprivation, advised of their rights in writing, allowed immediate contact with family and legal representation, and presented to the relevant authorities within a period not exceeding 24 hours. These constitutional rights and safeguards are designed to uphold essential principles of personal freedom. Recognizing the gravity of arrest and the potentially profound impact of incarceration, the Constitution enshrines numerous rights and procedural safeguards, with specific attention to the circumstances and protocols surrounding deprivation of liberty.

The Constitution further acknowledges the importance of the family as the foundation of society, underscoring the state's commitment to fostering its cohesion and stability as essential to the social fabric. The Law on Correction and Rehabilitation Centers, along with related regulations, grants numerous rights and guarantees aimed at addressing the welfare of detainees and their families within Egypt's legal obligations. However, several critical aspects—such as accommodating siblings in the same prison facility and facilitating spousal visitation—remain unaddressed or insufficiently implemented. Additionally, provisions for effective communication, secure correspondence, appropriate visitation, dignified living conditions, and the maintenance of human dignity for detainees are rights emphasized both in national laws and by international treaties. Despite the existence of these legal rights, some essential aspects, such as meeting recognized standards for adequate living conditions and reinforcing familial bonds, are inconsistently met or prioritized, ultimately affecting the well-being of prisoners and their families alike.

Although these constitutional guarantees exist, the practical application of many rights and protections often remains inconsistent and fragmented, creating a significant gap that exacerbates the psychological and emotional toll on prisoners and their families. To promote humane treatment and ensure proper conduct, Egyptian prison policies have evolved to include social assessments, classifying inmates according to appropriate treatment plans based on psychological and social analyses. Such measures are intended

to provide treatment that aligns with each inmate's rehabilitation needs, thereby fulfilling the Constitution's mandate to ensure prisoners' welfare and reintegration potential.

The Constitution also affirms the importance of communication, permitting detainees the right to correspond freely and granting them the right to receive weekly visits from family members. While legislation formally provides these rights, a considerable gap remains between the rights that are stipulated on paper and those that are effectively implemented within the prison system. This gap is especially pronounced in the areas of prisoner rehabilitation and social reintegration, which are essential to reducing recidivism and facilitating positive reentry into society.

While Egypt's legislative framework theoretically guarantees a wide array of prisoner rights, it often falls short of international standards as set forth by conventions and treaties to which Egypt is a party. Restrictions imposed on the exercise of prisoner rights frequently diminish their practical impact, making them difficult to realize tangibly. A primary issue arises from the administration of prisons under the jurisdiction of the Ministry of Interior rather than the Ministry of Justice, as is common in many other penal systems worldwide. This administrative structure contributes to prison authorities wielding near-absolute control over detainees' lives, with an absence of effective oversight mechanisms to prevent abuses, provide redress for grievances, or hold perpetrators accountable for violations of detainee rights.

Although the Public Prosecution is granted the authority to inspect prisons, its role remains limited and is often not exercised to its fullest potential. Visits conducted by the National Council for Human Rights (NCHR) similarly lack efficacy, as they are restricted by the absence of binding recommendations and other enforceable measures. Inspections are often prearranged with prison officials, thereby further diminishing transparency and oversight. Consequently, the role of the NCHR remains more observational than genuinely supervisory, as the legislature has mandated only "visits" rather than inspections with actionable outcomes. This limits the Council's capacity to independently monitor the conditions within detention facilities and to advocate effectively for the reform of prison practices and policies.

While prisoners theoretically retain the right to submit complaints or grievances regarding their treatment or conditions, there is no established, independent mechanism that effectively ensures detainees can access prison administrators or an impartial third-party body. Furthermore, interactions between prisoners and their families or legal counsel are typically monitored by prison officials, limiting the confidentiality and efficacy of such

communications. These limitations hinder detainees' ability to seek redress or to report instances of mistreatment, which in turn stifles efforts toward transparency and accountability in prison administration. Such barriers also contribute to a sense of isolation and can exacerbate the adverse psychological impacts of incarceration on both detainees and their families.

This legal study, therefore, examines the existing gaps, limitations, and challenges within the Egyptian legal framework governing detention and correctional facilities. These structural issues contribute to ongoing human rights violations and hinder the capacity of Egyptian prisons to uphold prisoners' basic rights, particularly when measured against the minimum standards defined in international conventions and treaties on human rights. By comparing the rights provided under Egyptian law with those mandated by international agreements such as the Nelson Mandela Rules, the Standard Minimum Rules for the Treatment of Prisoners, and other relevant international frameworks, this study aims to underscore areas where Egyptian legislation may fall short and to identify possible avenues for legal and procedural reforms. These reforms could bring Egypt's correctional practices into closer alignment with global human rights standards, thus promoting a fairer and more humane system of detention.

In conclusion, the study highlights the pressing need for legislative reforms and enhanced oversight mechanisms within Egypt's correctional system to address the ongoing gaps in detainee rights and protections. By implementing changes to bring prison administration practices in line with the Constitution and Egypt's international obligations, the Egyptian government could take meaningful steps toward ensuring the dignity, rights, and welfare of all individuals in its custody. A reformed and more transparent correctional system would not only uphold Egypt's legal commitments but also contribute to broader efforts toward fair treatment, justice, and respect for human rights within correctional facilities.

This revised and precise approach advocates for aligning Egypt's detention practices with internationally recognized standards. Through improved legal and procedural measures, Egypt can reinforce its commitment to human rights, particularly within correctional institutions, ensuring humane treatment, rehabilitation, and reintegration, while supporting a justice system that respects personal dignity and freedom. The establishment of independent, efficient oversight mechanisms is pivotal, as are reforms to promote transparency and accountability. The vision for a humane penal system that aligns with Egypt's Constitution and international obligations is achievable through these recommended legislative and operational adjustments.

Study Methodology

In this study, we employ a comparative method to clarify the rights granted to (imprisoned) inmates under Egyptian legislation regulating reform centers, examining these rights alongside those stipulated in international charters. This comparison identifies deficiencies in Egyptian legislation, which diverge from the rights guaranteed in the Egyptian Constitution and international charters.

We begin by outlining the specific rights afforded to prisoners under Egyptian law, subsequently comparing these with similar rights in international agreements governing prisoner welfare. Key international frameworks, such as the [Nelson Mandela Rules](#), the [Standard Minimum Rules for the Treatment of Prisoners](#), the [Bangkok Rules](#), and the [Rules for the Protection of Juveniles Deprived of their Liberty](#) serve as benchmarks for assessing compliance. After clarifying each right's scope, we analyze the extent of alignment or violation within Egyptian legislation and highlight any departures from international standards. This analysis is followed by recommended amendments to Egyptian legislation to ensure it meets the minimum rights required by international conventions.

The study is structured as follows: In Chapter One, we examine the placement of inmates in designated facilities, establishing the foundation of prisoner location and transparency rights. Chapter Two follows with a study of inmate classification rules within reform centers. Chapter Three addresses the interactions and relationships between inmates and the employees responsible for guarding them, ensuring professional standards in oversight.

In Chapter Four, we examine the furniture, clothing, and essential living tools provided to inmates, ensuring these meet minimum standards for humane treatment. Chapter Five addresses inmates' right to work within reform centers, covering wage entitlements and the employment conditions available to inmates. Chapter Six highlights inmates' rights to education and religious practice within reform centers, ensuring access to personal development and spiritual well-being.

Chapter Seven discusses the social and psychological support mandated by law and internal regulations within reform centers, aiming to maintain inmates' mental health and assist with reintegration efforts. Chapter Eight presents the health care services available to inmates, covering essential medical treatment standards and care provisions.

Chapter Nine outlines the rules surrounding visitation and correspondence, detailing inmates' rights to communicate with family and legal representatives, which are fundamental for maintaining social ties. Chapter Ten reviews legal protections for inmates facing disciplinary sanctions, examining procedures for upholding dignity and fairness within reform center disciplinary systems.

Chapter Eleven presents the inspection rules for reform centers, along with the rights inmates hold during these inspections to ensure conditions meet legal standards. Finally, Chapters Twelve and Thirteen focus on women's rights within detention facilities, ensuring that gender-specific considerations are integrated into the reform center framework to provide fair and dignified treatment for female inmates.

This study thereby offers a structured legal analysis, identifying areas where Egyptian legislation can be aligned with international standards to promote a humane and rights-respecting correctional system.

Chapter One: Placing the Inmate in One of the Dedicated Places

The first topic: The right of the inmate or detainee to be detained in a place known to his person and his family

One of the most important rights that any person who has been imprisoned, imprisoned, or detained must enjoy is the right to be imprisoned or detained in a place known to him and his family.

It follows that it is prohibited to imprison any person or to be detained in places other than those designated for this purpose.

The first requirement: Within the framework of Egyptian law

I. General Rule

The Egyptian Constitution prohibits the detention or imprisonment of any person except in the places designated for that purpose, and stipulates that the places in which a person is detained must be humanely and hygienically decent, and prohibits everything that is contrary to human dignity or endangers his health ⁽¹⁾.

This was confirmed by the Criminal Procedure Law, which stipulates that no person may be imprisoned except in the prisons designated for this purpose. It also prohibited the warden of any prison from admitting any person except by virtue of an order signed by the competent authority and not to keep him after the period specified in this order ⁽²⁾.

The Egyptian legislator stipulated that the penalty of imprisonment shall be imposed on every public official or person assigned to a public service who has deposited or ordered the deposition of any person deprived of his liberty in any way, in other than reform centers and the places indicated in the Egyptian Law Regulating Reform and Rehabilitation Centers ⁽³⁾.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D8%AF%D8%B3%D8%AA%D9%88%D8%B1#h.n97r0pa8f6f](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D8%AF%D8%B3%D8%AA%D9%88%D8%B1#h.n97r0pa8f6f) 55 of the Constitution.

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Article 41 of the Code of Criminal Procedure.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.k0dekep1u3y](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.k0dekep1u3y) 91 bis of the Law Regulating Correctionand Rehabilitation Centers, added toLaw No. 57 of 1968.

The legislator has determined the places designated for the detention or imprisonment of persons, subject to judicial supervision, and divided them into three types: public reform and rehabilitation centers, geographical reform centers, and private reform and rehabilitation centers established by a decision by the President of the Republic, in which he determines the categories of inmates who are placed in them, how they are treated, and the conditions for their release. The Minister of Interior issues a decision specifying the bodies in which public reform and rehabilitation centers and geographical reform centers are established. ⁽⁴⁾.

Accordingly, the criterion in the extent to which the place where the person whose freedom has been restricted is considered a reform center is the issuance of a decision by the Minister of Interior considering that place as reform centers only. In this regard, the Court of Cassation ruled that: [The imprisonment of the accused in the Human Frogs Unit of the National Security Agency is valid, and the provisions contained in the Prisons Law apply to him, prior to the issuance of a decision by the Minister of Interior considering that place as a prison] ⁽⁵⁾.

II. Exception: Civilians may be imprisoned in military prisons

As we have indicated, it is not permissible to detain or imprison any person in the places designated for that purpose. Accordingly, it is not permissible to detain any civilian person in military prisons designated for the detention or imprisonment of military persons. This principle has been confirmed by the provision of [Article 108](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D9%82%D8%B6%D8%A7%D8%A1-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A#h.38df6l2h7o5a) of the Military Justice Law on <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D9%82%D8%B6%D8%A7%D8%A1-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A#h.38df6l2h7o5a> the implementation of sentences issued by him to civilians in civilian prisons. However, this article relates to the implementation of sentences only, and it has not been subject to pretrial detention orders issued by the investigation bodies of the military judiciary. The law did not prohibit the implementation of pretrial detention orders issued by them in prisons or civilian places of detention.

Therefore, we will present the following, first: the extent to which it is permissible to detain civilians held in pre-trial detention in military prisons in application of the provisions of the Military Justice Law, and second: to determine the cases of the jurisdiction of the military judiciary to try civilians.

⁴ [Article No. 1 of the Law on the Organization of Correction and Rehabilitation Centers](#), as amended by [Law No. 14 of 2022](#), and [Article No. 1 bis of the Law on the Organization of Correction and Rehabilitation Centers](#), added to [Law No. 57 of 1968](#).

⁵ See: Judgement of the Court of Cassation in Appeal No. 44270 of 85 S issued at the 22nd session of October 2016 and published in the letter of the Technical Office No. 67, rule No. 94, page 735.

Civilians held in pre-trial detention in military reform centers may be detained per the provisions of the Military Justice Law

The Military Justice Law stipulated the implementation of custodial penalties issued to military personnel in military prisons unless they are stripped of their military status, they may be transferred to civilian prisons, and custodial penalties issued to civilians shall be implemented under the Military Justice Law in civilian prisons⁽⁶⁾.

On the other hand, the Military Justice Law did not require the implementation of pretrial detention orders issued to civilians by competent investigation authorities under that law in civilian prisons. The law did not prohibit the implementation of pretrial detention orders issued to civilians in military prisons⁽⁷⁾.

Therefore, it is clear from the concept of violation <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D9%82%D8%B6%D8%A7%D8%A1-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A#h.et4qkpdpzu5m> of the text of **Article 37** of the **Military Justice Law** that pretrial detention orders issued by the competent investigation authorities may be executed against civilians - if they commit any of the crimes subject to the Military Justice Law - in military prisons.

The second requirement is prohibiting the imprisonment or detention of any person in places other than those designated for this purpose within the framework of international conventions

The Declaration on the Protection of All Persons from Enforced Disappearance stipulated that every person deprived of liberty must be in an officially recognized place of detention⁸.

6 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D9%82%D8%B6%D8%A7%D8%A1-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A#h.38df6l2h7o5a> 108 of Law No. 25 of 1966 Concerning the Issuance of the **Military Justice Law**.

7 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D9%82%D8%B6%D8%A7%D8%A1-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A#h.et4qkpdpzu5m> the **Military Justice Law** stipulates that: "The order issued to imprison the accused shall be executed in the prison of his unit if he is a military unless the Military Prosecution orders its implementation in a military or civilian prison. The prosecution shall deliver a copy of the detention order to the authority entrusted with its execution."

8 The United Nations General Assembly adopted the Declaration on the Protection of All Persons from Enforced Disappearance in its resolution 47/133 of 18 December 1992, <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9>

The International Convention for the Protection of All Persons from Enforced Disappearance also prohibited the confinement of any person in an unknown place⁹.

That Convention defined enforced disappearance as: "The arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which places such a person outside the protection of the law" (10).

The Declaration on the Protection of All Persons from Enforced Disappearance considered that any act of enforced disappearance is a crime against human dignity, and it is a serious and flagrant violation of the human rights and fundamental freedoms contained in the Universal Declaration of Human Rights. Enforced disappearance deprives the person subjected to it of legal protection, and inflicts severe suffering on him and his family, in violation of the rules of international law that guarantee everyone the right to liberty and security and the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, and violates his right to life or constitutes a serious threat to him (11).

Any act of enforced disappearance is considered a crime that must be punished with appropriate penalties, and any act of enforced disappearance is considered a continuous crime as the perpetrator continues to conceal the fate of the victim of disappearance and the place of his disappearance (12).

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.lobatd484fk6> the Declaration on the Protection of All Persons from Enforced Disappearance.

9 The first paragraph of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.l5jocgjbmbme> 17 of the International Convention for the Protection of All Persons from Enforced Disappearance.

10 Article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance.

11 Article 1 of the Declaration on the Protection of All Persons from Enforced Disappearance.

12 [Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.l5jocgjbmbme](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.l5jocgjbmbme)

Criminal responsibility for the act of enforced disappearance shall be borne by anyone who commits, orders, recommends, conspires, or participates in the commission of the crime himself, and no orders or instructions issued by public, civil, military, or other authorities may be invoked to exempt from responsibility for the commission of that crime, with the possibility of providing in national legislation extenuating circumstances for anyone who, after participating in acts of enforced disappearance, facilitates the appearance of the victim alive, or voluntarily provides information on cases of enforced disappearance ⁽¹³⁾.

The perpetrators of the crime do not benefit from any special amnesty law or any similar measure that may result in their exemption from any criminal prosecution or punishment ⁽¹⁴⁾.

In addition to the civil responsibility of the perpetrators of enforced disappearance, the state also bears civil responsibility for the authorities that organized, approved, or condoned enforced disappearances ⁽¹⁵⁾.

The victims of enforced disappearance and their families must be adequately compensated, including the means for their rehabilitation to the fullest extent possible ⁽¹⁶⁾.

The International Convention for the Protection of All Persons from Enforced Disappearance obliges each State to investigate complaints that a person has been subjected to enforced disappearance, to examine that allegation promptly and impartially and to take appropriate measures to ensure the protection of the complainant, witnesses, relatives and defenders of the ¹⁷ disappeared.

[%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.scvc3kjdbge](#) 17 of the Declaration on the Protection of All Persons from Enforced Disappearance.

¹³ Articles 4 and 6 of the Declaration on the Protection of All Persons from Enforced Disappearance.

¹⁴ [Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.520g8x4g0mf8> 18 of the Declaration on the Protection of All Persons from Enforced Disappearance.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.520g8x4g0mf8)

¹⁵ [Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.2rmc5se73wvc> 5 of the Declaration on the Protection of All Persons from Enforced Disappearance.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.2rmc5se73wvc)

¹⁶ [Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.5u4jd7g21378> 19 of the Declaration on the Protection of All Persons from Enforced Disappearance.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.5u4jd7g21378)

¹⁷ [Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%A7%D8%AA%D9%81%D8%A7%D9>](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%A7%D8%AA%D9%81%D8%A7%D9)

Each state is obligated to provide access to every person who is proven to have a legitimate interest in obtaining information about the authority that decided to deprive the person of his liberty, as well as the date, time and place of deprivation of liberty and entry to the place of deprivation of liberty; the authority that monitors the deprivation of liberty; the whereabouts of the person deprived of liberty, including in the event of transfer to another place of detention, the place to which he was transferred and the authority responsible for his transfer; the date, time and place of release; data on the health status of the person deprived of liberty; and access to the circumstances and causes of death and the destination of the remains of the deceased in the event of the death of the person deprived of liberty, as well as protecting every person who proves a legitimate interest from any ill-treatment, intimidation or punishment for seeking information about a person deprived of liberty⁽¹⁸⁾.

It is prohibited to restrict the right to obtain information related to the person deprived of his liberty while guaranteeing the right to a prompt and effective judicial appeal to obtain all the prescribed information at the earliest⁽¹⁹⁾.

Each State shall take the necessary measures to prevent and punish the refusal to provide information on a case of deprivation of liberty, or the provision of incorrect information, at a time when the legal requirements for providing such information are²⁰ met.

[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%A7%D8%AA%D9%81%D8%A7%D9%82%D9%8A%D8%A9-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9-%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.gjhxbydcw3112](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9-%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.gjhxbydcw3112) 12 of the [International Convention for the Protection of All Persons from Enforced Disappearance](#), and Article 13 of the [Declaration on the Protection of All Persons from Enforced Disappearance](#).

18 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%A7%D8%AA%D9%81%D8%A7%D9%82%D9%8A%D8%A9-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9-%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.3f44rydk7kgb18> 18 of the [International Convention for the Protection of All Persons from Enforced Disappearance](#).

19 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%A7%D8%AA%D9%81%D8%A7%D9%82%D9%8A%D8%A9-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9-%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.u6m0kirjhb20> 20 of the [International Convention for the Protection of All Persons from Enforced Disappearance](#), and Article 9 of the [Declaration on the Protection of All Persons from Enforced Disappearance](#).

20 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%A7%D8%AA%D9%81%D8%A7%D9%82%D9%8A%D8%A9-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9-%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.bz9tjvx190i422> 22 of the [International Convention for the Protection of All Persons from Enforced Disappearance](#).

Any person who has been detained without observing the established rules must be released immediately, and the state must take the necessary measures to ensure that he has already been released, and to ensure his physical safety and his full ability to exercise his rights upon his release⁽²¹⁾.

The second topic is the right of the inmate or detainee to see the order issued for his imprisonment

The first requirement: Within the framework of Egyptian law

Article

95

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D8%AF%D8%B3%D8%AA%D9%88%D8%B1#h.5vt77lbbmajof> the **Constitution** stipulates that: «... No penalty shall be imposed except by a judicial ruling...»The penalties prescribed by law for any crime may not be imposed except by virtue of a judgment issued by a competent court⁽²²⁾.

It is prohibited to place any person in reform centers without a written order signed by the competent authorities. **Article 5 of the Egyptian Reform Centers Regulation Law** affirmed the need for a written order signed by the competent authorities to place the person in the reform centers designated for that purpose. It is also prohibited to place any person in the labor institution of recidivists except by a written order signed by the legally competent authorities and remains in it until the Minister of Justice orders his release based on the proposal of the institution's management and the approval of the Public Prosecution. The court enforcement clerk must send adult convicts with their implementation forms to the prisons specified for the execution of the punishment according to the different types and degrees of punishment⁽²³⁾.

21 [Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%A7%D8%AA%D9%81%D8%A7%D9%82%D9%8A%D8%A9-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9-%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.ek1jdeqpmzi](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%A7%D8%AA%D9%81%D8%A7%D9%82%D9%8A%D8%A9-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9-%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.ek1jdeqpmzi) 21 of the **International Convention for the Protection of All Persons from Enforced Disappearance**.

22 [Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D8%A1%D8%A7%D8%AA-%D8%A7%D9%84%D8%AC%D9%86%D8%A7%D8%A6%D9%8A%D8%A9#h.38i75spvu37k](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D8%A1%D8%A7%D8%AA-%D8%A7%D9%84%D8%AC%D9%86%D8%A7%D8%A6%D9%8A%D8%A9#h.38i75spvu37k) 459 of the **Code of Criminal Procedure**.

23 Articles No. 5 and 6 of the Law on the Organization of Correction and Rehabilitation Centers as amended by Law No. 14 of 2022, Article No. 2 of the **Internal Regulations** of the **Community Correction and Rehabilitation Centers**, Article No. 3 of the **Internal**

The director of the reform center or the employee appointed for this purpose shall receive a copy of the deposit order after he signs the original receipt, provided that the original is returned to those who brought the inmate and a signed copy is kept by those who issued the order in the reform center.

The competent prosecution employee shall, upon placing the accused in the reform center based on an order issued for his detention, hand over a copy of the detention order to the director of the reform center or the competent employee appointed for this purpose after signing the original receipt, and it shall be taken into account that this copy shall be signed by the person who issued the order and stamped with the seal of the emblem of the Republic ⁽²⁴⁾.

The Attorney General and his agents in their jurisdictions have the right to enter all reform centers at any time to verify that there is no illegal inmate ⁽²⁵⁾.

As for the places designated for the detention of detainees specified by a decision of the Minister of Interior, it is not permissible to enter them except for those assigned by the Public Prosecutor, such as public attorneys, heads of partial prosecutors' offices in them, or their director, to notify the Public Prosecutor through public attorneys or heads of total prosecutors' offices of what is in their departments from these places ⁽²⁶⁾.

The Public Prosecution shall, when inspecting the reform centers, whether they are public or geographical, ensure that the orders of the prosecution and the investigating judge in the cases that he is assigned to investigate and the decisions of the courts are implemented in the manner indicated therein and that there is no inmate unlawfully ⁽²⁷⁾.

This is done by reviewing the detention or arrest orders or written orders to deposit for the detainee or the execution forms, confirming that there is a summary of them in the records of the reform center and requesting a copy of the detention order if it is found that he is not present. If the prosecution member is found detained or detained without a right, he orders his release immediately after writing a report proving the incident and explaining the record of the hour and date of the procedure and the person and signature of the recipient of the release order.

Regulations of the Geographical Correction and Rehabilitation Centers, Articles No. 2 and 3 of the Presidential Decree No. 82 of 1984, and Article No. 1047 of the written, financial and administrative instructions of the Public Prosecution.

²⁴ Article 1044 of the written, financial and administrative instructions of the Public Prosecution.

²⁵

Article

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.aeknys980rj2> 85 of the Law Regulating Correction and Rehabilitation Centers, as amended by Law No. 14 of 2022.

²⁶ Article 1750 of the Judicial Instructions of the Public Prosecution.

²⁷ Article 1748 of the Judicial Instructions of the Public Prosecution.

If the prosecution member is found detained or detained in a place other than the place designated for him, he shall immediately write a report of the incident and order his deposit in the place designated for him with proof of this in the record explaining the hour and date of the procedure and the person and signature of the recipient of the deposit order. He may complete the inspection report upon his return to the headquarters of the prosecution and include the crimes and irregularities he observed, provided that he takes the initiative to notify the Attorney General of the Public Prosecution of these violations and crimes and sends the inspection report to one of the members of the²⁸ Public Prosecution.

A penalty of imprisonment or a fine not exceeding two hundred Egyptian pounds shall be imposed on anyone who arrests, imprisons, or detains any person without an order from one of the competent rulers and in cases other than those authorized, and the punishment shall be imprisonment if the arrest is made by a person who unlawfully dresses as a government employee or is characterized as a liar or presents a forged order claiming to be issued by the government, he shall be punished by imprisonment⁽²⁹⁾.

In all cases, whoever unlawfully arrests a person and threatens him with death or tortures him with physical torture shall be punished with rigorous imprisonment.⁽³⁰⁾

Any person who lends a place of confinement or detention that is not permitted to his knowledge shall also be imprisoned for a period not exceeding two years.⁽³¹⁾

The second requirement: within the framework of international conventions

- All international covenants prohibited the admission of any person to prison without a legitimate detention order⁽³²⁾.

²⁸ Articles 1749 and 1749 bis of the Judicial Instructions of the Public Prosecution.

²⁹

[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA#h.2uvftwdoo0z0_280_of_the_PenalCode](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA#h.2uvftwdoo0z0_280_of_the_PenalCode) as amended by Law No. 29 of 1982.

³⁰

[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA#h.i8m5fo2ae7ow_282_of_the_PenalCode](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA#h.i8m5fo2ae7ow_282_of_the_PenalCode).

³¹ Article 281 of the PenalCode.

³² The first paragraph of Rule No. 7 of the Nelson Mandela Rules, Principle No. 2 of the

[Bodyhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-)

It is prohibited to keep any person detained pending investigation or trial except based on a written order issued by a competent authority⁽³³⁾.

It is also prohibited to receive any juvenile in a detention institution without a valid detention order issued by a judicial, administrative, or any other public authority, provided that the details of the detention order are recorded in the records of the institution immediately, and no juvenile may be detained in any institution or facility without records⁽³⁴⁾.

Therefore, the detained person accused of committing a criminal charge must be brought promptly before a judicial authority or any other competent authority after his arrest, and that authority must decide on the legality and necessity of his detention without delay, and the detained person has the right to make a statement about the treatment he received during his detention⁽³⁵⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.19k44jqai23a> of the Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.

³³ Principles 4, 37 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.

³⁴ Rule No. 20 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

³⁵ Principle No. 37 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment. <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.kiyxs9fi28rb> of All Persons under Any Form of Detention or Imprisonment.

The International Convention for the Protection of All Persons from Enforced Disappearance also prohibited the subjection of any person to enforced disappearance and prohibited invoking any exceptional circumstances, whether a state of war or the threat of war, internal political instability, or any other state of exception, to justify enforced disappearance ⁽³⁶⁾.

Every prisoner has the right to inform his family immediately of his arrest or transfer to another prison ⁽³⁷⁾.

The use of pre-trial detention of juveniles - pre-trial detention - is prohibited except as a last resort and for the shortest possible period, and is replaced whenever he believes in alternative measures such as close monitoring, intensive care or placement in a family, institution, or educational institution, provided that the detained juvenile enjoys all the rights and guarantees guaranteed by the Standard Minimum Rules for the Treatment of Prisoners ⁽³⁸⁾.

provided that each case in which an accused person has occurred shall be heard expeditiously without any unnecessary delay ⁽³⁹⁾.

Following the arrest of the juvenile, his parents or guardian must be notified of this immediately, and if immediate notification is not possible, the notification must be within the period after his arrest, provided that a competent judge or official considers without delay the

[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.kivxs9fi28rbof](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.kivxs9fi28rbof) Detention or Imprisonment.

36 https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%A7%D8%AA%D9%81%D8%A7%D9%82%D9%8A%D8%A9-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9-%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.bhyncho6eg_1 of the International Convention for the Protection of All Persons from Enforced Disappearance, and Article 7 of the Declaration on the Protection of All Persons from Enforced Disappearance.

37 Rule No. 68 of the Nelson Mandela Rules.

38 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A7%D9%84%D8%A3%D9%85%D9%85-%D8%A7%D9%84%D9%85%D8%AA%D8%AD%D8%AF%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%A7%D9%84%D8%A3%D8%AD%D8%AF%D8%A7%D8%AB-%D8%A7%D9%84%D9%85%D8%AC%D8%B1%D8%AF%D9%8A%D9%86-%D9%85%D9%86-%D8%AD%D8%B1%D9%8A%D8%AA%D9%87%D9%85#h.xde0ul301wku> Rule 13 of the African Charter on the Rights and Welfare of the Child.

39 Rule No. 20 of the Beijing Rules.

order for his release. Communications between law enforcement agencies and the juvenile offender shall be conducted in a manner that ensures respect for the legal status of the juvenile, facilitates his well-being, and avoids harm, with due regard to the circumstances of the case⁽⁴⁰⁾.

[Rule 10 of the Beijing Rules](#) is in principle covered by rule 92 of the Standard Minimum Rules for the Treatment of Prisoners: «.. The order for release shall be considered without delay by a judge or other competent official...».

The term competent official means any person or institution in the broadest sense of the word, including local councils or police authorities that have the authority to release detainees.

That Beijing rule addresses some key aspects of the procedures and actions of police and other law enforcement officials in juvenile crime cases. It is recognized that the phrase (avoid harming him) is a flexible formula that includes many facets of possible reactions (such as the use of harsh expressions) or (physical violence or exposure to environmental hazards). Mere exposure to juvenile justice can in itself be (harmful) to the juvenile.

Therefore, the phrase (to avoid harming him) should be interpreted as meaning, in the first place, the infliction of the lowest possible degree of harm to the juvenile, as well as any additional harm first justified. This is of great importance in the first contact with the bodies entrusted with law enforcement, which can have a profound impact on the juvenile's behavior towards the state and society. Moreover, the success of any form of subsequent intervention depends to a large extent on these initial contacts, as compassion and firmness are important in these cases.

Where appropriate, consideration shall be given to the possibility of dealing with cases of juvenile offenders without resorting to a formal trial by the competent authority, provided that the police, the Public Prosecution, or other bodies dealing with juvenile cases are empowered to adjudicate these cases at their discretion, without holding formal trial sessions, by the standards established for this purpose in the various legal systems, as well as by the principles contained in these Rules.

Any transfer involving referral to a community body or other appropriate institution requires the event's acceptance or the acceptance of his parents or guardian, provided that the decision to transfer the case is subject to review by a competent authority, upon application.

⁴⁰ [Rule No. 10 of the Beijing Rules](#).

To facilitate discretionary adjudication of juvenile cases, efforts are being made to organize community-based programs, such as temporary supervision and guidance, restitution, and compensation⁴¹ for victims.

When the case of the juvenile offender has not been transferred outside the judicial system, it must be considered by the competent authority (court, judicial body, governing body, council or otherwise) by the principles of a fair and just trial, and the procedures must help to achieve the best interest of the juvenile, and be conducted in an atmosphere of understanding that allows the juvenile to participate in it and express himself freely⁽⁴²⁾.

Appropriate measures for the execution of orders issued by the competent authority, by the previous rule, must be taken either by that same authority or by any other authority, as the circumstances require, and these measures include the authority to amend orders as the competent authority deems appropriate from time to time⁽⁴³⁾.

If the situation in Egypt is that any person is arrested, and the reasons or place of his detention are not indicated, whether for the person himself or any of his family members or his legal representative, and if this is not permissible according to the Constitution, which stipulates that no one may be arrested, searched, detained, or his freedom restricted in any way except by a reasoned judicial order necessitated by the investigation⁽⁴⁴⁾.

The Constitution, as well as the rulings of the Supreme Constitutional Court, recognized the right of anyone who was arrested or detained to communicate with others to inform him of what happened or to use it in the manner regulated by law, which means guaranteeing his right to obtain legal advice requested by the lawyers of his choice, and ruled that: [The Constitution empowered... Whoever is arrested or detained has the right to contact others to inform him of what has happened or to use it in the manner regulated by law, which means guaranteeing his right to obtain the legal advice he requests from the lawyers of his choice, which is necessary advice that provides a fence of trust and confidence, and provides him with the effective assistance required to remove suspicions pending against him, and to face the consequences of the restrictions imposed by the public authority on his freedom, with which it is not permissible to separate him from his lawyer in a way that offends his position, whether during the preliminary investigation or before it]⁽⁴⁵⁾.

⁴¹ [Rule No. 11 of the Beijing Rules.](#)

⁴² [Rule No. 14 of the Beijing Rules.](#)

⁴³ [Rule No. 23 of the Beijing Rules.](#)

⁴⁴ [Article 54 of the Constitution.](#)

⁴⁵ Judgment of the Supreme Constitutional Court in Case No. 6 of 13 S, issued at the session of May 16, 1992, and published in the first part of the book of the Technical Office No. 5, rule No. 37, page No. 344.

The International Covenant on Civil and Political Rights also prohibits the arrest, detention or deprivation of liberty of any person except on the grounds and under the procedures stipulated by law, and must be tried within a reasonable time or released, and that pretrial detention is not the general rule for all those awaiting trial ⁽⁴⁶⁾.

Any person arrested at the time of arrest must be informed of the reason for this, and promptly informed of any charge against him ⁽⁴⁷⁾.

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Principle No. 10 of the Body of<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.sd73onq8qu66of>

Any person who is arrested, detained, imprisoned or charged with a criminal offense must be informed of his right to be represented and assisted by a lawyer of his choice when arrested, detained or imprisoned, or when charged with a criminal offense ⁽⁴⁸⁾.

Every person who does not have a lawyer has the right to appoint an experienced and competent lawyer consistent with the nature of the crime with which he is accused to provide him with effective legal assistance, without paying for this service if he does not have sufficient resources for it ⁽⁴⁹⁾.

It is also prohibited to keep any detained person without giving him a real opportunity to make his statement as soon as possible before a judicial or other authority, and he has the right to defend himself or obtain the assistance of a lawyer. The detained person and his lawyer shall be informed of all information about the detention order and its reasons, with the right to review the continuation of detention before the judicial or any other authority ⁽⁵⁰⁾.

The detained person or his lawyer has the right at any time to file a simple and urgent lawsuit under domestic law before a judicial or any other authority to challenge the legality of his detention, to obtain an order for his release without delay, if his detention is illegal, provided that the lawsuit is free of any costs for those who do not have sufficient means, and the authority detaining the person is obligated to bring him without undue delay before the authority that undertakes the review ⁽⁵¹⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.gxs4eb7a7eyd> of All Persons under Any Form of Detention or Imprisonment.

48 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A3%D8%B3%D8%A7%D8%B3%D9%8A%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AF%D9%88%D8%B1-%D8%A7%D9%84%D9%85%D8%AD%D8%A7%D9%85%D9%8A%D9%86#h.292xhwiratsz.6> Principle No. 5 of the Basic Principles on the Role of Lawyers.

49 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A3%D8%B3%D8%A7%D8%B3%D9%8A%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AF%D9%88%D8%B1-%D8%A7%D9%84%D9%85%D8%AD%D8%A7%D9%85%D9%8A%D9%86#h.292xhwiratsz.6> Principle 11, 39 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.

51 [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.gxs4eb7a7eyd) of

The juvenile also has the right to be represented by his legal counsel for the duration of the judicial proceedings, and he has the right to request that the court assign him a lawyer free of charge, and his parents or guardian have the right to participate in all judicial proceedings, and the competent authority may request their presence for the benefit of the juvenile, unless the competent authority refuses their participation in the proceedings if there are necessary reasons to exclude them in favor of the juvenile ⁽⁵²⁾.

In all cases, except those involving minor crimes, and before the competent authority makes a final decision prior to the issuance of the judgment, a proper investigation of the environment and circumstances in which the juvenile lives or the circumstances in which the crime was committed must be carried out, and the competent authority can issue a judgment in the case with foresight ⁽⁵³⁾.

In disposing of cases, the competent authority shall be guided by the following principles:

- (a) the reaction must always be proportional not only to the circumstances and gravity of the offense but also to the circumstances and needs of the juvenile as well as the needs of society;
- (b) Restrictions on the personal liberty of the juvenile shall be imposed only after careful consideration and shall be limited to the minimum extent possible;

[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.nranj3846ttn](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.nranj3846ttnPrinciples) of All Persons under Any Form [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.k53z9748oxt514, 16](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.nranj3846ttnof%20Detention%20or%20Imprisonment,) of the Arab Charter on Human Rights.

⁵² [Rule No. 15 of the Beijing Rules.](#)

⁵³ [Rule No. 16 of the Beijing Rules.](#)

(c) Deprivation of personal liberty shall be imposed only if the juvenile is convicted of a serious act involving the use of violence against another person or of recidivism in other serious criminal acts and unless there is any other appropriate measure;

(d) The best of the juvenile shall be the factor that guides the consideration of his case.

The death penalty shall not be imposed for any crime committed by the juvenile, nor shall corporal punishment be inflicted on juveniles, and the competent authority shall have the right to suspend the proceedings at any time ⁽⁵⁴⁾.

However, the Egyptian legislator used many terms to justify the restriction of liberty such as detention, detention, pre-trial detention or imprisonment, justifying this by law to protect public peace and security. The law did not provide for the right of an inmate, a detainee, a detainee or a person against whom a pre-trial detention order was issued to view the detention order issued against him. Moreover, no matter how different those names the legislator gives to detention without a reasoned judicial order, everything that restricts a person's freedom of movement and detention in an unknown place to him, his family members or his legal representative is only a form of enforced disappearance that is internationally criminalized, and if the legal justification in Egypt is to harm public peace and security, this may not be invoked by the International Convention for the Protection of All Persons from Enforced Disappearance, as well as in accordance with the Declaration on the Protection of All Persons from Enforced Disappearance ⁽⁵⁵⁾.

The International Convention for the Protection of All Persons from Enforced Disappearance defines it as "arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which places such a person outside the protection of the law" ⁽⁵⁶⁾.

The Declaration on the Protection of All Persons from Enforced Disappearance considered that any act of enforced disappearance is a crime against human dignity, and it is a serious and flagrant violation of the human rights and fundamental freedoms contained in the Universal Declaration of Human Rights. Enforced disappearance deprives those who are subjected to it of legal protection, and

⁵⁴ [Rule No. 17 of the Beijing Rules.](#)

⁵⁵ [Article \[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.bohp41mwt60c_6\]\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.bohp41mwt60c_6\) of the Declaration on the Protection of All Persons from Enforced Disappearance, and Article 6 of the International Convention for the Protection of All Persons from Enforced Disappearance.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.bohp41mwt60c_6)

⁵⁶ [Article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance.](#)

inflicts severe suffering on them and their families, in violation of the rules of international law that guarantee everyone the right to liberty and security and the right not to be subjected to torture and other cruel, inhuman or degrading treatment or punishment, and violates or constitutes a serious threat to their right to life⁽⁵⁷⁾.

Any act of enforced disappearance is considered a crime that must be punished with appropriate penalties. Criminal responsibility for the act of enforced disappearance shall be borne by whoever commits the crime himself, orders, recommends, conspires, or participates in its commission. It is not permitted to invoke any orders or instructions issued by public, civil, military, or other authorities to exempt from responsibility for the commission of that crime, with the possibility of providing in national legislation extenuating circumstances for anyone who, after participating in enforced disappearance, facilitates the appearance of the victim alive, or voluntarily provides information on cases of enforced disappearance, taking into account that the perpetrators of the crime do not benefit from any special amnesty law or any similar procedure that may result in their exemption from any criminal trial or punishment.

Every act of enforced disappearance is an ongoing crime whose perpetrator continues to conceal the fate and whereabouts of the victim of disappearance⁽⁵⁸⁾.

In addition to the civil responsibility of the perpetrators of enforced disappearance, the state also bears civil responsibility for the authorities that organized, approved or condoned enforced disappearances, with the victims of enforced disappearance and their families being compensated with appropriate compensation, including the means for their rehabilitation to the fullest extent possible⁽⁵⁹⁾.

Each State shall investigate complaints that a person has been subjected to enforced disappearance, promptly and impartially examine that allegation, and take appropriate measures to ensure the protection of the complainant, witnesses, relatives and defenders of the⁶⁰ disappeared.

⁵⁷ [Article 1 of the Declaration on the Protection of All Persons from Enforced Disappearance.](#)

⁵⁸ Articles [4,17 and 18](#) of the Declaration on the Protection of All Persons from Enforced Disappearance, [and article 6](#) of the [International Convention for the Protection of All Persons from Enforced Disappearance.](#)

⁵⁹ Articles [5 and 19](#) of the Declaration on the Protection of All Persons from Enforced Disappearance.

⁶⁰ [Articles 12.](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%A7%D8%AA%D9%81%D8%A7%D9%82%D9%8A%D8%A9-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9-%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1->

Each state must provide access to every person who is proven to have a legitimate interest in obtaining information about the authority that decided to deprive the person of his liberty, as well as the date, time, and place of deprivation of liberty and entry to the place of deprivation of liberty; the authority that monitors the deprivation of liberty; the whereabouts of the person deprived of liberty, including in the event of transfer to another place of detention, the place to which he was transferred and the authority responsible for his transfer; the date, time and place of release; data on the health status of the person deprived of liberty; and access to the circumstances and causes of death and the destination of the remains of the deceased in the event of the death of the person deprived of liberty, as well as protecting every person who proves a legitimate interest from any ill-treatment, intimidation or punishment for seeking information about a person deprived of liberty⁽⁶¹⁾.

It is prohibited to restrict the right to obtain information related to the person deprived of his liberty while guaranteeing the right to a prompt and effective judicial appeal to obtain all the prescribed information at the earliest⁽⁶²⁾.

Each State shall take the necessary measures to prevent and punish the refusal to provide information on a case of deprivation of liberty, or the provision of incorrect information, at a time when the legal requirements for providing such information are⁶³ met.

[Article 17 of the International Convention for the Protection of All Persons from Enforced Disappearance](#), and articles 12, 13 of the Declaration on the Protection of All Persons from Enforced Disappearance.

61 [Article 18 of the International Convention for the Protection of All Persons from Enforced Disappearance.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%A7%D8%AA%D9%81%D8%A7%D9%82%D9%8A%D8%A9-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9-%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.3f44rydk7kgb)

62 [Article 20 of the International Convention for the Protection of All Persons from Enforced Disappearance](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%A7%D8%AA%D9%81%D8%A7%D9%82%D9%8A%D8%A9-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9-%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.u6m0kirjhbia), [Article 9 of the Declaration on the Protection of All Persons from Enforced Disappearance.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.eoblx7bb18pd)

63 [Article 9 of the Declaration on the Protection of All Persons from Enforced Disappearance.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%A7%D8%AA%D9%81%D8%A7%D9%82%D9%8A%D8%A9-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9-%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.eoblx7bb18pd)

Any person who has been detained without observing the established rules must be released immediately and the state must take the necessary measures to ensure that he has already been released, and to ensure his physical safety and his full ability to exercise his rights upon his release (64)

Criticism

The detention or confinement of a person in places other than those designated for that purpose or without access to information about that detention or confinement is a form of enforced disappearance that is internationally criminalized, and the detention of any person must be in places specified by law, and this must be in a place known to his person as well as to his relatives.

Whereas the Egyptian Law on the Organization of Correction and Rehabilitation Centers or the Code of Criminal Procedure does not provide for the provision of information on the places of detention of persons, nor does it provide for the provision of information on the movement of persons from one place to another, and that such information is accessible to members of the family of the detainee, his lawyer, or any other person with a legitimate interest in it, this is considered a violation of all international conventions.

Recommendations

We consider that it should be stipulated that:

The right of the detainee or prisoner to provide information to him, his family, his lawyer, or any other person who has an interest in this about the place of his detention, the authority that decided to deprive him of his liberty, and the health status of the detained person.

As well as tightening the punishment stipulated in [Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.bz9tjvx190i4](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%A7%D8%AA%D9%81%D8%A7%D9%82%D9%8A%D8%A9-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9-%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.ek1jdeqpmzi) 22 of the International Convention for the Protection of All Persons from Enforced Disappearance.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.481y9ly26jtu](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%A7%D8%AA%D9%81%D8%A7%D9%82%D9%8A%D8%A9-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9-%D9%84%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.ek1jdeqpmzi) 11 of the Declaration on the Protection of All Persons from Enforced Disappearance.

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[%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA#h.2uvftwdo0z0_280](#) of the Penal Code, which punishes with imprisonment or a fine not exceeding two hundred Egyptian pounds whoever arrests, imprisons, or detains any person without an order from one of the competent rulers and in cases other than those authorized by the laws and regulations to arrest suspects, by imposing the punishment also on those who commit the act of imprisonment or detention in places other than those designated by law, and intensifying that punishment.

As well as the punishment stipulated in Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA->

[%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-](#)

[%D9%85%D8%B1%D8%A7%D9%83%D8%B2-](#)

[%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-](#)

[%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.k0dekep1u3y_91_bis](#) of the Law Regulating Correction and Rehabilitation Centers, which punishes with imprisonment every public official or person in charge of a public service who has committed or ordered the committal of a person deprived of his liberty in any way, in other than correction and rehabilitation centers and the places indicated in Articles 1 and 1 bis of this law.

As well as increasing the punishment stipulated in Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA->

[%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-](#)

[%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA#h.ndhcv7r7po8m_283](#) of the Penal Code, which punishes with imprisonment for a period not exceeding two years any person who lends a place of detention or detention that is not permitted with his knowledge.

It shall also provide for the establishment of a mechanism to investigate complaints relating to the disappearance of persons to a competent and independent authority, and for the State to take promptly and impartially all appropriate measures to ensure the protection of the complainant, witnesses, the family of the disappeared person and their counsel, and to allow them to be informed of the results of investigations carried out in that regard, without prejudice to the progress of the investigation.

Provide for the imposition of a penalty in the event of failure to provide information on the place of detention of any person deprived of liberty.

The third topic is the right of the inmate to be placed in correctional centers near his usual place of residence or places of social rehabilitation

Reform centers are defined as facilities where custodial sentences are carried out according to the provisions of the law. These centers are under judicial supervision and aim to provide social and cultural care and rehabilitation for convicts. The Egyptian Law on the Organization of Reform and Community Rehabilitation Centers grants the administration complete discretion in determining the placement of any person detained or deprived of liberty, allowing them to be held in one of the reform centers specified in the law or other locations designated by a decision of the President of the Republic, with no restriction on administrative discretion in this regard.

The legislator has classified reform centers in Egypt into three categories: public reform and rehabilitation centers, geographical reform centers, and private reform and rehabilitation centers (). The type of sentence imposed serves as the basis for determining the appropriate type of reform center, which we will address below:

First: Public Correction and Rehabilitation Centers

Sentences issued for life imprisonment and rigorous imprisonment, as well as those sentenced to imprisonment, and those sentenced to imprisonment for a period exceeding three months, shall be enforced in public correction and rehabilitation centres, unless the remaining period at the time of their sentence is less than that. ⁽⁶⁵⁾.

Second: Geographical Correction and Rehabilitation Centers

The penalty shall be carried out in a geographical reform center on persons sentenced to imprisonment for less than three months or persons sentenced to imprisonment for more than three months and the remaining period for them at the time of the judgment is less than three months. The penalty shall also be carried out in a geographical reform center on persons who are subject to physical coercion in the implementation of financial provisions. They may be placed in a public reform and rehabilitation center if it is closer to the prosecution, or if the geographical reform center is narrow to them ⁽⁶⁶⁾.

⁶⁵ [Article No. 2 of the Law on the Organization of Correction and Rehabilitation Centers](#), as amended by [Law No. 14 of 2022](#). [Article No. 14 of the Penal Code](#) defines the penalty of aggravated imprisonment as the employment of the convict in the most difficult work assigned by the government for the duration of his life if the penalty is for life or the period of the sentence if the punishment is temporary. The temporary punishment may not be less than three years or more than fifteen years, except in special cases stipulated by law.

⁶⁶ [Article 2 of the Law on the Organization of Reform and Community Rehabilitation Centers](#), as amended by [Law No. 14 of 2022](#).

The Minister of Interior shall allocate a place in the Public Reform Centre for the admission of foreigners who order the temporary detention of those whom he deems to be deported in the application of the provisions of the law regulating the entry and residence of foreigners in and out of the territory of the State, and they shall be treated in the manner prescribed by the Minister of Interior.⁽⁶⁷⁾

The decision of the Minister of Interior No. 72 of 1959 stipulated the allocation of rooms in each of the men's prison in Al-Qanater Al-Khairiya, the women's prison in Al-Qanater Al-Khairiya, Alexandria prison, Port Said prison, Cairo prison for investigation in Tora to accept foreigners who are temporarily detained until deportation procedures are carried out in application of the provisions of Law No. 89 of 1960 regarding the entry and residence of foreigners in the territory of the United Arab Republic and exit from it, provided that these rooms are equipped with the necessary beds and bedding from police warehouses, and are equipped with adequate lighting⁽⁶⁸⁾.

Creation Decision		Prison Name	No.
Year of the decision	Decision number of the Minister of Interior		
2017	1473	General Rehabilitation Prison	1.
2014	4073	High Security Prison (2) in Tora	2.
2014	873	High Security Prison in Minya	3.
2013	1750	High-security prison in Gammasah	4.
2011	1816	Public Prison No. (1) in Wadi Al-Natroun	5.
2009	1726	Public Prison for Men No. (1) in Al-Qanater Charity Area	6.
2000	14633	Borg Al-Arab Public Prison in New Gharbaniyat City in the Department of Alexandria Security Directorate	7.

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[Article](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.2kwhaq5bu63a> 94 of the Law Regulating Correction and Rehabilitation Centers, as amended by Law No. 14 of 2022.

68 Article 1 of the Minister of Interior's Resolution No. 72 of 1959, as amended by the Minister of Interior's Resolution No. 55 of 1965, as amended by the Minister of Interior's Resolution No. 15 of 1966, the Minister of Interior's Resolution No. 659 of 1986, and Article 2 of the same Resolution.

1999	114	Al-Qata Al-Gadid Prison, where convicts are placed with custodial sentences from the governorates of Giza, Cairo and Qalyubia	8.
1999	114	Damanhour Women's Prison, where convicted women are held with custodial sentences and pretrial detainees from the governorates of Alexandria, Damanhour and neighboring governorates	9.
1999	114	Rehabilitation prison in Qata, where military prisoners who have been dismissed from military service are placed and their sentences are less than a year to work in agricultural projects	10.
1999	114	The prison of the prison labor camp in Badr Center of the Directorate of Lake Security, where convicted persons are placed in cases of desertion from the service of members of the armed forces and the police who have been dismissed from service, provided that their main profession is agriculture.	11.
1999	77	Liman in the area of Wadi Al-Natroun prisons on the desert road under the name of Liman (430) in Wadi Al-Natroun.	12.
1997	6488	The public high security prison in Abu Zaabal area.	13.
1997	6489	The Public Prison for Men No. (2) is called Al-Qanater Al Khaireya Area.	14.
1997	6490	The public prison is an annex to Leeman Wadi Al-Natroun.	15.
1995	251	Public Prison in New Valley Governorate.	16.
1993	4291	High Security Public Prison (No. 2) in Tora area - Cairo Governorate.	17.
1991	3233	The public prison in Tora area - Cairo Governorate.	18.
1990	3516	South Tahrir General Prison in South Tahrir District - Beheira Governorate.	19.

1989	912	Public Reception Prison in Tora Region - Cairo Governorate.	20.
1989	913	General Industrial Prison in Abou Zaabal - Qalyubia Governorate.	21.
1989	914	Public Attaché Prison in Tora Region - Cairo Governorate.	22.
1983	251	Public Prison in Al-Tur, South Sinai Governorate.	23.
1969	358	Imbaba Public Prison in Qata	24.
1967	143	Prison No. 2 at km 27 in the agricultural expansion area of the desert road Egypt/ Alexandria	25.
1960 (69)	39	General Prison for Pre-trial Detainees in Cairo	26.

Third: Private Correction and Rehabilitation Centers

Private correction and rehabilitation centers shall be established by a decision of the President of the Republic in which the categories of prisoners who are placed in them, how they are treated, and the conditions for their release shall be appointed, provided that the Minister of Interior issues a decision appointing the bodies in which prisons of each type are established and their respective departments.

The President of the Republic issued his decision No. 228 of 1990 to establish and organize prisons for those convicted of drug crimes stipulated in the Narcotics Control Law No. 182 of

⁶⁹ Minister of Interior Decree No. 1473 of 2017 issued on 05/09/2017 published on 06/09/2017 in the Egyptian Proceedings
Minister of Interior Decree No. 4073 of 2014 issued on 22/11/2014 published on 24/11/2014 in the Egyptian Proceedings
Minister of Interior Decree No. 873 of 2014 issued on 16/03/2014 published on 12/04/2014 in the Egyptian Proceedings
Minister of Interior Decree No. 1750 of 2013 issued on 21/08/2013 published on 22/08/2013 in the Egyptian Proceedings
Minister of Interior Decree No. 1816 of 2011 issued on 27/10/2011 published on 30/11/2011 in the Egyptian Proceedings
Minister of Interior Decree No. 1726 of 2009 issued on 28/09/2009 published on 13/10/2009 in the Egyptian Proceedings
Minister of Interior Decree No. 14633 of 2000 issued on 09/10/2000 published on 15/11/2000 in the Egyptian Proceedings
Minister of Interior Decree No. 114 of 1999 issued on 16/01/1999 published on 16/02/1999 in the Egyptian Proceedings
Decision of the Minister of Interior No. 77 of 1999 issued on 13/01/1999 published on 14/02/1999 in the Egyptian Gazette
Minister of Interior Decree No. 6488 of 1997 issued on 19/05/1997 published on 20/07/1997 in the Egyptian Proceedings
Minister of Interior Decree No. 6489 of 1997 issued on 19/05/1997 published on 20/07/1997 in the Egyptian Proceedings
Minister of Interior Decree No. 6490 of 1997 issued on 19/05/1997 published on 20/07/1997 in the Egyptian Proceedings
Minister of Interior Decree No. 251 of 1995 issued on 04/01/1995 published on 08/03/1995 in the Egyptian Proceedings
Minister of Interior Decree No. 4291 of 1993 issued on 23/05/1993 published on 20/06/1993 in the Egyptian Proceedings
Minister of Interior Decree No. 3233 of 1991 issued on 17/06/1991 published on 15/07/1991 in the Egyptian Proceedings
Decision of the Minister of Interior No. 3516 of 1990 issued on 24/05/1990 published on 20/06/1990 in the Egyptian Proceedings
Minister of Interior Decree No. 912 of 1989 issued on 22/03/1989 published on 17/04/1989 in the Egyptian Proceedings
Minister of Interior Decree No. 913 of 1989 issued on 20/03/1989 published on 17/04/1989 in the Egyptian Proceedings
Minister of Interior Decision No. 914 of 1989 issued on 25/03/1989 published on 17/04/1989 in the Egyptian Proceedings
Minister of Interior Decision No. 251 of 1983 issued on 19/02/1983 published on 14/03/1983 in the Egyptian Proceedings
Minister of Interior Decree No. 358 of 1969 issued on 12/03/1969 published on 01/04/1969 in the Egyptian Gazette
Minister of Interior Decree No. 143 of 1967 issued on 07/09/1967 published on 31/10/1967 in the Egyptian Proceedings
Resolution of the Minister of Interior No. 39 of 1960 issued on 03/03/1960 published on 17/03/1960 in the Egyptian Proceedings.

1960, provided that the entities in which these prisons are established are determined by a decision of the Minister of Interior ⁽⁷⁰⁾.

It is also permissible to allocate some prisons or separate parts of them to place those convicted of the crime of possessing, acquiring, purchasing, producing, extracting, separating, or making a narcotic substance or planting a plant stipulated in Table No. (5) attached to the Anti-Drug Law, or possessing or purchasing it to deal or personal use in circumstances other than those authorized by law ⁽⁷¹⁾.

Presidential Decree No. 82

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.63bukrtojw7g> 1984 was also issued regarding the establishment of an institution for work at the prison headquarters No. 2 at km 97 on the desert road in Wadi Al-Natroun to place repeat offenders, who meet the conditions of recidivism stipulated in Articles 52 and 53 of the Penal Code ⁽⁷²⁾.

70 Article
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.yxiydn5y0ixz> 1 of Presidential Decree No. <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%B3%D8%AC%D9%88%D9%86-%D8%AE%D8%A7%D8%B5%D8%A9-%D8%A8%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%88%D9%85-%D8%B9%D9%84%D9%8A%D9%87%D9%85-%D9%81%D9%8A-%D8%AC%D8%B1%D8%A7%D8%A6%D9%85-%D8%A7%D9%84%D9%85%D8%AE%D8%AF%D8%B1%D8%A7%D8%AA#h.yxiydn5y0ixz> 228 of 1990 on the establishment and organization of prisons for those convicted of drug crimes.

71 Article
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%B3%D8%AC%D9%88%D9%86-%D8%AE%D8%A7%D8%B5%D8%A9-%D8%A8%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%88%D9%85-%D8%B9%D9%84%D9%8A%D9%87%D9%85-%D9%81%D9%8A-%D8%AC%D8%B1%D8%A7%D8%A6%D9%85-%D8%A7%D9%84%D9%85%D8%AE%D8%AF%D8%B1%D8%A7%D8%AA#h.bq1aycx6hcl5> 2 of Presidential Decree <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%B3%D8%AC%D9%88%D9%86-%D8%AE%D8%A7%D8%B5%D8%A9-%D8%A8%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%88%D9%85-%D8%B9%D9%84%D9%8A%D9%87%D9%85-%D9%81%D9%8A-%D8%AC%D8%B1%D8%A7%D8%A6%D9%85-%D8%A7%D9%84%D9%85%D8%AE%D8%AF%D8%B1%D8%A7%D8%AA#h.bq1aycx6hcl5> No. 228 of 1990.

72 Article No. 1 of Presidential Decree No. 82
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%B3%D8%AC%D9%88%D9%86-%D8%AE%D8%A7%D8%B5%D8%A9-%D8%A8%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%88%D9%85-%D8%B9%D9%84%D9%8A%D9%87%D9%85-%D9%81%D9%8A-%D8%AC%D8%B1%D8%A7%D8%A6%D9%85-%D8%A7%D9%84%D9%85%D8%AE%D8%AF%D8%B1%D8%A7%D8%AA#h.bq1aycx6hcl5>

Fourth: Military Reform and Rehabilitation Centers

The principle is to implement custodial penalties against civilians in civilian reform and rehabilitation centers. As for the military, the orders issued to detain the accused shall be implemented in a reform center in his unit unless the Military Prosecution orders its implementation in one of the military or civil reform centers ⁽⁷³⁾.

Sentences of deprivation of liberty issued to military personnel shall be carried out in military reform centers unless they are stripped of their military status, in which case they may be transferred to civil reform centers ⁽⁷⁴⁾.

Whereas one or more rooms of the security teams in the governorates and districts are allocated for the custody of police officers in custody, and they are attached to the nearest public reform centers to them ⁽⁷⁵⁾.

https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.5z5bwflv7ktq_1984, and [Article No. 52 of the PenalCode](#) stipulates that:<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA#h.n7dwcb4642ur> "If the returnee was previously sentenced to rigorous imprisonment pursuant to Article 51 of this law or as a habitual criminal, and then committed, within two years from the date of his release, one of the crimes stipulated in that article, the court ruled to place him in one of the labor institutions referred to in the previous article until the Minister of Justice orders his release based on the proposal of the management of the institution and the approval of the Public Prosecution.

The period of placement in the institution may not exceed six years. <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A1-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA#h.o8dpvzra1od> also stipulates that: " If the returnee was previously sentenced to rigorous imprisonment pursuant to Article 51 of this law or as a habitual criminal, and then committed, within two years from the date of his release, one of the crimes stipulated in that article, the court ruled to place him in one of the labor institutions referred to in the previous article until the Minister of Justice orders his release based on the proposal of the management of the institution and the approval of the Public Prosecution.

The period of deposit in this case may not exceed ten years. "

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https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D9%82%D8%B6%D8%A7%D8%A1-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A#h.et4qkpdpu5m_37 of the [Military Justice Law](#).

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[Article 108 of the Military Justice Law](#).

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%8A%D8%AF%D8%A7%D8%B9-%D8%A7%D9%84%D9%85%D8%AD%D8%A8%D9%88%D8%B3%D9%8A%D9%86-%D8%A7%D8%AD%D8%AA%D9%8A%D8%A7%D8%B7%D9%8A%D8%A7-%D9%85%D9%86->

For police officers and second-degree soldiers, the sentences of deprivation of liberty issued to them are carried out in military reform centers unless they have been dismissed from service ⁽⁷⁶⁾.

The custodial sentences imposed on members of the police force and second-degree soldiers who are not dismissed from military reform centers shall also be implemented, provided that the military reform center in Abu Zaabal shall be allocated for implementation to assistants of description, police soldiers and second-degree soldiers sentenced for more than one year. As for those sentenced for one year or less, they shall be executed in local reform centers. Police assistants and second-degree soldiers whose penalties are less than one year may be placed in the military reform center if the public interest so requires and the condition of the reform center allows ⁽⁷⁷⁾.

The sentence imposed on the police secretaries shall be carried out at the Military Reform Centre in Abu Zaabal, regardless of the duration of the sentence ⁽⁷⁸⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%8A%D8%AF%D8%A7%D8%B9-%D8%A7%D9%84%D9%85%D8%AD%D8%A8%D9%88%D8%B3%D9%8A%D9%86-%D8%A7%D8%AD%D8%AA%D9%8A%D8%A7%D8%B7%D9%8A%D8%A7-%D9%85%D9%86-%D8%B6%D8%A8%D8%A7%D8%B7-%D8%A7%D9%84%D8%B4%D8%B1%D8%B7%D8%A9#h.ijybjy35bs7> regarding the placement <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%8A%D8%AF%D8%A7%D8%B9-%D8%A7%D9%84%D9%85%D8%AD%D8%A8%D9%88%D8%B3%D9%8A%D9%86-%D8%A7%D8%AD%D8%AA%D9%8A%D8%A7%D8%B7%D9%8A%D8%A7-%D9%85%D9%86-%D8%B6%D8%A8%D8%A7%D8%B7-%D8%A7%D9%84%D8%B4%D8%B1%D8%B7%D8%A9#h.ijybjy35bs7> of pre-trial detainees of police officers in one of the rooms of the security teams in the governorates and directorates.

76 https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D8%A7%D9%84%D8%AC%D9%85%D9%87%D9%88%D8%B1%D9%8A%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%A7%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.amdxqee6auns_1 of Presidential Decree No. https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D8%A7%D9%84%D8%AC%D9%85%D9%87%D9%88%D8%B1%D9%8A%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%A7%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.amdxqee6auns_545 of 1969 on Military Reform Centers, and Article 1 of the Internal Regulations of Military Prisons.

77 https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9-%D8%A7%D9%84%D8%AA%D9%8A-%D8%AA%D9%86%D9%81%D8%B0-%D9%81%D9%8A%D9%87%D8%A7-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA-%D8%A7%D9%84%D8%B3%D8%A7%D9%84%D8%A8%D8%A9-%D9%84%D9%84%D8%AD%D8%B1%D9%8A%D8%A9#h.gihewwqx1x3p_2 of the Minister of Interior's Resolution No. 722 of 1970, as amended by the Minister of Interior's Resolution No. 5269 of 1991, the Minister of Interior's Resolution No. 307 of 1983, and the Minister of Interior's Resolution No. 1907 of 1972.

78 Article 2 of the Minister of Interior's Resolution No. 307 of 1983.

Military reform centers in which custodial sentences are carried out on members of the police force and second-degree soldiers who are not dismissed from service are: the Military Reform Center in Abu Zaabal area and the military reform centers located in the police units in Cairo and the security directorates⁽⁷⁹⁾.

The punishment shall be carried out on those sentenced to imprisonment for no less than six months, after the security directorates, in the following reform centres:

The Military Reform Center of the Central Security Department, the Military Reform Center of the Roud Al-Farag Police Department, the Military Reform Center of the Security Forces Training Center of the Cairo Security Directorate, the Reform Center of the Deportations Department of the Alexandria Security Directorate, the Reform Center of the Security Forces Department of the Beni Suef Security Directorate, the Reform Center of the Security Forces Department of the Minya Security Directorate, the Reform Center of the Security Forces Department of the Port Said Security Directorate, the Reform Center of the Security Forces Department of the Matrouh Security Directorate, the Reform Center of the Sohag Police Station, the Dakahlia Security Directorate, and the Punitive Institution of the Security Forces Department in Mansoura⁽⁸⁰⁾.

The following is a statement of the military prisons based on the decisions of the Minister of Interior issued to establish them:

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9-%D8%A7%D9%84%D8%AA%D9%8A-%D8%AA%D9%86%D9%81%D8%B0-%D9%81%D9%8A%D9%87%D8%A7-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA-%D8%A7%D9%84%D8%B3%D8%A7%D9%84%D8%A8%D8%A9-%D9%84%D9%84%D8%AD%D8%B1%D9%8A%D8%A9#h.kofglp28ux5o> 1 of the [Minister of Interior's Resolution No. 722 of 1970](#) regarding military reform centers in which custodial sentences imposed on members of the police force and second-degree soldiers who are not dismissed from service are implemented.

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[Article](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9-%D8%A7%D9%84%D8%AA%D9%8A-%D8%AA%D9%86%D9%81%D8%B0-%D9%81%D9%8A%D9%87%D8%A7-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA-%D8%A7%D9%84%D8%B3%D8%A7%D9%84%D8%A8%D8%A9-%D9%84%D9%84%D8%AD%D8%B1%D9%8A%D8%A9#h.ucvxb1iduqod> 3 of the [Minister of Interior's Resolution No. 722 of 1970](#), as amended by the Minister of Interior's Resolution No. 2220 of 1976. The Minister of Interior's Resolution No. 2081 of 1971 added a new clause to Article 3 of Resolution No. 722 of 1970 stating: " 9. Dakahlia Security Directorate:

- (a) Imprisonment of the Security Forces Section.
- (b) Mansoura First Section Prison.
- (c) Shirbin Centre Prison.

However, that decision was canceled by virtue of Article 2 of the Minister of Interior's Resolution No. 1853 of 2008 regarding the determination of the military prison in the Dakahlia Security Directorate and the abolition of some military prisons in it.

Year of the decision	Decision number of the Minister of Interior	Prison Name	No.
2012	954	Military Prison in the Martyr Captain/ Amr Massaad Abdel Shafi Sector of the General Directorate of the Central Security Zone in Helwan	1.
2011	1276	The military prison in Dahshour sector of the General Administration of the Central Security Area in Giza	2.
2011	1025	Military Prison in Salama Abdel Raouf Sector in the General Directorate of Operations of the Central Security Forces	3.
2011	97	The military prison in Beni Suef sector of the General Administration of the Central Security Area in northern Upper Egypt	4.
2010	1081	Al-Sharqiyah Security Forces Military Prison	5.
2010	722	Military Prison in the Branch of the Security Forces Administration in Khanka in the Security Directorate of Qalyubia	6.
2009	1996	Military Prison in the Training Department of the General Administration for the Training of Security Forces	7.
2007	3157	Assiut Security Forces Military Prison	8.
2006	6357	The military prison in the Central Security Sector of the General Directorate of Central Security, East Delta Region.	9.
2006	4188	Military Prison at the New Salim Coast Police Station in the Directorate of Assiut	10.
2004	11876	South Sinai Security Forces Military Prison	11.

2003	24720	Local Military Prison in Al-Alamein Security Forces Unit of the Security Forces Department of Matrouh Security Directorate	12.
2002	18888	The local military prison in the Diwan of the Cairo Electricity Police Department in the tenth district of Nasr City	13.
2002	10190	The local military prison at the headquarters of the Burj Al Arab Prison District Insurance Battalion	14.
2001	23895	Military Prison at the headquarters of Tora Battalion (A) in the Prisons Service Sector	15.
1999	161	Military Prison in the Airport Sector in Cairo Area, Egypt/ Ismailia Desert Road	16.
1998	10702	Cairo Central Security Training Center Military Prison	17.
1998	4192	The military prison in the brigade sector/ Refaat Ashour - Central Security in Tora	18.
1998	2872	Central Military Prison in the New Valley Security Directorate	19.
1998	2226	Abu Bakr Al-Siddiq Military Prison	20.
1998	1144	The military prison in the sector of Major General/ Jamal Fayek in the Central Security in Quesna	21.
1996	5868	The military prison in the Central Security Sector in South Sinai.	22.
1996	171	The military prison at the training center of the General Directorate of Transport and Communications Police in Abu Zaabal.	23.
1994	2261	Military Prison at Kafr Eldawar Security Forces Camp - Beheira Security Directorate.	24.
1994	1928	Military Prison, Armant Police Station, Qena Security Directorate.	25.

1993	6328	Military Prison in the General Directorate of Drug Control.	26.
1992	6139	The military prison in Badr Security Forces Department.	27.
1992	1231	Military Prison at the General Directorate of Alexandria Seaport Police	28.
1991	5361	Military Prison, Port Said Port Security Service Recruit Training Center.	29.
1991	3165	The military prison in the security forces section of the North Sinai Security Directorate.	30.
1991	2480	Military Prison of the General Administration of the Upper District of Central Security - Minya Sector.	31.
1991	344	Military Prison in the Security Forces Department, New Valley Security Directorate.	32.
1990	6041	The military prison in Al-Haram sector of the General Directorate of Special Operations.	33.
1990	4411	The military prison of the Ismailia Training Center of the General Administration of the Central Security Zone of the Canal and Sinai.	34.
1990	4412	The military prison in Khalid bin Al-Walid sector of the General Directorate of the Central Security Area in Giza.	35.
1990	2889	Military Prison, Dar es Salaam Police Station, Sohag Security Directorate.	36.
1990	2422	The military prison under the management of the Sohag security forces.	37.
1989	8634	Nozha Military Prison.	38.
1989	274	Assiut Military Prison	39.
1988	2527	The military prison in the Menoufia Security Forces Department.	40.

1987	1267	Sohag Military Prison - Sohag Governorate.	41.
1987	1403	Military Prison at Sinbilawin Police Station - Dakahlia Governorate.	42.
1986	112	The military prison at the training center of the General Directorate of Electricity Police, in the Red Mountain in Nasr City.	43.
1986	226	The military prison in the camp of the administration of the security forces in Alexandria.	44.
1985	532	The military prison in the General Directorate of the Presidency of the Central Security Forces, Quesna Sector - Menoufia Governorate.	45.
1985	515	The military prison in the Guard Department of the General Directorate of Cairo Airport Police.	46.
1985	274	The military prison of the Central Security Forces in Sohag Sector.	47.
1985	216	The military prison in each of the centers of Jarja Tahta Tama in the Sohag Security Directorate.	48.
1984	1140	Military Prison in Shubra Al-Khaimah Security Forces Branch, Qalyubia Security Directorate	49.
1984	1081	The military prison of the Suez Security Forces Department.	50.
1984	988	The military prison at the Marj Reception Center of the General Administration of the Presidency of the Central Security Forces.	51.
1984	928	The military prison in the General Directorate of the Presidency of the Central Security Forces (Giza Sector).	52.
1984	917	Military Prison in Al-Qussia Center, Assiut Security Directorate.	53.
1984	837	Military Prison in Mallawi Police Department, Minya Security Directorate.	54.

1984	746	The military prison in the Fayoum Security Forces Department.	55.
1984	601	The military prison of the Red Sea Security Forces Department.	56.
1983	1218	The military prison in the Menoufia Security Forces Department.	57.
1983	964	Port Said Police Department Military Prison	58.
1983	506	The military prison in the Dekheila sector of the Central Security.	59.
1983	501	Military Prison in Ismailia Sector for Central Security.	60.
1983	151	Ramses Military Prison	61.
1983	151	Tora Military Prison	62.
1983	151	Nasser Military Prison	63.
1983	151	Al-Marj Military Prison	64.
1983	151	Military Vehicle Management Prison	65.
1983	151	Tanta Military Prison - 2nd Battalion	66.
1983	151	Mansoura Military Prison	67.
1983	151	Black Head Military Prison in Alexandria	68.
1983	151	Al-Maks Military Sector Prison	69.
1983	53	The military prison in Abu Sultan area, Fayed Province, Ismailia Governorate.	70.
1982	2661	The Military Prison of the General Directorate of Transport and Communications Police in Cairo.	71.
1982	2540	Tanta Police Station Military Prison	72.
1982	2540	The military prison in the second section of Tanta Police	73.
1982	2540	Bassioun Police Station Military Prison	74.

1982	2540	Military Prison at Qatour Police Station	75.
1982	2540	Military Prison in a second section, Mahalla Police	76.
1982	2540	Samanoud Police Station Military Prison	77.
1982	2540	Al-Salata Police Station Military Prison	78.
1982	2540	Kafr Al-Zayyat Police Station Military Prison	79.
1980	1235	The military prison in the Akhmim police building, and the building of the Bellina police station in the Sohag Security Directorate.	80.
1978	1325	The military prison in the building of Al-Tal Al-Kabeer Police Station, Ismailia Security Directorate.	81.
1978	483	Military Prison at Minya Al-Qamh Police Station, Al-Sharqiyah Security Directorate	82.
1978	483	Military Prison, Minya Al-Qamh Police Station, Sharqiyah Security Directorate.	83.
1977	1671	Military Prison at Port Said Police Building.	84.
1973	2329	The military prison in the building of the Wireless Patrol Management Branch in East Cairo.	85.
1973	2329	The military prison in the building of the Wireless Patrol Management Branch in West Cairo.	86.
1973	2329	The military prison in the building of the Wireless Patrol Management Branch in South Cairo.	87.
1973	2177	Military Prison in Assiut Security Directorate.	88.
1973	1516	The military prison of the Alexandria Security Directorate.	89.
1973	470	The military prison in the building of the Wireless Patrol Management Branch in North Cairo.	90.
1973 ⁽⁸¹⁾ .	470	Military Prison at Almaza Police Station, Heliopolis Police Department, Cairo Governorate	91.

⁸¹ Minister of Interior Decree No. 954 of 2012 issued on 02/05/2012 published on 26/05/2012 in the Egyptian Proceedings
Minister of Interior Decree No. 1276 of 2011 issued on 07/08/2011 published on 24/08/2011 in the Egyptian Proceedings
Minister of Interior Decree No. 1025 of 2011 issued on 22/06/2011 published on 16/07/2011 in the Egyptian Proceedings
Minister of Interior Decree No. 97 of 2011 issued on 12/01/2011 published on 31/01/2011 in the Egyptian Proceedings

Minister of Interior Decree No. 1081 of 2010 issued on 24/05/2010 published on 14/06/2010 in the Egyptian Proceedings
Minister of Interior Decree No. 722 of 2010 issued on 06/04/2010 published on 29/04/2010 in the Egyptian Proceedings
Minister of Interior Decree No. 1996 of 2009 issued on 07/11/2009 published on 21/11/2009 in the Egyptian Proceedings
Minister of Interior Decree No. 3157 of 2007 issued on 27/09/2007 published on 17/10/2007 in the Egyptian Proceedings
Minister of Interior Decree No. 6357 of 2006 issued on 02/05/2006 published on 21/05/2006 in the Egyptian Proceedings
Minister of Interior Decree No. 4188 of 2006 issued on 09/04/2006 published on 04/05/2006 in the Egyptian Proceedings
Minister of Interior Decree No. 11876 of 2004 issued on 14/07/2004 published on 27/07/2004 in the Egyptian Proceedings
Minister of Interior Decree No. 24720 of 2003 issued on 04/12/2003 published on 22/12/2003 in the Egyptian Proceedings
Minister of Interior Decree No. 18888 of 2002 issued on 12/10/2002 published on 14/11/2002 in the Egyptian Proceedings
Minister of Interior Decree No. 10190 of 2002 issued on 19/05/2002 published on 30/06/2002 in the Egyptian Proceedings
Minister of Interior Decree No. 23895 of 2001 issued on 23/12/2001 published on 27/01/2002 in the Egyptian Proceedings
Minister of Interior Decree No. 161 of 1999 issued on 24/01/1999 published on 16/02/1999 in the Egyptian Proceedings
Minister of Interior Decree No. 10702 of 1998 issued on 05/11/1998 published on 30/11/1998 in the Egyptian Gazette
Minister of Interior Decree No. 4192 of 1998 issued on 13/07/1998 published on 15/08/1998 in the Egyptian Gazette
Minister of Interior Decree No. 2872 of 1998 issued on 24/06/1998 published on 29/07/1998 in the Egyptian Gazette
Minister of Interior Decree No. 2226 of 1998 issued on 16/06/1998 published on 25/07/1998 in the Egyptian Gazette
Minister of Interior Decree No. 1144 of 1998 issued on 16/04/1998 published on 01/06/1998 in the Egyptian Proceedings
Minister of Interior Decree No. 5868 of 1996 issued on 06/08/1996 published on 17/09/1996 in the Egyptian Proceedings
Minister of Interior Decree No. 171 of 1996 issued on 08/01/1996 published on 25/02/1996 in the Egyptian Proceedings
Minister of Interior Decree No. 2261 of 1994 issued on 16/03/1994 published on 12/04/1994 in the Egyptian Proceedings
Minister of Interior Decree No. 1928 of 1994 issued on 09/02/1994 published on 08/03/1994 in the Egyptian Proceedings
Minister of Interior Decree No. 6328 of 1993 issued on 15/08/1993 published on 08/09/1993 in the Egyptian Proceedings
Minister of Interior Decree No. 6139 of 1992 issued on 24/11/1992 published on 19/12/1992 in the Egyptian Proceedings
Minister of Interior Decree No. 1231 of 1992 issued on 10/03/1992 published on 14/04/1992 in the Egyptian Proceedings
Minister of Interior Decree No. 5361 of 1991 issued on 20/10/1991 published on 10/11/1991 in the Egyptian Proceedings
Minister of Interior Decree No. 3165 of 1991 issued on 11/06/1991 published on 09/07/1991 in the Egyptian Proceedings
Minister of Interior Decree No. 2480 of 1991 issued on 18/05/1991 published on 09/06/1991 in the Egyptian Proceedings
Minister of Interior Decree No. 344 of 1991 issued on 22/01/1991 published on 17/02/1991 in the Egyptian Proceedings
Minister of Interior Resolution No. 6041 of 1990 issued on 15/10/1990 published on 01/01/1991 in the Egyptian Proceedings
Decision of the Minister of Interior No. 4411 of 1990 issued on 14/07/1990 published on 09/08/1990 in the Egyptian Proceedings
Decision of the Minister of Interior No. 4412 of 1990 issued on 14/07/1990 published on 09/08/1990 in the Egyptian Proceedings
Minister of Interior Decision No. 2889 of 1990 issued on 05/05/1990 published on 13/06/1990 in the Egyptian Proceedings
Minister of Interior Decree No. 2422 of 1990 issued on 23/04/1990 published on 11/06/1990 in the Egyptian Proceedings
Minister of Interior Decision No. 8634 of 1989 issued on 13/12/1989 published on 09/01/1990 in the Egyptian Proceedings
Minister of Interior Decision No. 274 of 1989 issued on 01/02/1989 published on 02/03/1989 in the Egyptian Proceedings
Minister of Interior Decree No. 2527 of 1988 issued on 17/11/1988 published on 15/12/1988 in the Egyptian Proceedings
Minister of Interior Decree No. 1267 of 1987 issued on 14/10/1987 published on 23/12/1987 in the Egyptian Proceedings
Minister of Interior Decree No. 1403 of 1987 issued on 08/11/1987 published on 12/12/1987 in the Egyptian Proceedings
Minister of Interior Decree No. 112 of 1986 issued on 25/03/1986 published on 27/04/1986 in the Egyptian Proceedings
Minister of Interior Decree No. 226 of 1986 issued on 02/06/1986 published on 09/07/1986 in the Egyptian Proceedings
Minister of Interior Decree No. 112 of 1986 issued on 25/03/1986 published on 27/04/1986 in the Egyptian Proceedings
Minister of Interior Decree No. 532 of 1985 issued on 03/10/1985 published on 30/11/1985 in the Egyptian Proceedings
Minister of Interior Decree No. 515 of 1985 issued on 20/10/1985 published on 12/11/1985 in the Egyptian Proceedings
Minister of Interior Decree No. 274 of 1985 issued on 25/06/1985 published on 17/07/1985 in the Egyptian Proceedings
Minister of Interior Decree No. 216 of 1985 issued on 14/04/1985 published on 08/05/1985 in the Egyptian Proceedings
Minister of Interior Decree No. 1140 of 1984 published on 05/01/1985 in the Egyptian Proceedings
Minister of Interior Resolution No. 1081 of 1984 issued on 20/11/1984 published on 18/12/1984 in the Egyptian Proceedings
Minister of Interior Decree No. 988 of 1984 issued on 23/10/1984 published on 11/11/1984 in the Egyptian Proceedings
Minister of Interior Decree No. 928 of 1984 issued on 25/09/1984 published on 23/10/1984 in the Egyptian Proceedings
Minister of Interior Decree No. 917 of 1984 issued on 19/09/1984 published on 10/10/1984 in the Egyptian Proceedings
Minister of Interior Decision No. 837 of 1984 issued on 16/08/1984 published on 17/09/1984 in the Egyptian Proceedings
Minister of Interior Decree No. 746 of 1984 issued on 09/08/1984 published on 28/08/1984 in the Egyptian Proceedings
Minister of Interior Resolution No. 601 of 1984 issued on 19/06/1984 published on 17/07/1984 in the Egyptian Proceedings
Minister of Interior Decree No. 1218 of 1983 issued on 02/11/1983 published on 27/11/1983 in the Egyptian Proceedings
Minister of Interior Decree No. 964 of 1983 issued on 14/08/1983 published on 30/08/1983 in the Egyptian Proceedings
Minister of Interior Decision No. 506 of 1983 issued on 07/04/1983 published on 04/05/1983 in the Egyptian Proceedings
Minister of Interior Decision No. 501 of 1983 issued on 04/04/1983 published on 03/05/1983 in the Egyptian Proceedings
Minister of Interior Decree No. 53 of 1983 issued on 11/01/1983 published on 31/01/1983 in the Egyptian Proceedings
Minister of Interior Decision No. 151 of 1983 issued on 03/02/1983 published on 06/03/1983 in the Egyptian Proceedings
Minister of Interior Decision No. 2661 of 1982 issued on 07/12/1982 published on 03/01/1983 in the Egyptian Proceedings
Minister of Interior Decree No. 1235 of 1980 issued on 29/06/1980 published on 27/07/1980 in the Egyptian Proceedings

It is evident from the classification of reform and rehabilitation centers and the assignment of inmate categories for each center that the Egyptian legislator has primarily based the classification on the severity of the punishment imposed on the inmate. This reflects the legislator's emphasis on the importance of categorizing inmates to apply varying forms of punitive treatment for different groups, aimed at fulfilling the primary purpose of custodial punishment, which is the reform and social rehabilitation of convicts. However, this approach overlooks additional factors critical to inmate classification, including medical, psychological, mental, and social aspects, which require assessment by a specialized body with an adequate number of highly qualified experts in these fields.

On the other hand, the role of the judge in classifying the convicted person and distributing it to the appropriate penal institution was also overlooked. The Administrative Court ruled that: [The law has divided prisons into three types: lemons, public prisons and central prisons, in addition to private prisons established by a decision of the President of the Republic «Article 1 of the Prisons Regulation Law No. 396 of 1956». The impact of the sentence penalty appears in the allocation of lemons to men sentenced to hard labor - life imprisonment or aggravated prison -. Public prisons are allocated to those sentenced to less serious punishment, which is imprisonment, and there are those sentenced to hard labor - life imprisonment or aggravated prison - those held in public prison for reasons due to being women or elders or as a reward for their good behavior. They are added to those sentenced to imprisonment for more than three months, and central prisons come in the third degree in terms of the severity of punishment, as they receive those sentenced to short imprisonment only «not more than three months»⁽⁸²⁾.

The Administrative Court has ruled that [the law granted the administration the discretionary authority to place anyone who is detained, arrested, detained or deprived of his freedom in any way, in one of the reform centers, provided that all the provisions contained in the law apply to it, without penalty, as long as its decision is valid based on its legally justified basis: "The legislator in the Prisons Regulation Law promulgated by Law No. 396 of 1956 divided, in Article 1, the prisons into three types, namely, limans, public prisons and central prisons, in addition to the private prisons established by a decision of the President of the Republic, and gave the right to the administrative authority to place anyone who is detained, detained, detained or deprived of his freedom in any way, in one of the

Minister of Interior Decision No. 1325 of 1978 issued on 09/07/1978 published on 02/08/1978 in the Egyptian Proceedings

Minister of Interior Decree No. 483 of 1978 published on 13/04/1978

Minister of Interior Decision No. 2540 of 1982 issued on 16/11/1982 published on 19/12/1982 in the Egyptian Proceedings

Minister of Interior Decree No. 1671 of 1977 issued on 28/07/1977 published on 24/08/1977 in the Egyptian Proceedings

Minister of Interior Decree No. 2177 of 1973 issued on 16/12/1973 published on 16/12/1973 in the Egyptian Proceedings

Minister of Interior Decree No. 1516 of 1973 issued on 30/08/1973 published on 30/08/1973 in the Egyptian Proceedings

Minister of Interior Decree No. 470 of 1973 issued on 27/03/1973 published on 27/03/1973 in the Egyptian Proceedings

Minister of Interior Decree No. 2329 of 1973 published on 27/01/1974 in the Egyptian Proceedings.

⁸² Judgment of the First Circuit of the Administrative Court in Case No. 19554 of 63 S, issued on 12 July 2009.

mentioned prisons, or in one of the places specified by a decision of the Minister of the Interior, provided that all the provisions contained in the law apply to them."]⁽⁸³⁾.

Any public official or person in charge of a public service who deposits or orders the placement of a person deprived of his liberty in any way, in other than correction and rehabilitation centers and the places indicated in the Law on the Organization of Correction and Community Rehabilitation Centers⁽⁸⁴⁾, shall be punished by imprisonment.

The second requirement: within the framework of international conventions

On the other hand, international covenants oblige to take into account several points when placing a prisoner in a detention or confinement facility, such as the proximity of the prison to the community to which the prisoner belongs or to the place of his family or the place of his reintegration into society, and to ensure, whenever possible, that the environment is compatible with any cultural or linguistic needs. These issues should also be taken into account in any decisions related to the transfer of prisoners to different places of detention, and the continued contact of prisoners with family and community support systems in the community during the period of detention is often an important positive factor in supporting their reintegration into society. Some research has concluded that visits, especially regular visits during detention, are related to the lack of misconduct in prison⁽⁸⁵⁾.

According to the Body <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86->

⁸³ Judgement of the First Circuit of the Administrative Court No. 74372 of 68 S issued at the session of February 17, 2015.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.k0dekep1u3y_91_bis_of_the_Law_Regulating_Correctionand_Rehabilitation_Centers](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.k0dekep1u3y_91_bis_of_the_Law_Regulating_Correctionand_Rehabilitation_Centers), added by Law No. 57 of 1968.

⁸⁵ Joshua C. Cochrane, "The ties that bind or the ties that break: examining the relationship between visitation and prisoner misconduct", Journal of Criminal Justice, vol. 40, No. 5 September 2012- pp. 433 - 440.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.1qdxrqhbo7nb> of Principles for the Protection of

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.1qdxrqhbo7nb> All Persons under Any Form of Detention

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.5jhezws3ihzx> or Imprisonment, a detainee or prisoner shall be placed in a place of detention or imprisonment reasonably close to his or her habitual residence, if he or she so requests and it is possible for him or her to⁸⁶ do so.

86 _____ of

Principle No. 20 of the Body of

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.5jhezws3ihzx>

The [Nelson Mandela Rules](#) stipulated that prisoners must be distributed, as far as possible, to prisons close to their homes or places of social rehabilitation ⁽⁸⁷⁾.

The Bangkok Rules recognize the right of women to remain in contact with their families, especially when it comes to children. Women prisoners must be placed, whenever possible, in prisons close to their homes or social rehabilitation centers. Often, women prisoners may be placed in prisons far from their homes due to the small number of women prisoners, and thus the lack of prisons for women in reform and discipline systems around the world. It follows that many women prisoners may receive fewer visits than their male counterparts due to the difficulties and costs that families face due to the length of travel to visit. However, the Bangkok Rules emphasize the importance of consulting with women about determining the prison and placing them in it, recognizing that women may wish to be referred to a facility far from their place of residence to protect their safety if they are victims of violence committed by their husbands or family⁸⁸ members.

Their responsibility for the care of their children, their personal choices, and the appropriate programs and services available to them must be taken into account ⁽⁸⁹⁾.

Criticism

The Egyptian legislator has given full discretion to the administration to place every detainee, detainee, or person deprived of his liberty in one of the reform centers set forth in the Law on the Organization of Correction and Community Rehabilitation Centers, or one of the places specified by a decision of the Minister of Interior, without comment.

However, the inmate's placement in places far from his usual place of residence makes it difficult for him to communicate with his relatives and relatives and makes it difficult for them to move to the place of his placement for a visit.

Recommendations

Deprivation of liberty in general must be by the law and be specific to its objectives, and if the aim of the punishment is the special deterrence of the convict, so it is the right of the person deprived of his

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[Detention or Imprisonment.](#)

⁸⁷ [Rule No. 59 of the Nelson Mandela Rules.](#)

⁸⁸ Thailand Institute of justice, Training Modules For correctional Staff on The management of Woman Prisoners in the ASEAN Region Bangkok, 2015-.

⁸⁹ [Rule No. 4 of the Bangkok Rules.](#)

liberty to be detained in places close to his habitual residence or places of social rehabilitation, all to achieve the aim of the punishment and the aim of detaining the person and depriving him of his liberty.

The fourth topic: The right of the inmate to access the records and files related to it

The first requirement: Within the framework of Egyptian law

The Egyptian legislator is obligated to record the summary of the order to place the inmate when he is accepted in the reform center in the general register for the registration of inmates, in the presence of those who brought the inmate, who signs in the register along with the data that have been registered⁽⁹⁰⁾.

The acting competent employee shall indicate the registration numbers of those sentenced to life imprisonment, aggravated imprisonment, or imprisonment in the register of reform centers, with any change in these numbers as soon as notice is received from these authorities so that they can be notified of guardianship and claim procedures, etc.⁽⁹¹⁾.

The Public Prosecution shall, when inspecting public reform centers or the geography of the establishment, ensure that the records imposed under the law are used regularly and shall generally take into account the requirements of the laws and regulations and take what it deems necessary regarding the violations that occur⁽⁹²⁾.

In military reform centers, the summary of the detention order shall be recorded when the inmate enters the center in the public register of inmates in the presence of the inmate who brought the inmate and who signs the register, with proof of the registration number in the register on the detention order, and the name and number of the inmate shall be recorded in the release journal

90 Article No. 4 of the Bylaws
[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.utm4lu5sttuz)
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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A>
A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-
%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-
%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-
%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-
%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.hv9os6rvc9yz Presidential Decree No. 82 of 1984.

91 Article 1058 of the written, financial and administrative instructions of the Public Prosecution.

92 Paragraph No. 5 of Article No. 1748 of the Judicial Instructions of the Public Prosecution.

record on the date specified for the end of his sentence and on the date of his fulfillment of three-quarters of the period if it exceeds nine months⁽⁹³⁾.

Each military reform center shall have the following records: a public record of the registration of inmates, a record of the daily incidents of the reform center, a record of the registration of the luggage, clothing, and secretariats of inmates, a record of the daily release, sessions, and deportations, a record of the health of inmates, a record of visits of inmates, a record of inmates' penalties, a record of complaints and requests submitted by inmates, a record of the registration of fugitives, a record of visits by visitors who have official status, a record of proof of passage to guards and of searches of inmates, their luggage, and rooms, provided that all these records are under the supervision and control of the director of the reform center⁽⁹⁴⁾.

The Law on the Organization of Correction and Community Rehabilitation Centers or its bylaws does not contain any text that allows the inmate or his lawyer to access the books kept in the reform centers, and he has no right to access and inspect these books except the Public Prosecution if it inspects these centers, under the general instructions of the Public Prosecutions⁽⁹⁵⁾.

The second requirement: within the framework of international conventions

On the other hand, all international covenants affirmed the need to register prisoners and establish a unified system for managing their files, including the United Nations Standard Minimum Rules for the Treatment of Prisoners, which were called the Nelson Mandela Rules, which stated that a unified system for managing prisoners' files must be established in any place where people are detained, and this system must be either an electronic database of records or a record whose pages are numbered and signed, provided that procedures are applied to ensure that there is a safe tracking path to review the data and to prevent access to the information contained in the system or its modification without permission⁽⁹⁶⁾.

An official record, constantly updated, of the names of all persons deprived of their liberty must be kept in any place of detention, and each country must take the necessary steps to establish central

⁹³ [Article 4 of the Internal Regulations of Military Prisons.](#)

⁹⁴

[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.gaoxtmtb2afj](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.gaoxtmtb2afj) 58 of the Internal Regulations of Military Prisons.

⁹⁵ Article 1747 of the Judicial Instructions of the Public Prosecution.

⁹⁶ [Rule No. 6 of the Nelson Mandela Rules.](#)

records for this, provided that the information contained in those records is made available to family members of detainees, their lawyers, or any other person with a legitimate interest in being informed of that information, as well as making that information available to any judicial or other competent authority or authorized to investigate the whereabouts of a detained person ⁽⁹⁷⁾.

The Standard Minimum Rules for the Treatment of Prisoners require the keeping of a bound and numbered record, in which details of the identity of each detainee, the reasons for his imprisonment, and the competent authority that decided to do so are recorded, as well as the day and hour of the prisoner's entry and the date of his release, and it is prohibited to admit any person to any penal institution without a legitimate detention order ⁽⁹⁸⁾.

The Body of Principles for
the <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84>

Protection of All Persons under Any Form of Detention or Imprisonment and
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97 [Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.lobatd484fk6](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.lobatd484fk6) 10 of the Declaration on the Protection of All Persons from Enforced Disappearance.

98 Recommended by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Geneva in 1955 and endorsed by the Economic and Social Council in its resolutions 663 C-24 of 31 July 1957 and 2076 D-62 of 13 May 1977, Rule No. 7 of [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%85%D9%85%D8%A7%D9%86%D8%AF%D9%88%D8%A7%D9%84%D8%A7%D8%B9%D8%B9%D9%86%D9%86%D8%86%D9%86%D9%86%D8%D8%A7%D8%A7%D9%84%D9%84%D9%84%D9%84%D9%84%D9%84%D9%84%D9%84%D9%84%D9%84%D9%84%D8%D8%B9%D8%B9%D9%D9%86%D9%86%D9%D9%86%D9%D9%86%D9%86%D9%86%D8%D8%D9%D9%86%D9%86%D9%86%D8%D9%8A%D9%8A%D9%D9%D9%](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%85%D9%85%D8%A7%D9%86%D8%AF%D9%88%D8%A7%D9%84%D8%A7%D8%B9%D8%B9%D9%86%D9%86%D8%86%D9%86%D9%86%D8%D8%A7%D8%A7%D9%84%D9%84%D9%84%D9%84%D9%84%D9%84%D9%84%D9%84%D9%84%D9%84%D8%D8%B9%D8%B9%D9%D9%86%D9%86%D9%D9%86%D9%D9%86%D9%86%D9%86%D8%D8%D9%D9%86%D9%86%D9%86%D8%D9%8A%D9%8A%D9%D9%D9%)

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require <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84>

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that the reasons for the arrest, the time of the arrest, the time of the taking of the arrested person to the place of detention and the time of his first appearance before a judicial or other authority, as well as the identity of the law enforcement officials concerned, and all information related to the place of detention be recorded, provided that this information is communicated to the detained person or his lawyer, if any, and this right is also stipulated in the Basic Principles on the Role of Lawyers ⁽⁹⁹⁾.

As for juveniles, a complete and secure record must be kept in every place designated for the detention of juveniles, provided that such record includes information regarding the identity of the juvenile, the incident of detention, its reason and the document authorizing it, the day and hour of admission, transfer and release, details of notices sent to parents or guardians regarding each case of admission, transfer or release related to the juvenile who was in their care at the time of detention, and details of known problems related to physical and mental health, including drug and alcohol abuse ⁽¹⁰⁰⁾.

All reports of juveniles, including legal records, medical records, and records of disciplinary procedures, shall be placed in a confidential individual file that is updated, accessible only to authorized persons, and classified in a way that makes it easy to understand.

Every juvenile has the right to object to any incident or opinion in his file so that inaccurate, unsupported or unjust data can be corrected. To exercise this right, procedures must be in place to allow an appropriate third party to view the file upon request. Juvenile files are sealed when released and then executed in a timely manner ⁽¹⁰¹⁾.

Records of juvenile offenders must be kept confidential, and it is prohibited to view or access them from persons other than those concerned with the disposition of the case or duly authorized persons.

⁹⁹ Principle No. 12 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, [Rule No. 7 of the Nelson Mandela Rules](#), Principle No. 21 of the Basic Principles on the Role of Lawyers.

¹⁰⁰ [Rule No. 21 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

¹⁰¹ [Rule No. 19 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

It is also prohibited to use records of juvenile offenders in adult-related proceedings in subsequent cases in which the same offender is involved ⁽¹⁰²⁾.

The United Nations Rules for the Protection of Juveniles Deprived of their Liberty oblige, as soon as possible after reception, to provide complete reports and appropriate information regarding the personal circumstances and circumstances of each juvenile, and to submit them to the administration ⁽¹⁰³⁾.

All reports on juveniles, including legal records, medical records, records of disciplinary procedures, and all other documents related to the form, content, and details of treatment, must be placed in a confidential individual file that is updated and accessible only to authorized persons, and classified in a way that makes it easy to understand.

Every juvenile may object, wherever possible, to any fact or opinion contained in his file, so that inaccurate, unsupported or unjust data can be corrected. To exercise this right, procedures must be in place to allow an appropriate third party to view the file upon request. Juvenile files are sealed when released and then executed in a timely manner ⁽¹⁰⁴⁾.

All information related to admission, location, transfer and release must be provided without delay to the parents, guardians or next of kin of the juvenile concerned ⁽¹⁰⁵⁾.

The United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) also require recording the number of children of women who enter prison and their personal data upon entering prison, and these records must include - without prejudice to the rights of the mother - the names of the children, their ages, place of residence, and their custody or guardianship status if they are not with their mothers, provided that all information related to the identity of the children remains confidential, and that such information is used only in the interest of the child ⁽¹⁰⁶⁾.

The recorded data on the prisoner throughout his imprisonment must be updated according to the changes that may occur in his case, or his initial assessment and classification, as well as information on his behavior and discipline, and the requests and complaints submitted by the prisoner throughout his time in prison, especially allegations related to torture and other cruel, inhuman or degrading treatment or punishment, as well as the disciplinary sanctions imposed on him, and any

¹⁰² Rule No. 21 of the Beijing Rules.

¹⁰³ Adopted and made public by General Assembly resolution 45/113 of 14 December 1990.

¹⁰⁴ [Rule No. 19 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

¹⁰⁵ [Rule No. 22 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

¹⁰⁶ [Rule No. 3 of the Bangkok Rules](#).

circumstances or reasons for any injuries or deaths, as well as recording the party to which the remains of the prisoner were transferred in the event of his death⁽¹⁰⁷⁾.

Criticism

If the Law on the Organization of Correction and Community Rehabilitation Centers did not provide for the quality of data and information that records the condition of the inmate specifically, then it did not provide for any regulation to update that data and information over the period of the inmate's stay in the reform center⁽¹⁰⁸⁾.

Failure to inform the inmate or his lawyer of the records of the correctional centers related to him violates the Standard Minimum Rules for the Treatment of Prisoners, which ensure the confidentiality of all records and prohibit access to them. However, it allowed the inmate and his lawyer to see the records related to him when making any editorial amendments to them. It also stipulated that the inmate has the right to obtain an official copy of those records upon his release, which is not stipulated in the Law on the Organization of Correction and Community Rehabilitation Centers⁽¹⁰⁹⁾.

The registration of the data of the detainee or prisoner is an important primary guarantee to prevent him from being subjected to torture or inhuman or degrading treatment. The legislator in the Law on the Organization of Correction and Community Rehabilitation Centers and its bylaws has stipulated the controls for registration in a public register of inmates, but this is limited to public reform centers and geographical reform centers only. Accordingly, it is not subject to the obligation to legally register detainees in military reform centers or one of the private places issued by a decision by the Minister of Interior.

This means that the detention of a person in one of the places specified by a decision of the Minister of Interior is not subject to any administrative or judicial control, which increases the cases of enforced disappearance that are criminalized internally and internationally, and the absence of such control leads to the impossibility of proving detention in those places⁽¹¹⁰⁾.

The Ministry of Interior holds all information about detainees in all places of detention. The Public Prosecution does not have any central record of the names of persons deprived of their liberty and their places of detention. The person's family or lawyers may not access these records or obtain information from them.

¹⁰⁷ [Rule No. 8 of the Nelson Mandela Rules.](#)

¹⁰⁸ [Rule No. 10 of the Nelson Mandela Rules.](#)

¹⁰⁹ Rules Nos. [9](#), [10](#) of the Nelson Mandela Rules.

¹¹⁰ In the report submitted by Egypt to the Committee against Torture under Article 19 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, on detention by the State Security Investigation Service before its abolition, it was stated: "All places of detention, whether in prisons or sections, are subject to the prison law, and there are no places of detention that are not subject to the prison law. As for what was raised about the buildings of the State Security Investigation Service, they are administrative buildings and have no legal places of detention..." - Item 120 of the report submitted on 18 October 2001, Document No. [CAT/C/55/Add.6].

Therefore, it is necessary to obtain a permit from the Ministry of Interior to visit all correctional centers and places of detention to search for a missing or detained person.

It is also noted that there is no provision in the Egyptian Law Regulating Correction and Rehabilitation Centers that the inmate file management system shall be unified or any statement to organize that record, or an official central record system to be updated with the names of all persons deprived of their liberty in all places of detention prescribed by law and that this information shall be available to the inmate's family and lawyers.

Recommendations

The Law Governing Correction and Rehabilitation Centres and their bylaws shall stipulate the following:

1- Establishing a unified system for the management of inmates' files, and establishing a central official register that is constantly updated with the names of persons deprived of their liberty who are present in any place of detention.

This is easy to implement in practice at the moment, as all departments and departments of the Ministry of Interior are linked to an electronic information network, which already exists.

2- Provide for the data to be recorded for each detainee, provided that they are as follows:

- a. Details of his/her identity, name, age, etc. of the personal data that identifies the detained person;
- (b) The reasons for his imprisonment, and the competent authority that decided to do so;
- (c) The day and time of his admission to the place of detention and the date of his release;
- (d) Accurate information about the place where the person is detained;
- (e) Any visible injuries to the detainee at the time of entering the place of detention;
- f. Emergency contact details and information about the inmate's next of kin;
- (g) For juveniles, the notices sent to his parents or guardian regarding each case of admission, transfer, or release of the juvenile shall be recorded;
- (h) For women, the number of children, their names, ages, place of residence, and custody or guardianship status must be recorded.

3- Updating the data registered on the inmate with the following data:

- (a) information regarding the lawsuit, and the dates of court hearings;
- (b) Information concerning his conduct and discipline;

(c) Information relating to disciplinary sanctions imposed on him;

d. requests and complaints from the inmate, including allegations of torture and other cruel, inhuman or degrading treatment or punishment;

(e) Information relating to injuries that occurred to the inmate after his imprisonment, and information relating to deaths.

4- Making the information contained in the records of the detainees available to the family members of the detainee, his lawyer, or anyone who has a legitimate interest in this.

5- Making available the information contained in the records of detainees to any competent judicial authority, or any other authority authorized to investigate the whereabouts of a detained person (such as authorizing the Bar Association to view the records of detainees in any place of detention).

6- Establishing and activating a role for the Bar Association to exercise in ensuring the right of lawyers to access information, files, and documents related to detainees, inmates, and all persons deprived of their liberty in order to provide them with legal assistance.

7- Provide for the right of the inmate at the time of his release to obtain an official copy of all information contained in the records.

The fifth topic: The right of the inmate to be detained in humane and healthy places

The legislator, whether in the law regulating correction and rehabilitation centers or in the internal regulations, did not stipulate any specifications for the places of detention of inmates. The legislator, in the [decision](#) of the [Minister](#) of [Interior No. 1334 of 2017 regarding the supervision of the deputy security managers on the central prisons](#) within the [scope](#) of the [Directorate of Security](#), stipulated the formation of a committee headed by the Deputy Director of Security and the membership of the Assistant Director of Security for Administrative and Financial Affairs, and the head of the Maintenance and Construction Follow-up Department in the Directorate, with the participation of the warden of the central prison, to take all measures related to maintenance of the facilities and the prison building and to ensure that all laws, regulations, periodic books and instructions on the validity of facilities and buildings⁽¹¹¹⁾ are followed.

On the contrary, all international conventions stipulate the specification of the places where detainees and prisoners are placed, as follows:

The first requirement: Specifications of the whereabouts of prisoners

¹¹¹ [Article 2 of the Minister of Interior's Resolution No. 1334 of 2017.](#)

The Nelson Mandela Rules required several specifications for the places and rooms used by prisoners, and required the prison administration to maintain all parts of the prison that prisoners frequented regularly, and to maintain their complete cleanliness at all times⁽¹¹²⁾.

Juveniles deprived of their liberty shall have the right to facilities and services that meet all the requirements of health and human dignity⁽¹¹³⁾.

Also, following the rule of individual treatment, a flexible system should be adopted to classify prisoners into categories, provided that these categories are divided into separate prisons appropriate to the treatment of each category, with varying degrees of security for each prison according to the needs of different groups, with open prisons.

It is also better not to have a large number of detainees in closed prisons, which hinders individual treatment. The number of detainees should not exceed 500, but in open prisons, the number of prisoners should be as small as possible, and prisons should not be built so small that it is not possible to provide appropriate facilities⁽¹¹⁴⁾.

Juveniles shall be established open detention institutions, which shall mean institutions where there are no or less security measures, provided that the number of inmates in those institutions is as low as possible.

If juvenile detention facilities are closed, the number of inmates should be small enough that treatment can be carried out individually.

Juvenile institutions should be decentralized and of a size that facilitates communication between them and their families. Small enterprises should be established that integrate into the social, economic and cultural environment of the¹¹⁵ local community.

The design of juvenile institutions and their physical environment must be compatible with the purpose of rehabilitating juveniles by treating them during their stay in institutions, taking into account the needs of the juvenile for privacy and the development of his sensory perceptions, and he must have the opportunity to communicate with his peers.

Due consideration must be given to the juvenile's need for privacy, sensory development, opportunities for peer contact, and participation in sports, physical exercise, and leisure activities.

Event facilities shall be designed and constructed in such a way as to minimize the risk of fire and ensure that buildings are safely evacuated.

¹¹² [Rule No. 17 of the Nelson Mandela Rules](#).

¹¹³ [Rule No. 31 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

¹¹⁴ Rule No. 63 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 89 of the Nelson Mandela Rules](#).

¹¹⁵ [Rule No. 30 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

It must be equipped with an effective fire alarm system, with systematic and proven procedures to ensure the safety of juveniles. Facilities should not be located in areas known to be exposed to health or non-health hazards⁽¹¹⁶⁾.

The second requirement: Specifications of sleeping places within the framework of international conventions

In accordance with the Standard Minimum Rules for the Treatment of Prisoners [and](#) the [Nelson Mandela Rules](#), it is prohibited to place more than one prisoner at night in single cells or bedrooms, except in times of temporary overcrowding, and if the Central Prison Administration is obliged to place more than one prisoner in a cell or bedrooms, it shall avoid placing two prisoners in a single cell or room.

When using dormitories, the prisoners who occupy them must be selected in a way that allows them to be able to coexist with their colleagues, and they must remain under constant control throughout the night and appropriate to the nature of the institution⁽¹¹⁷⁾.

All rooms intended for the use of prisoners, including bedrooms at night, must meet hygienic requirements, taking into account climatic conditions, in terms of air volume, minimum space allocated to each prisoner, lighting, heating and ventilation⁽¹¹⁸⁾.

For juveniles, sleeping quarters should usually consist of small group dormitories or individual bedrooms that take into account local standards.

Regular monitoring must be imposed on the juvenile during sleeping hours, without intruding on all sleeping places, including individual rooms and collective dormitories, in order to ensure the protection of each juvenile.

Each juvenile shall be provided - in accordance with local or national standards - with separate and adequate bedding, delivered to him/her clean and kept in good condition, and re-changed sufficiently to ensure their cleanliness⁽¹¹⁹⁾.

The third requirement: Specifications of living and working places within the framework of international conventions

Rooms used by prisoners for living or working must have windows that allow the spread of light in a way that enables prisoners to use natural light in reading and work, and so that they are installed in a way that allows the entry of fresh air, whether there is artificial ventilation or not.

¹¹⁶ [Rule No. 32 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

¹¹⁷ Rule 9 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 12 of the Nelson Mandela Rules](#).

¹¹⁸ Rule 10 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 13 of the Nelson Mandela Rules](#).

¹¹⁹ [Rule No. 33 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

Artificial lighting should also be sufficient to enable prisoners to read and work without straining their sight⁽¹²⁰⁾.

The Standard Minimum Rules for the Treatment of Prisoners as well as the [Nelson Mandela Rules](#) required that the prison have sufficient toilets to enable each prisoner to meet his natural needs when necessary and cleanly and decently⁽¹²¹⁾.

Shower and ablution facilities should also be available so that each prisoner can bathe or bathe at least once in a temperate climate with weather-adapted temperature, to the extent required by public health, depending on the season and geographical location of the prison area⁽¹²²⁾.

All places regularly frequented by prisoners in the penal institution must be up to date with maintenance and cleanliness at all times⁽¹²³⁾.

The European Court of Human Rights has ruled that France is obligated to pay amounts ranging from 4,000 euros to 25,000 euros to 32 prisoners, given the court's opinion that the prisons in which they were held are inadequate and do not meet the appropriate specifications⁽¹²⁴⁾.

¹²⁰ Rule 11 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 14 of the Nelson Mandela Rules](#).

¹²¹ Rule 12 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 15 of the Nelson Mandela Rules](#).

¹²² Rule 13 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 16 of the Nelson Mandela Rules](#).

¹²³ Rule 14 of the Standard Minimum Rules for the Treatment of Prisoners.

¹²⁴ [Summary of Judgment: In the Judgment of Day 1 Chamber in J. France Application Nos. 9671/15 and 31 Others - The European Court of Human Rights unanimously held that there had been: a violation of article 13 of the right to an effective remedy - of the European Convention on Human Rights, and a violation of article 3 of the prohibition of inhuman or degrading treatment -

The 32 cases relate to poor conditions of detention in the following prisons: Ducos Martinique-, Alpha Newtania French Polynesia-, Bay Maholt Guadeloupe-, Nîmes, Nice and Fresnes, as well as the issue of prison overcrowding, and the effectiveness of preventive remedies available to the prisoners concerned

The court considered that the personal space allocated to most applicants had shrunk from the minimum requirement of 3 square meters throughout their detention; this situation was exacerbated by the lack of privacy in the use of latrines.

With respect to plaintiffs with more than 3 square meters of personal space, the Court held that the prisons in which they were or are still detained did not, in general, provide adequate conditions of detention or adequate freedom of movement and extracellular activities

The Court further found that the applicable preventive remedies - an urgent request to protect a fundamental freedom and an urgent request to take appropriate measures - were ineffective in practice, and found that the powers of administrative judges to issue orders were limited in scope. Moreover, despite the positive change in jurisprudence, overcrowding in prisons and the dire situation of some prisons acted as an obstacle to the full and immediate cessation of serious violations of fundamental rights by means of remedies available to detained persons

Under Article 46, the Court observed that the occupancy rates in the prisons in question revealed a structural problem. The Court recommended that the respondent State consider adopting general measures aimed at eliminating overcrowding and improving the material conditions of detention, while establishing an effective preventive remedy

Key facts: The 32 applicants in this case are 29 French, one Cape Verdean, one Polish and one Moroccan born between 1945 and 1995

Located fourteen kilometres from Fort-de-France, Ducos is the only prison in Martinique

On January 1, 2015, the occupancy rate was 213.7% in the short stay section and 124.6% in the rest of the prison. On 1 January 2019 the ratio was 134% in the short stay section and 86.1% in the rest of the prison. The first phase of the work led to the renovation and expansion of some areas and the construction of a new building, which increased the capacity by 60.

There are plans to reorganize health facilities. Applicants complained about the lack of personal space with an average of 3 square meters per person, all complained about the proximity of the dining area to the toilets that were separated from the rest of the cell with a curtain, complained about the state of unhealthy cells that were infested with rats, cockroaches, mice and ants, and about the condition of dirty toilets and inadequate hygiene and ventilation, some applicants complained about the lack of light, while others reported a climate of violence, some alleged a lack of or insufficient health care, and all applicants confirmed that they were confined for between 15 and 22 hours a day

In July 2014, the Claimants with the exception of two - filed a claim for damages against the State in the Administrative Court of Martinique, claiming compensation for the damage suffered, the Administrative Court found that the conditions of detention were

degrading within the meaning of Article 3 of the Convention and amounted to negligence, and ordered the State to pay compensation to the Claimants ranging from €2,880 to €7,300

It is noted that the Alpha-Nuutania prison in French Polynesia, with a capacity of 119 places, was built in 1970 on the island of Tahiti, and on September 1, 2016, three months after the applicants applied to the court, the occupancy rate of the short stay department was 143%. While the remaining percentage in the prison was 185.7, the construction of a new prison was completed in March 2017, with the aim of accommodating 410 inmates and relieving congestion in the Alpha-Nuutania area, which was very overcrowded and dilapidated, at the time their applications were submitted, the applicants shared cells ranging from 8 to 12 square meters, including sanitary facilities and furnishings, with three other occupants, as a result, each of them had a personal space ranging from 2 to 3 square meters, all applicants complained about the presence of insects in the cells and public places of the prison, complained about the deterioration of public spaces and sanitary facilities, inadequate hygiene in the cells, unpleasant odors, lack of hot water and drinking water, inadequate food rations, they also described a climate of tension and violence, many applicants complained that waiting periods for medical treatment were unreasonable, one complained about opening his letters, the government stated that inside the prison had undergone extensive renovation since 2013

Bay-Maholt prison was built on the outskirts of Pointe-à-Pitre in 1996, with a theoretical capacity of 503 places, in March 2017 the overcrowding rate was 150, and in January 2019, the occupancy rate of the short stay department was 189%, while the occupancy rate of the rest of the prison sections was 89, and the work is scheduled to be carried out in 2020

The applicant stated that he shared his cell with two other prisoners and slept on a mattress on the floor, 80 cm from the toilets, complained of a climate of tension and violence and alleged that he was attacked on several occasions

The short-lived Nîmes prison, with a capacity of 192 places, came into operation in 1974 and is the only prison in Jard County, and in February 2015 the overcrowding rate was 215%. In the same year, the French section of OIP- the Council of the Bar of Nîmes - submitted an urgent request to protect one of the fundamental freedoms, seeking to put an end to the serious violations of the fundamental freedoms of prisoners

In January 2019, the rate of overcrowding was 205, the applicants complained about the dilapidated state of the cells, which they sometimes had to share with the very elderly prisoners they had to care for, complained about the noise and unpleasant smells, insufficient ventilation and thermal insulation, poor hygiene, a short-stay prison was built at the end of the 19th century, it is very overcrowded, the conditions in the women's section of the prison have been repeatedly described as intolerable, this prison is included in the prison construction program 2022-2027

Finally, the Fresnes short-term prison, with a capacity of 1,320 places, forms part of the Fresnes prison complex, built in 1898 on the outskirts of Paris in the Val-de-Marne region, and on November 1, 2017, the rate of overcrowding was 195.6, and on January 1, 2019, it was 197.

On 3 October 2016, the Office of the Iraq Programme submitted an urgent request for the protection of one of the fundamental freedoms to the Mellon Administrative Court, seeking, among other measures, action to stop the spread of insects in buildings.

Applicants complained that they had personal space in their cells ranging from less than 3 square meters to 4 square meters. They said that they were locked in their cells for 22 hours a day, complained about the low level of meals, inadequate hygiene in the cells that were full of bed bugs and cockroaches, the presence of rats in public areas, claimed that an atmosphere of tension and violence prevailed, and all complained that they were systematically searched after each visit to the prison.

Complaints, proceedings and composition of court: Relying on Article 3 - Prohibition of inhuman and degrading treatment - Article 8 - Right to private and family life - Article 13 - Right to an effective remedy - Applicants alleged that their conditions of detention were or were inhuman and degrading and that they had no effective remedy in this regard

Applications were submitted to the European Court of Human Rights between 20 February 2015 and 20 November 2017

Court decision: The court declared admissible the applicants' complaints about their conditions of detention, except for three applicants who were no longer in detention when their applications were made, who should have filed a claim for compensation with the local courts, and two applicants who obtained recognition of the degrading nature of their conditions of detention and received compensation for the alleged violation of article 3. Similarly, the Court declared admissible the complaint submitted by all applicants about the lack of effective preventive treatment in domestic law. Article 13.

The Court noted that the remedies advocated by the Government as a preventive remedy within the meaning of its case law consisted of urgent applications to an administrative judge

The Court noted that following a change in jurisprudence, applications to the judge for urgent applications to protect a fundamental freedom led to the implementation of measures aimed at addressing serious violations of prisoners' rights, particularly with regard to hygiene conditions

Developments in case law have occurred mainly through requests made by the Office of the Iraq Programme for the Collective Defence of Prisoners' Rights. An urgent request to protect a fundamental freedom was a remedy available to individual prisoners. The Court noted that the Summary Judges delivered their judgments promptly and in accordance with the general principles set out in the Court's jurisprudence on Article 3

The question is whether this remedy has indeed made it possible to put an end to conditions of detention contrary to the Convention.

First, with regard to the effectiveness of urgent applications of this kind, the Court noted that the power of judges to issue orders is limited in scope

The judge did not have the authority to order work to be carried out on a scale sufficient to remove the consequences of prison overcrowding, or to order measures to reorganize the public justice system

Second, the court noted that the role of the summary appeals judge was conditioned by the funding available to the prison authorities and the actions they had already taken

In institutions with juvenile and adult inmates, facilities must be completely separated between them, unless they are from the same family. As an exception, juveniles and carefully selected adults may be combined within a special program that has been found to be beneficial to the juveniles concerned, in controlled circumstances⁽¹²⁵⁾.

Prison governors were asked to accept people in detention, including when the prison was overcrowded. The need to take into account the actions and undertakings of the authorities has led the summary motions judge to order transitional measures with little binding effect that cannot quickly put an end to inhuman or degrading conditions. Furthermore, prison authorities can impede a judge's authority to issue orders by indicating the amount of work to be done or the cost

Third, the time taken to execute issued orders was incompatible with the requirement to provide prompt compensation. Prisoners who have received a decision in their favor are not expected to make multiple requests to ensure that prison authorities recognize their fundamental rights. Finally, regardless of the enforcement actions, the court noted that the measures implemented did not always lead to the desired results. Ultimately, the procedures ordered by the summary appeals judge, in relation to overcrowded prisons, were difficult to apply in practice. The fact that prisons have been overcrowded and dilapidated, particularly in areas with few prisons and where transfers are not a realistic option, means that the use of an urgent request to protect fundamental freedom does not enable detained persons to secure a complete cessation of serious violations of Article 3 or to substantially improve their situation

The Court concluded that the Government had failed to demonstrate that an urgent application for the protection of a fundamental freedom could be regarded as the preventive remedy requested by the Court

The same applies to urgent requests for appropriate measures, which, in addition to being secondary to urgent applications for the protection of a fundamental freedom, have encountered the same practical obstacles. Thus, the Claimants - except for the person who did not file a complaint to that effect - had no effective remedy. There was therefore a violation of Article 13 of the Agreement. Article 3-

The Court reiterated that where an applicant's description of the circumstances of his detention is credible and reasonably detailed, the burden of proof shifts to the respondent government, which alone has access to information capable of substantiating or refuting the applicant's allegations

Accordingly, the Respondent Government was requested to compile and submit the relevant documents and to provide a detailed account of the applicant's conditions of detention. In considering the case, the Court also took into account information provided by international bodies such as the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment CPT- or relevant national authorities and institutions

In the applications under consideration, the Court noted that the information provided by the Government on the amount of personal space allocated to the applicants was limited and in some cases nonexistent in the case of prisoners at Nuutania, Bay - Mahault and Nice -

In other cases, the information was incomplete, as it did not always specify the surface area of the cells or clarify whether or not the figure given included health facilities. Only in the case of Nim being imprisoned for short periods, did the information provided to the court allow it to determine precisely the amount of personal space that was available to the applicants and the length of time to which this case applied

Accordingly, the court considered that the government had not rebutted the plaintiffs' claims in the prisons of Dukos, Wafaa Nuutania, Bay Mahault, Nice, and Fresnes two applicants in the Frenice case-meaning they had less than 3 square meters of personal space per person for the duration of their detention. Furthermore, these allegations were corroborated by information provided by national authorities such as the Inspector General of Prisons and international bodies such as the European Committee for the Prevention of Torture

The Court noted, in relation to all the prisons concerned, that the Government had cited security reasons to justify the fact that sanitary facilities, especially latrines, had not been fully separated. The court finds that the reasons given are inconsistent with the requirement to protect the privacy of prisoners when they were sharing overcrowded cells

The Court concluded that there had been a violation of Article 3 due to conditions of detention in respect of all applicants whose complaints had been declared admissible

The Court, for failure to exhaust domestic remedies, dismissed Mr Mixtur's complaint of a violation of Article 3 due to the violence he was allegedly subjected to in Bay-Mahault Prison. Article 8-

In light of its finding on Article 3, the Court held that it was unnecessary to ascertain whether there had been a violation of Article 8 due to the circumstances of the Claimants' detention. With regard to one R.I.- plaintiff's complaint that some of his letters had been opened, the court found that the complaint had not been substantiated and should therefore be dismissed as manifestly ill-founded. Article 46-

The Court recommended that the Respondent State consider adopting general measures in order to ensure that the conditions of detention of prisoners are compatible with Article 3 of the Convention. Actions taken to this end should include putting a permanent end to prison overcrowding. This may entail reviewing the method of calculating prison capacity and improving compliance with maximum occupancy standards

Furthermore, an effective preventive remedy should be developed, which, together with compensatory remedies, would enable prisoners to obtain compensation for the situation to which they were victims and prevent the continuation of alleged violations

Fair Satisfaction Article 41-: The Court ruled that France must pay applicants amounts ranging from €4,000 to €25,000 in respect of non-pecuniary damages] Judgment of the European Court of Human Rights, Application No. 9671/15.

¹²⁵ [Rule No. 29 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.](#)

Toilets must be located for juveniles, and must meet sufficient standards to enable each juvenile to fulfill his natural need, whenever he needs to, in privacy, cleanliness and modesty⁽¹²⁶⁾.

For women, the Bangkok Rules have mandated the provision of necessary facilities and materials for women prisoners in their shelters to meet their specific hygiene needs, including free sanitary nappies and regular water supply for the personal care of women and children, especially women who are cooking, pregnant, breastfeeding or menstruating⁽¹²⁷⁾.

Criticism

It is clear from the above that there is no regulation regarding the specifications for detention facilities in Egypt. Egyptian law includes only a single article addressing the maintenance of reform center facilities and buildings. Neither the law nor the internal regulations of reform centers specify a maximum capacity for detainees, which leads to overcrowding and fails to meet health and human dignity requirements.

Establishing detention facilities within police stations located in residential areas also completely contravenes international standards, making it more challenging to control detainees and transfer them to places for investigation, trial, or transfer to correctional centers.

International covenants, by contrast, stipulate numerous specifications for detention facilities and prohibit the establishment of small prisons where providing adequate facilities is impractical. Egyptian law lacks not only general specifications for detention centers but also for juvenile detention facilities, including maximum capacities, thereby undermining the possibility of effective rehabilitation.

Recommendations

The following points should be stipulated:

Determining the maximum number of detainees in places of detention.

2-The facilities of the repair centers shall be designed and built in a way that reduces the risk of fire.

3-The rooms prepared for guests must meet the health requirements, and must have lighting, heating and ventilation according to climate conditions.

¹²⁶ [Rule No. 34 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

¹²⁷ [Rule No. 5 of the Bangkok Rules](#).

4. The rooms intended for inmates shall be of such a size that each prisoner shall have a minimum area allocated to him.

5- The rooms intended for guests should have windows that allow the spread of light in them, so that the guest can use natural light in reading and work, and that these windows allow fresh air to enter the room.

6. Provide sleeping quarters for inmates, avoid placing two prisoners in a cell or single room in cases where the administration of correctional centers has to place more than one inmate in a bedroom or single cell, and provide individual bedrooms for juveniles.

7-The availability of sufficient toilets to enable each inmate to meet his natural needs in a clean and decent manner in privacy, and to determine the locations of toilets for juveniles, and that these courses meet the standards that enable the juvenile to meet his natural needs in privacy, cleanliness and modesty.

8-The reform centers shall have full facilities for bathing and washing so that each inmate can bathe and wash, to the extent required by public health.

The sixth topic: The right of the inmate to keep her child with her

The first requirement: Within the framework of Egyptian law

The Egyptian legislator permits an inmate to keep her child with her in the custody of the reform center until the child reaches four years of age, provided she accompanies the child during the first two years. If the mother does not wish to keep the child with her or if the child reaches the age limit, custody is transferred to the next legal guardian. If the legal guardian declines, custody goes to the next eligible person. If all eligible individuals refuse, the reform center director will place the child in an appropriate care facility, inform the mother of the location, and facilitate periodic visits.⁽¹²⁸⁾

The Children's Law mandates that every women's reform center establish a nursery that meets standard requirements, allowing inmates' children to stay until they reach four years of age. The mother is permitted to stay with her child during the first year, but may not take

the child into her prison cell. Furthermore, it is prohibited to punish an inmate by depriving her of visitation or care rights for her child due to any infraction she may commit. ⁽¹²⁹⁾.

The second requirement: within the framework of international conventions

On the other hand, international conventions have obligated to rely on the best interest of the child when allowing the child to stay with one of his parents in prison, provided that arrangements are made to ensure the existence of internal or external childcare facilities for qualified persons who place children in them when they are not under the care of their parents, as well as health care services for children, including health screening upon entry and continuous monitoring of their development by specialists, and it is prohibited to treat children accompanying one of their parents in prison as prisoners ⁽¹³⁰⁾.

Measures must also be taken to provide a nursery equipped with qualified staff, in which infants are placed during periods when they are not in the care of their imprisoned mothers ⁽¹³¹⁾.

Pregnant or breastfeeding prisoners should receive guidance on their health and diet under a program prepared and monitored by a qualified health professional. Adequate food shall be provided according to an appropriate schedule, and a healthy environment and opportunities for regular exercise shall be provided to pregnant women, infants, children and nursing mothers free of charge. Women prisoners may not be discouraged from breastfeeding their children unless there are special health reasons that require this, provided that the medical and nutritional needs of women prisoners who have recently given birth are included in treatment programs, without their children accompanying them in prison ⁽¹³²⁾.

Decisions regarding allowing children to stay with their mothers in prison are made with the child's best interest in mind, and children who accompany their mothers in prison are never treated as prisoners ⁽¹³³⁾.

Decisions regarding the separation of a child from his or her mother shall be made on the basis of case-by-case assessments and shall have the best interests of the child as a primary consideration, within the framework of the relevant national laws. Departure of a child from prison shall be handled in a child-sensitive manner and allowed only when alternative care arrangements have been identified and, in the case of foreign national prisoners, after consultation with consular officials.

129

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B7%D9%81%D9%84#h.gswq2s0v7ip> 31 bis of the Child Law No. 12 of 1996 added by Law No. 126 of 2008.

130 [Rule No. 29 of the Nelson Mandela Rules.](#)

131 Rule 23 of the Standard Minimum Rules for the Treatment of Prisoners.

132 [Rule 48 of the Bangkok Rules.](#)

133 [Rule No. 49 of the Bangkok Rules.](#)

After separating children from their mothers and joining them with their families or relatives or providing them with other alternative care, female prisoners are provided with the maximum possible opportunities and facilities to meet their children, when this is in the interest of the child and does not affect public safety⁽¹³⁴⁾.

Female prisoners accompanied by their children in prison must be given the maximum possible opportunities to spend time with their children⁽¹³⁵⁾.

In the event that the child remains with his imprisoned mother, health care services shall be provided continuously to children living with their mothers in prison and their development shall be monitored by specialists, in cooperation with the services concerned with providing community health services, and children shall be raised in an environment as close as possible to the environment in which the children grow up outside the prison⁽¹³⁶⁾.

Comment

The Egyptian legislator agreed on the issue of allowing the child to stay with his inmate mother in accordance with international conventions. The legislator did well by stipulating the establishment of a nursery in which the children of inmates are placed.

The Egyptian legislator also did well by explicitly stipulating that it is prohibited to deprive the inmate mother of seeing or caring for her child as a punishment for a violation she commits, because in that case, the punishment here does not fall on the mother, but rather on the child who has the full right to care for his mother.

The seventh topic: The right of the inmate to obtain information about his rights and duties, the prohibited acts and the penalties imposed on him in case of violation

The first requirement: Within the framework of Egyptian law

The Law on the Organization of Correction and Community Rehabilitation Centers obliges the inmate to inform him immediately upon entering the correction center of his rights, duties, prohibited acts, and penalties imposed on him when he violates laws and regulations. It also announces how to submit his complaint, and the procedures that have been taken therein⁽¹³⁷⁾.

134 [Rule 52 of the Bangkok Rules.](#)

135 [Rule No. 50 of the Bangkok Rules.](#)

136 [Rule No. 51 of the Bangkok Rules.](#)

137 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86->

The law required inmates to be warned when entering correctional centers and when leaving them to work outside them to the right of supervisors and custodians assigned to guard inmates to use their firearms against them to repel any attack or any resistance accompanied by the use of force, and to prevent the escape of any inmate⁽¹³⁸⁾.

The second requirement: within the framework of international conventions

On the other hand, the United Nations resolution on the principles relating to the protection of all persons subjected to any form of detention or imprisonment obligated the authority responsible for arrest, detention or imprisonment, respectively, to provide the person at the moment of arrest and at the beginning of detention or imprisonment or immediately after, with information on his rights and an explanation of these rights and how to use them⁽¹³⁹⁾.

In accordance with the Standard Minimum Rules for the Treatment of Prisoners and the Nelson Mandela Rules, prison management must provide each prisoner upon admission with written information, as well as prominently display summaries of that information in common areas of the prison, about the prison law and applicable prison regulations; his or her rights, methods of seeking information and obtaining legal advice, including through legal aid programs, and procedures for making requests or complaints; his or her duties, including applicable disciplinary sanctions; as well as all other matters necessary to enable the prisoner to adapt himself or herself to life in prison.

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138 Articles 87 and 88 of the Law on the Organization of Correction and Community Rehabilitation Centers.

139

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Such information shall be made available in the most widely used languages in accordance with the needs of the prison inmates. If the prisoner does not understand any of these languages, they should be assisted by interpreting the information.

If the prisoner is illiterate, this information shall be read orally to him. Information should be provided to prisoners with sensory disabilities in an appropriate manner that meets their needs⁽¹⁴⁰⁾.

Any detained person shall also be entitled to the assistance of a lawyer, and the competent authority shall inform him immediately upon arrest, provided that he is provided with reasonable facilities to exercise that right.

He shall also have the right to a lawyer appointed by him who has judicial or other authority, free of charge if he does not have sufficient resources to pay⁽¹⁴¹⁾.

¹⁴⁰ Rule 35 of the Standard Minimum Rules for the Treatment of Prisoners, Rules 54, 55 of the Nelson Mandela Rules, and Principle 14 of the Body <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.3omw4mi10tas> Principles of the Protection <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.3omw4mi10tas> Form of Detention or Imprisonment.

¹⁴¹ Principle <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.cs2rmj4gv9ds> 17 of the Body of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.cs2rmj4gv9ds> Principles for the Protection of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.cs2rmj4gv9ds>

As for juveniles, upon entering the penal institution, each juvenile shall be given a copy of the institution's system and a written statement of his rights and duties, in a language he understands. He shall also be provided with the addresses of the authorities competent to receive their complaints and the addresses of public or private bodies or individuals who provide legal assistance. If the event is illiterate or they cannot understand the written language, the information should be provided to them in a way that enables them to fully understand it ⁽¹⁴²⁾.

Assistance must be provided to each juvenile to understand the regulations applicable to the internal organization of the penal institution, the objectives and methodology of the care provided, disciplinary requirements and procedures, other authorized methods of seeking information and submitting complaints, and any other information necessary to enable them to fully understand their rights and duties during detention ⁽¹⁴³⁾.

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[Detention or Imprisonment.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.cs2rmj4gv9ds)

¹⁴² [Rule No. 24 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.](#)

¹⁴³ [Rule No. 25 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.](#)

According

to

the

Body <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86->

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.1qdxrghbo7nb>

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.1qdxrghbo7nb> Detention or Imprisonment, a detainee or prisoner is entitled to the assistance of a lawyer, and the competent authority is obliged to inform

him of this right immediately after his arrest and provide him with reasonable facilities to exercise it, and if he does not have a lawyer of his own choosing, he has the right to provide him with a lawyer, through the judicial authority or any other authority in all cases where the interest of justice so requires, free of charge if he does not have sufficient resources to pay⁽¹⁴⁴⁾.

As for untried prisoners - those in pre-trial detention - each of them must be informed immediately of the reasons for his detention and any charges against him, and he shall have the right to appoint a lawyer appointed by him by a judicial or other authority, if he does not have a lawyer of his own choosing, in all cases where the interest of justice so requires, free of charge, if he does not have sufficient resources to pay the costs. Denial of access to a lawyer shall be subject to independent review without delay⁽¹⁴⁵⁾.

144 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.cs2rmj4gv9ds>Principles of the Protection of the Body of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.cs2rmj4gv9ds>All Persons under Any Form of Detention or Imprisonment.

145 Rule No. 92 of the Standard Minimum Rules for the Treatment of Prisoners, and Rule No. 119 of the Nelson Mandela Rules.

The Bangkok Rules have required attention to providing facilities for women prisoners upon entering prison that enable them to contact their relatives, provide them with access to legal advice, provide them with information on prison rules and regulations, the system followed and places where they can seek assistance if they need it in a language they understand, and allow foreign women to contact their consular representatives⁽¹⁴⁶⁾.

Criticism

If the Law Regulating Correction and Rehabilitation Centers obliges the inmate to be informed of his rights, duties, and prohibited acts, the penalties imposed on him in the event of violation of laws and regulations, and how to file a complaint and know what procedures have been carried out in them, on the other hand, it does not provide for the manner in which the inmate requests information, and specifically stipulates his right to obtain legal assistance, and his right to appoint a lawyer to be appointed by a judicial authority or any other authority free of charge if he does not have sufficient resources.

The law also did not provide for the provision of assistance to each inmate in understanding the regulations in force within the penal institution and the objectives of the care provided to him.

The Egyptian Law Regulating Correctional and Community Rehabilitation Centers did not provide for the right of a foreign inmate to contact the representatives of his consulates.

Recommendations

The legislator must intervene to establish controls to ensure that the inmate is informed of all his rights and duties in detail and his right to obtain legal assistance.

The eighth topic: Inmate's right to seek the assistance of an interpreter

The first requirement: Within the framework of Egyptian law

None of the Criminal Procedure Law, the Law Regulating Community Correction and Rehabilitation Centers, its internal regulations, or even the instructions of the Public Prosecution stipulated the right of a foreign inmate or detainee who does not understand or speak Arabic to use an interpreter, but rather what happens in practice is that the Public Prosecution uses an interpreter in investigations carried out with foreigners, based on the rules for the assignment of experts contained in [Chapter Three of Chapter Three of Book One of the Criminal Procedure Law](#) in Articles 85 to 89. However, there is no explicit provision in those articles that would render the procedures null and void in the event of a violation.

¹⁴⁶ [Rule No. 2 of the Bangkok Rules.](#)

The second requirement: within the framework of international conventions

The Nelson Mandela Rules obligated the translation of information that must be orally communicated to the foreign prisoner if he does not understand any of the languages commonly used in prison, and the Body of

Principles<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86->

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[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.1qdxrghbo7nb)

[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.1qdxrghbo7nb)

[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.1qdxrghbo7nb)

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[%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.1qdxrghbo7nb](#) or **Imprisonment** obligated that the arrested, detained or imprisoned person be assisted by an interpreter in the legal proceedings following his arrest, free of charge if he does not understand or speak adequately the language used by the authorities responsible for his arrest, detention or imprisonment, to provide him with information about his rights, the interpretation of these rights and how to use them ⁽¹⁴⁷⁾.

Criticism

As we have seen, the Egyptian Law on the Organization of Correction and Community Rehabilitation Centers did not provide for the right of the foreign inmate to contact the representatives of his consulates, nor did it provide for the right of the foreign inmate to seek the assistance of an interpreter to understand the internal regulations.

Recommendations

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The legislator must intervene to provide for the right of the foreign inmate to seek the assistance of an interpreter in order to adapt to life inside the reform center.

The ninth topic: The right of the inmate to be examined and vaccinated immediately after being placed in the reform center

The first requirement: Within the framework of Egyptian law

The legislator obligated the doctor to examine each inmate immediately after his placement in the reform center and to prove his health condition and the work he can do, provided that this is not later than the next morning ⁽¹⁴⁸⁾.

The Physician shall also vaccinate the Inmates upon their admission to the Correctional Centre against smallpox and typhoid and vaccinate the Users from time to time against smallpox. ⁽¹⁴⁹⁾.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.mhsicrmq5w3_27_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.mhsicrmq5w3](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.mhsicrmq5w3_27_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.mhsicrmq5w3) 27 of the Bylaws of the Reform and Community Rehabilitation Centers.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.d3biksrlyrjyr_30_of_the_bylaws_of_thehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.d3biksrlyrjyr](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.d3biksrlyrjyr_30_of_the_bylaws_of_thehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.d3biksrlyrjyr) 30 of the bylaws of the reform and community rehabilitation centers, and Article 26 of the bylaws of the geographicalhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-

Upon admission to the correctional center, the inmate shall be placed under health examination for a period of ten days, during which he shall not mix with other inmates, perform work, or visit.

The necessary medical examinations and tests shall be carried out during that period, and then he shall be transferred to the department designated for him in the reform center unless the doctor deems otherwise ⁽¹⁵⁰⁾.

The doctor in the geographical reform centers must detect new inmates when passing through the reform center, and this is done in accordance with the [internal regulations](#) of the [geographical reform and rehabilitation centers](#) twice a week, and the doctor himself records the data on their age and health condition, their injuries, disabilities and diseases, and the procedures he deems necessary to take in their regard ⁽¹⁵¹⁾.

In military prisons, the doctor supervising the prison vaccinates prisoners at the time of their placement when needed against smallpox and typhoid ⁽¹⁵²⁾.

We note that the Egyptian legislator did not grant this right to detainees in the places specified by a decision of the Minister of Interior, most of which are in police stations.

The second requirement: within the framework of international conventions

Under international conventions, an initial assessment of a prisoner's needs after admission should include an interview with and examination by a physician or other qualified health care professional

[%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.p1rljlpna0nu_reform_and_rehabilitation_centers](#), as amended by the decision of the Minister of Interior No. 3098 of 2001.

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[Article \[23 and 24\]\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.lhtlfxqvjem6_46_of_the_Bylaws_of%https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.lhtlfxqvjem6_the_Reform_and_Community_Rehabilitation_Centers\) of the Bylaws of the Geographical Correction and Rehabilitation Centers.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.lhtlfxqvjem6_46_of_the_Bylaws_of%https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.lhtlfxqvjem6_the_Reform_and_Community_Rehabilitation_Centers)

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[Article \[23 and 24\]\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.sn1jq3d0m84f_18_of_the_Internal_Regulations_of_Military_Prisons\) of the Internal Regulations of Military Prisons.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.sn1jq3d0m84f_18_of_the_Internal_Regulations_of_Military_Prisons)

in order to identify physical and mental health concerns that require immediate attention and can also affect long-term placement, such as acute or chronic health problems, signs of recent violence or abuse, indications of substance use disorders or cessation symptoms, medication needs, infectious diseases, or shelter-related material needs. A suicide and self-harm risk assessment should also be part of this review of immediate health needs. The interview should take place as soon as possible after the detention of the prisoner (within 24 hours), and follow-up action should be taken as appropriate.

Every detainee or prisoner must be given an appropriate medical examination within the shortest possible time after entering the place of detention or prison. The prison doctor or other qualified health care professional shall meet each prisoner as soon as possible after entering the prison to talk to him and examine him, determine his fitness for work, exercise and participate in other activities.

He shall also determine the health care needs of the prisoner and take the necessary measures to provide him with treatment, medical care and treatment whenever needed, free of charge. He shall also identify any ill-treatment to which the prisoner was subjected before entering prison, any signs of psychological stress for the prisoner due to his imprisonment, or other risks of suicide or self-harm, or any symptoms resulting from the interruption of drug, drug or alcohol use. The doctor or health care professional shall take the necessary individual or therapeutic measures.

The physician or specialist assigned to examine the prisoner makes arrangements for clinical isolation and treatment in the event that the prisoner is suspected of having any infectious diseases ⁽¹⁵³⁾.

If the doctor or any health care professional, while examining the prisoner upon entering the prison or while providing him with medical care, discovers any signs of torture or other cruel, inhuman or degrading treatment or punishment, he must document these cases and inform the competent medical, administrative or judicial authority, provided that the correct procedural safeguards are applied to protect the prisoner from being exposed to him or his related persons from a foreseeable risk of causing harm ⁽¹⁵⁴⁾.

The doctor also examines the juvenile immediately after his placement in the detention institution, to identify any physical or mental condition that requires medical attention, as well as to record any evidence of ill-treatment prior to his admission to the institution ⁽¹⁵⁵⁾.

A detained or imprisoned person or his lawyer has the right to request or petition - from a judicial or other authority - to sign a medical examination on him a second time or to obtain a second medical

¹⁵³ Principle No. 24 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, Rule No. 24 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 30 of the Nelson Mandela Rules](#).

¹⁵⁴ [Rule No. 34 of the Nelson Mandela Rules](#).

¹⁵⁵ [Rule No. 50 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

opinion. His request must not be rejected except on reasonable grounds related to ensuring security and good order in the place of detention or imprisonment. The fact of conducting the medical examination of the detained or imprisoned person, the name of the doctor and the results of this examination must be recorded. It ensures access to these records⁽¹⁵⁶⁾.

International standards provide for prompt and regular access to medical care for persons deprived of liberty. States are obliged to ensure that prompt, independent, impartial, appropriate and consensual medical examinations are available upon arrest, and at regular intervals thereafter.

Medical examinations must also be provided as soon as the detainee enters the detention or interrogation facility and at each transfer.

Impartial, independent and prompt professional examinations shall be conducted in accordance with the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment based on allegations of ill-treatment or any evidence of possible ill-treatment.

It is worth recalling the well-established prohibition of the participation of medical personnel, either positively or negatively, in acts that may constitute participation in, complicity in, incitement to, or attempts to commit acts of torture or ill-treatment⁽¹⁵⁷⁾.

Criticism

It is clear from the above that the internal regulations of the reform and rehabilitation centers have differentiated between inmates placed in geographical reform centers and other inmates placed in public reform centers, as well as inmates placed in military reform centers, on the one hand, they are examined immediately after they are placed in those centers, while the inmate placed in the public reform center is examined immediately after his placement, provided that this is not later than the morning following his placement, while the inmate placed in the geographical reform center is examined when the doctor passes through the reform center, which is done twice a week. On the other hand, the regulation of the military reform and rehabilitation centers does not require the inmate placed in those centers to be examined at the time of his placement in them, and it is not clear what is justified by that distinction between inmates, despite the fact that all inmates are in one legal center, in violation of the principle of equality between them.

The Law on the Organization of Correction and Community Rehabilitation Centers or any of the internal correctional centers regulations also did not stipulate the obligation of the doctor to document any

¹⁵⁶ Principles 25, 26 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.

¹⁵⁷ A/71/298, 5 August 2016, §88-, see Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment GA res. 37/194; and Tokyo Declaration, see A/68/295 and E/CN.4/2004/56-, see CAT/C/51/4-.

case of exposure of the inmate or to record what he observes of the presence of any signs of torture or other cruel, inhuman or degrading treatment or punishment.

Recommendations

The treatment of all inmates in all places of detention shall be standardized by stipulating the obligation of a doctor to immediately examine all those who are placed in a correctional center or any place of detention.

As well as stipulating the obligation of the doctor to prove and document the health condition of the inmate, the injuries he may have suffered, signs of torture or other forms of cruel, inhuman or degrading treatment or punishment, or any evidence of ill-treatment prior to his placement in the reform center in writing, and to inform the director of the reform center or its director of his report, as well as inform the competent medical, administrative or judicial authorities of his report if necessary, while stipulating the right of the inmate and his lawyer to see that report.

The right of a person whose liberty is restricted or of his counsel to seek a second medical examination or a second medical opinion from a judicial or other competent authority shall be provided and shall not be refused except on reasonable grounds.

The tenth topic: The right of the inmate to be treated in a manner that preserves his dignity when he is transferred from one place to another

The first requirement: Within the framework of Egyptian law

The Law on the Organization of Correction and Community Rehabilitation Centers lacks any regulation regarding the rights of inmates during transfers to or from correctional facilities. The only mention of inmate transfers pertains to the punishment for anyone who provides prohibited items to a convicted or pre-trial detainee during transfer. Such an offense is punishable by imprisonment for a minimum of one month and a fine ranging from one thousand to five thousand pounds, or either of these penalties, without prejudice to any stricter penalty stipulated in other laws. ⁽¹⁵⁸⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.2n5q862catm2> 92 of the Law on the Organization of Correction and Community Rehabilitation Centers, as amended by Law No. 106 of 2015.

The internal [regulations of military prisons](#) stipulated that a copy of the committal order and all the papers of the prisoner shall be sent to the prison to which he is transferred ⁽¹⁵⁹⁾.

As for the inmates in the military reform centers who are required to attend the sessions or who are required to be deported, their names and data shall be recorded in the daily record of the sessions and deportations on the appropriate dates to submit them to the official authorities before which they are required ⁽¹⁶⁰⁾.

The director of the reform center or his deputy from among the officers supervises the transfer of the inmate from the military reform center or his exit to attend the sessions ⁽¹⁶¹⁾.

The clerk concerned with the Public Prosecution shall take the initiative to implement what the court or the prosecution orders to summon an inmate, by requesting him from the reform center in which he is placed ⁽¹⁶²⁾.

In the event that an inmate is transferred from one reform center to another, the Public Prosecution shall notify the director of the reform center in which he is placed in writing of this, well in advance of the day specified for the transfer, indicating the day of the transfer in the notification. ⁽¹⁶³⁾. Inmates may not be transferred from an infested correctional center or the epidemic was widespread in the city in which the correctional center is located ⁽¹⁶⁴⁾.

It is also not permissible for the prosecution to request a detainee from the reform center to hand over the money he has deposited in the treasury of the court. In this case, it is sufficient to send it to

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[Article https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.gaoxtmtb2afj](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.gaoxtmtb2afj) 45 of the Internal Regulations of Military Prisons.

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[Article https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.ekwpv3n35k63](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.ekwpv3n35k63) 46 of the Internal Regulations of Military Prisons.

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[Article https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.sn1jq3d0m84f](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.sn1jq3d0m84f) 48 of the Internal Regulations of Military Prisons.

¹⁶² Article 1050 of the written, financial and administrative instructions of the Public Prosecution.

¹⁶³ Article 1053 of the written, financial and administrative instructions of the Public Prosecution.

¹⁶⁴ Article 1052 of the written, financial and administrative instructions of the Public Prosecution.

the director of the reform center immediately upon request to hand it over to the custodian or to the agent of his choice if he does not have a custodian or to keep it for his account in the trusts ⁽¹⁶⁵⁾.

If the investigation requires an inmate with pulmonary tuberculosis who is present in the clinic, it is not permissible to invite him to appear before the prosecution that undertakes the investigation, but the papers must be sent to the nearest representative of this clinic to ask him ⁽¹⁶⁶⁾.

The Geographical Reform Centers shall notify the competent partial prosecution offices of the names of the inmates who are transferred from one reform center to another, indicating the date of their transfer. The transferred reform centers shall notify the competent partial prosecution offices of the registration numbers of these inmates in their books so that the reform centers can be contacted in all matters related to them, especially if one of them files an appeal against the judgment issued against him, unless the inmate who decided to appeal is located in a public reform center and transferred to another reform center, so the notification in this case shall be to the competent total prosecution ⁽¹⁶⁷⁾.

In all cases that require the inmate to leave the reform center for any reason, the competent prosecution employee shall stamp all the letters that require this to be executed with the seal of the republic emblem of the deputy, after signing them by the member of the prosecution ⁽¹⁶⁸⁾.

The second requirement: within the framework of international conventions

International covenants stipulated several conditions in the process of transferring the prisoner, that the prisoner transferred from or to the prison should not be brought to the attention of the public except as little as possible, and that measures should be taken to protect him from public insults, curiosity, and publicity in any form.

It also prohibited the transfer of the prisoner in poor conditions in terms of ventilation and lighting, or by any means that would cause him unnecessary physical suffering, provided that the transfer is carried out at the expense of the prison administration, within the framework of treating all prisoners equally ⁽¹⁶⁹⁾.

The UN Rules for the Protection of Juveniles Deprived of their Liberty also prohibited the transfer of juveniles from one detention facility to another arbitrarily ⁽¹⁷⁰⁾.

¹⁶⁵ Article 1057 of the written, financial and administrative instructions of the Public Prosecution.

¹⁶⁶ Article 1054 of the written, financial and administrative instructions of the Public Prosecution.

¹⁶⁷ Article 1056 of the written, financial and administrative instructions of the Public Prosecution.

¹⁶⁸ Article 1059 of the written, financial and administrative instructions of the Public Prosecution.

¹⁶⁹ Rule No. 45 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 73 of the Nelson Mandela Rules](#).

¹⁷⁰ <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A7%D9%84%D8%A3%D9%85%D9%85-%D8%A7%D9%84%D9%85%D8%AA%D8%AD%D8%AF%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%A7%D9%84%D8%A3%D8%AD%D8%AF%D8%A7%D8%AB->

In accordance with the Standard Minimum Rules for the Treatment of Prisoners, every prisoner shall have the right to inform his family immediately of his transfer to another prison⁽¹⁷¹⁾.

Criticism

If all international conventions stipulate that the prisoner and anyone whose freedom has been restricted must be treated in a manner that preserves his dignity and humanity, including the guarantees and conditions that must be met in the process of transferring the prisoner, whether from one prison to another prison or to the place of his trial or investigation, while Egyptian law does not regulate the transfer of inmates. This process is carried out in inhumane conditions by transporting all inmates in vehicles that do not have any type of ventilation or lighting in large numbers in one place.

Recommendations

The Egyptian legislator must stipulate some requirements in the process of transferring inmates and not leave this to the discretion of the administration, as follows:

- 1- Inmates transferred from or to the correctional center shall not be brought to the attention of the public except as little as possible.
- 2- All necessary measures must be taken to protect the inmate from public insults, curiosity, and from publicity in any form.
- 3- Prohibition of transporting the inmate in poor conditions in terms of ventilation and lighting.
- 4- Inmates must be transported by a means that does not constitute unnecessary physical inconvenience.
- 5- 5-The transfer of inmates shall be carried out at the expense of the management of the correction center, without charging the inmate any expenses in this regard.
- 6- 6-The right of the inmate to inform his family of his transfer from the reform center in which he is located to another reform center must be stipulated.

https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%AC%D8%B1%D8%AF%D9%8A%D9%86-%D9%85%D9%86-%D8%AD%D8%B1%D9%8A%D8%AA%D9%87%D9%85#h.sdpm452e389_26 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

¹⁷¹ Paragraph 3 of Rule 44 of the Standard Minimum Rules for the Treatment of Prisoners.

Chapter Two: Classification of Inmates

Preamble

- The term "classification of prisoners" refers to the grouping of prisoners into categories (such as high, medium, or minimum security) based on specific criteria. This classification facilitates their placement in an appropriate detention or supervision system, including the type of facility or unit to which they are assigned and the services they will receive upon arrival, as well as the supervision level and strategies required for safe management within a community-based reform context (such as monitoring or conditional release). The primary objective of prisoner classification systems is to distinguish between prisoners with varying needs in security, detention, and treatment, thereby tailoring management approaches in reform and intervention.⁽¹⁷²⁾
- The "segregation" of prisoners must be distinguished on the basis of age, gender and the legal reason for detention on the one hand, and the "classification" of prisoners on the other. Segregation of prisoners is based on easily identifiable and fixed characteristics that change only when the prisoner is sentenced or when the child reaches adulthood. Conversely, the classification of prisoners requires a systematic assessment of risks and needs, which is a more complex process based on research evidence and guided by international standards and norms.
- If segregation and classification are critical elements of sound prison management, they should be recognized as distinct, and if segregation is a prerequisite, such as separating women from men, adults from children or accused from convicts, this does not in itself constitute a classification system.
- Admittedly, countries with few resources may have difficulties in conducting any type of individual assessment of prisoners, but it is critical that even in these settings efforts are made to develop and implement at least a rudimentary system of individual assessments based on a few critical factors in order to, at a minimum, separate high-risk offenders from others, including high-risk prisoners who require special care or protection within the prison¹⁷³ setting.

¹⁷² Key Sun, *Correctional Counseling. A Cognitive Growth Perspective*, 2nd ed. Burlington, Massachusetts, United States, Jones and Barret Learning, 2013-, Chap. 2.

¹⁷³ United Nations Office on Drugs and Crime, *Handbook on Dealing with High-Risk Prisoners*, p. 36.

The first topic: The right of convicts to be detained in separate places according to their classification

The first requirement: Within the framework of Egyptian law

The Law Regulating Community Correction and Rehabilitation Centers classifies inmates into grades not less than three, provided that the treatment and living conditions for each grade are indicated by a decision of the Minister of Interior based on the proposal of the Assistant Minister for the Community Protection Sector and the approval of the Attorney General and the approval of the Attorney General⁽¹⁷⁴⁾, and the treatment of inmates and the conditions for their release are indicated by a decision of the Minister of Interior⁽¹⁷⁵⁾.

A committee shall be formed in each reform centre under the chairmanship of the director of the reform and rehabilitation centre or his deputy from among the officers of the reform centre and the membership of the investigation officer of the reform centre, the penal enforcement officer, the ward officer, a doctor, and a social worker.

This committee is competent to classify inmates, in a manner that does not violate the provisions of the Law on Correction and Community Rehabilitation Centers and the capacity of the correction center and the capacity of the prison. Inmates are classified according to the following factors:

- (1) For the type of crime for which he was punished.
- (2) The duration of the penalty.
- (3) Case law.
- (4) The criminal dangerousness of the inmate.
- (5) Age of the inmate.

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https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D8%A7%D9%84%D8%AC%D9%85%D9%87%D9%88%D8%B1%D9%8A%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%A7%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.wx769pp4mbrp_2 of Presidential Decree No. 545 of 1969.

(6) Inmate's health, social and cultural status⁽¹⁷⁶⁾.

The [decision](#) of the [Minister](#) of [Interior No. 691 of 1998 on how to treat inmates and their living conditions](#) divided inmates into three grades and determined them based on age, where it was decided that:

New convicts under the age of 55 shall be placed in the third administrative grade initially.

Those who are 55 years old to less than 60 years old are placed in the second degree initially.

The prisoner from 60 years and above shall be placed in the first degree starting from⁽¹⁷⁷⁾.

Dividing inmates into grades results in some of them obtaining advantages that others are deprived of, as we will see later, and shall be punished by imprisonment for a period of no less than a month and a fine of no less than one thousand pounds and no more than five thousand pounds, or one of these two penalties, whoever contacts the inmate's relatives to grant him an advantage, taking advantage of the powers of his job, whether real or alleged, with the intention of obtaining a benefit for himself or for others⁽¹⁷⁸⁾.

The aforementioned decision of the Minister of Interior stipulated the formation of a committee in each reform center from the director of the reform center or his representative as head and the membership of the doctor of the reform center and the investigation officer of the reform center and the social specialist, which is concerned with placing the inmate in the appropriate administrative grade in view of his personal circumstances, the type of crime he committed and the penalty imposed

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.2n5q862catm2_92_of_the_Law_on_the_Organization_of_Correctionand_Community_Rehabilitation_Centers.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.2n5q862catm2_92_of_the_Law_on_the_Organization_of_Correctionand_Community_Rehabilitation_Centers.)

on him. The age rule applies to those placed in the reform centers at the time of the issuance of the decision and to those who receive it who were subject to lower grades ⁽¹⁷⁹⁾.

The Attorney General and the Head of the Community Protection Sector have the right to review the work of this committee from time to time and amend its decisions ⁽¹⁸⁰⁾.

In each of the correction and rehabilitation centers for those convicted of drug crimes, a committee shall be formed under the chairmanship of the director of the correction and rehabilitation center or his representative and the membership of both the doctor and the social worker of the correction center and a psychologist, with the following competencies:

First: Transferring the convict from a degree of transaction to a higher degree as follows:

Before fulfilling the period of his stay in the grade, taking into account his age or health conditions, as suggested by the doctor of the reform center.

(b) After the lapse of half of the period prescribed for him in the degree of his treatment if he is of good conduct and behavior. In this case, the convict may be returned to his previous degree to complete his period in it if he violates the regulations or instructions.

Second: Exempting the convict from work for his health conditions, based on what is recommended by the doctor of the reform center.

The Public Prosecutor or any of the members of the Public Prosecution, at least of the rank of a public defender, may review the work of this committee and cancel or amend its decisions without prejudice to the right of the director of the Correction and Rehabilitation Center to cancel or amend the decisions of the aforementioned committee, unless a decision is issued in this regard by the Public Prosecutor or whoever he authorizes ⁽¹⁸¹⁾.

179 [Article 6 of the Minister of Interior's Resolution No. 691 of 1998.](#)

180 [Article 7 of the Minister of Interior's Resolution No. 691 of 1998.](#)

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[Article](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%88%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%B3%D8%AC%D9%88%D9%86-%D8%AE%D8%A7%D8%B5%D8%A9-%D8%A8%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%88%D9%85-%D8%B9%D9%84%D9%8A%D9%87%D9%85-%D9%81%D9%8A-%D8%AC%D8%B1%D8%A7%D8%A6%D9%85-%D8%A7%D9%84%D9%85%D8%AE%D8%AF%D8%B1%D8%A7%D8%AA#h.4hel1e4g1wv0> 4 of Presidential Decree

The Attorney General and his agents in their jurisdictions have the right to enter all the places of the correction center at any time to verify the isolation of each category of inmates from the other and their treatment as prescribed for their category⁽¹⁸²⁾.

When inspecting reform centers, the Public Prosecution shall ensure that each category of inmates is isolated from the other category and treated according to the treatment prescribed for their category⁽¹⁸³⁾.

In drug reform and rehabilitation centers, convicts - with the exception of those sentenced to imprisonment - are divided into four grades; the convict begins the execution of the punishment in the fourth grade and then is transferred successively to the higher grades⁽¹⁸⁴⁾.

The [Law on the Rights of Persons with Disabilities](#) No. 10 of 2018 also required the implementation of freedom-restricting penalties imposed on persons with disabilities in separate special places to be regulated by a decision of the competent minister to supervise these places, but no decision has been issued so far regarding this⁽¹⁸⁵⁾.

The second requirement: within the framework of international conventions

The principle of equality is the origin of the treatment of prisoners within the framework of international covenants, and it is prohibited to discriminate in treatment on the basis of race, color, sex, language, religion, political or other opinion, national or social origin, wealth, birth, or any other status. Religious beliefs and ethical principles of prisoners must be respected; on the other hand, prison administrations must take into account the individual needs of prisoners, especially the most

¹⁸² Paragraph No. 4 of [Article No. 85 of the Law on the Organization of Correction and Community Rehabilitation Centers](#).

¹⁸³ Article 1748 of the Judicial Instructions of the Public Prosecution.

¹⁸⁴ [Article
\[Article
\\[No. 228 of 1990.\\]\\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%B0%D9%88%D9%8A-%D8%A7%D9%84%D8%A5%D8%B9%D8%A7%D9%82%D8%A9#h.ikdhfoxibzec\\)\]\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%88%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%B3%D8%AC%D9%88%D9%86-%D8%AE%D8%A7%D8%B5%D8%A9-%D8%A8%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%88%D9%85-%D8%B9%D9%84%D9%8A%D9%87%D9%85-%D9%81%D9%8A-%D8%AC%D8%B1%D8%A7%D8%A6%D9%85-%D8%A7%D9%84%D9%85%D8%AE%D8%AF%D8%B1%D8%A7%D8%AA#h.x231wkz6pdhy_3_of_Presidential_Decreehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%88%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%B3%D8%AC%D9%88%D9%86-%D8%AE%D8%A7%D8%B5%D8%A9-%D8%A8%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%88%D9%85-%D8%B9%D9%84%D9%8A%D9%87%D9%85-%D9%81%D9%8A-%D8%AC%D8%B1%D8%A7%D8%A6%D9%85-%D8%A7%D9%84%D9%85%D8%AE%D8%AF%D8%B1%D8%A7%D8%AA#h.x231wkz6pdhy\)](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%88%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%B3%D8%AC%D9%88%D9%86-%D8%AE%D8%A7%D8%B5%D8%A9-%D8%A8%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%88%D9%85-%D8%B9%D9%84%D9%8A%D9%87%D9%85-%D9%81%D9%8A-%D8%AC%D8%B1%D8%A7%D8%A6%D9%85-%D8%A7%D9%84%D9%85%D8%AE%D8%AF%D8%B1%D8%A7%D8%AA#h.x231wkz6pdhy_3_of_Presidential_Decreehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%88%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%B3%D8%AC%D9%88%D9%86-%D8%AE%D8%A7%D8%B5%D8%A9-%D8%A8%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%88%D9%85-%D8%B9%D9%84%D9%8A%D9%87%D9%85-%D9%81%D9%8A-%D8%AC%D8%B1%D8%A7%D8%A6%D9%85-%D8%A7%D9%84%D9%85%D8%AE%D8%AF%D8%B1%D8%A7%D8%AA#h.x231wkz6pdhy)

¹⁸⁵ [Article
\[38 of the
Law on the Rights of Personswith Disabilities.\]\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%B0%D9%88%D9%8A-%D8%A7%D9%84%D8%A5%D8%B9%D8%A7%D9%82%D8%A9#h.ikdhfoxibzec\)](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%B0%D9%88%D9%8A-%D8%A7%D9%84%D8%A5%D8%B9%D8%A7%D9%82%D8%A9#h.ikdhfoxibzec)

vulnerable in prison settings. It is necessary to take measures to protect and promote the rights of prisoners with special needs, and those measures must not be seen as discriminatory measures, and the special needs of women prisoners must be taken into account when applying those rules to prisoners, and the measures taken to meet these needs in order to achieve de facto gender equality are not seen as discriminatory measures⁽¹⁸⁶⁾.

The purpose of classifying prisoners is to separate them from prisoners who are likely to have a bad influence on them because of their criminal record or temperament, as well as to classify prisoners in categories to facilitate their treatment in order to rehabilitate them⁽¹⁸⁷⁾.

Prisoners who are subject to the same treatment are separated as much as possible, different prisons or different sections of the same prison⁽¹⁸⁸⁾.

Taking into account their gender, age, history, legal reasons for detention and treatment requirements, men and women are imprisoned, as far as possible, in different institutions; when there

186 Rule 6 of the Standard Minimum Rules for the Treatment of Prisoners https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.1368d440bosd_ Rule 2 of the Nelson Mandela Rules, <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.q1nho0fa85oi> Principle 5 of the Body <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.q1nho0fa85oi> Principles of the Protection <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.q1nho0fa85oi> of All Persons under Any <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.q1nho0fa85oi> Form of Detention or Imprisonment, Rule 2 of the Beijing Rules, and Rule 1 of the Bangkok Rules.

187 Rule No. 67 of the Standard Minimum Rules for the Treatment of Prisoners, and Rule No. 93 of the Nelson Mandela Rules.

188 Rule 68 of the Standard Minimum Rules for the Treatment of Prisoners.

is an institution that receives both sexes, the total number of places allocated to women must be completely separate; untried prisoners are separated from convicted prisoners; those imprisoned for debt and other civil prisoners are separated from those imprisoned for a criminal offence; and juveniles are separated from adults⁽¹⁸⁹⁾.

Provided that a treatment program is established for each sentenced prisoner for an appropriate period, as soon as possible after his admission to prison and after studying his personality, it shall be prepared in the light of the information gained about his individual needs, abilities and personal readiness⁽¹⁹⁰⁾.

It is important that prisoners are interviewed on their first admission to the detention facility in order to assess their immediate needs on security and physical or mental health issues, within the first 24 hours of the prisoner's entry into the detention facility, and before referral to any cell or accommodation among the general prison population, in order to ensure the safety and security of prisoners and the safety and security of staff and other prisoners. Security issues include any issues that may pose a direct threat to safety or security, including knowing the extent of the prisoner's association with organized crime or a terrorist gang or organization, their incompatibility with other prisoners within the system, and the extent to which they have been involved in previous incidents of violence in a detention facility or in incidents related to the institutional adaptation and placement of other prisoners. The extent to which the prisoner himself is at risk, due to factors such as affiliation, age or sexual orientation, should also be considered.

Also, in accordance with the rule of individual treatment, a flexible system should be adopted to classify prisoners into categories, provided that these categories are divided into separate prisons appropriate to the treatment of each category, with varying degrees of security for each prison according to the needs of different groups, with open prisons.

It is also better not to have a large number of detainees in closed prisons, which hinders individual treatment. The number of detainees should not exceed 500, but in open prisons, the number of

189 [Rulehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.awkzfpb2aoeo](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.awkzfpb2aoeo) 11 of the Nelson Mandela Rules, Rule 8 of the Standard Minimum Rules for the Treatment of Prisoners, [and Article 10 of the International Covenanthttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A-%D8%A7%D9%84%D8%AE%D8%A7%D8%B5-%D8%A8%D8%A7%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D9%85%D8%AF%D9%86%D9%8A%D8%A9-%D9%88%D8%A7%D9%84%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A%D8%A9#h.cakkuu7tyyn1](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%B9%D9%87%D8%AF-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A-%D8%A7%D9%84%D8%AE%D8%A7%D8%B5-%D8%A8%D8%A7%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D9%85%D8%AF%D9%86%D9%8A%D8%A9-%D9%88%D8%A7%D9%84%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A%D8%A9#h.cakkuu7tyyn1) on Civil and Political Rights.

190 Rule 69 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 94 of the Nelson Mandela Rules.](#)

prisoners should be as small as possible, and prisons should not be built so small that it is not possible to provide appropriate facilities ⁽¹⁹¹⁾.

The African Charter on the Rights and Welfare of the Child requires States parties to ensure special treatment for pregnant women, nursing mothers and mothers of young children who are accused or convicted of committing violations of criminal law, and undertakes to work to find a punishment other than imprisonment in all cases when those mothers are sentenced, and to take and encourage alternative measures to imprison those mothers in an institution for their reform, and to establish special institutions to ensure that those mothers reside in it, and to prohibit the imprisonment of a mother with her child, and that the main goal of the penal system is reform and the return of the mother to her family and her social rehabilitation ⁽¹⁹²⁾.

Where possible and appropriate, non-custodial sentences shall be preferred for pregnant women and women with dependent children, and custodial sentences shall be considered in cases where the crime committed is considered serious or violent or in cases where the woman poses a continuing danger, and after taking into account the interest of the child or children while ensuring that appropriate arrangements are made to provide care for such children. ⁽¹⁹³⁾.

The placement of children in conflict with the law in prison should be avoided as much as possible, and the vulnerability of minor female offenders due to gender should be taken into account when making decisions about them ⁽¹⁹⁴⁾.

States must make every effort to ratify the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime in order to fully implement their provisions so as to provide maximum protection to victims of trafficking in order to avoid the indirect victimization of many foreign ¹⁹⁵ women.

The second topic: The right of the juvenile to be detained in places separate from the places of detention of adults

The first requirement: Within the framework of Egyptian law

191 [Rulehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.df6q1jywmp8y](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.df6q1jywmp8y) 89 of the Nelson Mandela Rules.

192 Article 30 of the African Charter on the Rights and Welfare of the Child.

193 [Rule No. 64 of the Bangkok Rules.](#)

194 [Rule No. 65 of the Bangkok Rules.](#)

195 [Rulehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A8%D8%A7%D9%86%D9%83%D9%88%D9%83#h.wfu9emu2bgib](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A8%D8%A7%D9%86%D9%83%D9%88%D9%83#h.wfu9emu2bgib) 66 of the Bangkok Rules.

Restricting the freedom of the juvenile is a last resort to carry out the punishment. The [Children's Act](#) provides for several measures to be imposed on a child under the age of fifteen full Gregorian years in the event of committing a crime, as follows: reprimand, extradition, attachment to training and rehabilitation, obliging certain duties, judicial testing, working for the public benefit in a way that does not harm the health or psychology of the child. The executive regulations of this law specify the types of this work and its controls, placement in a specialized hospital, and placement in a social welfare institution. The child is not sentenced to any punishment or measure stipulated in any other laws except for confiscation, closing shops and returning the thing to its origin ⁽¹⁹⁶⁾.

The Egyptian Constitution stipulates that children must be detained in appropriate places separate from adult places of detention ⁽¹⁹⁷⁾.

The custodial sentences imposed on children shall be carried out in private penal institutions, until he reaches the age of eighteen years, provided that he completes the remaining period of the sentence after reaching that age in one of the public correction and rehabilitation centers ⁽¹⁹⁸⁾.

A person who has reached the age of eighteen years may complete the period of the custodial sentence imposed in the same penal institution if the remaining period of punishment does not exceed six months and there is no danger from that ⁽¹⁹⁹⁾.

It is prohibited to detain, confine or imprison children with other adults in one place, provided that children are classified according to age, sex and type of crime, in their places of detention.

The [Children's Law stipulates](#) that any public official or person in charge of a public service who detains, imprisons or imprisons a child with one or more adults in one place shall be punished by imprisonment for a period of no less than three months and no more than two years and a fine of no less than one thousand pounds and no more than five thousand pounds or one of these two penalties ⁽²⁰⁰⁾.

The second requirement: within the framework of international conventions

¹⁹⁶ [Article 101 of the Child Law](#), as amended by [Law No. 126 of 2008](#).

¹⁹⁷

[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D8%AF%D8%B3%D8%AA%D9%88%D8%B1#h.3i76oqqbo9tf](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D8%AF%D8%B3%D8%AA%D9%88%D8%B1#h.3i76oqqbo9tf) 80 of the Constitution.

¹⁹⁸ The decision of the Minister of Insurance and Social Affairs No. 321 of 1981 regarding the work system of the Juvenile Penal Institution in Marj was issued.

¹⁹⁹

[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B7%D9%81%D9%84#h.2h0zu344b3zk](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B7%D9%81%D9%84#h.2h0zu344b3zk) 141 of the Child Law, as amended by [Law No. 7 of 2015](#).

²⁰⁰ [Article 112 of the Child Law](#), as amended by [Law No. 126 of 2008](#).

The Beijing Rules state that pretrial detention should be used only as a last resort and for the shortest possible time, with preference given to alternative measures whenever feasible. These alternatives include close monitoring, intensive care, or placement within a family, educational institution, or residential home. Juveniles in custody must receive all the rights and guarantees provided by the Standard Minimum Rules for the Treatment of Prisoners, as adopted by the United Nations. Juveniles in pretrial detention should be held separately from adults, either in a dedicated facility or a separate section of an institution that also houses adults. During detention, juveniles must receive care, protection, and comprehensive individual assistance—social, educational, vocational, psychological, medical, and physical—tailored to their age, gender, and personality.⁽²⁰¹⁾

The risk of "criminal contagion" to juveniles while in pre-trial detention must not be underestimated, so it is important to stress the need for alternative measures, and Beijing's rules, in doing so, encourage the development of innovative new measures to avoid such detention in the interest of the juvenile.

Juveniles in pretrial detention shall enjoy all the rights and guarantees guaranteed by the Standard Minimum Rules for the Treatment of Prisoners, as well as the International Covenant on Civil and Political Rights, in particular [article 9](#) and [article 10](#), paragraphs 2 (b) and 3.

States may take other measures against the negative influences of adult offenders, no less effective than those mentioned in the Beijing Rules.

Various forms of assistance that may become necessary have been mentioned, in order to draw attention to the diversity of special needs of the young detainees concerned (e.g. females or males, drug addicts, alcoholics, mentally ill juveniles, young people traumatized by arrest, etc.).

201 Paragraph No. 4 of Rule No. 13, Paragraph No.
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A7%D9%84%D8%A3%D9%85%D9%85-%D8%A7%D9%84%D9%85%D8%AA%D8%AD%D8%AF%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%A7%D9%84%D8%A3%D8%AD%D8%AF%D8%A7%D8%AB-%D8%A7%D9%84%D9%85%D8%AC%D8%B1%D8%AF%D9%8A%D9%86-%D9%85%D9%86-%D8%AD%D8%B1%D9%8A%D8%AA%D9%87%D9%85#h.92joorjj2704> 1 of Rule No. 19, Paragraph No. 3 of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A7%D9%84%D8%A3%D9%85%D9%85-%D8%A7%D9%84%D9%85%D8%AA%D8%AD%D8%AF%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%A7%D9%84%D8%A3%D8%AD%D8%AF%D8%A7%D8%AB-%D8%A7%D9%84%D9%85%D8%AC%D8%B1%D8%AF%D9%8A%D9%86-%D9%85%D9%86-%D8%AD%D8%B1%D9%8A%D8%AA%D9%87%D9%85#h.sdpmj452e389> Rule No. 26 of the Beijing Rules, Rule No. 8 of the Standard Minimum Rules for the Treatment of Prisoners, and Article No. 17 of the African Charter on the Rights and Welfare of the Child.

The different physical and psychological characteristics of young detainees may warrant categorical measures such as the separation of some of them during their pre-trial detention, which helps to avoid abuse and to provide more appropriate assistance.

Resolution 4 on juvenile justice rules, adopted by the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, stated that, inter alia, the rules should reflect the fundamental principle that pretrial detention should be used only as a last resort, that minors should not be placed in a facility where they are vulnerable to adverse influences from adult detainees, and that the specific needs of their stage of development should always be taken into account.

The well-being of the juvenile and his or her family must be promoted, conditions must be created to ensure that the juvenile has a meaningful life in the group that will facilitate - at this age when he or she is more vulnerable to delinquency - the development of his or her personality and upbringing to the greatest extent possible, free from crime and delinquency, and adequate attention should be paid to positive measures involving the full mobilization of all possible resources, including family, volunteers and other community groups, as well as schools and other community institutions, with a view to promoting the well-being of juveniles in order to reduce the need for Intervene in accordance with the law and deal effectively, fairly and humanely with juveniles in conflict with the law, and that juvenile justice is an integral part of the national development process of each country, within a comprehensive framework of social justice for all juveniles, so that at the same time it helps to protect young people and maintain a peaceful order in society, so the rules governing juvenile justice must be applied in a manner that depends on the economic, social and cultural conditions prevailing in each Member State, and that juvenile justice services are systematically developed and coordinated in order to improve and strengthen the efficiency of the staff working in these services, including the methods they apply, the approaches they follow, and the attitudes they take⁽²⁰²⁾.

The Beijing Rules also apply to juveniles who may be sued for specific unpunished behavior if committed by an adult, which is called "status crimes" stipulated in various national legal systems in which the types of behavior considered a crime are broader for juveniles than for adults (such as truancy, school and family disobedience, drunkenness in public places, etc.).

Efforts should be made to extend the principles contained in the Beijing Rules to all juveniles addressed by welfare and care procedures.

Efforts should also be made to extend the principles in the Rules to young adult offenders, so as to provide a more just, equitable and humane justice for all juveniles who have problems with the²⁰³ law.

²⁰² Rule No. 1 of the Beijing Rules.

²⁰³ Rule No. 3 of the Beijing Rules.

In legal systems that recognize the concept of setting an age of criminal responsibility for juveniles, this age is not set too low, and the facts of emotional, mental and intellectual maturity are taken into account⁽²⁰⁴⁾.

The MACR varies greatly due to historical and cultural factors. The modern approach is to consider whether the child can bear the moral and psychological consequences of criminal responsibility, that is, whether the child can be held accountable, taking into account his or her individual ability to discriminate and understand, for conduct that is necessarily considered antisocial. If the age of criminal responsibility is set too low, or if no threshold is set at all, the idea of responsibility becomes meaningless. In general, there is a close relationship between the notion of responsibility for delinquent or criminal conduct and other social rights and responsibilities (for example, marital status and reaching the age of civil majority). etc.).

The juvenile justice system must pay attention to the well-being of the juvenile and ensure that any reactions to juvenile offenders are always proportionate to the circumstances of both the offender and the offence⁽²⁰⁵⁾.

This rule refers to two of the most important goals of juvenile justice, and the first goal is to seek the well-being of the juvenile, and this is the main focus of legal systems in which family courts or administrative authorities consider cases of juvenile offenders, but it is also necessary to pay attention to the issue of juvenile well-being in legal systems to follow the model of criminal courts, which helps to avoid the imposition of only punitive sanctions.

The second objective is (the principle of proportionality). This principle is known as a tool to reduce punitive sanctions, and it is often expressed by calling for fair punishment appropriate to the seriousness of the offense. The reaction to young offenders should be based not only on the seriousness of the offense, but also on personal circumstances. The personal circumstances of the offender (such as marital or family status, harm caused by the offense or other factors affecting personal circumstances) should influence the proportionality of the reaction (for example by taking into account the offender's attempt to compensate the victim or his willingness to transform into a normal and beneficial life).

In the same vein, reactions aimed at ensuring the care of the young offender may exceed the limits of necessity and violate the fundamental rights of the young individual himself, as observed in some juvenile justice systems, and here again, care should be taken to ensure that the reaction is proportional to the circumstances of both the offender and the assailant, including the victim.

In short, all that [Rule 5 of the Beijing Rules](#) calls for is a fair reaction in any particular juvenile delinquency case and their crimes, and the issues brought together by the Rule may help to stimulate

²⁰⁴ [Rule No. 4 of the Beijing Rules.](#)

²⁰⁵ [Rule No. 5 of the Beijing Rules.](#)

development in both respects. New and early types of reactions are just as desirable as precautions taken to prevent any unwarranted expansion of the formal social control network over juveniles.

Given the diversity of special needs of juveniles, as well as the diversity of available measures, an appropriate amount of discretionary powers is granted at all stages of the proceedings and at the various levels of the administration of juvenile justice, including investigation, trial, sentencing and follow-up of the implementation of sentences. However, efforts must be made to ensure that these discretionary powers are exercised with an adequate degree of responsibility at all stages and levels, and those who exercise discretionary powers are specially qualified or trained to exercise them wisely and in accordance with their tasks and mandates ⁽²⁰⁶⁾.

The Beijing Rules combine several key features of effective, fair and humane administration of juvenile justice. These features are the need to allow the exercise of discretion at all general levels of procedures, so that those who issue decisions can take the measures they deem appropriate in each particular case, the need to provide controls aimed at review and budgeting in order to reduce any abuse of discretion and safeguard the rights of young offenders, and the sense of responsibility and respect for the profession are the best tools to limit the breadth of discretion. Therefore, the need for professional qualifications and specialized training is stressed here as a valuable means to ensure prudence in the exercise of discretion in matters related to juvenile offenders. In this regard, these rules emphasize the formulation of specific guidelines on the exercise of discretion and the provision of a system of review, appeal and the like to allow for scrutiny of decisions and the accountability of those responsible for them. These mentioned mechanisms are not identified here as they are not easily included in the International Standard Minimum Rules which cannot cover all differences in judicial systems.

Provided that the Standard Minimum Rules for the Treatment of Prisoners shall apply to juvenile offenders, including those detained pending adjudication in correctional institutions, and nothing in the Beijing Rules shall be interpreted as preventing the application of the Standard Minimum Rules for the Treatment of Prisoners adopted by the United Nations and other human rights instruments and standards recognized by the international community relating to the care and protection of young persons, where the Standard Minimum Rules for the Treatment of Prisoners and related recommendations are applicable to the extent that they are relevant to the treatment of juvenile offenders in correctional institutions, including those detained pending adjudication.

Efforts shall be made to implement the appropriate principles contained in the Standard Minimum Rules for the Treatment of Prisoners to the maximum extent possible to meet the different needs of juveniles depending on their age, gender and personality ⁽²⁰⁷⁾.

²⁰⁶ Rule No. 6 of the Beijing Rules.

²⁰⁷ Rules 9 and 27 of the Beijing Rules.

This is to avoid any misunderstanding in the interpretation and implementation of these rules in accordance with the principles contained in existing international instruments and standards, or emerging in relation to human rights, such as the Universal Declaration of Human Rights; the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the Declaration on the Rights of the Child; and the draft Convention on the Rights of the Child, and it should be understood that the application of these rules is without prejudice to any such international instruments that may contain provisions of wider application.

The juvenile is interviewed as soon as possible after entering the penal institution, and a psychological and social report is prepared about him, in which any factors related to the type and level of care and programs that the juvenile needs are identified.

The report prepared on the juvenile shall be sent to the director of the penal institution along with the report prepared by the medical officer who examined the juvenile upon admission, in order to determine the most appropriate place for the juvenile within the institution, and the type and level of care and programs to be followed.

If there is a need to rehabilitate the juvenile, the trained staff of the institution shall prepare a written treatment plan of an individual nature, specifying the treatment objectives, time frame, means, stages and periods of delay in which these objectives should be pursued. ⁽²⁰⁸⁾

The basic criterion for the separation of the various categories of juveniles deprived of their liberty should be the provision of the type of care most appropriate to the needs of the individuals concerned and the protection of their physical, mental and moral integrity and well-being, provided that juveniles are detained in conditions that take fully into account their specific needs, their situation and the special requirements related to them according to age, personality, gender and type of offense, as well as mental and physical health, and that whenever possible they are guaranteed protection from harmful influences and risk situations ⁽²⁰⁹⁾.

208 [Rule \[27\]\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A7%D9%84%D8%A3%D9%85%D9%85-%D8%A7%D9%84%D9%85%D8%AA%D8%AD%D8%AF%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%A7%D9%84%D8%A3%D8%AD%D8%AF%D8%A7%D8%AB-%D8%A7%D9%84%D9%85%D8%AC%D8%B1%D8%AF%D9%8A%D9%86-%D9%85%D9%86-%D8%AD%D8%B1%D9%8A%D8%AA%D9%87%D9%85#h.h3mtbybcdasf\) of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A7%D9%84%D8%A3%D9%85%D9%85-%D8%A7%D9%84%D9%85%D8%AA%D8%AD%D8%AF%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%A7%D9%84%D8%A3%D8%AD%D8%AF%D8%A7%D8%AB-%D8%A7%D9%84%D9%85%D8%AC%D8%B1%D8%AF%D9%8A%D9%86-%D9%85%D9%86-%D8%AD%D8%B1%D9%8A%D8%AA%D9%87%D9%85#h.h3mtbybcdasf_27_of_the_United_Nations_Rules_for_the_https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A7%D9%84%D8%A3%D9%85%D9%85-%D8%A7%D9%84%D9%85%D8%AA%D8%AD%D8%AF%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%A7%D9%84%D8%A3%D8%AD%D8%AF%D8%A7%D8%AB-%D8%A7%D9%84%D9%85%D8%AC%D8%B1%D8%AF%D9%8A%D9%86-%D9%85%D9%86-%D8%AD%D8%B1%D9%8A%D8%AA%D9%87%D9%85#h.h3mtbybcdasf)

209 [Rule No. 28 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.](#)

The third topic: The right of the pre-trial detainee to be separated from the rest of the prisoners

The first requirement: Within the framework of Egyptian law

The Egyptian legislator approved the principle of separating pre-trial detainees from the rest of the inmates, providing for their separation and residence in separate places from the places of other inmates⁽²¹⁰⁾.

The Court of Cassation ruled that: [Article 14 of the Presidential Decree Law No. 396 of 1956 regarding the organization of prisons stipulates that pre-trial detainees shall reside in places separate from the places of other prisoners (...) If the appellant does not claim the presence of other pre-trial detainees in the prison at the time of his imprisonment, his solitary confinement in prison - assuming its occurrence - becomes a legitimate procedure and does not represent - accordingly - a moral coercion invalidating his confession]⁽²¹¹⁾.

The second requirement: within the framework of international conventions

The Body of

Principles<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86->

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Appeal No. 18823 of 65 BC issued on November 12, 1997 and published in the first part of the Technical Office's letter No. 48 page No. 1234 rule No. 187.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.1qdxrghbo7nb> Persons under Any Form of Detention or <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.1qdxrghbo7nb> Imprisonment stipulates that any

person detained on suspicion of, or charged with, a criminal offence shall be presumed innocent until proved guilty according to law in a public trial in which he has all the guarantees necessary for his defence. It is prohibited to impose restrictions on this person that are not strictly required for the purposes of detention or for reasons of preventing obstruction of the investigation process, the administration of justice, or the maintenance of security and good order in the place of detention. Therefore, detained persons shall be separated from other prisoners whenever possible ⁽²¹²⁾.

The Standard Minimum Rules for the Treatment of Prisoners, as well as the [Nelson Mandela Rules](#), also recognized that pre-trial detainees (unconvicted prisoners) must be separated from the rest of the prisoners, and stipulated that juveniles in pre-trial detention must be separated from adults ⁽²¹³⁾.

²¹² Issued by the United Nations by Resolution No. 43/173 of 9 December 1988, Principles No. [8, 36](#) of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.

²¹³ Rules 8, 85 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 112 of the Nelson Mandela Rules](#).

The International Covenant on Civil and Political Rights also obligated the separation of defendants (pre-trial detainees) from convicts, provided that they are treated independently consistent with their being unconvicted persons ⁽²¹⁴⁾.

The Arab Charter on Human Rights also stipulated that defendants should be separated from convicted persons and that they should be treated in a manner consistent with their being unconvicted ⁽²¹⁵⁾.

Criticism

The Law on the Organization of Correctional Centers and the Internal Correctional Centers Regulations established the principle of segregating inmates according to the type of crime, the duration of the sentence, judicial precedents, the criminal seriousness of the inmate, his age, and his health, social, and cultural status.

However, as we have already explained, this falls under the meaning of "separation" and not classification". Accordingly, the legislator did not pay attention to the issue of individual treatment for each inmate separately. There is no system for examining inmates psychologically, experimentally and technically, and no provision has been made for the existence of separate and appropriate institutions for the treatment of each group.

The legislator has taken into account the principle of classification for adult convicted inmates and divided them into degrees of not less than three, but this is limited by the capacity of the reform center, and if the capacity of reform centers in Egypt does not allow for this classification, it remains a legislative text that is not applicable at a time when the number of inmates increases significantly. There is no diversity in reform centers. There are no open or semi-open centers, and all reform centers currently in Egypt are closed reform centers. The law also did not provide criteria for determining the maximum allowed to place inmates in each closed reform center according to its area and capacity, which leads to overcrowding of these centers in larger numbers than their capacity. The

214 [Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%B9%D9%87%D8%AF-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A-%D8%A7%D9%84%D8%AE%D8%A7%D8%B5-%D8%A8%D8%A7%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D9%85%D8%AF%D9%86%D9%8A%D8%A9-%D9%88%D8%A7%D9%84%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A%D8%A9#h.cakkuu7tyyn1_10_of_the_International_Covenant_on_Civil_and_Political](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%B9%D9%87%D8%AF-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A-%D8%A7%D9%84%D8%AE%D8%A7%D8%B5-%D8%A8%D8%A7%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D9%85%D8%AF%D9%86%D9%8A%D8%A9-%D9%88%D8%A7%D9%84%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A%D8%A9#h.cakkuu7tyyn1_10_of_the_International_Covenant_on_Civil_and_Political) Rights.

215 [Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D9%85%D9%8A%D8%AB%D8%A7%D9%82-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A-%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D8%A5%D9%86%D8%B3%D8%A7%D9%86#h.187x3u68yn6f_20_of_the_Arab_Charter_on_Human_Rights](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D9%85%D9%8A%D8%AB%D8%A7%D9%82-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A-%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D8%A5%D9%86%D8%B3%D8%A7%D9%86#h.187x3u68yn6f_20_of_the_Arab_Charter_on_Human_Rights).

law also did not provide any specifications or criteria for determining the minimum area of the reform center. There are many Egyptian reform centers that are small in size and do not have the appropriate facilities.

All that results from dividing inmates by degrees in Egyptian legislation is limited to granting some rights to degrees without others, making them advantages and not rights for all inmates. As we will see later, dividing the grades of inmates affects the rights of the inmates such as furniture, clothing and living tools. These rights have turned into advantages that are granted to a degree of inmates on the basis of the previous division, and are denied to others of the rest of the degrees. Even those advantages are restricted within the limits of the possibilities of the community protection sector. If these capabilities do not allow, inmates may be deprived of these advantages, which are originally rights of the inmate on the pretext of lack of capabilities.

The Egyptian legislator also paid no attention to the classification of events.

Recommendations

Establishing a system for classifying inmates in correctional centers, the main purpose of which shall be:

- Separating the inmates with bad influence from the rest of the inmates inside the same reform center.
- Classifying inmates into categories to facilitate their treatment in order to achieve their social rehabilitation.
- Failure to link the guest's degree to the minimum rights such as furniture, clothing and living tools.
- Diversity in the systems of building reform centers by establishing open or semi-open reform centers.
- Determine the minimum area of the repair center.
- Determine the maximum number of inmates within each reform center.

Chapter Three: Relationship between Inmates and Staff of Correction and Rehabilitation Centers

The first topic: The right of the inmate to be treated in a manner that preserves his dignity

The first requirement: Regulating the relationship between the director of the correction center and the inmate

First: Within the framework of Egyptian law

Within the framework of Egyptian law, the Director of the Reform Center is responsible for managing the center and ensuring the security of inmates. The Director must enforce the Law Regulating the Reform and Community Rehabilitation Centers, as well as all relevant laws and regulations within the facility. Additionally, the Director is tasked with implementing orders issued by the Assistant Minister for the Community Protection Sector. All staff and employees of the Reform Center are under the Director's supervision and are required to operate in accordance with his directives. ⁽²¹⁶⁾.

The Director of the Military Correction and Rehabilitation Center shall be responsible for guarding inmates in the Correction Center, as well as for implementing the regulations of the Correction and Rehabilitation Centers, and all employees in the Correction and Rehabilitation Center shall be subject to his supervision ⁽²¹⁷⁾.

Second: Within the framework of international conventions

International conventions mandate that a prison director possesses the necessary qualifications to fulfill his role, including integrity, administrative competence, experience, and suitable training.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.7n7ks1650i9z> 54 of the Internal Regulations of Military Prisons.

The prison director must dedicate all his working hours to official duties, with his residence located within or in close proximity to the prison. If two or more prisons fall under the authority of a single director, he must visit each facility regularly, and each prison should be supervised by a resident staff member to ensure effective management. ⁽²¹⁸⁾.

The prison director, his deputy, and the majority of other prison staff must have the ability to speak in the language of most prisoners or in a language most of them understand, provided that the services of a competent interpreter are used whenever necessary ⁽²¹⁹⁾.

The women's section of the prison building shall be headed by a female officer who shall have the keys to all the doors of the section. It shall be prohibited for any male prison officer to enter the women's section unless accompanied by a female officer.

Female prison staff are exclusively responsible for the care and supervision of female prisoners, but this does not prevent male staff, especially doctors and teachers, from exercising their duties in the sections designated for women ⁽²²⁰⁾.

Managers of prison administrations must clearly and consistently commit to preventing and addressing gender-based discrimination against female staff ⁽²²¹⁾.

The second requirement: Regulating the relationship between the staff of the Correction and Rehabilitation Center and the inmate

First: Within the framework of Egyptian law

The Law Governing Correction and Community Rehabilitation Centers or any of the bylaws did not stipulate any rules governing the relationship between employees of reform centers and inmates within the reform center. All that is stated regarding the employees of reform centers is to determine the work they carry out. The Minister of Interior has specified the work carried out by the second-degree soldiers in the interest of the reform and community rehabilitation centers in the following:

(A) Fixed guards on the walls of reform and community rehabilitation centers from abroad.

(B) Special guards on external works teams and release and deportation inmates between correction and community rehabilitation centers.

²¹⁸ Rule No. 50 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 79 of the Nelson Mandela Rules](#).

²¹⁹ Rule 51 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 80 of the Nelson Mandela Rules](#).

²²⁰ Rule No. 53 of the Standard Minimum Rules for the Treatment of Prisoners.

²²¹ [Rule No. 30 of the Bangkok Rules](#).

These guards shall be headed by one of the officers, assistants, or non-commissioned officers of the guards, and these forces shall be subject to the supervision of the directors of the regions, the directors of the correctional centers, and the heads of the training centers in which they work⁽²²²⁾.

The Minister of Interior also obligated to distinguish police units from members of the ranks, soldiers and guards in community reform and rehabilitation centers with special marks⁽²²³⁾.

Second: Within the framework of international conventions

On the other hand, the international charters were keen to indicate the conditions that must be met by the employees inside the prisons, because the integrity, humanity and efficiency of the prison employee as well as his personal abilities to work affect the good management of the penal institutions.

Therefore, the prison administration must establish among its employees the conviction that their mission is a very important social service, so they must have good behavior, efficiency and physical fitness, and their wages must be sufficient to attract them to work in prisons⁽²²⁴⁾.

Prison staff must perform their duties at all times in a manner that makes them a good role model for prisoners and a place of respect for them⁽²²⁵⁾. Women prison staff are exclusively responsible for the care and supervision of female prisoners, and male prison staff are prohibited from entering the women's section unless accompanied by a female employee, provided that this does not prevent male staff, especially doctors and teachers, from exercising their duties in the sections designated for women⁽²²⁶⁾.

²²² Articles 1 and 3 of the Minister of Interior's Resolution No. 213 of 1964 regarding the determination of the work carried out by the second-degree soldiers in the reform and community rehabilitation centers.

²²³

[Article](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-18-%D9%84%D8%B3%D9%86%D8%A9-1962-%D8%A8%D8%B4%D8%A3%D9%86-%D8%B2%D9%8A-%D8%B5%D9%81-%D8%B6%D8%A8%D8%A7%D8%B7-%D9%88%D8%B9%D8%B3%D8%A7%D9%83%D8%B1-%D8%A7%D9%84%D8%B4%D8%B1%D8%B7%D8%A9-%D9%88%D8%A7%D9%84%D8%AE%D9%81%D8%B1%D8%A7%D8%A1#h.bkwbvhrx3gt> 1 of the Minister of Interior's Resolution No. 18 of 1962 regarding the uniforms of non-commissioned officers, <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-18-%D9%84%D8%B3%D9%86%D8%A9-1962-%D8%A8%D8%B4%D8%A3%D9%86-%D8%B2%D9%8A-%D8%B5%D9%81-%D8%B6%D8%A8%D8%A7%D8%B7-%D9%88%D8%B9%D8%B3%D8%A7%D9%83%D8%B1-%D8%A7%D9%84%D8%B4%D8%B1%D8%B7%D8%A9-%D9%88%D8%A7%D9%84%D8%AE%D9%81%D8%B1%D8%A7%D8%A1#h.bkwbvhrx3gt> police officers and guards.

²²⁴ Rule No. 46 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 74 of the Nelson Mandela Rules](#).

²²⁵ Rule No. 48 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 77 of the Nelson Mandela Rules](#).

²²⁶ Rule No. 53 of the Standard Minimum Rules for the Treatment of Prisoners.

By building their capacity, staff in women's prisons must be able to meet the social reintegration requirements of women prisoners and manage safe facilities for their rehabilitation. Measures must also be made available to build the capacity of female prison staff and ways to ensure that they reach senior positions and assume primary responsibility for the development of policies and strategies related to the treatment and care of²²⁷ women prisoners.

Clear policies and regulations on the conduct of prison staff aimed at providing maximum protection for women prisoners from gender-based physical or verbal violence, abuse and sexual harassment must be developed and implemented²²⁸.

The Code of Conduct for Law Enforcement Officials obliges officials at all times to perform the duty imposed on them by law, by serving the community and by protecting all persons from illegal acts, in a manner consistent with the high degree of responsibility required by their profession⁽²²⁹⁾.

Any act of torture or other cruel, inhuman or degrading treatment or punishment shall be prohibited, instigated or condoned by any official.

None of them may invoke superior orders or exceptional circumstances such as a state of war, a threat of war, a threat to national security, internal political instability, or any other public emergency, to justify torture or other cruel, inhuman, or degrading treatment or punishment⁽²³⁰⁾.

227 [Rule No. 29 of the Bangkok Rules.](#)

228 [Rule No. 31 of the Bangkok Rules.](#)

229 The Code was adopted by United Nations General Assembly Resolution 24/169, Articles [1](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AF%D9%88%D9%86%D8%A9-%D9%84%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%B3%D9%84%D9%88%D9%83-%D8%A7%D9%84%D9%85%D9%88%D8%B8%D9%81%D9%8A%D9%86-%D8%A7%D9%84%D9%85%D9%83%D9%84%D9%81%D9%8A%D9%86-%D8%A8%D8%A5%D9%86%D9%81%D8%A7%D8%B0-%D8%A7%D9%84%D9%82%D9%88%D8%A7%D9%86%D9%8A%D9%86#h.td9ea8fdsb692), <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AF%D9%88%D9%86%D8%A9-%D9%84%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%B3%D9%84%D9%88%D9%83-%D8%A7%D9%84%D9%85%D9%88%D8%B8%D9%81%D9%8A%D9%86-%D8%A7%D9%84%D9%85%D9%83%D9%84%D9%81%D9%8A%D9%86-%D8%A8%D8%A5%D9%86%D9%81%D8%A7%D8%B0-%D8%A7%D9%84%D9%82%D9%88%D8%A7%D9%86%D9%8A%D9%86#h.td9ea8fdsb692> of the Code of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AF%D9%88%D9%86%D8%A9-%D9%84%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%B3%D9%84%D9%88%D9%83-%D8%A7%D9%84%D9%85%D9%88%D8%B8%D9%81%D9%8A%D9%86-%D8%A7%D9%84%D9%85%D9%83%D9%84%D9%81%D9%8A%D9%86-%D8%A8%D8%A5%D9%86%D9%81%D8%A7%D8%B0-%D8%A7%D9%84%D9%82%D9%88%D8%A7%D9%86%D9%8A%D9%86#h.ek2uunjg1t4o> 5 of the Code of Conduct for Law Enforcement Officials.

230 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AF%D9%88%D9%86%D8%A9-%D9%84%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%B3%D9%84%D9%88%D9%83-%D8%A7%D9%84%D9%85%D9%88%D8%B8%D9%81%D9%8A%D9%86-%D8%A7%D9%84%D9%85%D9%83%D9%84%D9%81%D9%8A%D9%86-%D8%A8%D8%A5%D9%86%D9%81%D8%A7%D8%B0-%D8%A7%D9%84%D9%82%D9%88%D8%A7%D9%86%D9%8A%D9%86#h.ek2uunjg1t4o> 5 of the Code of Conduct for Law Enforcement Officials.

The International Covenant on Civil and Political Rights, as well as the Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, have each prohibited the torture of any human being in general, whether free or restricted, or cruel, inhuman or degrading treatment or²³¹ punishment.

The Arab Charter on Human Rights prohibits the physical or psychological torture or cruel, degrading, degrading or inhuman treatment of any person⁽²³²⁾.

231 [Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%B9%D9%87%D8%AF-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A-%D8%A7%D9%84%D8%AE%D8%A7%D8%B5-%D8%A8%D8%A7%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D9%85%D8%AF%D9%86%D9%8A%D8%A9-%D9%88%D8%A7%D9%84%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A%D8%A9#h.kcq6wx895y8q](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%B9%D9%87%D8%AF-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A-%D8%A7%D9%84%D8%AE%D8%A7%D8%B5-%D8%A8%D8%A7%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D9%85%D8%AF%D9%86%D9%8A%D8%A9-%D9%88%D8%A7%D9%84%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A%D8%A9#h.kcq6wx895y8q) 7 of the International Covenanthttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%B9%D9%87%D8%AF-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A-%D8%A7%D9%84%D8%AE%D8%A7%D8%B5-%D8%A8%D8%A7%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D9%85%D8%AF%D9%86%D9%8A%D8%A9-%D9%88%D8%A7%D9%84%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A%D8%A9#h.kcq6wx895y8q on Civil and Political Rights and Principlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.hznwertdg9t 1 of the Body of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.hznwertdg9t> Principles for the Protectionhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.hznwertdg9t of All Persons under Any Form <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.hznwertdg9t> of Detention or Imprisonment.

232 [Article 8 of the Arab Charter on Human Rights.](#)

The Charter obliges all persons deprived of their liberty to be treated humanely and with respect for their²³³ dignity.

It is prohibited to violate this even in cases of exceptional emergency⁽²³⁴⁾.

Law enforcement officials are also prohibited from committing any act of corruption, and they must confront and combat all such acts with all rigor⁽²³⁵⁾.

Law enforcement officials are obligated to respect the law and to prevent any violations to the best of their ability, and law enforcement officials who have reason to believe that a violation has occurred or is about to occur must report the matter to their higher authorities and, if necessary, to other competent authorities and agencies that have the power to review, and any person who has reason to believe that violations have occurred or are about to occur shall have the right to report the matter to the heads of the designated officials and to other appropriate authorities or agencies with the authority to review or remedy⁽²³⁶⁾.

233 [Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D9%85%D9%8A%D8%AB%D8%A7%D9%82-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A-%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D8%A5%D9%86%D8%B3%D8%A7%D9%86#h.yifdvzhr32to](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D9%85%D9%8A%D8%AB%D8%A7%D9%82-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A-%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D8%A5%D9%86%D8%B3%D8%A7%D9%86#h.yifdvzhr32to) 20 of the Arab Charter on Human Rights.

234 [Article 4 of the Arab Charter on Human Rights.](#)

235 [Article 7 of the Code of Conduct for Law Enforcement Officials.](#)

236 [Principlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.ybeqdiirraq5](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.ybeqdiirraq5) 7 of the Body of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.ybeqdiirraq5> Principles for the Protection of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.ybeqdiirraq5> All Persons under Any Form <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.ybeqdiirraq5> 5 of Detention or Imprisonment, and Article 8 of the Code of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.ybeqdiirraq5>

Employees must be of an adequate level of culture and intelligence, provided that they are given training courses on an ongoing basis that suit their general and specific duties and represent the best contemporary practices that prove effective in criminal sciences during service on all their public and private duties within the prison ⁽²³⁷⁾.

This shall include training on:

- Relevant national legislation, regulations and policies, as well as applicable international and regional instruments, whose provisions must guide prison staff in their work and dealings with prisoners;
- The rights and duties of prison staff in the exercise of their functions, including respect for the human dignity of all prisoners and the prohibition of certain acts, in particular torture and other cruel, inhuman or degrading treatment or punishment;
- Security and safety, including the concept of dynamic security, the use of force and instruments of restraint, and managing the handling of violent offenders, with due regard to methods of prevention and de-escalation, such as negotiation and mediation;
- First aid and the appropriate psychosocial needs of prisoners in the prison setting, as well as welfare and social assistance aspects, including early detection of mental health problems.

Employees assigned to work with certain categories of prisoners, or who are assigned to other specialized tasks, must receive training that focuses on the appropriate topics in this regard, provided that all employees pass the theoretical and practical tests prescribed after the end of the training ⁽²³⁸⁾.

They must also:

1. All staff dealing with women prisoners receive training on the special needs of women and the human rights of women prisoners;
2. Provides staff working in women's prisons with basic training on key women's health issues, as well as training in first aid and first medicine;

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²³⁷ Rule No. 47 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 75 of the Nelson Mandela Rules.](#)

²³⁸ [Rule No. 76 of the Nelson Mandela Rules.](#)

3- Where children are allowed to stay with their mothers in prison, prison staff are also sensitized on child development and provided with basic training on child health care so that they can respond appropriately when necessary and in emergency situations ⁽²³⁹⁾.

Female prison staff must have the same training opportunities as male staff, and all staff involved in the management of women's prisons receive training on gender sensitivity and the prohibition of discrimination and sexual harassment ⁽²⁴⁰⁾.

HIV capacity-building programmes are included in regular training curricula for prison staff. In addition to HIV/AIDS prevention, treatment, care and support, issues such as gender and human rights issues are also included in these curricula, with a particular focus on their relevance to HIV and stigma and discrimination ²⁴¹.

Prison staff shall receive training in detecting the mental health care needs of women prisoners and their likelihood of self-harm and suicide and in providing them with assistance by providing them with support and referring such cases to ²⁴² specialists.

Relevant authorities should recognize that women are particularly vulnerable to abuse during their pre-trial detention and take appropriate measures within their policies and practices to ensure the safety of these women during this period ⁽²⁴³⁾.

Police officers who frequently deal with juveniles or are assigned to deal with them must receive special education and training in order to perform their duties in the best way, and special police units should be established for that purpose in large cities ⁽²⁴⁴⁾.

The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment obliges each State to include education and information regarding the prohibition of torture fully in the training programs of public officials or others who may be involved in the detention, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment ⁽²⁴⁵⁾.

The prison must include a sufficient number of specialized staff such as psychiatrists, psychologists, social assistants, teachers and vocational skills trainers ⁽²⁴⁶⁾.

The Standard Minimum Rules for the Treatment of Prisoners differ in the issue of the doctor's stay in prison. In very large prisons, at least one doctor must reside inside the prison or in direct proximity to it. In other prisons, it is sufficient for the doctor to make daily visits to the prison, provided that he

²³⁹ [Rule No. 33 of the Bangkok Rules.](#)

²⁴⁰ [Rule No. 32 of the Bangkok Rules.](#)

²⁴¹ [Rule 34 of the Bangkok Rules.](#)

²⁴² [Rule 35 of the Bangkok Rules.](#)

²⁴³ [Rule No. 56 of the Bangkok Rules.](#)

²⁴⁴ [Rule No. 12 of the Beijing Rules.](#)

²⁴⁵ Articles 10, 11 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

²⁴⁶ Rule No. 49 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 78 of the Nelson Mandela Rules.](#)

makes his stay close enough to the prison so that he can attend without delay in emergency situations (247).

The third requirement: The use of force with the inmate

[The Police Authority Law](#) clarified the extent to which it is permissible for a police officer to use force to perform his duty and specified the limited cases in which it is permissible to use a weapon. [The Police Authority Law](#) set the controls for the use of force by a police officer, which is that the use of force must be to the extent necessary to perform the duty and that the use of force is the only means to perform this duty (248).

As for the cases in which the Egyptian [Police Authority Law](#) allows the use of force and firearms, they are three cases mentioned exclusively in the [Police Authority Law](#):

1- Arrest of:

(a) Whoever is sentenced to a felony or to imprisonment for a period exceeding three months if he resists or tries to escape.

(b) Every person accused of a felony or flagrante delicto in which it is permitted to arrest or an accused person against whom an arrest warrant has been issued if he resists or attempts to escape.

2. When guarding prisoners in the cases and under the conditions stipulated in the Prisons Law.

3-To disperse the crowd or demonstration that occurs from at least five people if public security is endangered, after warning the crowd to disperse. The order to use the weapon in this case shall be issued by a superior who must be obeyed (249).

[Article 102 of the Police Authority Law](#) provides a brief explanation of how the police must exercise their power to shoot as follows: In all three previous cases, the shooting must be the only means to achieve the above purposes, and the police officer begins to warn that he will shoot and then resort to shooting.

As for the cases of the use of force and the use of firearms in prisons and places of detention, they are as follows: (250).

First: Cases of the use of force with the inmate

1-Within the framework of Egyptian law

²⁴⁷ Rule 52 of the Standard Minimum Rules for the Treatment of Prisoners.

²⁴⁸ [Article 102 of the Police Authority Law.](#)

²⁴⁹ [Article 102 of the Police Authority Law.](#)

²⁵⁰ [Article 102 of the Police Authority Law.](#)

Within the framework of the Egyptian Law Regulating Correction and Community Rehabilitation Centers and the Internal Regulations of Correction and Community Rehabilitation Centers, the security forces may use force against the inmate to an adequate extent and within the necessary limits in the following cases:

1. Self-defense;
2. Escapes;
3. Physical resistance by force;
- 4- Refrain from executing an order based on the law or the regulations of the Correctional Center

(251).

2. Within the framework of international covenants

One of the serious powers conferred by national laws on the police and other security agencies charged with enforcing or enforcing the law is the power to use force. This power may sometimes amount to the use of firearms in certain circumstances. The general rule governing the use of force in accordance with international standards is that police personnel and other law enforcement officials may not use force and shoot except in cases of extreme necessity and within the limits necessary for the performance of their duty. This means that the use of force is exceptional and governed by the standards specified by international and national law⁽²⁵²⁾.

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On the other hand, the Standard Minimum Rules for the Treatment of Prisoners [and](#) the [Nelson Mandela Rules](#) prohibit the use of force by prison staff in relation to prisoners, except in self-defense, in the face of attempts to escape, physical resistance by force, or passively refraining from carrying out an order based on law or regulation, and if they use force, they must do so to the minimum extent necessary, and they must immediately report the incident to the prison director.

Prison staff must be provided with special physical training to enable them to restrain prisoners with aggressive behavior, and the [Nelson Mandela Rules](#) prohibited employees performing tasks that put them in direct contact with prisoners from being armed except in exceptional circumstances, and those rules also prohibited handing over a weapon to any employee unless he had been trained in its use⁽²⁵³⁾.

The Code of Conduct for Law Enforcement Officials stresses that the use of force by law enforcement officials should be exceptional. Although it suggests that law enforcement officials may be authorized to use force that is reasonably necessary in order to avoid crimes or in carrying out or assisting the lawful arrest of criminals or suspected criminals, it does not authorize the use of force beyond this limit.

The use of force by law enforcement officials shall normally be restricted by national law in accordance with the principle of proportionality and it shall be understood that the principles of proportionality applicable at the national level shall be respected in the interpretation of this provision and in no case shall this provision be interpreted so as to permit the use of force disproportionate to the legitimate aim to be achieved.

The use of firearms is considered an extreme measure and every effort should be made to avoid the use of firearms, in particular against children. In general, firearms should only be used when a suspected offender offers armed resistance or otherwise endangers the lives of others. Less extreme measures are insufficient to restrain or apprehend the suspect. In every case in which a firearm is fired, a report should be submitted to the competent authorities without delay.

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²⁵³ Rule No. 54 of the Standard Minimum Rules for the Treatment of Prisoners, [and](#) Rule No. 82 of the Nelson Mandela Rules.

The Code of Conduct for Law Enforcement Officials also prohibited law enforcement officials from using force except when absolutely necessary and within the limits necessary for the performance of their duty⁽²⁵⁴⁾.

It is prohibited to subject a person whose liberty has been restricted to torture or other cruel, inhuman or degrading treatment or punishment, and no circumstance whatsoever may be invoked as a justification for this⁽²⁵⁵⁾.

Second: Controls of the use of force with the inmate

1-Within the framework of Egyptian law

Before the security forces use force against the inmate, verbal audible warnings must be issued to the inmates by the director of the correction and rehabilitation center or the most senior officer present at the correction center of the need to abide by the systems and regulations of the correction center, and that in the event of non-compliance, the use of force will be resorted to, provided that the use of force with prisoners is as far as possible in the following order:

1. Use of water hoses;
2. Use of tear gas;
3. The use of plastic batons;

²⁵⁴ [Article 3 of the Code of Conduct for Law Enforcement Officials.](#)

²⁵⁵ [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.2ek362xhikaj of All Persons under Any Form of Detention or Imprisonment.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.2ek362xhikajPrinciples for the Protection of the Body of All Persons under Any Form of Detention or Imprisonment)

4- Firing cartridge shots⁽²⁵⁶⁾.

2. Within the framework of international covenants

Under international conventions, employees of any institution for the detention of juveniles are prohibited from carrying or using weapons⁽²⁵⁷⁾.

The fourth requirement: the use of firearms

First: Cases of the use of firearms

Supervisors and custodians assigned to guard inmates may use their firearms against inmates to repel an attack or any resistance accompanied by the use of force if they are unable to repel it by other means, or to prevent the escape of an inmate if it cannot be prevented by other means⁽²⁵⁸⁾.

Second: Controls of the use of firearms

1-Within the framework of Egyptian law

Approval from the Director of the Community Protection Sector must be obtained in advance for the use of firearms, except in sudden situations where rapid developments make it impractical to seek prior authorization. District managers, directors of correction and rehabilitation centers, and heads of training centers may use firearms as required by the circumstances, provided they immediately inform the Director of the Sector about the actions taken and their justifications.

The first shot must be fired into the air as a warning. If the inmate persists in attempting to escape after this warning, the guards may aim at the inmate's leg.⁽²⁵⁹⁾

²⁵⁶ Article 81 bis of the Bylaws of the Reform and Community Rehabilitation Centers.

²⁵⁷ [Rule No. 65 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

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[Article https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.7ev80bd42ax4](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.7ev80bd42ax4) 87 of the Law Regulating Correction and Community Rehabilitation Centers and Article 102 of the Police Authority Law.

²⁵⁹ [Article No. 87 of the Law Regulating Correction and Community Rehabilitation Centers, Article No. 2 of the Minister of Interior's Resolution No. 213 of 1964 regarding the determination of the work carried https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-213-%D9%84%D8%B3%D9%86%D8%A9-1964-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AA%D8%AD%D8%AF%D9%8A%D8%AF-%D8%A7%D9%84%D8%A3%D8%B9%D9%85%D8%A7%D9%84-](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-213-%D9%84%D8%B3%D9%86%D8%A9-1964-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AA%D8%AD%D8%AF%D9%8A%D8%AF-%D8%A7%D9%84%D8%A3%D8%B9%D9%85%D8%A7%D9%84)

Inmates must be warned when they enter the correctional center and when they leave it to work outside it to the right of supervisors and custodians assigned to guard the inmates to use their firearms against them to repel any attack or any resistance accompanied by the use of force, and to prevent the escape of any inmate⁽²⁶⁰⁾.

The Director of the Correction and Rehabilitation Center shall immediately inform the Assistant Minister of the Community Protection Sector, the Director of Security, and the Public Prosecution of the inmates' agitation or collective disobedience or upon learning of hunger strikes, and the measures taken by the management of the Correction Center in this regard⁽²⁶¹⁾.

He shall also notify the Director of the Correction and Rehabilitation Center for the military reform and rehabilitation centers under his administration and the competent security director for the military reform and rehabilitation centers affiliated to the security directorates, provided that this is recorded in the daily record of the incidents of the reform center⁽²⁶²⁾.

Minister

of

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D9%8A-%D9%8A%D9%82%D9%88%D9%85-%D8%A8%D9%87%D8%A7-%D8%B9%D8%B3%D8%A7%D9%83%D8%B1#h.eawlunn2xe0rout> by the second-degree soldiers[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.pwdjhrr38vy6](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-213-%D9%84%D8%B3%D9%86%D8%A9-1964-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AA%D8%AD%D8%AF%D9%8A%D8%AF-%D8%A7%D9%84%D8%A3%D8%B9%D9%85%D8%A7%D9%84-%D8%A7%D9%84%D8%AA%D9%8A-%D9%8A%D9%82%D9%88%D9%85-%D8%A8%D9%87%D8%A7-%D8%B9%D8%B3%D8%A7%D9%83%D8%B1#h.eawlunn2xe0r) 46 of the Law Regulating Reform and Community Rehabilitation Centers and Article 52 of the Internal Regulations of Geographical Reform and Rehabilitation Centers.

²⁶⁰ Articles 87 and 88 of the Law on the Organization of Correction and Community Rehabilitation Centers.

²⁶¹ [Article](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.pwdjhrr38vy6)

[46 of the Law Regulating Reform and Community Rehabilitation Centers](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.pwdjhrr38vy6) and Article 52 of the Internal Regulations of Geographical Reform and Rehabilitation Centers.

²⁶² [43 of the Internal Regulations of Military Prisons.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.3kcnly9h36l)

[%D8%A7%D8%B3%D8%AA%D8%B9%D9%85%D8%A7%D9%84-%D8%A7%D9%84%D8%A3%D8%B3%D9%84%D8%AD%D8%A9-%D8%A7%D9%84%D9%86%D8%A7%D8%B1%D9%8A%D8%A9#h.tsuu1xbqt80p Interior Decree No. 156 of 1964](#) stipulated the controls on the use of firearms, as follows:

First - In the event of the arrest of a person sentenced to a felony or imprisonment for a period not exceeding three months, or a person accused of a felony or flagrante delicto in which it is permissible to arrest or an accused person who has been issued an arrest warrant if he resists or tries to escape:

- (1) The convicted or accused shall be given an audible verbal warning with the use of a firearm if he does not stop resisting or running away.
- (2) If it is impossible for the verbal warning to reach the hearing of the convict or the accused, his warning shall be to fire a shot in space.
- (3) If the convict or the accused continues to resist him or his attempt to escape after being warned by one of these two means, he shall be shot.

Second - When repelling any attack or any resistance accompanied by the use of force by prisoners or to prevent their escape:

- (1) The force fires shots into space as a warning to stop resisting or trying to escape.
- (2) If the inmate continues to resist or try to escape after this warning, those assigned to guard him shall shoot him.

Third - In the event of the dispersal of the gathering or demonstration that occurs from at least five people if public security is endangered:

- (1) The head of the force shall give a verbal warning to the demonstrators or demonstrators, ordering them to disperse within an appropriate period, indicating the ways in which he should disperse them, and warning them that he will have to shoot them if they do not comply with this order.

It shall be taken into account that the warning shall be audible or by a means that ensures that it reaches their ears and that it shall facilitate the means of dispersal for the crowds or demonstrators within the specified period.

- (2) If the crowd refuses to disperse despite their warning and the expiry of the period specified for them in the warning, the force shall fire at them and the shooting shall be intermittent to allow the crowd to disperse.

(3) When firing, it shall be taken into account that small-size spray rifles shall be used first. If they are not found in the dispersal of the crowd, bullet-proof firearms shall be used. Quick-fire weapons shall be used when necessary.

(4) The order to fire must be issued by the officer in charge. If he is not previously appointed, this order shall be issued by the most senior duty bearers⁽²⁶³⁾.

In all cases, members of the police shall abide by the following rules:

(1) The use of firearms shall be to the extent necessary to prevent resistance or escape or to disperse crowds or demonstrators, provided that shooting is the only means of doing so.

(2) The use of firearms shall be resorted to only after all other means have been exhausted, such as advice, the use of sticks or tear gas, as the case may be, and whenever possible.

(3) When shooting in space, utmost care should be taken so that no innocent person is injured - and aiming at the legs should be whenever possible⁽²⁶⁴⁾.

The Minister of Interior had issued [his decision No. 31 of 1957](#) regarding the arming of guard personnel in the reform and rehabilitation centers: which stipulated that guard personnel in the

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-156-%D9%84%D8%B3%D9%86%D8%A9-1964-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%A7%D8%B3%D8%AA%D8%B9%D9%85%D8%A7%D9%84-%D8%A7%D9%84%D8%A3%D8%B3%D9%84%D8%AD%D8%A9-%D8%A7%D9%84%D9%86%D8%A7%D8%B1%D9%8A%D8%A9#h.lgxrpighezw3> 1 of the Minister of Interior's Resolution No. 156 of 1964 on regulating the use of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-156-%D9%84%D8%B3%D9%86%D8%A9-1964-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%A7%D8%B3%D8%AA%D8%B9%D9%85%D8%A7%D9%84-%D8%A7%D9%84%D8%A3%D8%B3%D9%84%D8%AD%D8%A9-%D8%A7%D9%84%D9%86%D8%A7%D8%B1%D9%8A%D8%A9#h.lgxrpighezw3> firearms.

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reform and rehabilitation centers shall be armed with Lee Anfield rifles, 92 and 7 rifles, machine guns and pistols Alberta Brabellum caliber 9 mm ⁽²⁶⁵⁾.

And to arm first: the supervisors (guards and the work of external teams), second: the recruits by two-thirds of the strength of the soldiers in the rifle Lee Anfield ⁽²⁶⁶⁾.

Recruits are armed with crews to guard reform centers and open areas where inmates work with long-range machine guns, while non-commissioned officers of the rank of Gawish and Onbashi recruits, and non-commissioned officer of the rank of Gawish and Onbashi supervisors in the external guards of the walls of reform and rehabilitation centers, and prayers and Pashgawish in deportation work, are armed with short-range machine guns ⁽²⁶⁷⁾.

While the officer, of all ranks and units, the mounted forces of the Authority, and the storage guards inside the offices are armed with Alberta 9 mm caliber ⁽²⁶⁸⁾.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-31-%D9%84%D8%B3%D9%86%D8%A9-1957-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AA%D8%B3%D9%84%D9%8A%D8%AD-%D8%A3%D9%81%D8%B1%D8%A7%D8%AF-%D8%A7%D9%84%D8%AD%D8%B1%D8%A7%D8%B3%D8%A9-%D8%A8%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD#h.ig9io9q72p3j> 4 of the Minister of Interior's Resolution No. 31 of 1957 regarding the arming of guard personnel in reform and rehabilitation centers.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-31-%D9%84%D8%B3%D9%86%D8%A9-1957-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AA%D8%B3%D9%84%D9%8A%D8%AD-%D8%A3%D9%81%D8%B1%D8%A7%D8%AF-%D8%A7%D9%84%D8%AD%D8%B1%D8%A7%D8%B3%D8%A9-%D8%A8%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD#h.iwld5z5d11ge> 5 of the Minister of Interior's Resolution No. 31 of 1957 regarding the arming of guard personnel in reform and rehabilitation centers.

It is taken into account that there are 25 of the number of different types of weapons in the hands of the forces as an emergency reserve in the Department of Stores in the Authority ⁽²⁶⁹⁾.

The members of the Authority shall be trained with live ammunition annually according to the program prepared by the fire officer of the Authority ⁽²⁷⁰⁾.

It is also taken into account to provide spare parts at the rate of 25 of the salary of weapons of each type in the Department of Warehouses in the Authority to repair what is damaged ⁽²⁷¹⁾.

The warehouse management shall, with the knowledge of the technicians, inspect all these weapons and ammunition at least once a year ⁽²⁷²⁾.

The salary for ammunition of each of these types of weapons is as follows:

- (i) 30 rounds per cartridge, of which 20 are disbursed with the weapon and the rest in the stores;
- (ii) 50 rifle rounds, of which 20 are discharged with the weapon and the rest in the stores;

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-31-%D9%84%D8%B3%D9%86%D8%A9-1957-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AA%D8%B3%D9%84%D9%8A%D8%AD-%D8%A3%D9%81%D8%B1%D8%A7%D8%AF-%D8%A7%D9%84%D8%AD%D8%B1%D8%A7%D8%B3%D8%A9-%D8%A8%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD#h.x4q0d9xqhzbe> 9 of the Minister of Interior's Resolution No. 31 of 1957 regarding the arming of guard personnel in reform and rehabilitation centers.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-31-%D9%84%D8%B3%D9%86%D8%A9-1957-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AA%D8%B3%D9%84%D9%8A%D8%AD-%D8%A3%D9%81%D8%B1%D8%A7%D8%AF-%D8%A7%D9%84%D8%AD%D8%B1%D8%A7%D8%B3%D8%A9-%D8%A8%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD#h.6rk4i5f8s4uf> 7 of the Minister of Interior's Resolution No. 31 of 1957 regarding the arming of guard personnel in reform and rehabilitation centers.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-31-%D9%84%D8%B3%D9%86%D8%A9-1957-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AA%D8%B3%D9%84%D9%8A%D8%AD-%D8%A3%D9%81%D8%B1%D8%A7%D8%AF-%D8%A7%D9%84%D8%AD%D8%B1%D8%A7%D8%B3%D8%A9-%D8%A8%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD#h.p3d6nzl8fh3o> 10 of the Minister of Interior's Resolution No. 31 of 1957 regarding the arming of guard personnel in reform and rehabilitation centers.

(iii) 150 rounds per sub-machine gun, of which 50 are disbursed with the weapon and the rest in the stores;

(Fourth) 500 rounds for each long machine gun, 300 of which are disbursed with the weapon and the rest in the warehouses⁽²⁷³⁾.

2. Within the framework of international covenants

The use of force and firearms by the police or other law enforcement agencies shall be subject to the following international standards:

1. Firearms may only be used against persons in self-defense or defense of others against imminent threat of death or serious injury;

2. To prevent the commission of a particularly serious crime involving a serious threat to life;

3. To arrest a person who represents the dangers referred to in paragraphs 1 and 2 and resists the police or to prevent his escape;

4. Firearms shall be used only in cases where less violent methods and means are incapable of achieving objectives in accordance with the law;

5. Deliberately use firearms that lead to death only when completely unavoidable to protect lives.

In addition to these restrictions defined by Principle No. (9) of the Basic Principles on the Use of Firearms by Law Enforcement Officials, which is an international document issued by the United Nations, police personnel must, in accordance with Principle No. (10), identify themselves and issue a clear warning before resorting to the use of firearms, unless this warning will lead to extreme danger, or is inappropriate or unhelpful. If the warning is issued, the person (s) addressed by the warning must be given sufficient time to respond.

Of course, it is assumed that police personnel have received the necessary awareness and training in how to use firearms, and that the persons in charge of the shooting, when necessary, have the necessary qualities that enable them to issue appropriate reactions even in situations of tension and danger.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-31-%D9%84%D8%B3%D9%86%D8%A9-1957-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AA%D8%B3%D9%84%D9%8A%D8%AD-%D8%A3%D9%81%D8%B1%D8%A7%D8%AF-%D8%A7%D9%84%D8%AD%D8%B1%D8%A7%D8%B3%D8%A9-%D8%A8%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD#h.hblrhzi9i8zr> 8 of the Minister of Interior's Resolution No. 31 of 1957 regarding the arming of guard personnel in reform and rehabilitation centers.

It has already been pointed out that the use of force or firearms to restore order and in the face of public gatherings and demonstrations must be subject to the same basic principles as other cases. The point that must be reiterated here is that firearms are often not the appropriate means to deal with angry crowds, and this may lead to serious consequences and things get out of control. The basic rule here is that the police may not shoot indiscriminately at a crowd or gathering of people in any circumstances.

The fifth requirement: Accountability for the wrong use of force and firearms

In cases where the police are compelled to use force or firearms, this must be carried out in strict accordance with legal regulations, and in cases of violation, the violators must be held accountable and punished.

Generally, any abusive or arbitrary use of force or firearms must be subject to full accountability and investigation of the offending individual(s). Responsibility lies not only with the police officers involved but also with the superiors who issued abusive orders or failed to take appropriate measures when they knew—or should have known—to prevent their subordinates from using force unlawfully.

Moreover, the issuance of unlawful orders to use force does not exempt anyone from legal accountability and punishment if it is proven they knew those orders were illegal and had the opportunity to refuse their implementation.

The sixth requirement: the use of instruments of restriction of liberty

First: Handcuffing the Inmate's Hands

1-Within the framework of Egyptian law

The director of the Correction and Rehabilitation Center may order the handcuffing of the inmate with iron if he commits an agitation or severe infringement, and he must immediately refer the matter to the Assistant Minister for the Community Protection Sector, and the period of handcuffing may not exceed 72 hours⁽²⁷⁴⁾.

In military reform centers, the director of the reform center may order the handcuffing of the inmate with iron for a period not exceeding 72 hours, with proof of this in the daily record of the incidents of

²⁷⁴ [Article No. 89 of the Law Regulating Correction and Rehabilitation Centers](#), as amended by [Law No. 106 of 2015](#), and [Article No. 53 of the Internal Regulations of Geographical Correction and Rehabilitation Centers](#).

the reform center, indicating the reasons and notifying the director of the Correction and Rehabilitation Centers Authority for the centers under his administration and the competent security director for the centers of the security directorates ⁽²⁷⁵⁾.

2. Within the framework of international covenants

On the other hand, international covenants prohibit the use of chains, handcuffs, and other instruments of restraint that are inherently degrading or painful. As for other instruments of restraint, the prison administration should seek to obtain methods of control that dispense with the need to impose instruments of restraint or limit their severity, and provide training on the use of such methods and should not be used except when permitted by law ⁽²⁷⁶⁾.

The Central Administration of Prisons determines the models of instruments of restriction of liberty and the method of using them. It is prohibited to use instruments of restriction or the use of force with juveniles except in exceptional cases. These instruments must not cause humiliation or humiliation, and their use should be limited, and for the shortest possible period, after the exhaustion and failure of all other methods of control, within the limits expressly stipulated in laws and regulations ⁽²⁷⁷⁾.

Instruments of restraint may be used either as a precaution against escape during transfer, provided that they are removed when the prisoner appears before a judicial or administrative authority; for medical reasons, at the direction of a doctor; or by order of the prison director, if other means fail to restrain the prisoner from harming himself or others or from causing material loss; and to prevent

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.sn1jq3d0m84f43> of the Internal Regulations of Military Prisons.

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Rule 33 of the Standard Minimum Rules for the Treatment of Prisoners, paragraph 1 of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.ct89wledz96> Rule 47, <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.3rlkmst60bix> Rule 49 of the Nelson Mandela Rules, and Rule 63 of the United Nations Rules for the Treatment of Prisoners, paragraph 1 of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A7%D9%84%D8%A3%D9%85%D9%85-%D8%A7%D9%84%D9%85%D8%AA%D8%AD%D8%AF%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%A7%D9%84%D8%A3%D8%AD%D8%AF%D8%A7%D8%AB-%D8%A7%D9%84%D9%85%D8%AC%D8%B1%D8%AF%D9%8A%D9%86-%D9%85%D9%86-%D8%AD%D8%B1%D9%8A%D8%AA%D9%87%D9%85#h.lhovuncrbxet> the Protection of Juveniles Deprived of their Liberty.

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Rule No. 34 of the Standard Minimum Rules for the Treatment of Prisoners, and Rule No. 64 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

the juvenile from harming himself or others or from causing substantial damage to property. In such cases, the director shall immediately consult with the medical officer and other competent personnel and submit a report to the higher administrative authority⁽²⁷⁸⁾.

Instruments of restraint shall be imposed only if a lighter form of control cannot be used to respond effectively to the dangers arising from unrestricted movement, and any such restraint shall be used only as light as is reasonably necessary and available to control the movement of the prisoner in the light of the level and nature of the existing dangers; the imposition of instruments of restraint shall be for the necessary period only, and shall be removed from the prisoner as soon as possible after the cessation of the danger expected from unrestricted movement⁽²⁷⁹⁾.

On the other hand, the Nelson Mandela Rules and the Bangkok Rules prohibited the use of instruments of restraint with women during labor, during childbirth and immediately after childbirth⁽²⁸⁰⁾.

Second: Shackling the Guest's Legs

The Egyptian legislator authorized the Director of the Correctional Center to order the shackling of the pretrial detainee and the inmate with iron legs in the event of an attempt to escape or if it is feared that he will escape and this fear has reasonable reasons. He must immediately report this to the Public Prosecution or the investigating judge, as the case may be, if he is held in pretrial detention, and inform the Assistant Minister of Interior of the Prisons Authority Sector if he is an inmate, provided that each order to shackle iron is recorded in the daily record of the incidents of the Correctional Center with a statement of its reasons, and the Director of Security is notified immediately of this to obtain his approval of this procedure.

The Public Prosecution or the investigating judge may order the lifting of the iron shackle if he does not deem it necessary⁽²⁸¹⁾.

278 Rule 33 of the Standard Minimum Rules for the Treatment of Prisoners, [paragraph 2 of rule https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.ct89wledz96](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.ct89wledz96) 47 of the Nelson Mandela Rules, and rule 64 of the United Nations Rules for the the [Protection of Juveniles Deprived of their Liberty.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A7%D9%84%D8%A3%D9%85%D9%85-%D8%A7%D9%84%D9%85%D8%AA%D8%AD%D8%AF%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%A7%D9%84%D8%A3%D8%AD%D8%AF%D8%A7%D8%AB-%D8%A7%D9%84%D9%85%D8%AC%D8%B1%D8%AF%D9%8A%D9%86-%D9%85%D9%86-%D8%AD%D8%B1%D9%8A%D8%AA%D9%87%D9%85#h.lhovuncrbxe)

279 Rule No. 48 of the Nelson Mandela Rules.

280 The second paragraph of Rule No. 48 of the Nelson Mandela Rules, and Rule No. 24 of the Bangkok Rules.

281 Articles 90 and 91 of the Law Regulating Correction and Rehabilitation Centers, and Article 54 of the Internal Regulations of Geographical Correction and Rehabilitation Centers.

It is not permitted to place the iron restriction on the feet of the convict detained in the reform center inside or outside the reform centers except in the event that he is feared to escape on reasonable grounds by an order issued by the Assistant Minister for the Community Protection Sector or the competent Director of Security, as the case may be, or whoever is authorized to do so ⁽²⁸²⁾.

Seventh Requirement: Prohibition of contact by power-holders with the pre-trial detainee without permission

First: Within the framework of Egyptian law

The Egyptian Constitution prohibits the initiation of the investigation of the pretrial detainee except in the presence of his lawyer, with the assignment of a lawyer to him if he does not have a lawyer ⁽²⁸³⁾.

The Egyptian legislator also prohibited any of the authority's men from contacting the pre-trial detainee inside the reform center without a written permission from the Public Prosecution, provided that the director of the reform and rehabilitation center records the name of the person who was allowed to do so, the time of the interview, the date of the permission and its content in the daily book of the reform center ⁽²⁸⁴⁾.

As the law stipulates that the permission must be in writing, it is not sufficient to do so merely by verbal or telephone permission. The men of power are the policemen, the detectives, and anyone who holds the status of judicial officers. The legislator intended this to protect the pre-trial detainee from attempts to influence him or to be tortured by the men of power to force him to perform statements or confessions that affect the progress of the investigation. The Court of Cassation ruled that: [Article 79 of Law No. 376 of 1956 regarding the organization of prisons, as it was stipulated that no one of the men of power is allowed to contact the pre-trial detainee inside the prison except with written permission from the Public Prosecution. It indicated that this prohibition is limited to the pre-trial detainee in the same case, in order to prevent the pretext of influencing them, and to prevent the

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Article

https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.jmanlmki22w5_2 of the Law on the Organization of Correction and Community Rehabilitation Centers.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D8%AF%D8%B3%D8%AA%D9%88%D8%B1#h.fv28fbkcaj1> Article 54 of the Constitution.

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Article

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.8r03gavjdm1> 79 of the Law on the Organization of Correction and Community Rehabilitation Centers.

suspicion of being forced to confess while in the grip of public authority. Nor was anyone who was held in executive detention pending another case, in addition to the fact that the law did not invalidate the violation of the provision of this article, because it was intended only to regulate the procedures inside the prison, in the sense of its receipt in the door of administration and order inside the prison, denoting the link to the investigation procedures] ⁽²⁸⁵⁾.

It is not permissible, in any case, to interview the pre-trial detainee or investigate him from the men of public authority or the prosecution without the presence of a defender. The Supreme Constitutional Court ruled that: [The Constitution regulates the right of defense, specifying some of its aspects, deciding to guarantee it as a preliminary guarantee not to infringe personal freedom and to preserve all rights and freedoms, whether those stipulated in the Constitution or those established by the legislation in force. In this regard, it stated a categorical ruling when it stipulated in the first paragraph of Article 69 of the Constitution that the right The defense in person or by proxy is guaranteed, and then the Constitution went a step further by approving the second paragraph of it, which stipulates that the state guarantees to those who are financially unable the means to resort to the judiciary and defend their rights, entitling the legislator to decide the appropriate means by which to assist the indigent to preserve their rights and freedoms by securing the guarantee of their defense, which is a necessary guarantee whenever the presence of the lawyer in itself is necessary as a deterrent to the men of public authority if they violate the law, reassuring that there is no control over their actions or their naps, to the effect that the guarantee of defense is not limited to its practical value The trial stage alone, but also its umbrella and related protections extend to the previous stage, the outcome of which can determine the final fate of those arrested or detained and then make their trial a formal framework that does not harm them, especially whenever they admit to deceit or seduction of what they condemn, or are subjected to coercive means to induce them to make statements that contradict their interest, after extracting them from their surroundings and restricting their freedom in one way or another. In confirmation of this trend and within its framework, the Constitution, in Article 71, empowers anyone who is arrested or detained with the right to communicate with others to inform him of what happened or to seek his assistance in the manner regulated by law] ⁽²⁸⁶⁾.

Second: Within the framework of international conventions

The report of the Special Rapporteur on torture stated that: "Those who are lawfully arrested may not be detained in facilities under the control of their interrogators or interrogators for a period longer

²⁸⁵ Judgment of the Court of Cassation in Appeal No. 5979 of 88S, issued at the session of 21 November 2018, see also: Judgment of the Court of Cassation in Appeal No. 506 of 40, issued at the session of 22 July 1970, published in the Technical Office Letter No. 21 Part II, page 905, rule No. 214.

²⁸⁶ Judgment of the Supreme Constitutional Court in Case No. 6 of 13 S, issued at the session of May 16, 1992, and published in the first part of the book of the Technical Office No. 5, rule No. 37, page No. 344.

than the time necessary to obtain a judicial warrant for pre-trial detention, which in all cases should not exceed a period of 48 hours, and they must accordingly be transferred immediately to a pre-trial detention facility under a different authority, after which contact between them and the interrogators or investigators may not take place without supervision." ⁽²⁸⁷⁾.

The second topic: The right of the pretrial detainee to be informed of the charge against him and to determine the identity of the interrogator

The first requirement: Within the framework of Egyptian law

The Egyptian legislator in the Code of Criminal Procedure required the investigator to verify the identity of the pretrial detainee - or the accused - and to inform him of the charge against him, provided that he proves his statements in a record. However, the law did not require the investigator to determine his identity, as well as the identity of others present to interrogate the pretrial detainee except when the accused appeared before him for the first time, and the law did not specify the period of interrogation or the time periods between interrogations that take place with the detainee ⁽²⁸⁸⁾.

The Court of Cassation also ruled that the law did not impose a duty on the investigator to inform the accused about his personality: [The first paragraph of [Article 123](#) of the [Code of Criminal Procedure](#) stipulates that "when the accused first appears in the investigation, the investigator must verify his personality, then inform him of the charge against him and prove his statements in the record," which means that the law did not impose a duty on the investigator to inform the accused about his personality] ⁽²⁸⁹⁾.

The law did not impose any procedural penalty for the investigator's failure to inform the accused of his personality: [Whereas the first paragraph of [Article 123](#) of the [Criminal Procedure Law](#) stipulates that when the accused appears for the first time in the investigation, the investigator must verify his personality and then inform him of the charge against him and prove his statements in the record, to the effect that the investigator is the one who confirms the personality of the accused, and the law did not impose a duty on the investigator to inform the accused about his personality, nor did he arrange for invalidity for his omission.] ⁽²⁹⁰⁾.

²⁸⁷ A/50/156, para. 39 and -.

²⁸⁸ [Article 123 of the Code of Criminal Procedure](#).

²⁸⁹ The judgment of the Court of Cassation in Appeal No. 30639 of the year 72 issued at the session of April 23, 2003 and published in the book of the Technical Office No. 54, rule No. 74, page 583.

²⁹⁰ Judgement of the Court of Cassation in Appeal No. 1752 of 63S issued at the session of January 11, 1995 and published in the first part of the Technical Office's book No. 46 Rule No. 16 page 134, and see also: Judgement of the Court of Cassation in Appeal No. 8260 of 58 S issued at the session of March 23, 1989 and published in the first part of the Technical Office's book No. 40 Rule No. 75 page 439, and Appeal No. 225 of 57 S issued at the session of April 21, 1987 and published in the first part From the Technical Office's letter No. 38, rule No. 106, page 626, and Appeal No. 311 of 48s issued at the session of June 12, 1978, published in the first part of the Technical Office's letter No. 29, rule No. 120, page 619, and Appeal No. 122 of 41s issued at the session of April 25, 1971, published in the second part of the Technical Office's letter No. 22, rule No. 91, page 371, and Appeal No. 2009 of 34 s issued at the session of May 4, 1965, published in the second part of the Technical Office's letter No. 16, rule No. 87, page 430.

The second requirement: within the framework of international conventions

On the other hand, the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment obligated the identification of the officials conducting the interrogation as well as the time periods between each interrogation ⁽²⁹¹⁾.

The report of the Committee against Torture also stated that the use of blindfolds during interrogation must be explicitly prohibited²⁹².

The third topic: The right of the inmate to keep things of value inside the prison

The first requirement: Within the framework of Egyptian law

The principle established by the Egyptian legislator is that every inmate must be searched upon entry to the reform center, with any contraband, money, or items of value confiscated. All items taken from the inmate at the time of admission—such as money, clothing, and other belongings—must be recorded in the register of luggage and valuables, with sufficient descriptions to ensure accountability.

291 Principle No. 23 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.6jtpnz3t7id9> Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.

292 REPORT OF THE COMMITTEE AGAINST TORTURE A /48/44/Add.1, page 11, Para 48 a- '... The use of a blindfold during questioning should be expressly prohibited;...' The report is available at the following link: <https://undocs.org/A/48/44/Add.201>.

If the inmate has financial obligations to the government as part of their sentence, these obligations should be met from any money confiscated upon entry. If the funds are insufficient and the inmate fails to fulfill these obligations after being instructed to do so, the valuables may be sold by the Public Prosecution to satisfy the government's claim from the proceeds. Care must be taken not to proceed with the sale if the amount obtained would already cover the government's requirement.

If the total money collected from the inmate and the proceeds from the sale fall short of the amount owed, a minimum sum shall be retained for the inmate, credited to his account in the trust, and the remaining amount applied to the government's account.

However, if he has something left after fulfilling these obligations, the remainder shall be credited to his account in the trusts to spend on it when needed, unless it is delivered at his request to whomever he chooses or to the custodian⁽²⁹³⁾.

First: Confiscating what the inmate hides or refrains from handing it over or others secretly try to deliver it to him at the reform center

It is permissible to confiscate what the inmate hides, refrains from handing it over, or someone else tries secretly to deliver it to him at the reform center⁽²⁹⁴⁾.

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[Article](#)

https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/1%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.yzv0zv8g7itx_9 of the Law Regulating Correction and Rehabilitation Centers, [Article](#)

[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.qi1e6jtn3tedof_1984](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.qi1e6jtn3ted_5), Articles [5](#), [6](#), [8](#) and [9](#) of the Internal Regulations of Geographical Correction and Rehabilitation Centers, Articles [5](#), [6](#) and [7](#) of the Internal Regulations of Military Prisons, and Article 1045 of the written, financial and administrative instructions of the Public Prosecution.

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[Article](#)

https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.g1lmjv0ot71_12 of the Law on the Organization of Correction and Community Rehabilitation Centers.

The requirement for a correctional officer to search visitors who hesitate before visiting inmates, in order to detect any contraband they might attempt to bring in, is not a violation of the law. Rather, it is a duty mandated by law and circumstances to prevent contraband from reaching inmates, as there is a concern it could be used to harm themselves or others, which is expressly prohibited by correctional center regulations. The Court of Cassation ruled that: [Article 12 of Decree-Law No. 396 of 1956 on the organization of prisons stipulates that: "It is permissible to confiscate what the prisoner conceals or refrains from handing it or others secretly tries to deliver it to him in prison." This stipulates that the street granted the prison officer the right to confiscate what others are trying to deliver to prisoners secretly in prison. Whereas, the incident was in the form evidenced by the judgment in saying: «That and the case of the lieutenant..... For his work of examining and searching hesitants to visit prisoners..... Suspect a bag carried by the accused.... By searching it, he found a transparent bag containing a dry green grass plant similar to the narcotic banjo plant, so he seized it. The chemical laboratory report proved that the seizures weighed 26,960 grams and that they were for the narcotic banjo cannabis plant. Since this is the case, the search conducted by the officer of the incident was in search of there are prohibitions brought by some to deliver them to prisoners, and therefore this search is not contrary to the law as it is a duty dictated by the law and circumstances in order to detect the prohibitions that some are trying to deliver to the prisoner for fear of using them to cause harm to himself or others, which the prison regulations prohibit, it is not an inspection in the sense that the street intended to be considered an investigation, but rather it is a precautionary administrative measure that should not be mixed with the judicial inspection and does not require sufficient evidence or previous permission from the investigation authority and is not necessary for judicial control of those who conduct it, if this inspection results in evidence that reveals a crime punishable by law, it is permissible to cite this evidence as the fruit of a legitimate procedure in itself and no violation was committed in order to obtain it] ⁽²⁹⁵⁾.

It also ruled that: [The judgment has been submitted to the appellant to plead the invalidity of the arrest and search for the absence of flagrante delicto and put forward that the search was based on the right of the prison officer under the Prisons Regulation Law (the Law on the Organization of Correction and Community Rehabilitation Centers) to search any person suspected of possessing prohibited items inside the prison, whether he is a prisoner, prison worker, or others. What the judgment stated in response to his payment in this regard coincides with the correctness of the law. The inspection of the privacy of this lawsuit is necessary in order to detect the contraband in his possession for fear of using it to harm himself or others, which the prison regulations prohibit, and it

²⁹⁵ The judgment of the Court of Cassation in Appeal No. 8887 of the year 81 issued at the session of June 4, 2012 - unpublished, and see: its judgment in Appeal No. 146 of the year 46 S issued at the session of May 23, 1976 and published in the first part of the Technical Office's letter No. 27, rule No. 113, page 506.

is not an act of investigation aimed at obtaining evidence that is only possessed by the investigating authority or with its prior permission, but it is a precautionary administrative measure that should not be mixed with the judicial inspection and does not require sufficient evidence or prior permission from the investigating authority and does not require the status of judicial seizure of those who carry it out. If it results in evidence that reveals a crime punishable under public law, it is correct to cite this evidence as the fruit of a legitimate procedure in itself and was not committed in order to obtain any violation, as the obituary for the judgment in this regard is not valid] ⁽²⁹⁶⁾.

The Court of Cassation ruled that the officer of the reform center conducting the inspection must have suspicion of possession of prohibited objects inside the reform center for the safety of the inspection procedures, and that suspicion is a state of mind by the same officer, with which it is correct in the mind to say that the suspicion of possession of prohibited objects inside the reform center exists, and the assessment of this depends on the inspector, but the conviction issued in that case must indicate those external manifestations that foresee the occurrence of a crime or one of the cases of flagrante delicto that are exclusively set forth in the law and that therefore allow the judicial officer to conduct the search. Otherwise, the judgment is tainted by deficiency and error in the application of the law: [It is decided in accordance with Article 41 of the Law on <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.taaxgs6tb9xq>the Organization of Prisons (the Law on the Organization of Correction and Community Rehabilitation Centers) that if the prison official suspects any visitor, he may order his search and the authority of the inspector here is its administrative control building, which is not based on the need for sufficient evidence, but rather the search is carried out within the framework of maintaining order inside prisons, and since that is, the search of the accused has been carried out under the supervision of the second witness of the prosecution and this resulted in the seizure of the drug and then this payment I may be residing in an unsubstantiated state. " Whereas, Article 41 of the Presidential Decree Law No. 396 of 1956 regarding the organization of prisons replaced by Law No. 5 of 1972 stipulates that "the prison officer has the right to search any person suspected of possessing prohibited things inside the prison, whether he is a prisoner, prison worker, or others." Although this means that the street has granted prison officers the right to search those suspected of possessing prohibited things inside the prison until the right to search him is proven, and that the intended suspicion in this regard is a state of mind in which the same officer is correct to say that there is a suspicion of possessing

²⁹⁶ The judgment of the Court of Cassation in Appeal No. 13230 of 82 S issued at the hearing of March 8, 2015 is unpublished.

prohibited things inside the prison, and it is up to the inspector under the supervision of the trial court. Whereas, the contested judgment proved that the first witness under the supervision of the officer searched the next appellant to visit the prison - without suspecting him - and seized with him a piece of hashish drug, the incident, as indicated by the judgment, does not reveal the availability of one of the cases of flagrante delicto described exclusively in [Article 30](#) of the [Code of Criminal Procedure](#) and is not considered in the form of the lawsuit one of the external manifestations that in itself foretells the occurrence of the crime, and therefore allows the judicial officer to conduct the search. Whereas, the contested judgment rejected the plea of nullity of arrest and search based on the fact that the officer searched the appellant when he entered the prison and seized the contraband in his possession in accordance with the law, without invoking the availability of the conditions for conducting the search from the inspection of the appellant when he entered the prison and the seizure of the contraband in his possession in accordance with the law - in the above context - or the availability of the case of flagrante delicto against the appellant, which gives the officer that right, it is tainted by the deficiency and error in the application of the law] ⁽²⁹⁷⁾.

Second: Guest Retention of Items of Value

The inmate may retain items of value in their possession upon entering the correctional center, provided they are not sold to fulfill government obligations, unless they are delivered, at the inmate's request, to a designated person or custodian.

Ownership of these items will transfer to the state if the inmate or their heirs do not claim them within three years of the inmate's release or death in the reform center. In the event of an escape, if the inmate is not apprehended within six months, their deposits will be transferred to the competent prosecution for disposition. ⁽²⁹⁸⁾.

The second requirement: within the framework of international conventions

On the other hand, the [Nelson Mandela Rules](#) stipulate that the laws and regulations governing the procedures for inspecting prisoners and cells must be consistent with the obligations imposed by

²⁹⁷ The judgment of the Court of Cassation in Appeal No. 6574 of 82 S issued at the 24th session of February 2013 is unpublished.

²⁹⁸ https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9-1/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.nz90ya2omlsf_10 of the Law on the Organization of Correction and Community Rehabilitation Centers.

international law and with international standards and rules, and the inspection must be conducted in a manner that respects the inherent human dignity and privacy of the person subject to the inspection, taking into account proportionality, legality and necessity⁽²⁹⁹⁾.

It is prohibited to use a search to harass, intimidate, or unnecessarily intrude on a prisoner's privacy.

The Nelson Mandela Rules also prohibited the use of intrusive search procedures, including searches of the naked body and body cavities, except in cases of extreme necessity, provided that such search is carried out - when necessary - in a place of privacy, and that it is carried out by health care professionals or, as a minimum, by appropriately trained medical personnel in accordance with hygiene, health and safety standards, provided that they are of the same sex as the prisoner subject to the search.

Prison administrations should be encouraged to develop and use appropriate alternatives to that type of inspection.

The prison administration must keep records in which searches are restricted, especially naked searches, body cavity searches, and cell searches, and the reasons for the search, the identity of the searchers, and any results of the search are also recorded.⁽³⁰⁰⁾

The Bangkok Rules required that effective measures be taken to ensure that the dignity of female prisoners is protected and respected during body searches, and that it is conducted only by female staff who have received appropriate training in the use of appropriate inspection methods in accordance with established procedures, provided that alternative screening methods are developed, such as the use of scanning devices to replace strip searches and invasive body searches, in order to avoid harmful psychological and potential physical effects of body searches⁽³⁰¹⁾.

Prison staff who inspect children, whether accompanying or visiting their imprisoned mothers, must be competent, professional, courteous, respectful and respectful of their dignity³⁰².

If prison regulations do not permit a prisoner to retain money, valuables, clothing, or other belongings upon entry, all items must be placed in secure custody. A list of these belongings shall be prepared and signed by the prisoner. The prison doctor will assess any drugs or medicines brought by the prisoner to determine their appropriateness for use.

The prison administration is responsible for taking necessary measures to maintain the prisoner's belongings in good condition. All belongings must be returned to the prisoner upon release, except for any money spent, clothes sent outside the prison, or items

²⁹⁹ [Rule No. 50 of the Nelson Mandela Rules.](#)

³⁰⁰ Rules Nos. [51](#), [52](#), [53](#) of the Nelson Mandela Rules.

³⁰¹ Rules Nos. [19](#), [20](#) of the Bangkok Rules.

³⁰² [Rule No. 21 of the Bangkok Rules.](#)

destroyed due to health concerns. The prisoner shall sign a receipt confirming the return of their money and belongings.

The same rules apply to money or goods sent to the prisoner from outside the prison.⁽³⁰³⁾

For juveniles, each juvenile should have the right to possession of their personal belongings and to have adequate facilities for the safekeeping of such belongings. The juvenile's personal belongings that he wishes not to keep, or that are confiscated from him, shall be placed in secure possession, and a list signed by the juvenile shall be prepared, and the necessary procedures shall be taken to keep them in good condition.

Provided that all such materials and money shall be returned to the juvenile upon his release, minus the money that he has been authorized to spend and the property that he has been authorized to send outside the institution.

If the juvenile receives or is found in possession of any medicines, it is left to the medical officer to decide on their use⁽³⁰⁴⁾.

Criticism

We note that the Law on the Organization of Correction and Rehabilitation Centers or any of its bylaws does not stipulate any requirements that must be met by the Director of the Correction Center.

We note that any of the Egyptian law regulating reform and rehabilitation centers and the regulations of the internal reform centers have been devoid of any requirements that must be met by the staff of the reform centers, in violation of the extent to which they carry out their jobs in a manner that helps the center achieve its objectives of reforming the condition of inmates. All that Egyptian legislation stipulates regarding the staff of the reform centers is to stipulate how they are trained to use weapons and military training, so that the second-class personnel appointed among those ready for military service are subject to training and education for a period of six months⁽³⁰⁵⁾.

The training program includes: military training, the use of weapons and shooting, the various guard duties of the inmates, resisting ferment among inmates, how to prevent inmates from escaping and

³⁰³ Rule 43 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 67 of the Nelson Mandela Rules](#).

³⁰⁴ [Rule No. 35 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

³⁰⁵

[Article](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-30-%D9%84%D8%B3%D9%86%D8%A9-1957-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AA%D8%AF%D8%B1%D9%8A%D8%A8-%D9%88%D8%AA%D8%B9%D9%84%D9%8A%D9%85-%D8%B6%D8%A8%D8%A7%D8%B7-%D8%A7%D9%84%D8%B5%D9%81-%D9%88%D8%A7%D9%84%D8%B9%D8%B3%D8%A7%D9%83%D8%B1#h.vy6809ftt3a> 1 of the Minister of Interior 's Resolution No. 30 of 1957 regarding the training and education of non-commissioned officers and soldiers enlisted in the guard forces of the Prison Service.

chasing them, instructions for shooting an inmate who tries to escape, patrolling and searching, physical education, including physical exercises, Japanese wrestling, self-defense, violent tactics, literacy, and the principles of interest systems and laws imposed on them⁽³⁰⁶⁾.

The Egyptian Law on the Organization of Correction and Community Rehabilitation Centers and the bylaws of the reform centers were limited to military and physical training for the staff of the reform center.

It is noted from the above that the controls set by both the Egyptian Law Regulating Correction and Community Rehabilitation Centers or the Internal Reform Centers Regulations for the Use of Force apply in cases of agitation or mass disobedience of inmates. However, the law or the internal regulations did not set any controls for the use of force with the individual inmate and were limited to ordering him to be handcuffed with iron as a precautionary measure.

These controls only apply when dealing with cases of agitation or disobedience from a group of inmates, but in the case of agitation or disobedience from a single inmate, there is no need for those controls.

The decisions of the Minister of Interior stipulated the arming of all guards in the reform centers, which accelerates the process of the reform center employee's use of the firearm without taking into account the order of using other tools such as restraining the inmate by physical force, water cannons, tear gas, plastic batons, or cartridge shots, which makes the employee's use of the firearm with the inmate subject to his discretion in these circumstances, without any controls.

Neither the Egyptian Law on the Organization of Correction and Community Rehabilitation Centers nor the Internal Correction Centers Regulations obligated the reform center employee to submit a report to the director of the reform center in cases where he had to use force with one inmate, or medical examination of the inmate after controlling the state of agitation or disobedience.

The Egyptian Law Regulating Correctional and Community Rehabilitation Centers or the Internal Reform Centers Regulations do not prohibit the carrying or use of weapons in juvenile penal institutions.

Whereas the Egyptian Law Regulating Correctional and Community Rehabilitation Centers obligated informing the Directorate of Security of the order to handcuff the inmate with iron, but the law or internal regulations did not provide for the Directorate of Security to follow up the implementation of that order, and the order to raise the iron of the hands after the expiry of the legally prescribed period, and the law did not prohibit the repetition of the order to handcuff the prisoner with iron.

³⁰⁶ Articles [2](#), [3](#), [4](#) and [5](#) of the Minister of Interior's Resolution No. 30 of 1957 regarding the training and education of non-commissioned officers and soldiers enlisted in the guard forces of the Prison Service.

As for the order to handcuff the legs, the Egyptian Law Regulating Reform and Community Rehabilitation Centers or the Internal Reform Centers Regulations did not stipulate a maximum period of time for the implementation of the order to handcuff the legs, such as the case of handcuffing, which the law stipulated not to exceed 72 hours.

The law did not require the correctional center doctor or other health care personnel to be notified of handcuffing the prisoner with hand or leg irons.

Nor did the law or bylaws of correctional centers prohibit the use of instruments of restraint with women during labor, during childbirth, or immediately after childbirth.

As we have seen, the Egyptian legislator required written permission from the Public Prosecution to allow one of the public authority's men to visit the pretrial detainee is a regulatory measure. The law did not have any effect on violating that prohibition, nor was it invalidated in the event that one of the public authority's men visits the pretrial detainee and obtains from him existing evidence in the case under detention.

If the contact of one of the authority's men with the pretrial detainee without written permission from the Public Prosecution does not take place except with the permission of the Director of the Correctional Center, in that case, the prison warden will have used the authority of his job to stop the implementation and disruption of the law, which is the act criminalized in <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA#h.csaq7e4caq8g> the text of Article 123 of the PenalCode ⁽³⁰⁷⁾.

The fact that the director of the reform center allows one of the authority's men to torture the pretrial detainee makes him a perpetrator or an accomplice in the crime stipulated in Article 126 of the PenalCode, depending on the degree of his contribution to the crime ⁽³⁰⁸⁾.

It is clear from the above that the Egyptian legislator did not oblige the investigator to identify the detainee, pretrial detainee, or inmate before starting the investigation with him or his interrogation, and the legislator did not arrange any procedural penalty for conducting the investigation with those whose freedom was restricted without identifying the investigator.

307 [Article 123 of the PenalCode](#).

308 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA#h.fkcc63q95s97> 126 of the PenalCode.

While the Body of Principles for the Protection of Persons under Any Form of Detention or Imprisonment obligated officials conducting interrogations and others present for the investigation to identify themselves to the detainee or prisoner.

The Egyptian legislator also did not set any controls for conducting the investigation. He did not specify the time periods for each investigation or interrogation or the time periods between each interrogation, which exposes the detainee to interrogation for long periods that extend for many hours, causing mental and nervous exhaustion to the detainee, which is a type of torture.

Also, the Egyptian legislator did not explicitly prohibit the use of blindfolds during interrogation, which makes the detainee or the person whose freedom is restricted do not know the identity of the day of his interrogation and interrogation.

We note from the above that neither the Egyptian Law on the Organization of Correction and Community Rehabilitation Centers nor the regulations of the internal reform centers stipulate any rules or procedures to regulate the inspection of the inmate by the staff of the reform center - upon entering the reform center for the first time or while in the reform center - except to provide for taking all that is with the inmate of prohibitions, money, or things of value, while keeping things of value that are not sold in fulfillment of the government's requirements.

While international conventions require that the search be conducted in a manner that respects the human dignity of the searched person, whether he is a prisoner or a visitor to the prison. Its privacy, proportionality, legitimacy and necessity.

International covenants prohibited the use of searches to harass, intimidate, or unnecessarily intrude on a prisoner's privacy.

International conventions also prohibit the inspection of the naked body and the inspection of the body cavities except in cases of extreme necessity, and that the inspection be carried out in a place that takes into account privacy, and that it be carried out by appropriately trained staff of the same sex as the prisoner subject to the inspection, with the obligation to record those procedures in the prison records, the reasons for conducting that inspection, the identity of those responsible for it, and the results of the inspection.

The Egyptian law regulating reform and community rehabilitation centers or the regulations of internal reform centers did not exempt medicines that may be found with the inmate upon inspection from the obligation to confiscate them, and therefore they are confiscated along with other things that may be found with the prisoner.

While international conventions stipulate that the prison doctor must decide on any drugs or medicines carried by the prisoner upon entering the prison, and that this should not be within the discretionary authority of the inspecting officer.

Also, the law regulating the Egyptian law regulating reform and community rehabilitation centers or the internal reform center regulations did not give the juvenile the right to possess and keep his personal belongings.

Recommendations

As we have seen, international charters have set several standards that must be met by the director of the reform center, and the Egyptian legislator must stipulate them, which are as follows:

- That the director of the reform center has the adequate capacity necessary to exercise his task in terms of his character, administrative competence, experience and appropriate training;
- The director of the correctional center has the ability to speak in the language of most prisoners or in a language most of them understand;
- The residence of the director of the repair center must be either inside the center's building or close to it;
- to head the women's correctional centres or the women's section within the correctional centre, a responsible officer who has the keys to all the doors of the correctional centre;
- The task of caring for and supervising the staff of the center shall be exclusively for women, without prejudice to the exercise of their duties by specialized male staff of doctors and teachers.

The Egyptian legislator must intervene to establish controls for the appointment of employees of reform centers, provided that they meet the requirements stipulated in international charters, which are as follows:

- The management of the repair center is committed to carefully selecting its employees of all grades, and is careful in selecting them on the extent of their integrity, professionalism and personal abilities to work;
- The management of the reform center is committed to establishing the conviction of its employees that their mission is a very important social service, and that they are committed to performing their tasks in a way that makes them a good role model for inmates and a place of respect for them;
- The staff of the reform center must be of good conduct, competence and physical fitness;

- The wages of the staff of the reform center shall be sufficient to attract them to work in the reform centers;
- Granting staff of reform centers training courses on an ongoing basis, provided that this includes training on:
 - (a) Applicable legislation, regulations and international and regional instruments, the provisions of which must guide the staff of correctional centres in their work and dealings with inmates;
 - (b) the rights and duties of correctional centre staff in the exercise of their functions;
 - (c) Educate and inform staff regarding the complete prohibition of torture;
 - (c) Security and safety, use of force and instruments of restraint, and management of dealing with violent offenders;
 - (d) First aid, the psychosocial needs of prisoners and the appropriate dynamics thereof in the environment of the correctional centre.

Employees assigned to work with certain categories of inmates, or assigned to other specialized tasks, have received training focused on the appropriate topics.

- Establishing controls for the use of force with the individual inmate in cases other than agitation or collective disobedience of inmates;
- Limiting the carrying of firearms by all guards in the reform centers, urging them to use physical force and only to arm them with plastic batons, and that the use of firearms for the staff of the reform center should be of higher ranks than the staff who deal directly with the inmate;
- submit a report to the director of the reform center by each employee of the reform center in any case in which he is required to use force with an inmate;
- Medical examination of the inmate after controlling his state of agitation or disobedience;
- Providing for the prohibition of carrying weapons or using them in juvenile penal institutions.
- The Security Directorate must follow up the implementation of the order to handcuff the inmate with iron, and stipulate its right to order the lifting of the handcuffing if this is not necessary, or if the legally prescribed period expires;
- A maximum period of time must be stipulated for ordering the shackling of the inmate's legs;
- It must be stipulated that the doctor of the correctional center or any of the health care staff shall be notified of the issuance of an order to handcuff a prisoner with hand or leg irons;

- It should be stipulated that the use of instruments of restraint should be prohibited for women during labour, during childbirth and immediately after childbirth.

The Egyptian legislator must intervene to arrange a procedural penalty when a member of the public authority contacts the pretrial detainee, without permission from the Public Prosecution. It must also be stipulated that a defender of the pretrial detainee must be present in the event of an investigation with him inside the prison. The text of Articles [123 and 126](#) of the Penal Code must also be applied to every prison warden who allows a member of the public authority to contact the pretrial detainee without permission from the Public Prosecution, or allows the torture of a pretrial detainee.

The Egyptian legislator must amend the text of [Article 123](#) <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D8%A1%D8%A7%D8%AA-%D8%A7%D9%84%D8%AC%D9%86%D8%A7%D8%A6%D9%8A%D8%A9#h.qnfbhy95r9vdof> the [Code of Criminal Procedure](#) by setting controls for the investigation procedures with all those whose freedom has been restricted:

- Obliging the investigator to identify the detainee, pre-trial detainee or inmate before starting an investigation or interrogation with him every time such investigation or interrogation takes place;
- Setting appropriate periods of time between each investigation conducted with the pretrial detainee, because interrogation for long continuous periods of time with the change of the investigator results in overworking the detainee and distracting his mind, which is a type of coercion that affects the validity of his statements;
- Setting controls for the place of conducting the investigation, and prohibiting physical or psychological abuse of any kind against everyone whose freedom has been restricted.
- Staff must be trained to search inmates or visitors in a manner that respects the human dignity of the searched person;
- Taking into account proportionality, legality and necessity in the inspection process, so that they are not all carried out in the same procedures for all those subject to the inspection;
- It must be stipulated that the inmate has the right to keep any medicines or drugs that may be found with him after taking the opinion of the prison doctor, and that this is not left to the discretion of the inspecting officer;

- Establishing controls for the process of searching the naked body and inspecting the body cavities as follows:
 - This type of inspection can only be carried out in cases of extreme necessity;
 - The inspection is carried out in a place where privacy is taken into account;
 - carried out by appropriately trained staff of the same sex as the prisoner subject to inspection;
 - Recording the procedures for inspecting the naked body and inspecting the body cavities in the prison records and indicating the reasons for conducting that inspection, the identity of those responsible for it, and the results of the inspection.
- Provide for the right of the juvenile to possess and keep his personal belongings.

Chapter Four: Furniture, Clothing and Living Supplies for Inmates

- The first topic: The right of the inmate to wear his own clothes
- The first requirement: Within the framework of Egyptian law
- First: The right of the inmate to keep his clothes if they are not harmful to health

An inmate may keep their clothes—provided they are not harmful to health—if the imprisonment period is one year or less. If the imprisonment period exceeds one year, the clothes shall be handed over to a person chosen by the inmate or their custodian. If this person declines to receive them, the clothes may be sold in accordance with established procedures, with the sale proceeds credited to the inmate's account in trust, in accordance with legal requirements.

However, if it is determined that the inmate's clothes are harmful to health, they shall be destroyed based on a decision by the director of the reform center or their representative, following consultation with the center's doctor, and this action shall be recorded in the incident record.⁽³⁰⁹⁾

Second: The Right of the Pre-trial Detainee to Wear His Own Clothes

The pre-trial detainee may wear his own clothes without the clothes of the repair center, unless the management of the repair center decides, in the interest of health or hygiene or in the interest of security, to wear the clothes prescribed for other inmates⁽³¹⁰⁾.

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[Article](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.3xc1jv66rii8> 11 of the Law Regulating Correction and Rehabilitation Centers, Article 7

[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.49pirm625deuof](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.49pirm625deuof) the Internal Regulations of Geographical Reform Centers, and Article 36 of the Internal Regulations of Military Prisons.

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[Article](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.49pirm625deuof>

Third: The right of deported foreigners who have been temporarily detained to wear their own clothes

As for deported foreigners who have been ordered to be temporarily detained, they are entitled to wear their own clothes, according to the conditions prescribed for pretrial detainees⁽³¹¹⁾.

The second requirement: within the framework of international conventions

It is clear <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.fmnfo7jgm4kl> from the Nelson Mandela Rules, as well as from the Standard Minimum Rules for the Treatment of Prisoners, that in some cases a prisoner may be allowed to wear his own clothes inside the prison, and a prisoner in the event of his release from prison for an authorized purpose is allowed to wear his own clothes or wear other clothes that do not attract attention⁽³¹²⁾.

In the event that prisoners are allowed to wear their own clothes, arrangements must be made upon their admission to the prison to ensure that they are clean and fit for wear⁽³¹³⁾.

Criticism

The administration of the correctional center had the right to decide to wear the inmates' clothes, for health or hygiene reasons, but it is not understood that the inmates wear the inmates' clothes in the interest of security. What harms security when the inmates wear their own clothes, and is there anything in the clothes that poses a danger to security?!

Recommendations

The necessary clothing must be provided to the inmate and not adhere to the limits of the capabilities of the correction center, in order to preserve his health and protect his right to the safety of his body.

[%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.his61zyk8e76](#) 15 of the Law Regulating Correction and Rehabilitation Centers and Article 12 of the Internal Regulations of Geographical Correction and Rehabilitation Centers.

³¹¹ Article 3 of the Minister of Interior's Resolution No. 72 of 1959 on the Organization of Reform Centers.

³¹² Rule 17 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 19 of the Nelson Mandela Rules](#).

³¹³ Rule 18 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 20 of the Nelson Mandela Rules](#).

The second topic: The right of the inmate to obtain the necessary clothes

The Egyptian legislator authorized the Minister of Interior to determine the decisions of inmates of furniture, clothing, and living tools. [Minister of Interior Decision No. 691 of 1998](#) clarified all the details of the treatment and living conditions of inmates, as it specified the minimum prescribed for inmates of furniture, clothing, and living tools, and specified the minimum amount of clothing for sick inmates in the reform center hospital, the clothes of sentenced inmates, and women in pretrial detention. It specified the minimum amount to be disbursed to sick inmates, and the clothes of infants, on the following details:⁽³¹⁴⁾.

The first requirement: Within the framework of Egyptian law

First: Men's Guest Clothing

Pre-trial detainees and those sentenced to simple imprisonment or executed under physical coercion; convicts transferred to the Public Correction and Rehabilitation Center; convicts sentenced to imprisonment with work or imprisonment; convicts sentenced to life or rigorous imprisonment, (2) trousers - (2) jackets (of the same type of trouser cloth), (2) shirts (a jacket used as an underwear), (2) dresses, (2) handkerchiefs, winter cotton wool jacket, shoes, plastic slippers (for bathing and ablution), (2) pairs of socks (two drinks) white cotton, (2) face towels, (2) soap.

As for those inmates who join the work in the facilities of the Reform Center and the industrial, agricultural and poultry production projects, they shall be given a jacket of the same fabric as trousers and trousers in addition to the prescribed clothes for other inmates⁽³¹⁵⁾.

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[Article](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.1c5g0iqyt482> 13 of the Law on the Organization of Correction and Community Rehabilitation Centers.

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[Article](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-691-%D9%84%D8%B3%D9%86%D8%A9-1998-%D8%A8%D8%B4%D8%A3%D9%86-%D9%83%D9%8A%D9%81%D9%8A%D8%A9-%D9%85%D8%B9%D8%A7%D9%85%D9%84%D8%A9-%D8%A7%D9%84%D9%85%D8%B3%D8%AC%D9%88%D9%86%D9%8A%D9%86-%D9%88%D9%85%D8%B9%D9%8A%D8%B4%D8%AA%D9%87%D9%85#h.jxenvfk1cl0t> 1 of the Minister of Interior's Resolution No. 691 of 1998 on how to treat inmates and their livelihoods, amended by Article 1 of the Minister of Interior's Resolution No. 468 of 2017, amended by Article 1 of the Minister of Interior's Resolution No. 1164 of 2011, and Article 1 of the Minister of Interior's Resolution No. 1409 of 2019. The Minister of Interior's Resolution No. 691 of 1998, by virtue of [Article](#) <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-691-%D9%84%D8%B3%D9%86%D8%A9-1998-%D8%A8%D8%B4%D8%A3%D9%86-%D9%83%D9%8A%D9%81%D9%8A%D8%A9-%D9%85%D8%B9%D8%A7%D9%85%D9%84%D8%A9-%D8%A7%D9%84%D9%85%D8%B3%D8%AC%D9%88%D9%86%D9%8A%D9%86-%D9%88%D9%85%D8%B9%D9%8A%D8%B4%D8%AA%D9%87%D9%85#h.jxenvfk1cl0t>

Second: Clothing of inmates in military reform centers

Inmates in military reform centers are paid, within the limits of the prison's capabilities, two overalls, which are the uniforms of the reform center, two shirts, two clothes, two handkerchiefs, two headscarves, one summer blanket and two winter blankets. They are also allowed to wear their own underwear and are allowed to wear princely shoes⁽³¹⁶⁾.

Inmates in military reform centers are permitted to accept underwear provided by their visitors, provided that the inmate has two pieces of each type⁽³¹⁷⁾.

Third: Clothing of sick inmates at the Reform Center Hospital

He disburses them 2 caps; 2 shirts; 2 face towels; 2 plastic slippers; 2 dresses; 2 trousers; a wool jacket on winter cotton; 2 cyan and sleeveless jackets - buttons - collar; to distinguish the sick inmate hospitalized from the rest of the inmates of the reform center⁽³¹⁸⁾.

https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%B3%D8%AC%D9%88%D9%86%D9%8A%D9%86-%D9%88%D9%85%D8%B9%D9%8A%D8%B4%D8%AA%D9%87%D9%85#h.29fc0b6ckunx_9 thereof, repealed the Minister of Interior's Resolution No. 503 of 1974.

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https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.l3ldj3lxdzvb_33 of the Internal Regulations of Military Prisons.

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The second paragraph of https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.xbupj2tlbftw_27 of the Internal Regulations of Military Prisons.

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Article https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-691-%D9%84%D8%B3%D9%86%D8%A9-1998-%D8%A8%D8%B4%D8%A3%D9%86-%D9%83%D9%8A%D9%81%D9%8A%D8%A9-%D9%85%D8%B9%D8%A7%D9%85%D9%84%D8%A9-%D8%A7%D9%84%D9%85%D8%B3%D8%AC%D9%88%D9%86%D9%8A%D9%86-%D9%88%D9%85%D8%B9%D9%8A%D8%B4%D8%AA%D9%87%D9%85#h.jxenvfk1cl0t_1 of the Minister of Interior's Resolution No. 691 of 1998 on the treatment <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-691-%D9%84%D8%B3%D9%86%D8%A9-1998-%D8%A8%D8%B4%D8%A3%D9%86-%D9%83%D9%8A%D9%81%D9%8A%D8%A9-%D9%85%D8%B9%D8%A7%D9%85%D9%84%D8%A9-%D8%A7%D9%84%D9%85%D8%B3%D8%AC%D9%88%D9%86%D9%8A%D9%86-%D9%88%D9%85%D8%B9%D9%8A%D8%B4%D8%AA%D9%87%D9%85#h.jxenvfk1cl0t> and living conditions of inmates, amended by Article 1 of the Minister of Interior's Resolution No. 468 of 2017, amended by Article 1 of the Minister of Interior's Resolution No. 1164 of 2011, and Article 1 of the Minister of Interior's Resolution No. 1409 of 2019. The Minister of Interior's Resolution No. 691 of 1998, by virtue of Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.jxenvfk1cl0t>

Fourth: The Clothing of Sick Inmates

Sick female inmates are disbursed 2 robes; 2 dresses; 2 winter chestor shirts; 2 handkerchiefs; 2 face towels; plastic slippers; a sweater in cyan color and without (sleeves - collar - buttons) to distinguish sick female inmates hospitalized from the rest of the inmates⁽³¹⁹⁾.

Fifth: Women's Clothes of Sentenced Inmates and Pre-trial Detainees

They are given 2 robes; 2 shirts; 2 dresses; 2 sheets of light fabric; 2 head napkins; 4 menstrual pads; a wool jacket on cotton in winter; shoes; 2 face pads; plastic slippers (for bathing and ablution); 2 soaps; 2 hand napkins, and an increase for nursing or nursing mothers of 4 soaps each⁽³²⁰⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-691-%D9%84%D8%B3%D9%86%D8%A9-1998-%D8%A8%D8%B4%D8%A3%D9%86-%D9%83%D9%8A%D9%81%D9%8A%D8%A9-%D9%85%D8%B9%D8%A7%D9%85%D9%84%D8%A9-%D8%A7%D9%84%D9%85%D8%B3%D8%AC%D9%88%D9%86%D9%8A%D9%86-%D9%88%D9%85%D8%B9%D9%8A%D8%B4%D8%AA%D9%87%D9%85#h.29fc0b6ckunx> 9 thereof, repealed the Minister of Interior's Resolution No. 503 of 1974.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-691-%D9%84%D8%B3%D9%86%D8%A9-1998-%D8%A8%D8%B4%D8%A3%D9%86-%D9%83%D9%8A%D9%81%D9%8A%D8%A9-%D9%85%D8%B9%D8%A7%D9%85%D9%84%D8%A9-%D8%A7%D9%84%D9%85%D8%B3%D8%AC%D9%88%D9%86%D9%8A%D9%86-%D9%88%D9%85%D8%B9%D9%8A%D8%B4%D8%AA%D9%87%D9%85#h.jxenvfk1cl0t> 1 of the Minister of Interior's Resolution No. 691 of 1998 on the treatment <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-691-%D9%84%D8%B3%D9%86%D8%A9-1998-%D8%A8%D8%B4%D8%A3%D9%86-%D9%83%D9%8A%D9%81%D9%8A%D8%A9-%D9%85%D8%B9%D8%A7%D9%85%D9%84%D8%A9-%D8%A7%D9%84%D9%85%D8%B3%D8%AC%D9%88%D9%86%D9%8A%D9%86-%D9%88%D9%85%D8%B9%D9%8A%D8%B4%D8%AA%D9%87%D9%85#h.jxenvfk1cl0t> and living conditions of inmates, amended by Article 1 of the Minister of Interior's Resolution No. 468 of 2017, amended by Article 1 of the Minister of Interior's Resolution No. 1164 of 2011, and Article 1 of the Minister of Interior's Resolution No. 1409 of 2019. The Minister of Interior's Resolution No. 691 of 1998, by virtue of Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-691-%D9%84%D8%B3%D9%86%D8%A9-1998-%D8%A8%D8%B4%D8%A3%D9%86-%D9%83%D9%8A%D9%81%D9%8A%D8%A9-%D9%85%D8%B9%D8%A7%D9%85%D9%84%D8%A9-%D8%A7%D9%84%D9%85%D8%B3%D8%AC%D9%88%D9%86%D9%8A%D9%86-%D9%88%D9%85%D8%B9%D9%8A%D8%B4%D8%AA%D9%87%D9%85#h.29fc0b6ckunx> 9 thereof, repealed the Minister of Interior's Resolution No. 503 of 1974.

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Sixth: Clothes of repeat offenders sentenced to placement in the work institution

The clothes of those sentenced to placement in the institution shall be as issued by a decision of the Minister of Interior ⁽³²¹⁾.

Seventh: Baby Clothing

Infants are issued robes; 4 dresses; 2 winter chestor shirts; 2 handkerchiefs; 2 wool pullovers on winter cotton; 2 cotton socks; 2 winter knitted wool trousers; 1 baby blanket or cuff; 2 shirts ⁽³²²⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-691-%D9%84%D8%B3%D9%86%D8%A9-1998-%D8%A8%D8%B4%D8%A3%D9%86-%D9%83%D9%8A%D9%81%D9%8A%D8%A9-%D9%85%D8%B9%D8%A7%D9%85%D9%84%D8%A9-%D8%A7%D9%84%D9%85%D8%B3%D8%AC%D9%88%D9%86%D9%8A%D9%86-%D9%88%D9%85%D8%B9%D9%8A%D8%B4%D8%AA%D9%87%D9%85#h.29fc0b6ckunx> 9 thereof, repealed the Minister of Interior's Resolution No. 503 of 1974.

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Eighth: Disbursement of additional clothes

The doctor of the correctional center may, if he deems it necessary, recommend the disbursement of additional underwear at the expense of the interest of the correction and rehabilitation centers to inmates who are unable to purchase it, after the approval of the head of the community protection sector, provided that the doctor is medically re-examined on those for whom the doctor recommends the disbursement of clothing at the expense of the community protection sector in two payments per year. The medical report book and the exceptional treatment book shall indicate the result of the examination. If he deems it necessary to re-disburse these items because the reasons for disbursement continue to exist free of charge, they shall be disbursed to them with the approval of the Head of the Community Protection Sector⁽³²³⁾.

The second requirement: within the framework of international conventions

First: The prescribed clothes for prisoners

The prisoner must be discharged - in the event that he is not allowed to wear his own clothes - the clothes appropriate to the climate condition, and those clothes must be sufficient to maintain his health, and those clothes may not be humiliating or degrading, and all clothes must be clean and in good condition, and the underwear must be changed and washed to maintain health on a specific

[%D9%88%D9%85%D8%B9%D9%8A%D8%B4%D8%AA%D9%87%D9%85#h.29fc0b6ckunx_9 thereof](#), repealed the Minister of Interior's Resolution No. 503 of 1974.

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schedule, and in the event that the prisoner is allowed to leave the prison for an authorized purpose, he is allowed to wear his clothes or any other clothes that do not attract attention ⁽³²⁴⁾.

In all cases, the pretrial detainee is allowed to wear his own clothes if they are clean and decent, and if he is forced to wear prison clothes, the clothes delivered to him must be different from the clothes worn by the convicts ⁽³²⁵⁾.

Second: The prescribed clothes for juveniles

The juvenile shall have the right, as far as possible, to wear his own clothes, and the custodial institutions shall ensure for each juvenile personal clothing that is suitable for the climate and sufficient to keep him in good health and is never degrading or humiliating to him, and juveniles shall be authorized to wear their own clothes in the event of their transfer from the institution or leaving it for any purpose ⁽³²⁶⁾.

Criticism

We note from the above that the Egyptian legislator has linked the disbursement of clothes to inmates to the limits of the possibilities of the community protection sector, in order to empty that right of its content. It all depends on the will of the community protection sector and its desire to provide the requirements of inmates or not. Their presence opens the door to preventing inmates from their allocations under the pretext of lack of capabilities. We also note that the Egyptian legislator did not allow juveniles to wear their own clothes.

The third topic: The right of the inmate to obtain furniture suitable for his living

The first requirement: Within the framework of Egyptian law

The Egyptian legislator allocated to each male or female inmate: a bed, a mattress, a bed sheet, a pillow, 2 pillowcases, a summer or two winter wool blanket, a mat, 3 plastic plates, 2 plastic spoons, and a hair comb for female prisoners, all within the limits of the possibilities of the community protection sector ⁽³²⁷⁾.

³²⁴ Rule 17 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 19 of the Nelson Mandela Rules](#).

³²⁵ Rule No. 88 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 115 of the Nelson Mandela Rules](#).

³²⁶ [Rule No. 36 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

³²⁷

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The division of the inmates into three grades results in giving the inmates of the second and first grades additional advantages, as the convict in the second grade is authorized to buy or bring a sleeping pillow and a wool cover that conforms to the health conditions, and he is authorized to keep books and lighting in his room after the scheduled dates at his expense, all under the conditions set by the Community Protection Sector.

The convict in the first degree is also authorized to buy or bring a mattress, a sleeping pillow, blankets, a mirror, a table, a chair, a carpet and a Bashkir, and to keep family photos, books, newspapers, magazines and lighting in his room after the prescribed dates, all at his expense and under the conditions set by the Head of the Community Protection Sector⁽³²⁸⁾.

As for pre-trial detainees, the bylaws of the Geographical Correction and Rehabilitation Centers stipulate the nature of the furniture prescribed for pre-trial detainees, but they allocate this furniture to pre-trial detainees who are authorized to reside in a furnished room. The permit is from the Assistant Minister of Interior for the Community Protection Sector for a fee of no less than fifteen pounds per day, all within the limits allowed by the places and tasks of the reform center⁽³²⁹⁾.

In cases where the pre-trial detainee is authorized to stay in a furnished room, the furniture for the pre-trial detainee who is authorized to stay in a furnished room shall be as follows: a hospital-

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The first and second paragraphs of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-691-%D9%84%D8%B3%D9%86%D8%A9-1998-%D8%A8%D8%B4%D8%A3%D9%86-%D9%83%D9%8A%D9%81%D9%8A%D8%A9-%D9%85%D8%B9%D8%A7%D9%85%D9%84%D8%A9-%D8%A7%D9%84%D9%85%D8%B3%D8%AC%D9%88%D9%86%D9%8A%D9%86-%D9%88%D9%85%D8%B9%D9%8A%D8%B4%D8%AA%D9%87%D9%85#h.bspu8xcizhl> Article 8 of the Minister of Interior's Resolution No. 691 of 1998.

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Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.jwt8vw6ex63v> 14 of the Law Regulating Correction and Rehabilitation Centers, as amended by Law No. 106 of 2015.

style bed, a mattress, a pillow, 2 pillowcases, 2 bed sheets, a summer wool blanket, 2 winters, a fiber mat, a wood chair, an iron bracket, a painted sheet basin, and a painted sheet jug and a tray; in the absence of a basin and a tap in the room; a small table; a mirror; a pot and a dish for drinking water; a hairbrush; a comb; a fork; a spoon; a cup, cornflower, and a small plate of metal ⁽³³⁰⁾.

In military reform centers, the Egyptian legislator has allocated to each inmate: a bed, a mattress, a pillow, 2 bed sheets, 2 pillowcases, 2 plates, an aluminum spoon, and a glass of water, within the limits of the possibilities of the reform center ⁽³³¹⁾.

The second requirement: within the framework of international conventions

Each prisoner must be provided with an individual bed and supplies for this bed that are allocated to him, sufficient and clean, and the prisoner must maintain their fitness, provided that they are replaced at close appointments, which allows them to maintain their cleanliness ⁽³³²⁾.

The pre-trial detainee must sleep in a single room, taking into account the different local customs in relation to the climate ⁽³³³⁾.

Criticism

We note that all the furniture stipulated by the Egyptian legislator for inmates or pretrial detainees is restricted to the extent permitted by the places and tasks of the reform center. Accordingly, if the tasks are not available or allowed by the reform center, the pretrial detainee will not be entitled to this feature. In the end, it depends on the desire and will of the management of the reform center, and then there is no longer a right for the pretrial detainee to object if he is not allowed to stay in a furnished room.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.l3ldj3lxdzvb](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.l3ldj3lxdzvb) 33 of the Internal Regulations of Military Prisons.

332

Rule 19 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 21 of the Nelson Mandela Rules](#).

333

Rule No. 86 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 113 of the Nelson Mandela Rules](#).

As is the case with inmates' clothes, the disbursement and processing of prisoners' rooms is linked to the limits of the possibilities of the community protection sector. On the other hand, the increase in the number of inmates and detainees and their overcrowding within the reform centers results in great difficulty and even the impossibility of providing the inmates with the necessary furniture and tools for their livelihood. It is difficult to provide a place on the ground for the inmates or detainees to sleep in light of the small size of the places of detention in the police stations, which the Minister of Interior considered as reform centers in accordance with the authority prescribed for him in [Article No. 1 bis](#) of the [Law](#) on the [Organization](#) of [Community Reform](#) and [Rehabilitation Centers](#). The scheduled furniture varies according to the degree of the inmate, so dividing the inmates into three degrees gives the second and first-degree inmates additional advantages. The decision stated that the convict in the second degree is authorized to buy or summon a sleeping pillow and a wool cover that conforms to the health conditions and is authorized to keep books and lighting in his room after the scheduled dates at his expense, all under the conditions set by the head of the community protection sector.

The convict in the first degree is also authorized to buy or bring a mattress, a sleeping pillow, blankets, a mirror, a table, a chair, a carpet and a Bashkir, and to keep family photos, books, newspapers, magazines and lighting in his room after the prescribed dates, all at his expense and under the conditions set by the Head of the Community Protection Sector.

The fourth topic: Inmate's right to personal hygiene

The first requirement: Within the framework of Egyptian law

The internal regulations of reform and rehabilitation centers in Egypt require that inmates' hair be cut and that they be bathed with hot water and soap upon admission and throughout their detention, unless otherwise directed by a doctor or administrator. In geographical reform and rehabilitation centers, inmates' hair is to be cut periodically, and they are permitted to bathe in hot water once a week from November 1st to the end of March and in cold water twice a week during the remainder of the year.⁽³³⁴⁾

Inmates in military reform and rehabilitation centers are given a bar of soap weighing 225 grams every month for bathing and washing the face, and 25 grams of soap are disbursed weekly to wash each inmate's clothes, furnishings, and utensils⁽³³⁵⁾.

³³⁴ [Article No. 45](#) of the [Internal Regulations](#) of [Correction](#) and [Rehabilitation Centers](#), [Article No. 30](#) of the [Internal Regulations](#) of [Geographical Correction and Rehabilitation Centers](#), as amended by the decision of the Minister of Interior No. 3098 of 2001, and [Article No. 21](#) of the [Internal Regulations](#) of [Military Prisons](#).

³³⁵ [Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-)

The second requirement: within the framework of international conventions

The Nelson Mandela rules stipulated that the prison must have sufficient toilets to enable each prisoner to fulfill his natural needs when necessary and in a clean and decent manner ⁽³³⁶⁾.

Shower and ablution facilities should also be available so that each prisoner can bathe or bathe at least once in a temperate climate with weather-adapted temperature, to the extent required by public health, depending on the season and geographical location of the prison area ⁽³³⁷⁾.

In institutions with juvenile and adult inmates, facilities must be completely separated between them, unless they are from the same family. As an exception, juveniles and carefully selected adults may be combined within a special program that has been found to be beneficial to the juveniles concerned, in controlled circumstances ⁽³³⁸⁾.

Toilets must be located for juveniles, and must meet sufficient standards to enable each juvenile to fulfill his natural need, whenever he needs to, in privacy, cleanliness and modesty ⁽³³⁹⁾.

For women, the Bangkok Rules have mandated the provision of necessary facilities and materials for women prisoners in their shelters to meet their specific hygiene needs, including free sanitary nappies and regular water supply for the personal care of women and children, especially women who are cooking, pregnant, breastfeeding or menstruating ⁽³⁴⁰⁾.

Personal hygiene must be imposed on prisoners, so they must be provided with water and the required health and hygiene tools, and the prison must be provided with the necessary facilities for hair and chin care, and the possibility of regular shaving for males, in order to maintain an appropriate appearance that helps prisoners to respect themselves ⁽³⁴¹⁾.

Criticism

We note that in the absence of any interference from the Egyptian legislator in determining the specifications of correction centers and places of detention, most places of detention do not have the minimum facilities necessary for normal human life, and that the access of the pretrial detainee to his own room is with the permission of the Assistant Minister of Interior for the Community Protection Sector for a fee of at least fifteen pounds per day.

[%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.19naos8uhrmc 35 of the Internal Regulations of Military Prisons.](#)

336 [Rule No. 15 of the Nelson Mandela Rules.](#)

337 [Rule No. 16 of the Nelson Mandela Rules.](#)

338 [Rule No. 29 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.](#)

339 [Rule No. 34 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.](#)

340 [Rule No. 5 of the Bangkok Rules.](#)

341 Rules 15, 16 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 18 of the Nelson Mandela Rules.](#)

If international conventions required that the prison have sufficient toilets to enable each prisoner to meet his natural needs when necessary and in a clean and decent manner, as well as providing hygiene tools and providing the necessary facilities for hair and chin care for men, or providing sanitary diapers for women, and the commitment of the prison administration to provide sufficient clothes and keep them clean and in good condition in order to preserve the health of prisoners, then providing this in places of detention established within police stations in Egypt is a kind of well-being.

Recommendations

The Egyptian legislator must intervene in determining the specifications of places of detention so that they are:

- Decent and sufficient for the number of detainees in it and taking into account the proportionality between them in order to ensure a personal space for each detainee inside it;
- It has toilets and latrines that enable each guest to meet his/her natural needs in a clean and decent manner;
- The provision of clothing and furniture scheduled for each guest does not restrict the capabilities of the repair center;
- Provide the places and furniture prescribed and necessary for the sleep of each guest;
- Imposing personal hygiene on all inmates because of its protection of public health within the reform center.

Fifth Research: The Right of Inmates and Pre-trial Detainees to Access Appropriate Food

The first requirement: The right of the inmate to receive appropriate food

First: Within the framework of Egyptian law

Minister

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%B3%D8%AC%D9%88%D9%86%D9%8A%D9%86-%D9%88%D9%85%D8%B9%D9%8A%D8%B4%D8%AA%D9%87%D9%85#h.rv6htvobi2ahof> Interior Decision No. 691 of 1998 set a food course for ordinary inmates in correction and rehabilitation centers that differs from the food course for pregnant women from the sixth month, lactating women up to the age of one year, tuberculosis patients, inmates working in ovens and inmates manufactured in sanitation. It also set a food course for diabetics, and set a food course for cases of intestinal and coliform catarrhs (liquid food patients), and set a food course for patients with (heart - atherosclerosis - high blood pressure), a food course for patients with renal insufficiency, a food course for liver patients, a food course for infants from the age of 6 months to one year in addition to breastfeeding, and another course for infants from the age of one to two years in addition to breastfeeding ⁽³⁴²⁾.

Provided that a double fruit is disbursed to each inmate on the first day of Eid al-Fitr in addition to the prescribed ⁽³⁴³⁾.

The prison doctor may modify the food of an inmate as required by his health condition, and the director of the Correction and Rehabilitation Center is obligated to implement the doctor's recommendation in this regard ⁽³⁴⁴⁾.

However, if the Director of the Correction and Rehabilitation Center has reservations about these recommendations, the matter shall be submitted to the Director of the Medical Department in the

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The first paragraph of Article No. 33 of the Internal Regulations of Correction and Rehabilitation Centers, as amended by Minister of Interior Decree No. 345 of 2015, Article No. 27 of the Internal Regulations of Geographical Correction and Rehabilitation Centers, and Article No. 19 of the Internal Regulations of Military Prisons.

Correction and Rehabilitation Centers to form a committee to consider the decision of the doctor of the Correction Center⁽³⁴⁵⁾.

The inmate, regardless of his administrative degree, is allowed to accept the food, sweets and fruits provided by his visitors within the limits of his personal consumption for one day, provided that the doctor of the reform center checks the food provided to the sick inmates to ensure its suitability for their health condition⁽³⁴⁶⁾.

The inmate, regardless of his administrative degree, is also allowed to accept cigarettes up to 40 cigarettes, whether on a regular or special visit, and those sentenced to death do not have the advantage of accepting foods or cigarettes on visits⁽³⁴⁷⁾.

The Administrative Court has ruled that: [The Constitutional Legislator has affirmed the interest in preserving the dignity and humanity of the imprisoned person. It is not permissible to harm him physically or morally or to derogate from his constitutionally and legally established rights and freedoms, and it is obligatory to preserve human life in general as it is at the highest levels of the rights and personal freedoms of individuals. The Constitutional Legislator has prohibited prejudice to it, including preserving the lives of prisoners by all means and means, considering that the payment of material harm Their morality is consistent with international conventions and advanced penal legislation, which is based on the philosophy of rehabilitating the prisoner with the aim of reforming his behavior and preserving the integrity of his body in a manner that preserves the individual and if he violates the law for an offense committed by him in legal safety on his rights and freedoms. There

345 [The second paragraph of Article No. 33 of the Internal Regulations](#) of the [Reform Centers](#), as amended by Minister of Interior Decision No. 345 of 2015.

346 [Article \[4 of the Minister of Interior's Resolution No. 691 of 1998 on how to treat inmates in reform and rehabilitation centers and their livelihood.\]\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-691-%D9%84%D8%B3%D9%86%D8%A9-1998-%D8%A8%D8%B4%D8%A3%D9%86-%D9%83%D9%8A%D9%81%D9%8A%D8%A9-%D9%85%D8%B9%D8%A7%D9%85%D9%84%D8%A9-%D8%A7%D9%84%D9%85%D8%B3%D8%AC%D9%88%D9%86%D9%8A%D9%86-%D9%88%D9%85%D8%B9%D9%8A%D8%B4%D8%AA%D9%87%D9%85#h.h0yabrqueglp\)](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-691-%D9%84%D8%B3%D9%86%D8%A9-1998-%D8%A8%D8%B4%D8%A3%D9%86-%D9%83%D9%8A%D9%81%D9%8A%D8%A9-%D9%85%D8%B9%D8%A7%D9%85%D9%84%D8%A9-%D8%A7%D9%84%D9%85%D8%B3%D8%AC%D9%88%D9%86%D9%8A%D9%86-%D9%88%D9%85%D8%B9%D9%8A%D8%B4%D8%AA%D9%87%D9%85#h.h0yabrqueglp)

347 The [third paragraph](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.xbupj2tlbftwof) of [Article 27 of the Internal Regulations of Military Prisons.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.xbupj2tlbftwof)

is no doubt that the Prison Law and its internal regulations have taken into account these considerations and guarantees by determining the right of the prisoner to balanced nutrition in all meals provided to him. The health status of sick prisoners was also taken into account by deciding on meals subject to medical supervision by the prison doctor commensurate with their sick cases, because the nutrition of the convict is closely related to his condition and the sick conditions that afflicted him, as permitted by the prison regulations. The recall of some foods and foods from the prisoner's visitors, within the limits and percentages permitted in the internal regulations, which are subject to health supervision by the prison doctor.

As it appears from the papers and to the extent necessary to adjudicate the urgent part, the plaintiff submitted a request to recall food from outside the prison commensurate with his health condition, as he suffers from a syndrome of diseases, namely diabetes, heart, pressure, and liver. All these diseases require a special quality of food commensurate with this health condition, which contradicts the schedule of food provided to patients contained in the prison regulations with his health condition and differs from what is included in those schedules because he suffers from various diseases (diabetes - heart - liver...). The prison administration refused to allow the plaintiff to bring food from outside the prison because, according to the defense memorandum submitted by the government at the session of 24/4/2007, the medical reports, whether written by the prison doctors or the report of the tripartite forensic committee or from the plaintiff's doctors from outside the prison, did not include a request to amend the quality of the food provided to the plaintiff.

Whereas, by reviewing the medical report deposited in the portfolio of documents submitted by the plaintiff.... The plaintiff suffers from some influential diseases (sugar - heart - blood vessels - liver - diabetic transformations of the retina), which means that he needs a diet of a special nature commensurate with his medical condition to preserve his life and not to aggravate his medical condition or adversely affect the way he is treated, which is why the decision of the administrative authority to reject the plaintiff's request to bring food from outside the prison commensurate with his health condition has been issued without its legally justified reason or based on considerations of the plaintiff's health condition, especially since the internal regulations of prisons allow to bring food or food from outside the prison and in all cases are subject to health control by the prison doctor, and then the plaintiff's request is based on a sufficient reason and there is a corner of seriousness in the request to stop its implementation, and there is also a corner of urgency on the need to provide appropriate and appropriate food for the plaintiff's health to preserve his life from the aggravation of his medical condition] ⁽³⁴⁸⁾.

³⁴⁸ Judgement of the Administrative Court in Case No. 9661 of 61S, issued on September 4, 2007.

Depositors of the repair center have the right to deal with the canteen of the repair center within the limits of two hundred and fifty pounds per month of the money deposited with them in the secretariats ⁽³⁴⁹⁾.

As for the depositor in the institution, he is entitled to deal with the canteen for no more than thirty pounds per month ⁽³⁵⁰⁾.

As for those placed in military reform and rehabilitation centers, they are entitled to deal with the cafeteria of the reform center within five pounds per month of the money deposited with them in the secretariats ⁽³⁵¹⁾.

It is sold in the canteen of the Military Reform Center:

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- (A) Groceries and sweets: cheese of all kinds, halva, olives, canned foods of all kinds, pickles, biscuits, dry dates and paste wrapped in cellophane, toffee and chocolate, honey, sugar..
- (B) Fresh fruits and vegetables: All kinds of fresh fruits according to their seasons - tomatoes - cucumbers and leeches - lettuce - green and non-cay peppers - lemon - radish - arugula - balls - dry and green onions.
- (c) Other foods: baladi (traditional pita) bread and fino of all kinds, fava beans, taamia (falafel), hard-boiled eggs, sandwiches made from authorized varieties.
- (d) Drinks: tea, coffee, cocoa, fenugreek, cinnamon, carbonated water and lemon juice.
- (E) Cigarettes: Cigarettes of all kinds, smoke, hair and sulfur.
- (F) Clothing: T-shirts - knitwear - socks - wipes - wool or cotton pullovers - pads..
- (g) Other things: envelopes and letter papers - pencils and cups - notebooks and shackles - postage stamps and stamps - paste and toothbrushes - thermos - plastic plates and cups - soaps of all kinds ⁽³⁵²⁾.

Second: Within the framework of international conventions

The Standard Minimum Rules for the Treatment of Prisoners, as well as the [Nelson Mandela Rules](#), oblige the prison administration to provide each prisoner, at normal hours, with a meal of sufficient nutritional value to maintain his health and strength, and to be of good quality and well prepared and served, and the prison administration must provide access to safe drinking water for each prisoner whenever he needs it ⁽³⁵³⁾.

For juveniles, each detention institution must provide food for each juvenile, prepared and provided appropriately at regular meal times in a quantity and quality that meets the standards of proper nutrition, hygiene and health considerations, taking into account, to the extent possible, religious and cultural requirements, and every juvenile should have access, at any time, to clean drinking water ⁽³⁵⁴⁾.

The Second Requirement: The Right of the Pre-trial Detainee to Summon Food

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353 Rule No. 20 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 22 of the Nelson Mandela Rules](#).

354 [Rule No. 37 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

First: Within the framework of Egyptian law

The pre-trial detainee may bring the necessary food from outside the prison, and he may also buy it from the reform center at the price specified for him, and the food prescribed for the rest of the inmates shall be disbursed to them in the event that they do not want to buy from outside or inside the reform center, or if they are unable to do so ⁽³⁵⁵⁾.

As for foreigners who have been ordered to be deported temporarily detained, food is provided to them by contractors who supply it at the expense of the governorate or directorate of the correctional center in which they are detained ⁽³⁵⁶⁾.

Second: Within the framework of international conventions

The principle is that the pretrial detainee is a person who has been arrested or imprisoned for committing a crime and has not yet been tried and sentenced. Based on the presumption of innocence in all persons, the pretrial detainee must be treated on this basis, and receive special treatment other than that to which the rest of the prisoners are subject ⁽³⁵⁷⁾.

Pre-trial detainees may be allowed, according to the rules of Nelson Mandela, to buy what they want of food from abroad at their expense if they wish to do so, and within the limits consistent with maintaining order in the penal institution, and this is done either through the administration or through their families or friends, but those who are unable to do so, the prison administration shall ensure that they are fed ⁽³⁵⁸⁾.

Criticism

The text of Article 16 of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.q9gwg236ha8n> 16 of the Law Regulating Correctionand Rehabilitation Centers and Article 13 of the Internal Regulations of Geographical Correctionand Rehabilitation Centers.

355 [Article 16 of the Law Regulating Correctionand Rehabilitation Centers and Article 13 of the Internal Regulations of Geographical Correctionand Rehabilitation Centers.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.q9gwg236ha8n)

356 Article 3 of the Minister of Interior's Resolution No. 72 of 1959.

357 Rule No. 84 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 111 of the Nelson Mandela Rules.](#)

358 Rule 87 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 114 of the Nelson Mandela Rules.](#)

[%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.q9gwg236ha8n](#) the [Law](#) on the [Organization](#) of [Correctionand Community Rehabilitation Centers](#) granted the right to recall food from outside the correctional center. However, this right was limited to pretrial detainees only and not to other inmates. It was not clear to us what legislative wisdom discriminates against pretrial detainees, unlike the rest of the other inmates, and that it thus violates the [Nelson Mandela rules](#), as it was stipulated in those rules from the first to the fifth rule that the Mandela rules shall be applied impartially and without any discrimination for any reason, taking into account the individual needs of prisoners, especially the most vulnerable groups inside the prison.

Chapter Five: Employment and Wages of Inmates

The first topic: The Inmate's Right to Adequate Work

The first requirement: Within the framework of Egyptian law

First: Determining the works imposed on convicts

The law authorized the Minister of Interior to issue a decision regulating the work imposed on convicts and to determine the types of such work in agreement with the Minister of Justice ⁽³⁵⁹⁾.

A committee shall be formed in each reform center by a decision by the director of the community protection sector headed by the director of the reform and rehabilitation center or his deputy from among the officers of the reform center, and the membership of a doctor, a social worker, an engineer, or a technical supervisor. It is permitted to include in the committee those who choose to seek their expertise.

The committee is competent to determine the work that suits each inmate, taking into account his experience, readiness, inclinations, ability, health and social status, the type of crime for which he was punished and the duration of the sentence ⁽³⁶⁰⁾.

Likewise, in the institution, a committee is formed under the chairmanship of the director of the institution or his representative and the membership of the social worker, the competent technical engineer, the doctor, the preacher, as well as the training supervisor to determine the degree of proficiency of the applicant in one of the industries or businesses and the extent of his need for

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training on the work that is attached to him commensurate with his abilities, skills, tendencies, health and social status after reviewing his file and examining his condition and determining the work that is attached to him.

This committee meets at least once a week and writes a record of the result of its work ⁽³⁶¹⁾.

The legislator in the Law Regulating Correction and Rehabilitation Centers limited employment in reform centers to those sentenced to life imprisonment, aggravated imprisonment, imprisonment, or imprisonment with labor, and the law prohibited the employment of pretrial detainees and those sentenced to simple imprisonment unless they wish to do so ⁽³⁶²⁾.

The Public Prosecutor and his agents in their jurisdictions shall have the right to enter all the places of the correction centre at any time to verify that an inmate who has not been sentenced to employment is not employed, except in the cases specified in the law ⁽³⁶³⁾.

However, those sentenced to simple imprisonment and those in pretrial detention shall be assigned to work related to cleaning their rooms. They may be exempted from such work for administrative or health reasons, provided that such exemption is recorded in the inmate's register. They may also be employed in all work at the reform center if they wish to do so, provided that a

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written declaration is taken from them. In this case, they shall have the right to choose the type of work they undertake within the limits of the reform center system⁽³⁶⁴⁾.

As for the institution, the applicant is assigned to work in one of the industries or crafts that society needs⁽³⁶⁵⁾.

Second: Types of work carried out by convicts

Every person sentenced to life imprisonment, aggravated imprisonment, imprisonment, or imprisonment with work in the internal reform center services or others shall be employed unless the doctor of the reform center orders otherwise, provided that the work that the inmate was appointed to work in is proven in the inmate's statement of conditions and ticket⁽³⁶⁶⁾.

364 Article No. 2 of the Bylaws of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.1uya07ace767> the Reform and Rehabilitation Centers, and Article No. 16 of the Bylaws <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.slieyp6ng2c7> of the Geographical Reform and Rehabilitation Centers.

365 Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.cu4ptqsr7> of Presidential Decree No. 82 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.cu4ptqsr7> of 1984 regarding the establishment of a labor institution in which repeat offenders are placed.

366 Article [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.1uya07ace767](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.1uya07ace767) the establishment of a labor institution in which repeat offenders are placed.

The administration of the institution shall train and qualify those who have been decided to join the training from the depositors for a period of three months without pay, provided that the depositor is presented to the committee after the end of the training period to determine his suitability for work or the extension of his training period⁽³⁶⁷⁾.

The Board of Directors of the Manufacturing and Production Fund for Reform Centers is competent to develop plans for training and qualifying inmates for various industries⁽³⁶⁸⁾.

If the competent technical supervisor finds that the depositor has not carried out the work he was assigned to after spending a period of at least three months satisfactorily, his order shall be presented by a memorandum to the supervisor of the industrial departments of the institution to refer him to the social worker to discuss his case and identify the reasons that led him to do so and work to

[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.t8kuqudwpgue_9_of_Presidential_Decree_No._82_https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.t8kuqudwpgue_of_1984_regardinghttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.t8kuqudwpgue_the_establishment_of_a_labor_institution_in_which_repeat_offenders_are_placed.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.q6ia63n8m824_1_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.q6ia63n8m824_the_Reform_and_Rehabilitation_Centers,_and_Article_17_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.9rlq4w4295w7_the_Geographical_Reform_and_Rehabilitation_Centers.)

367 [Article](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.t8kuqudwpgue_of_1984_regardinghttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.t8kuqudwpgue_the_establishment_of_a_labor_institution_in_which_repeat_offenders_are_placed.)

368 Article No. 3 of the Financial and Administrative Affairs Regulations of the Manufacturing and Production Fund for Reform and Rehabilitation Centers issued by the Minister of Interior Resolution No. 333 of 1980.



avoid them in conjunction with the management of the institution or re-submit him to the committee to consider assigning him to another suitable work⁽³⁶⁹⁾.

Inmates in military reform centers clean their rooms and living quarters at the reform center⁽³⁷⁰⁾.

If the convict has a technical skill in an industry in which he is employed or in any other craft related to it, and the pre-trial detainee, he may be allowed to practice his profession for his own account.⁽³⁷¹⁾.

In application of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.vm7ic0wphykathe> provisions of [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.dxus4j3rvns0of](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.dxus4j3rvns0) 1984 regarding <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.dxus4j3rvns0> the establishment of a labor institution in which repeat offenders are placed.

369 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.dxus4j3rvns0> 10 of Presidential Decree No. 82

370 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.dxus4j3rvns0of> 1984 regarding <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.dxus4j3rvns0> the establishment of a labor institution in which repeat offenders are placed.

371 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.2lyauc69p3dm> Article 3 of the Bylaws of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.2lyauc69p3dm> Correction and Rehabilitation Centers.



[%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-73-%D9%84%D8%B3%D9%86%D8%A9-1959-%D8%A8%D8%B4%D8%A3%D9%86-%D8%A7%D9%84%D8%A3%D8%B4%D8%BA%D8%A7%D9%84-%D8%A7%D9%84%D8%AA%D9%8A-%D8%AA%D9%81%D8%B1%D8%B6-%D8%B9%D9%84%D9%89-%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%88%D9%85-%D8%B9%D9%84%D9%8A%D9%87#h.3pc6ospujwye](#) issued [his decision No. 73 of 1959](#) on June 27, 1959, which was published in the Egyptian Gazette on July 6, 1959, regarding the work imposed on convicts with hard labor, imprisonment, or imprisonment with labor.

In this decision, the work imposed on convicts was determined, and the decision differentiated between what is imposed on convicts with severe imprisonment, whether for life or temporarily, and what is imposed on convicts with imprisonment or imprisonment with work, and these works vary between agricultural work, land reclamation, craft industrial work, and loading and unloading work (372).

As for the military reform and rehabilitation centers, the convicts shall carry out the following training and work:

Military training columns without carrying weapons at the rate of two columns per day, one in the morning and the other in the evening;

fire and civil defence training;

Theoretical training on weapons used in the police and how to use, maintain and maintain them.

This is done according to the program prepared by the training department.

Taking into account that inmates do not do previous training on Fridays and public holidays, and non-Muslim prisoners do not do it on their religious holidays (373).

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[Article](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9-1/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.vm7ic0wphyka> 21 of the [Law Regulating Correction and Rehabilitation Centers](#), and [Article](#) <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9-%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-73-%D9%84%D8%B3%D9%86%D8%A9-1959-%D8%A8%D8%B4%D8%A3%D9%86-%D8%A7%D9%84%D8%A3%D8%B4%D8%BA%D8%A7%D9%84-%D8%A7%D9%84%D8%AA%D9%8A-%D8%AA%D9%81%D8%B1%D8%B6-%D8%B9%D9%84%D9%89-%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%88%D9%85-%D8%B9%D9%84%D9%8A%D9%87#h.per79ydd5t1l> 1 of the [Minister's Resolution No. 73 of 1959](#) regarding the work imposed on convicts with hard labor, imprisonment or imprisonment with labor, as amended by the Minister of Interior's Resolution No. 10807 of 1997.

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[Article 8 of the Internal Regulations of Military Prisons.](#)

If the doctor finds that there is harm to the health of any inmate at work or as a result of the type of work, he must inform the director of the reform center in writing of the means he indicates to prevent this harm. The director of the reform center must implement what the doctor indicates ⁽³⁷⁴⁾.

Third: The inability of the convict to work

Any inmate sentenced to labor may request an exemption from work due to health conditions. The director of the correction and rehabilitation center shall forward the request to the medical services department of the correction centers, in coordination with the competent health inspector.

If it is determined that the inmate's condition does not permit employment, an exemption decision shall be issued by the assistant minister for the community protection sector, with notification to the public prosecutor.

The correction center doctor shall monitor the inmate's condition and submit a medical report to the director of the correction and rehabilitation center at least every two months.

The inmate may file a grievance against the rejection of their exemption request or against being reassigned to work. The director of the correction and rehabilitation center shall forward this grievance to the Public Prosecution, which will refer it to the forensic doctor for review and opinion ⁽³⁷⁵⁾.

It is prohibited to employ inmates who are sick or infected with infectious diseases ⁽³⁷⁶⁾.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.c7pskxvlqooe](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.c7pskxvlqooe) 31 of the Internal Regulations of the Reform and Community Rehabilitation Centers, as amended by Minister of Interior Decision No. 345 of 2017.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.y5648wc1zu42](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.y5648wc1zu42) 34 bis of the Law Regulating Correction and Rehabilitation Centers, added by Law No. 106 of 2015.

376

[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.y5648wc1zu42](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.y5648wc1zu42) 34 bis of the Law Regulating Correction and Rehabilitation Centers, added by Law No. 106 of 2015.

Fourth: Provisions for inmates engaged in work related to foodstuffs within the framework of Egyptian law

All inmates engaged in the processing, transportation and distribution of foodstuffs shall be examined to ensure that they are free of diseases. The result of the examination shall be recorded in the inmate's ticket and the conditions of the inmate or the execution order⁽³⁷⁷⁾ shall be disclosed.

It is prohibited to employ designated inmates for cleaning work in any work related to inmates' food, drinking water, or related tools⁽³⁷⁸⁾.

The second requirement: within the framework of international conventions

First: For prisoners

Under the Nelson Mandela Rules, sentenced prisoners must be given the opportunity to work and/or actively participate in their rehabilitation, provided that a physician or other health care professional determines the suitability of the work assigned to the prisoner for his or her physical and mental fitness⁽³⁷⁹⁾.

[Article 5 of the Bylaws of the Reform and Community Rehabilitation Centers.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.epoky557s6jp_5_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.epoky557s6jp)

377 [Article 6 of the Bylaws of the Reform and Community Rehabilitation Centers.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.49wz02vf643b)

378 [Article 7 of the Bylaws of the Reform and Community Rehabilitation Centers.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.61xr6uk9wdir)

379 [Rule No. 96 of the Nelson Mandela Rules.](#)

In this, the Egyptian legislator approved the Standard Minimum Rules for the Treatment of Prisoners [and](#) the [Nelson Mandela Rules](#), which stipulated that a prisoner other than the courts may not be forced to work, and must be paid for the work he does if he chooses to do it ⁽³⁸⁰⁾.

The Basic Principles for the Treatment of Prisoners issued by the United Nations also require that conditions be created so that prisoners can perform useful paid work, which allows them to contribute to the financial care of their families and themselves while in prison, and also facilitates their reintegration into the labor market in their country after their release ⁽³⁸¹⁾.

The United Nations Standard Minimum Rules for the Treatment of Prisoners [and](#) the [Nelson Mandela Rules](#) prohibited work of a painful nature, as well as slavery or servitude of prisoners, and it is prohibited to require any prisoner to work for the personal or private benefit of any prison staff ⁽³⁸²⁾.

It is prohibited to employ any prisoner in work for the prison service that involves a disciplinary character. However, this rule shall not be applied in such a way as to impede the proper functioning of self-governing systems under which specific social, educational or sporting activities or responsibilities are entrusted, under the direction of the administration, to prisoners organized in groups for the purposes of treatment. ⁽³⁸³⁾.

The work must preserve or increase the prisoner's ability to secure his livelihood with honorable earnings after his release, provided that useful vocational training is provided to prisoners who are able to benefit from it, especially young prisoners.

Prisoners must be given the possibility to choose the type of work they wish to do, within the limits of proper professional choice and the requirements of prison administration and ³⁸⁴ discipline.

Prison work must be organized in a way that is as close as possible to similar work outside the prison, in order to prepare prisoners for normal professional conditions, with the prohibition that the vocational training of prisoners is intended to make a financial profit from prison work ⁽³⁸⁵⁾.

380 Rule 89 of the Standard Minimum Rules for the Treatment of Prisoners, <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.peom768lv0ww> [Rule 116 of the Nelson Mandela Rules](#).

381 Principle No. 8 of the Basic Principles for the Treatment of Prisoners.

382 Rule 71 of the Standard Minimum Rules for the Treatment of Prisoners, <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.versgvijm26c> [Rule 97 of the Nelson Mandela Rules](#).

383 Rule No. 28 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 40 of the Nelson Mandela Rules](#).

384 Rule 71 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 98 of the Nelson Mandela Rules](#).

385 Rule 72 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 99 of the Nelson Mandela Rules](#).

Second: For juveniles

Only productive work pushes the convict to master it inside the prison, and to be keen to practice it after his release. It also raises the convict's morale, as it makes him feel his abilities and social value, and thus helps him to integrate into society. Unproductive work is harmful to the convict, and is often a cause of rebellion and disorder within the penal institution.

One of the conditions of work inside prisons according to international standards is that the type of work, its means and the conditions in which it is performed should be similar to what exists outside the penal institution, that is, the type of work performed by the prisoner must be identical to that in the free environment, so that he can join it after his release, and the means of performing work inside the penal institution must be similar to those in the free environment, and therefore it is not permissible to train the convict to work manually, while this work is practiced outside the penal institution with modern machines.

Efforts must be made to provide the juvenile with the assistance he needs, such as housing, education, vocational training, work or any other useful or practical assistance, in order to facilitate his rehabilitation ⁽³⁸⁶⁾.

It is also prohibited to impose work on the juvenile as a disciplinary penalty ⁽³⁸⁷⁾.

Organizational tasks may be assigned to the juvenile only within the framework of supervision of specific social, educational or sports activities, or within the framework of self-management programs ⁽³⁸⁸⁾.

The juvenile has the right to receive vocational training in trades that are likely to qualify him for work in the future ⁽³⁸⁹⁾.

Juveniles must have the possibility to choose the type of work they wish to perform, taking into account the appropriate professional choice for them and the requirements of the administration of custodial institutions ⁽³⁹⁰⁾.

As for juveniles, they must be given the opportunity whenever possible to engage in paid work in the local community as a complement to the vocational training they receive, so that this work constitutes appropriate training that benefits the juvenile after his release.

³⁸⁶ Rule No. 24 of the Beijing Rules.

³⁸⁷ [Rule No. 67 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

³⁸⁸ [Rule No. 71 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

³⁸⁹ [Rule No. 42 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

³⁹⁰ [Rule No. 43 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

If the work is within the custodial institution, it must be organized in a manner similar to the organization and method of similar work in society, so that it prepares juveniles for the conditions of normal professional life⁽³⁹¹⁾.

Criticism

We note from the above that the Egyptian law regulating reform and community rehabilitation centers or the regulations of internal reform centers did not stipulate the prohibition of work being of a painful nature. It was also not stipulated that the working conditions imposed on the convicts should be similar to those existing in self-employment outside the reform center in a way that facilitates the inmates' involvement in the labor market after their release.

The law, as well as the internal regulations of reform centers, did not provide for the prohibition of enslavement and servitude of inmates, or the prohibition of requiring inmates to work for the personal or private benefit of any of the employees of the reform center, which opens the door to the use of inmates in those works without control over them in that regard, and without the inmate having the right to object to those works.

There is no text that allows the inmate to choose the work they do, as this is all left to the discretion of the management.

As for the inmate, the law or the internal regulations of the reform centers did not specify any criteria for the types of work that correspond to the nature of women within the reform center.

The Egyptian legislator did not prohibit the imposition of work on the inmate as a disciplinary penalty.

Recommendations

The legislator shall establish controls for work within the reform center, including:

- the work is not of a painful nature;
- The conditions of work performance are similar to self-employment outside the correctional center;
- Prohibition of enslavement and servitude of inmates;
- Prohibiting the inmate from doing work for the personal or private benefit of any of the staff of the correction center;
- The inmate's right to choose the work he performs from among the work available within the correction center;

³⁹¹ [Rule No. 45 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

- Prohibiting the employment of women in jobs that are not commensurate with their nature;
- Prohibiting the imposition of work on the inmate as a disciplinary penalty.

The second topic: The right of the inmate to work for specific hours and to obtain leave from work

The first requirement: Within the framework of Egyptian law

The Egyptian legislator specified in the Law Regulating Correction and Rehabilitation Centers the operating hours of those sentenced to life imprisonment, aggravated imprisonment, imprisonment, or imprisonment with work. It is not permissible for it to be less than six hours or more than eight hours per day. The legislator prohibited the employment of inmates on Fridays and public holidays. It also prohibited the employment of non-Muslims on their religious holidays, but it restricted all of this in cases other than those of necessity.

This means that, in cases of necessity, inmates may be employed for more than eight hours a day, and they may also be employed on Fridays and public holidays ⁽³⁹²⁾.

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Article

https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9_1/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.wfhcjh3q45d2_22_of_the_Law_Regulating_Correctionand_Rehabilitation_Centers, Article_18
[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.5c2nu2g4bv3a_12_of_Presidential_Decree_No._82](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.tt05a28aeis3of_the_Internal_Regulations_of_Geographical_Correction_and_Rehabilitation_Centers, and Article)
https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.5c2nu2g4bv3aof_1984_regarding_the_establishment_of_a_labor_institution_in_which_repeat_offenders_are_placed.

There is a rotation between inmates who work and those who are in excess of their needs when the skills are equal, unless the need for work requires the use of certain inmates with special technical skills⁽³⁹³⁾.

The second requirement: within the framework of international conventions

On the other hand, the Nelson Mandela Rules required that the daily and weekly working hours of prisoners be determined in accordance with the law or administrative regulations, taking into account local rules or customs in the field of the employment of free workers, leaving a day for rest per week, and also leaving sufficient time for education and other activities established as part of the treatment and rehabilitation of prisoners⁽³⁹⁴⁾.

Criticism

It is clear from the above that the Egyptian legislator has set a maximum number of working hours for the inmate at eight hours, which is similar to the maximum limit set by the Labor Law, which regulates self-employment outside the reform center.

However, the legislator restricted the application of the controls of working hours and rest days within the reform centers to be adhered to in cases other than those of necessity, which means that inmates may be employed more than the scheduled working hours or employed on their scheduled rest days in cases of necessity.

Thus, it is generally followed in Egyptian reform centers that if the exception is found in the text of the law or regulation, it becomes an original.

Therefore, it is necessary to establish controls for the availability of cases of necessity that allow the inmate to work more than the scheduled working hours or to operate the inmate on rest days.

Recommendations

The legislator shall explicitly stipulate the cases of necessity that allow the inmate to work more than the scheduled working hours or operate him on his rest days or on holidays and occasions, so that these cases are limited exclusively.

393 Article 13 of the bylaws of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.qqa45idqip7w> the reform centers.

394 Rule No. 75 of the Standard Minimum Rules for the Treatment of Prisoners, and Rule No. 102 of the Nelson Mandela Rules.

It is also in application of the fundamentalist rule, which states that “necessity is assessed”, that, in the event of a state of necessity, the state of necessity must be limited to a time and a time in which it begins and ends, provided that the required works are determined in that period of time.

It must also be stipulated that a written report or report must be drawn up to indicate the state of necessity that allows the employment of the inmate outside the times prescribed by law, the date of commencement of that case and the date scheduled for its completion, and the work to be carried out, provided that this report or report is subject to the control of the inspection bodies that carry out internal and external inspections on the reform center.

The third topic: Inmate's right to work in an appropriate place

The first requirement: Within the framework of Egyptian law

First: Inmates may be employed outside the correctional center

The Egyptian Law Regulating Correction and Rehabilitation Centers does not prohibit the employment of inmates outside the correction center for work related to public utilities. The law specifies that if inmates are engaged in public utility work in remote areas from the correction center, they may be accommodated at night in temporary camps or correction centers, as ordered by the Assistant Minister for the Community Protection Sector with the approval of the Minister of Interior.

Inmates working outside the reform center are subject to the same rules applied within the center regarding food, health, order, and discipline, with the Director General required to take necessary precautions to prevent escapes.⁽³⁹⁵⁾

Second: Prohibiting the employment of inmates in military reform and rehabilitation centers outside the center

On the other hand, the Egyptian legislator prohibits the employment of inmates in military reform centers outside the center⁽³⁹⁶⁾.

395

[Article](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.wnwleovae04t> 23 of the Law on the Organization of Correction and Community Rehabilitation Centers.

396 [Article 9 of the Internal Regulations of Military Prisons.](#)

Third: Banning the work of the inmate outside the correctional center

The bylaws of reform centers in Egypt also prohibited the employment of women outside the center. Convicted women must be employed inside the reform center, and in jobs that are consistent with the nature of women⁽³⁹⁷⁾.

The second requirement: within the framework of international conventions

According to the Standard Minimum Rules for the Treatment of Prisoners, it is preferable that the prison administration directly employs prisoners in its factories and farms, not private contractors.

Prisoners shall always be under the supervision of prison staff; if prisoners are employed in work that is not under the authority of the prison administration, unless the work is for other government departments.

If the work assigned to prisoners is for the benefit of persons other than government agencies, these persons must pay the full wage usually paid for that work to the prison administration, taking into account the productivity of prisoners⁽³⁹⁸⁾.

Criticism

The law or the internal regulation of reform centers did not specify the criteria on the basis of which the works that correspond to the nature of women are determined. The law and regulation also omitted to take into account the desire of the inmate. Egyptian law also did not stipulate the wage due to inmates in the event that they are employed outside the reform centers in works related to public utilities or in works related to private contractors.

Recommendations

397 Article No. 4 of the Bylaws of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.dk9qwfhfueqj> the Reform and Community Rehabilitation Centers, and Article No. 17 of the Bylaws <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.9rlq4w4295w7> of the Geographical Reform and Rehabilitation Centers.

398 Rule No. 73 of the Standard Minimum Rules for the Treatment of Prisoners, and Rule No. 100 of the Nelson Mandela Rules.

Provision shall be made to equalize the remuneration of the inmate in the event that he is employed outside the correctional center in works belonging to private contractors with the remuneration received by the self-employed outside the correctional center.

The fourth topic: Inmate's right to receive a wage for his work

First: Within the framework of Egyptian law

One of the most important conditions of work is that the work be remunerated. The inmate must receive a remuneration for his work because the work imposed on the inmate is not a punishment, but rather one of the methods of punitive treatment aimed at his social rehabilitation. The wage received by the convict encourages him to turn to work and be keen to master it, and helps him during his work in the penal institution and after his release.

The Egyptian law referred to the internal regulation of the reform centers to determine the conditions necessary for the entitlement of convicts to wages for their work in the reform center and the aspects of the payment of these wages⁽³⁹⁹⁾.

The <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.857qzetdu6c7> bylaws of Correction and Rehabilitation Centers authorized the Director of the Community Protection Sector to issue a decision determining the work assigned to the inmate and for which he is entitled to a wage⁽⁴⁰⁰⁾.

399 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%86%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.cnagr8lk25vv> 25 of the Law on the Organization of Correction and Community Rehabilitation Centers.

400 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.857qzetdu6c7> the

The inmate shall be entitled to a minimum wage of seven pounds for his daily work, provided that upon the request of the Director of the Correction and Rehabilitation Center and the approval of the Business Determination Committee of the Correction Center, and the approval of the Assistant Minister for the Community Protection Sector, the inmate may be granted a higher wage for excellent technical work or achieving a greater volume of production⁽⁴⁰¹⁾.

The inmate who works in the production units of the Manufacturing and Production Fund of the reform centers shall be paid a remuneration commensurate with his production according to his technical and production capabilities in addition to the remuneration he is entitled to for the work he performs at the reform center⁽⁴⁰²⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.qhfy0ej6pjbc> 8 of the Internal Regulations of Correction and Rehabilitation Centers, as amended by Minister of Interior Decree No. 487 of 1979 and Minister of Interior Decree No. 1318 of 1970

Article 10

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.wjtsu73kk36> the bylaws of the community

stipulated that: "If the prisoner is sentenced to hard labor, he must work without pay in the work imposed on him for a period equivalent to a quarter of the period of the sentence imposed on him, provided that it is not less than two years and not more than four years, regardless of the period he has spent in pre-trial detention, and then he shall be attached to the grade C- to the wage prescribed for his work

If he is sentenced to imprisonment, he must work without pay for a period equivalent to a quarter of the penalty period, so that it is not less than one year and not more than three years, then he shall be attached to grade C to the wage prescribed for his work

If he is sentenced to imprisonment, he must work for a period of six months without pay and then be attached to grade C to the wage prescribed for his work

Prisoners who are in prisons at the time of entry into force of this regulation shall be enrolled in degree C - if they have spent the period stipulated in this article or more of it, otherwise they must complete it and then be enrolled in this degree", and it was amended by Article 1 of the Minister of Interior Resolution No. 1318 of 1970 to read: " The prisoner must work in the work he is enrolled in without remuneration for a quarter of the period he is sentenced to, provided that it is not less than one year and not more than three years, regardless of the period he has spent in pretrial detention ", and then it was canceled under Article 2 of the Minister of Interior Resolution No. 487 of 1979.

⁴⁰¹ Article No. 11 of the Internal Regulations of Correction and Rehabilitation Centers, as amended by Minister of Interior Decree No. 3320 of 2014, Minister of Interior Decree No. 1342 of 2013, Minister of Interior Decree No. 2262 of 2010, Minister of Interior Decree No. 39 of 2010, Minister of Interior Decree No. 1890 of 1990, Minister of Interior Decree No. 487 of 1979, Minister of Interior Decree No. 1318 of 1970, and Article No. 11 of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.a3im12gcl1ye> Presidential Decree No. 82 of 1984.

⁴⁰² Article 27 of the Financial and Administrative Affairs Regulations of the Manufacturing and Production Fund for Reform Centers issued by the Minister of Interior Resolution No. 333 of 1980.

The inmate may combine the wage prescribed for him for his daily work, and any wage or reward he receives for other work he has carried out himself or assigned to him within the reform center. The inmate shall be paid the daily wage prescribed for inmates during the period of his treatment of an injury or illness due to work, either if the injury or illness is due to non-work, the inmate shall not be entitled to that daily wage, nor shall the inmate be paid for the days in which he does not perform work, nor shall the inmate be paid for the days in which his production is less than the prescribed production rate ⁽⁴⁰³⁾.

The law prohibited the seizure of inmates' wages, while the administration of the reform center is entitled to a deduction for losses caused by the inmate ⁽⁴⁰⁴⁾.

The inmate may dispose of half of the wage due to him in order to obtain the items he needs that are permitted to be sold in the reform centre, or to assist his family. The remainder of the wage due to him shall be paid to him upon his release.

If the inmate wishes to exceed the percentage he is allowed to dispose of, the matter shall be submitted to the director of the reform center to order what he deems appropriate according to the circumstances of each case ⁽⁴⁰⁵⁾.

The remuneration of the inmate shall be paid to his legal heirs in the event of his death ⁽⁴⁰⁶⁾.

Second: Within the framework of international conventions

1. For prisoners

On the other hand, the Standard Minimum Rules for the Treatment of Prisoners [and the Nelson Mandela](#) Rules stipulate that prisoners must be rewarded for their work in accordance with a classified and specific wage system. In that system, prisoners must be allowed to use at least part of their wage to buy things licensed for their personal use, and to send another part of their wage to

⁴⁰³ Article 12 of the Internal Regulations of Correction and Rehabilitation Centers, as amended by Minister of Interior Decree No. 487 of 1979 and Minister of Interior Decree No. 1318 of 1970.

⁴⁰⁴ <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.xz739oxi5sit> 26 of the Law on the Organization of Correction and Community Rehabilitation Centers.

⁴⁰⁵ Article 14 of the Internal Regulations of Correction and Rehabilitation Centers.

⁴⁰⁶ <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.jei29ifsd836> 27 of the Law on the Organization of Correction and Community Rehabilitation Centers.

their family. The prison administration may withhold part of the wage as a savings gain that is delivered to the prisoner upon his release ⁽⁴⁰⁷⁾.

2. For juveniles

Every juvenile shall be entitled to a fair wage for the work he has performed, and it is prohibited to subject juveniles to work or vocational training for the purpose of making a profit for the custodial institution or for others, and part of the juvenile's wage shall be deducted as savings delivered to him upon his release, provided that the rest of the wage is paid to him to use it to buy things for his own use or to compensate the victim who has suffered harm from his crime, or to send him to his family or to other persons outside the custodial institution ⁽⁴⁰⁸⁾.

Criticism

The regulation of reform centers grants excessive authority to the management of the reform center in determining the "production rate" related to wage deprivation, as there is no established and known production rate in the regulation in order to be measured on it, and therefore the management of the reform center can deprive the inmate of his wage in full, and justify that his production did not reach the established production rate, and the working inmate will not be able to file a grievance or appeal against the decision to deprive him of his wage, as there is no mechanism for such a procedure.

Since the minimum wage in Egypt was two thousand seven hundred pounds per month, equivalent to ninety pounds per day - bearing in mind that this amount is small compared to the economic conditions experienced by Egypt -; The determination of the amount of seven pounds as a wage for the inmate - even taking into account the state's expenses on the inmate - is a clear and explicit application of forced labor, what the inmate receives represents about 17.5 percent of the wage of the ordinary worker, that is, not even close to a quarter of the amount prescribed as a minimum wage, if this is not forced labor, what is the definition of forced labor?!

The legislator, whether in the law regulating reform centers or in the internal regulations, omitted to take into account the type of work assigned to the inmate when determining the wage. The work carried out by the inmate was not classified, and an appropriate wage was determined for each of the work assigned to the inmate. The legislator equalized the wage among all the work carried out by any of the inmates, provided that this wage is increased, in return for doing excellent artistic work or the inmate achieving a greater volume of production.

If the legislator decides to pay the daily wage prescribed for inmates; to the injured inmate during the period of his treatment of an injury or illness, but provided that the injury or illness is due to work,

⁴⁰⁷ Rule No. 76 of the Standard Minimum Rules for the Treatment of Prisoners, and Rule No. 103 of the Nelson Mandela Rules.

⁴⁰⁸ [Rule No. 46 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

either if the injury or illness is due to another cause other than work, the inmate is not entitled to that daily wage.

The inmate shall not be paid for the days on which he does not perform work, that is, he shall not be entitled to any remuneration for the days of work leave prescribed for him, which leads, in light of the inmate's need for money, to his work even on the rest days prescribed for him.

Also, the inmate is not paid a wage for the days in which his production is less than the prescribed production rate. This text in the list of reform centers gives excessive authority to the management of the reform center to determine the "production rate". There is no established and known production rate in the list to be measured on, and therefore the management of the reform center can deprive the inmate of his wage in full, based on the fact that the inmate's production did not reach the prescribed production rate, and there is no mechanism for the inmate to file a grievance or appeal against the decision to deprive him of his wage.

Recommendations

The legislator must stipulate the following:

- Raising the minimum wage for inmates working inside the correctional center;
- Setting a schedule of work that may be assigned to the inmate, provided that such work is classified and the remuneration determined for each work is determined separately in proportion to the effort exerted in those works;
- Providing for the payment of remuneration to the inmate assigned to work within the correctional center for the rest days legally prescribed for him as an inherent right of all people, whether restricted or free;
- Setting clear criteria for determining production rates in reform centers in the event that the wage is linked to productivity, with a hierarchy of the specified wage at the rate of production achieved by the inmate, with a mechanism that enables the inmate to appeal or appeal against the decision to grant him the wage based on his rate of production, or deprive him completely of the wage.

Fifth Research: Inmate's Right to Occupational Health and Safety at Work

The first requirement: Within the framework of Egyptian law

The Law Governing Correction and Rehabilitation Centres and the [Internal Regulation of Correction and Rehabilitation Centres](#), as well as the Internal Regulation of [Geographical Correction and Rehabilitation Centres](#), are exempt from any guarantees or precautions for the occupational safety of inmates while practicing the work assigned to them.

The second requirement: within the framework of international conventions

International conventions oblige prisons to observe the precautions taken to protect the safety of prisoners with the precautions prescribed to protect the safety and health of free workers. They also oblige prisons to take measures to compensate prisoners for work injuries and occupational diseases, and these measures should not be under conditions less than those granted by law to free workers. They also apply to juveniles all national and international protection standards applicable to the employment of children and young people. In other words, prisons are obligated to treat prisoners working within the framework of occupational health and safety with the treatment prescribed for free workers in internal labor laws ⁽⁴⁰⁹⁾.

Criticism

As we have seen, the law regulating reform and community rehabilitation centers, as well as the internal regulations of public reform centers and the internal regulations of geographical reform and rehabilitation centers, have been devoid of any guarantees or precautions for the occupational safety of prisoners while practicing the work assigned to them.

There are no occupational health and safety precautions in the work environment inside penal institutions in Egypt, as the Law Regulating Correction and Community Rehabilitation Centers or its internal regulations did not explicitly stipulate the application of the Egyptian Labor Law to convicts working in reform centers, and there are no provisions obliging the departments of reform centers to provide occupational safety and health means similar to the provisions related to work outside reform centers.

Recommendations

The Egyptian legislator shall take the necessary measures to apply the occupational safety and health rules contained in the Labor Law and applicable to workers in self-employment to inmates while carrying out the work assigned to them.

⁴⁰⁹ Rule No. 74 of the Standard Minimum Rules for the Treatment of Prisoners, Rule No. 101 of the Nelson Mandela Rules, and Rule No. 44 of the United Nations Rules for <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A7%D9%84%D8%A3%D9%85%D9%85-%D8%A7%D9%84%D9%85%D8%AA%D8%AD%D8%AF%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%A7%D9%84%D8%A3%D8%AD%D8%AF%D8%A7%D8%AB-%D8%A7%D9%84%D9%85%D8%AC%D8%B1%D8%AF%D9%8A%D9%86-%D9%85%D9%86-%D8%AD%D8%B1%D9%8A%D8%AA%D9%87%D9%85#h.suwgfz6y66pz> the Protection of Juveniles Deprived of their Liberty.

Chapter Six: Inmate Education and Religious Life

Preamble

The constitutional legislator is keen to uphold the principle of equality between citizens in rights and duties and is concerned with preserving the dignity and humanity of the imprisoned person, regardless of his crime. It is not permissible to harm him physically or morally or to derogate from his constitutionally and legally established rights and freedoms.

The measures of deprivation of liberty of persons are mainly aimed at protecting society from crime and reducing recidivism. For these purposes, the period of imprisonment must be used to ensure the reintegration of such persons into society after their release, so that they can live on their own with respect for the law.

Prison administrations and competent authorities should therefore provide education, vocational training and employment, as well as other appropriate and available forms of assistance, including of a correctional, moral, spiritual, social, health and sports nature. All these programs, activities and services should be provided in line with the requirements of individual treatment of prisoners⁽⁴¹⁰⁾.

The first topic: Inmate's right to education

The first requirement: Within the framework of Egyptian law

If the principle is to preserve the dignity and humanity of the imprisoned person, whatever his crime, it is not permissible to harm him physically or morally or to derogate from his rights established constitutionally and legally. There is no doubt that one of those rights is the right of the inmate to education like the rest of society, which is urged by the laws of reform and rehabilitation centers and their internal regulations. The legislator considered education a right guaranteed to all, and the management of the reform center must encourage inmates to do so, and that the imprisonment of the citizen does not forfeit his right to education and does not absolve the state from guaranteeing this right, and its commitment to it remains in a manner that does not conflict with the duties of imprisonment⁽⁴¹¹⁾.

Therefore, the legislator obligated the administration to educate inmates and encourage them to do so, and to facilitate their means of studying and performing examinations, and that the contribution of the reform and rehabilitation centers to the education and education of the inmate contributes to the elimination of illiteracy on the one hand and the upgrading of the inmate's educational level, which is one of the main entry points for changing concepts and changing the cognitive and intellectual

⁴¹⁰ Rules 58, 59 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 4 of the Nelson Mandela Rules](#).

⁴¹¹ [Article 19 of the Constitution](#).

reference of the inmate. This ultimately leads to the refinement of the inmate and changing his hostile view of society, as stipulated in the articles of the Law on the Organization of Correction and Community Rehabilitation Centers, which stipulates the need to encourage inmates to be informed and educated, facilitate the means and means of recalling them, allow the performance of special examinations in the headquarters of the committees, as well as the establishment of a library in each prison containing religious, scientific and ethical books, and allow inmates to recall books, newspapers and magazines at their expense, in accordance with the [internal regulations](#) of the [reform and rehabilitation centers](#).

The law obliges the administration of the Correction and Rehabilitation Center to educate inmates, taking into account the age and duration of the penalty⁽⁴¹²⁾.

The bylaws of the reform centers obligated the community protection sector to facilitate the ways and means of educating inmates in a manner that does not conflict with the provisions of punitive implementation and the requirements of public security⁽⁴¹³⁾.

The Minister of Interior, in agreement with the Minister of Education, shall develop the curriculum for men and women, after taking the opinion of the Assistant Minister for the Community Protection Sector⁽⁴¹⁴⁾.

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[Article](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.98cfhv8sk9gl> 28 of the [Law](#) on the [Organization of Correction and Community Rehabilitation Centers](#).

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.tzmhmk69u5mf> 15 bis of the [Bylaws](#) of [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.dornrdl1nqd](#) Correction and Rehabilitation Centers.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.dornrdl1nqd> 29 of the [Law](#) on the [Organization of Correction and Community Rehabilitation Centers](#).

The education of inmates shall be in accordance with the curriculum prepared by the Ministry of Education in implementation of Law No. 76 of 1970 on Adult Education and Literacy⁽⁴¹⁵⁾.

The administration of the reform center shall teach inmates educational, social and religious lessons aimed at evaluating any deviation in them and preparing them to return to service better behavior and work in accordance with the program prepared by the Training Authority for this purpose, and it shall encourage inmates to learn and facilitate studying for those who have the desire to continue studying from them and allow them to take examinations according to what is followed for ordinary inmates, with a special focus on combating illiteracy among the uneducated among them⁽⁴¹⁶⁾.

A decision was issued by the Minister of Education to establish a three-year industrial secondary school at the Men's Reform Center in El Qanater El Khayreya, which is accepted by inmates who have a certificate of completion of general preparatory school or its equivalent, with the exception of the age requirement. Those enrolled in this school are exempted from the prescribed additional fees and examination fees, and the systems, study plan, curricula, examinations, and student discipline are carried out in accordance with the systems in force in the industrial secondary schools. Those enrolled in this school take the transfer and diploma examinations at the Men's Reform Center in El Qanater El Khayreya under the supervision of the Ministry of Education, provided that the ministry invites representatives from the Community Protection Sector of the Ministry of Interior to supervise these examinations in accordance with the dates and systems followed in the industrial secondary schools of the educational directorate in which the school is located, in accordance with the dates and systems followed in the industrial secondary schools of the educational directorate in which the school is located, provided that students who finish the third-grade subjects take the same diploma

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Article

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.oksw4gqr700> 11 of the Internal Regulations of Military Prisons.

examinations prepared by the Ministry of Education for its industrial secondary schools and the same dates as scheduled for them, and the successful students are awarded at the end of study «Diploma of Technical Vocational secondary schools»⁽⁴¹⁷⁾.

The administration of the reform center must encourage inmates to be informed and educated, facilitate the study of inmates who wish to continue studying, and allow them to take their examinations at the headquarters of the committees⁽⁴¹⁸⁾.

The Administrative Court ruled that the decision to dismiss the student from school due to his arrest or imprisonment violates the law, and is tainted by the abuse of power: (Education is a right guaranteed by the state to every citizen, whether free, imprisoned or detained a fortiori, as the detention of the citizen, whether pre-trial detention pending a case or detention, does not deprive him of the right to citizenship and does not forfeit his right to education. On this basis, [Article 31](#) of the

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AA%D8%B1%D8%A8%D9%8A%D8%A9-%D9%88%D8%A7%D9%84%D8%AA%D8%B9%D9%84%D9%8A%D9%85-%D8%B1%D9%82%D9%85-183-%D9%84%D8%B3%D9%86%D8%A9-1973#h.wgxuuaiakaj37> of 1973 regarding the establishment of an industrial secondary school on a three-year system -
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AA%D8%B1%D8%A8%D9%8A%D8%A9-%D9%88%D8%A7%D9%84%D8%AA%D8%B9%D9%84%D9%8A%D9%85-%D8%B1%D9%82%D9%85-183-%D9%84%D8%B3%D9%86%D8%A9-1973#h.wgxuuaiakaj37> in reform and rehabilitation centers for men in charitable

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/1/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.rxmpfkqcbtpl> 31 of the Law on the Organization of Correction and Rehabilitation Centers, as amended by Law No. 87 of 1973, and the second paragraph
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.ly3voug7kyjxof> Article 14 of Presidential Decree
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.ly3voug7kyjx> No. 82 of 1984 regarding the establishment of a labor institution in which repeat offenders are placed.

[Prisons Regulation Law](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-87-%D9%84%D8%B3%D9%86%D8%A9-1973#h.40tdrhxrtghs) (Law on the Organization of Correction and Community Rehabilitation Centers), after its amendment by [Law No. 87 of 1973](#)<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-87-%D9%84%D8%B3%D9%86%D8%A9-1973#h.40tdrhxrtghs>,

affirms this right to prisoners. The prison administration must enable the prisoner to perform his examinations at the headquarters of the committees. Hence, it was inevitable for that administration to carry out this duty, which is part of its mission to reform and discipline the prisoner before its role in enjoining and disciplining him.

Whereas it is established from the papers that the plaintiff was enrolled in the first secondary grade in the Directorate of Isna Secondary technical vocational schools for Boys in the academic year 1988 and was denied entry to the exam because he did not meet the percentage of practical training, then he took the exam again in the academic year 89/1990 and failed and on 15/8/1991 he was arrested and remained so until now. The administrative authority (the Directorate of Education in Qena) in its response to the lawsuit considered that the aforementioned can take the exam in the homes system, but after his release..

It is clear from this that the administration, represented by the Directorate of Education in Qena, as well as the Ministry of Interior, is reluctant to enable the plaintiff to take the exams of the first grade of industrial secondary school, saying that the aforementioned is still detained and has not yet been released.

Inasmuch as the findings of the administrative authority contradict the letter and spirit of [Article 31 of the Prisons Law \(the Law Regulating Community Correction and Rehabilitation Centers\)](#), which stressed the need to hold the exam of prisoners at the headquarters of the committees. If the plaintiff is in prison and has not met the percentage of practical lessons, the reason for this is the circumstances of his detention, which are beyond his control as force majeure circumstances, which means that the contested decision is contrary to the law, he is free to cancel it and say otherwise, assigning the plaintiff in a way that does not tolerate and empties the aforementioned excuse of its content, and it is equal between the student who is interrupted from studying without an excuse and the one who has made this aforementioned excuse against him, which is not acceptable to common sense] ⁽⁴¹⁹⁾.

The commitment of the administration to allow the inmate or detainee to continue his studies and perform the examinations depends on the desire and will of the inmate or detainee, and that the failure of the administration to respond to the requests of the detainee or detainee to allow him to

⁴¹⁹ Judgement of the Administrative Court in Case No. 2927 of 12, issued at the session of 24 November 2005.

perform the examinations is a negative decision contrary to the law, which may be challenged before the Administrative Court: [The legislator has considered education a right guaranteed to all, and the prison administration must encourage prisoners to do so, and that the imprisonment of the citizen does not forfeit his right to education and does not absolve the state of guaranteeing this right, and its commitment to it remains in a manner that does not conflict with the duties of imprisonment, and therefore the legislator obligated the administration to educate prisoners and encourage them to do so, and to facilitate them the means of studying and performing examinations in the headquarters of their committees and not in their prisons, and therefore the approval of the Minister of the Interior on the performance of detainees and prisoners of examinations in their prisons only violates and contradicts the aforementioned law..

Whereas, it is clear from the appearance of the papers that the Appellee is detained in Wadi Al-Natrun detention center and that he is registered in the First Division of the Faculty of Education, Minya University, in the academic year 2001/2002, and submitted to the Appellant Administrative Authority to allow him to perform the examinations of that division in this year, but it refrained from responding to his request despite several requests for this purpose, which constitutes a negative administrative decision contrary to the law, likely to be canceled when deciding on the request for cancellation, which provides the corner of seriousness in requesting the suspension of the implementation of this decision, as well as the availability of the corner of urgency of the consequent effects of the implementation of this decision and its continued implementation, including depriving him of continuing his education as well as depriving him of a legitimate source of livelihood in the future, and the availability of a request to suspend the implementation of the contested decision, the corner of seriousness and urgency, which must be ruled to suspend the implementation of this decision with the consequent effects of this decision]⁽⁴²⁰⁾.

The Administrative Court of Justice also ruled that: [The legislator considered education a right prescribed for every citizen, and the state must ensure that it does not prevent him from benefiting from this right by detaining or detaining him. The legislator obligated the prison administration to facilitate for prisoners wishing to complete education the means of studying and to enable them to perform examinations at the headquarters of the committees where the exam is held.

Whereas, by applying the foregoing to the facts of the present dispute and since it is clear from the appearance of the papers and to the extent necessary to adjudicate the urgent part and without penetrating the subject, the son of the plaintiff is a student of the third year of Al-Azhar Secondary School (Al-Azhar Secondary School Certificate) - the literary department. He was sentenced to imprisonment for a period of one year in the session of 3/5/2009 in the felony No. 16713 of 2007, Beni Suef Department, registered under No. 2103 of 2007, Beni Suef. The administrative authority refused

⁴²⁰ Judgement of the Supreme Administrative Court in Appeal No. 13238 of 48 Session of 28 January 2009 Technical Office 54 Page 240 Rule No. 28.

to enter the student's first semester exam for the academic year 2008/2009. Therefore, the behavior of this administrative authority was contrary to the provisions of the law and thus the corner of seriousness required by the law to rule the suspension of execution without prejudice to the fact that the administrative authority had invoked the provisions contained in the decision of Sheikh Al-Azhar No. 337 of 1998 on the rules for student affairs, as it was contrary to the a provision of the aforementioned prison law, which is similar to the general principle in this case.

As for the element of urgency, the first semester examinations in the colleges in which the plaintiff's son may join on 16/1/2010, and therefore the behavior of the administration authority by not announcing his result will result in irreparable damages if the subject is ruled to cancel that decision. Therefore, the two pillars of suspension of execution are available in the present case, and therefore the court responds to his request to stop the implementation of the contested decision, which included depriving the plaintiff's son from performing the exam of the role of May 2009 for the academic year 2008/2009 in the Azhar Secondary Certificate and the consequent effects of this, most notably the announcement of the student's result in this exam, which enabled him to perform the court session of 26/5/2009, with the consequent entitlement in the event of his success - to submit his papers to the competent coordination office to join the college that qualifies him in this exam, and to rely on the judgment of his draft without announcing the application of Article 286 of the Code of Procedure] ⁽⁴²¹⁾.

It is not permissible for the administration to invoke the denial of the inmate from performing his examinations at the headquarters of the committees, that it is not permissible to allow the inmate to be deported to the headquarters of the committee - according to what the administration claims - that the deportation process is surrounded by very serious security caveats, and the administration also may not invoke the inmate's failure to meet the attendance rate in its entirety: [Education is a right guaranteed by the state to every citizen, whether he is free, imprisoned or detained a fortiori, considering that the detention of the citizen, whether it is pretrial detention pending a case or detention, does not deprive him of citizenship status and does not forfeit his right to education. On this basis, [Article \(31\) of the Prisons Regulation Law](#) (the Law on the Organization of Community Reform and Rehabilitation Centers) came after it was amended by [Law No.https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-87-%D9%84%D8%B3%D9%86%D8%A9-1973#h.40tdrhxrtghs 87 of 1973](#), affirming this right to prisoners, so the prison administration was obliged to enable the prisoner to perform his examinations at the headquarters of the committees, and it was determined

⁴²¹ Judgment of the Sixteenth Circuit Beni Suef, Fayoum - Administrative Court No. 4940 of 9 Q issued in the session of January 5, 2010.

that the administration should fulfill this duty, which is part of its mission to reform and dissolution of the prisoner before its role in neglecting and discharging him....

Whereas, the Ministry of Interior, in its letter issued by the Assistant Minister for the Prisons Sector dated 27/11/2001 and attached to the portfolio of documents of the defendant university, stated that it is not possible to allow the plaintiff to deport him to the headquarters of the college to take the exam because of the very serious security precautions surrounding the process of his deportation related to the attendance of the same. The Ministry also reported in the same letter of the Assistant Minister for the Prisons Sector referred to that the plaintiff did not meet the attendance rate in its entirety.

Whereas, the conclusions of the Ministry of Interior contradict the letter and spirit of Article (31) of Law No. 396 of 1956, referred to after its amendment by [Law No. 87 of 1973](#), which stressed the need to hold the <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-87-%D9%84%D8%B3%D9%86%D8%A9-1973#h.40tdrhxrtghs> examinations of prisoners at the headquarters of the committees, and that if there is a fear of the plaintiff's escape during his deportation to the headquarters of the committees or during the performance of the exam, all these matters were in the sight of the legislator when the detainee decided this right, but if there are security considerations that require precaution to prevent the plaintiff from deporting him to perform the exam at the headquarters of the committees, these considerations do not entitle the aforementioned administrative authority to prevent a right guaranteed by the legislator, in addition to the fact that the police, which is the security fortress of the country, is always able to provide the security requirements for the detainee's performance of the exam at the headquarters of the committees.

As such, the contested decision not to enable the plaintiff to perform the examinations of the third year at the defendant university, inside the headquarters of the committees in the college, is a decision that is contrary to the law, which requires a ruling to cancel it and the consequent effects.

This does not change what was raised by the Ministry that the plaintiff did not meet the attendance rate of the college in which he is enrolled in a way that cannot enable him to perform the exam, in addition to the fact that the failure of the aforementioned to meet the legally prescribed attendance rate is due to the circumstances of his detention, which are beyond his control as force majeure circumstances, the constant of the university's response to the lawsuit from the University Council decided at its session No. 85 dated 31/5/2003 to allow detained students who do not meet the attendance rate to take the examinations] ⁽⁴²²⁾.

⁴²² Judgement of the Administrative Court in Case No. 1197 of 12 S. Issued at the session of December 29, 2005.

The Administrative Court also ruled that: [Education is a right guaranteed by the state to every citizen, whether he is free, imprisoned, or detained a fortiori, considering that the detention of a citizen, whether it is pretrial detention pending a case or his detention, does not deprive him of citizenship status, and therefore does not deprive him or forfeit his right to education. On this basis, [Article \(31\) of the Prisons Regulation Law](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-87-%D9%84%D8%B3%D9%86%D8%A9-1973#h.40tdrhxrtghs) (the Law Regulating Community Reform and Rehabilitation Centers) came after its amendment by [Law No. 87 of 1973](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-87-%D9%84%D8%B3%D9%86%D8%A9-1973#h.40tdrhxrtghs) <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-87-%D9%84%D8%B3%D9%86%D8%A9-1973#h.40tdrhxrtghs> affirming this right to prisoners, so it was obligatory for the prison administration to enable the prisoner to perform his examinations at the headquarters of the committees, and therefore it was inevitable for that administration to carry out this duty, which is part of its mission to reform and discipline prisoners before its role in restraining and disciplining them.

Whereas the Ministry of Interior stated in its response to the lawsuit that it had addressed the management of the Higher Institute of Social Service in Aswan to enable the plaintiff to perform the examinations inside his prison, and the institute refused to do so on the basis that it does not hold special examination committees outside the institute on the instructions of the Minister of Higher Education, and it is clear from the response of the administrative authority that it does not authorize the plaintiff to perform his examinations in the fourth division of the aforementioned institute except inside the prison in which he is held.

Whereas, what the Ministry of Interior went to contradicts the letter and spirit of Article (31) of Law No. 396 of 1956 referred to after amending it by Law No. (87) of 1973, which confirmed the holding of the examinations of prisoners at the headquarters of the committees and that if there is a fear of the escape of the detainee or the detainee during the performance of the exam at the headquarters of the committees, this consideration was under the eyes of the legislator when the detainee decided this right, but if there are security considerations that require precaution to prevent the detainee from taking the exam at the headquarters of the committees, these considerations do not entitle that body to prevent him from a right decided by the legislator, in addition to the fact that the police is always able to provide the security requirements for the detainee to perform the exam at the headquarters of the committees, and since this is the case, the contested decision not to enable the plaintiff to perform the exam of the Fourth Division of the Higher Institute of Social Service in Aswan within the headquarters of the committees of the Institute is contrary to the law and the plaintiff's request to cancel it is based on a sound basis of the law is free to accept] ⁽⁴²³⁾.

⁴²³ Judgement of the Administrative Court in Case No. 2138 of 11 S issued at the session of 24 November 2005.

And that the decision to deprive the detainee or inmate from continuing his studies and performing his examinations on time at the headquarters of the committees is a mistake that makes the administration responsible for compensating him for the damages caused by this decision: [As the responsibility of the administration for the decisions issued by it is based on the existence of an error on its part, that the decision is illegal for one or more of the defects stipulated in the Law of the Council of State, and that the person concerned is harmed, and that the causal relationship between error and harm is established.

Whereas, as for the element of error, it is decided that detention as stipulated in Article (3) of Law No. 162 of 1958 regarding the state of emergency is limited to suspects and dangerous to security and public order, and therefore the authority of the ruler is not to arrest citizens except for those whose detention is authorized by the Emergency Law, who are suspects and dangerous to security and public order, and who are attributed to them a specific activity that proves that the detainee has actually committed it and represents a danger to security and public order, which constitutes the element of the reason for the detention decision, and if the detention decision is free of a specific percentage of activity and facts in themselves for the detainee, the detention decision becomes missing its legally justified reason, and then the element of error is available. (Judgment of the Supreme Administrative Court in the session of 9/2/2002 in Appeal No. 2894 of 45 Supreme Court, Group of the year 47, p. 426).

Whereas the papers did not justify the arrest of the plaintiff in December 1992, except for the response of the administrative authority that the arrest was made for security reasons, which does not serve as a reason for carrying the arrest decision, and then becomes devoid of its reason, in addition to the fact that the administrative authority, after arresting the appellant and restricting him spatially and depriving him of the legally prescribed rights of prisoners in Article 31 of Law No. 396 of 1956 on Prisons, as amended by [Law No. 87 of 1973](#), to allow them to take examinations, Rather, it persisted in wasting the right of the appellant by refraining from implementing the judgment issued in his favor in this regard by the Administrative Court in the session of 30/11/1994 in the urgent part of the lawsuit No. 288 of 2Q, and then in the substantive part of it in the session of 26/6/1997 according to the appellant's appeal report and the administrative authority did not deny it, and the continuation of this abstention until the second round of the academic year 2003 in implementation of the judgment issued in the urgent part of the lawsuit whose judgment is challenged in the current appeal, and therefore the decision of unlawful arrest and unjustified denial of the examination and the continuation of the study constitutes the corner of error On the side of the administrative body.

Whereas, from the corner of the damage, the detention decision issued regarding the appellant represents a violation of two freedoms and a derogation from two constitutional rights that are equal

in magnitude as general constitutional freedoms and rights, and if they are differentiated and independent of each of them in terms of provisions and organization, the statement that the detention decision arranges a material reality that occurs in restricting the freedom of the citizen. If the illegality of the decision is proven, the decision becomes inconsistent with the principle established in Articles 41 and 50 of the Constitution, which state that personal freedom is a natural right, it is not permissible to restrict the freedom of the citizen, prevent him from moving, or oblige him to reside in a specific place Except for the conditions, circumstances and controls stipulated in these two articles, the detention decision, whether as a material incident or as a consideration, determines the legal status of the person concerned, which may, in addition to the above, prejudice and override another constitutional right represented in the right to education and the continuation of his educational studies and the development of his talents and mental faculties, and then include him in the specialized educational studies in order to prepare himself to earn a living and serve his homeland as stipulated in Article (18) of the Constitution, and each of the two constitutional rights affected by the illegal decision to arrest requires individual compensation; due to the different nature of Damages resulting from the infringement of each of them. (In this sense, the judgment of the Supreme Administrative Court at the hearing of 24/3/2001 in Appeal No. 2894 of 43 Supreme Court, published as a set of judgments issued by the First Circuit of the Supreme Administrative Court from October 1, 2000 until the end of March 2001, vol. 1, p. 619).

Whereas, according to the foregoing, and since it is established from the papers that the appellant was enrolled in the third grade agricultural secondary school at Qena Agricultural Secondary School in the academic year 1992/1993, and he was arrested in December 1992, and was prevented from continuing his education in a normal study environment and performing the prescribed examinations until 2003, where he was deprived of the examinations of the second round of the third grade agricultural secondary school despite the judgment issued at the session of 29/5/2003 by the Administrative Court, we stayed in the urgent part of the lawsuit whose judgment was challenged by the present appeal, Hence, the deprivation of his constitutional right to continue his education was due to his illegal detention, which lasted for nearly eleven years, and that the damage resulting from the deprivation of his constitutional right to continue his education and perform the prescribed examinations requires individual compensation for the damages resulting from the detention decision, especially since the papers were devoid of any compensation to the plaintiff from the administrative authority for the decision to arrest him, which requires the court to oblige the appellee administrative authority (the Ministry of Interior) to pay the appellant an amount of ten thousand pounds as compensation for the material and moral damages suffered by him as a result of depriving him of continuing his education and the performance of the prescribed examinations]⁽⁴²⁴⁾.

⁴²⁴ Judgment of the Supreme Administrative Court in Appeal No. 17753 of 52 S, issued at the session of 28 December 2011, Technical Office 57 Part I, page 326, rule No. 41.

The court also ruled that: [The State guarantees equal opportunities for all citizens without discrimination. It also guarantees the right to education for all as a constitutional right. The prison administration must encourage prisoners to this education by facilitating them to study, continue their studies and take the exam.

In terms of this, it is considered an examination of the personality of convicts and methods of rehabilitation in respect of their constitutional rights and dignity by linking the prison to society by providing possibilities and opportunities that help them to social life and respond to society instead of separating, isolating, challenging and colliding with it. It comes only if the prisoner is allowed to complete his studies and facilitate the performance of the exam to obtain a greater share of education and scientific qualifications.

In terms of the application of the foregoing, the Appellee, as he was enrolled in the First Division of the Faculty of Information, Cairo University, and he was arrested and wanted to take the exam to complete his studies at the college, refraining from enabling him to take the exam constitutes a negative decision in violation of the provisions of the law and a violation of the principles of the Constitution in equal opportunities and ensuring the right of education for citizens. The request to stop its implementation is available in the seriousness and urgency of what is involved in this refraining from harming the scientific future of the Appellee and missing the opportunity to take the exam, which is already irreversible and must therefore be suspended] ⁽⁴²⁵⁾.

The inmate or detainee, in order to oblige the administration to allow him to continue his studies and perform the examinations, must notify it of his desire to do so. Not every detainee or detainee is ready and has the desire to take the exam: [The legislator has obligated the prison administration to create the appropriate atmosphere in the prison to learn and facilitate the study books and continue to study for the students, and even to enable them to perform the examinations that lead to their studies, and to allow them to perform the examinations in the headquarters of the committees in which their colleagues take these examinations, and is not afraid of the ordinary acumen that the expressions of this text have come to indicate clearly in its intentions that the beginning in all this is entrusted to the will of the prisoner himself. The prison administration must encourage those who wanted to be informed to facilitate a suitable place for him, books, newspapers and media that he can read in a psychological state that enables him to do so, as well as it must teach him when he wants to learn, and if he asks to study, he must provide him with what he wishes and wants to study it, otherwise, for the purpose of the lawmaker to use the memorization that indicates the study request. Those who have the desire to continue studying...» It is conclusive that the prisoner must have the desire to continue his studies. Otherwise, the administration authority must research the intentions of the prisoners and trace their desires that they did not express. The desire to perform the exam is

⁴²⁵ Supreme Administrative Court, Appeal No. 7956 of 47 issued at the hearing of June 28, 2006, Technical Office 51 Part No. 2, page 1006, rule No. 142.

not expressed except by a request submitted by the prisoner to the prison administration, in which he explicitly informs it of his desire to perform the examinations that he wishes. Otherwise, there is no obligation on the administration authority to leave the prisoner for his desire that he did not expressly express, and all those who interrupt that the prisoner must apply to the prison administration, requesting that it be obligated by law to enable him to perform the examinations. Without this request, there is no obligation on the administration authority to enable him to perform them.

Whereas, the basis of the responsibility of the administration for its actions - as established by the judgments of this court - consists of providing three pillars, namely, that there is a mistake, that the person concerned suffers damage, and that the causal relationship between this error and that damage is linked.

Whereas, it is established from the foregoing that no error can be attributed to the administration, but its behavior and behavior came according to what the appellant wanted, who did not apply to it requesting to enable him to perform his examinations, and thus its tortious responsibility in its conduct collapses] ⁽⁴²⁶⁾.

The Administrative Court also ruled that: [The legislator obligated the prison administration to encourage prisoners to education and to facilitate those who wish to continue their studies the necessary means to achieve that end, and the legislator obligated the administration to allow them to perform examinations at the headquarters of the committees.

Since the obligation of the Ministry of Interior to allow the prisoner or detainee to continue his studies and take the exam depends on the desire and will of the prisoner or detainee, if he notifies the administration of his desire to continue studying and take the exam, it may not prevent him from doing so.

In light of the above, and according to the established papers, the defendant was arrested on 16/11/1994 and was enrolled in the first division of the Faculty of Sharia and Law, Al-Azhar University, for the academic year 1996/1997. He was released on 28/5/2002. He stated in his lawsuit that the defendant administrative authority was preventing him from taking the exams during the period of his detention, and he claims his right to receive appropriate compensation for the material and moral damages he suffered as a result of depriving him of taking the exams during the period of detention.

Whenever this is done, and the papers have been devoid of stating that the plaintiff has submitted a request to the administrative authority notifying it of his desire to continue studying and take the exam in each academic year during the period of his detention and that it did not respond to his request, not every detainee or freedom-restricted person is ready and has the desire to take the exam,

⁴²⁶ Supreme Administrative Court, Appeal No. 32293 of 54 S issued at the hearing of 26 October 2011, Technical Office 57 Part No. 1, page 125, rule No. 14.

and this matter is not assumed by the administrative authority, and it cannot be said that the administrative authority is responsible for proving that it did not object to the plaintiff's performance of the exam, as this statement transfers the burden of proof from the plaintiff to the defendant, which is contrary to the rules of evidence, and the arrest itself cannot be considered a presumption of deprivation of it, as it is not required that the detainee submit a request to take the exam himself, it can be submitted through his legal agent or one of his relatives to the defendant administrative authority.

Whereas the plaintiff, who is charged with proving his lawsuit, has failed to prove the validity of his claim, as he did not provide evidence that he submitted any request to perform the exam during the period of his arrest and the administrative authority rejected it, in addition to the fact that it is established in the letter of the Director General of the Faculty of Sharia and Law at Al-Azhar University in Assiut that the plaintiff has performed the examinations within the Prison Committee in Assiut during the years 2000/2001, 2001/2002, and then the element of error on the part of the defendant administrative authority is one of the pillars of responsibility, and with its absence that responsibility collapses, without the need to discuss the rest of the pillars, which must be with him, and the case is also the judiciary to reject the lawsuit] ⁽⁴²⁷⁾.

The Administrative Court of Justice also ruled that: [The legislator considered education a right prescribed for every citizen that deliberation must ensure for him and does not prevent the benefit of this right from his imprisonment or detention. The legislator obligated the prison administration to facilitate for prisoners wishing to complete their education the means of study and to enable them to perform examinations at the headquarters of the committees where the exam is held.

As it does not preclude the implementation of the foregoing, the administration invokes any security precautions or other excuses for violating them in the same as the constitutional right of the detainee or the person whose freedom is restricted.

In terms of applying the foregoing to the facts of the present dispute, and since it is established from the papers that the plaintiff is registered with the First Division of the Faculty of Dar Al Uloom, Cairo University, and that he has been detained since 1994 and the administrative authority has not enabled him to perform his scheduled examinations, and in this regard, its decision is flawed by the illegality of what must be ruled to cancel with the consequent effects.

As for the request for compensation for appropriate compensation, it is established that the liability for compensation, it must have three elements, one of which is the element of error, because it was established from the papers in the light of the above that the plaintiff did not submit a request

⁴²⁷ Judgement of the Administrative Court of the Ninth Circuit - Compensation - in cases No. 13403, 18411 of 63 BC issued at the 24th session of June 2018.

to perform the examinations, so this element has been denied the right of the administration authority, so it is not necessary to reject the request for compensation] ⁽⁴²⁸⁾.

The second requirement: within the framework of international conventions

First: For prisoners

The Standard Minimum Rules for the Treatment of Prisoners and the Nelson Mandela Rules required that the education of prisoners be consistent with the country's⁴²⁹ education system.

The Nelson Mandela Rules stipulated that the education of illiterate prisoners and juveniles is mandatory, and that all arrangements shall be made to continue the education of all prisoners who are able to benefit from it, including religious education ⁽⁴³⁰⁾.

Second: For female prisoners

Underage female prisoners shall be provided with the same educational and vocational training opportunities available to minor prisoners ⁽⁴³¹⁾.

Third: For juveniles

In accordance with the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, a juvenile of compulsory school age shall have the right to receive education appropriate to his or her needs and abilities. The education of the juvenile shall, in all cases, be provided by

⁴²⁸ Administrative Court, Case No. 2781 of 57 S issued at the session of October 30, 2005.

⁴²⁹ Rule 77, paragraph 2, of the Standard Minimum Rules for the Treatment of Prisoners, <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.esy87lsp89xg> and <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.esy87lsp89xg>, paragraph 2, of the Nelson Mandela Rules.

⁴³⁰ Rule 77, paragraph 1, of the Standard Minimum Rules for the Treatment of Prisoners, <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.esy87lsp89xg> and <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.esy87lsp89xg>, paragraph 1, of the Nelson Mandela Rules.

⁴³¹ Rule No. 37 of the Bangkok Rules.

competent teachers who follow programs integrated with the education system of the country, so that, after their release, juveniles can continue their education without difficulty, provided that the education of the juvenile in local community schools outside the custodial institution, whenever possible.

The administrations of custodial institutions should pay special attention to the education of juveniles of foreign origin or those with special cultural or customary needs, and juveniles who are illiterate or have cognitive or learning difficulties have the right to receive special education ⁽⁴³²⁾.

Every effort must be made to empower juveniles - those who are beyond the compulsory school age and wish to continue their studies - and to encourage enrollment in appropriate educational programs ⁽⁴³³⁾.

It is prohibited for the diplomas or academic certificates granted to juveniles during their detention to include any indication that the juvenile was placed in a detention institution ⁽⁴³⁴⁾.

Criticism

We note that both the Law on the Organization of Correction and Community Rehabilitation Centers and the regulations of the internal reform centers did not stipulate the compulsory education of convicted juveniles, while the Constitution considered that education is a right for every citizen without discrimination between those who enjoy full freedom or other detainees or convicts in reform centers, and it is compulsory until the end of the secondary stage and its equivalent, and the state guarantees free education at its various stages ⁽⁴³⁵⁾.

The Constitution holds the state responsible for supervising the various forms of education and does not stand in a negative position, as it is a preparation for young people for life and trains them to face their difficulties and evaluate their milestones. In this regard, they are equal without any distinction between them, and in this regard, the Supreme Constitutional Court ruled that: [The Constitution, in Article 18, stipulates that education is a right and compulsory at the primary stage, with the possibility of extending this obligation to other stages whose episodes and components are related to a solid and coherent structure that penetrates the horizons of science and storms its paths, and is linked to the facts and data of the times, the means and tools of development, the factors and manifestations of power, the balances of conflict and harmony, and establishes right, goodness and beauty, the integration of the human personality that does not retreat, the aspects of progress and deficiencies, the development and consolidation of educational, moral and cultural traditions, and the colors of creativity and forms of the arts to overlook them and provide them with the standards of

⁴³² [Rule No. 38 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

⁴³³ [Rule No. 39 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

⁴³⁴ [Rule No. 40 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

⁴³⁵ [Article 19 of the Constitution](#).

civilized commitment to secure the rights and freedoms of their citizens, and the fundamental factors that guarantee the homeland and the country's hopes that extend its circumference to an extent that is not confined, but extends to the extent of its faith, truly strong and justly, and justly.

Moreover, the Constitution, in article 18 itself, made sure that the state does not take a negative position on education, but rather holds it responsible for supervising its various forms. It strengthened its role by obliging it to ensure the independence of university education, and scientific research centers of all kinds to develop its mission, and to ensure the openness of its fields without restriction, envisioning that the educational process should be integrated in its means and purposes, and that its multiple tributaries should be a continuous river so that some of its rings are not isolated from each other, but its parts unite and its elements cooperate to establish its true structure, and that its source should be those values and traditions deep in the depths of its environment, and this is only because its value is mainly in its emergence from its society, and its expression of the interests and foundations on which it is based in order to consolidate and deepen its content.

In the light of the above, education was and still is one of the most dangerous and deepest tasks related to the hopes and aspirations of citizens and its closest link to the interests of the group and the measures of its progress. The state must therefore dominate its main elements, take care of them, and provide education and as much as it can, the essential lifelines that it only carries out, and that its spending on education is an expression of its conviction that its fruits return to them and that their collection by its citizens is not plowing into the sea, but rather the pulse and strength of life. It is not straightened out of its affairs and is still required as a prerequisite for citizens to confront their responsibilities with diversity and inclusiveness to be carried out productively and effectively. It is also a deepening of feelings of belonging, inspiration of conscience, determination of facts and appeal to motivation towards what should be a strong approach to work, and based on facts, and appeal to them towards what should be a strong approach to work and to provoke those values and ideals that are instilled and enriched in the formation of their specific problems. They say that their actions are not directed towards what should be a strong approach to work, nor do not retreat themselves, nor do they retreat themselves, nor do not take their way, nor do they insistently between their rights.

Education above this prepares them for life, trains them to face their difficulties and evaluates their features so that their means do not contradict or contradict their features and are equal to education. They conform to the requirements of their environment and integrate into their societies. They do not seek only the manifestations of superiority with determination and do not lean towards the right as a way for education to always be an inherent right that is not dependent on the overlapping of passions and not dictated by a passing whim. Rather, acceptance of educational institutes of all kinds is determined according to objective bases that align with the requirements of exercising this right.

Education is not formal or symbolic, and the legislator does not restrict its scope arbitrarily, but rather it meets reality and content for the purposes that it originally envisions and balances its level at a stage in itself and the conditions that it should meet; in light of its holistic view that ensures the advancement of the group culturally, and the methods of consideration and inference to develop science in its various fields and enable its causes⁽⁴³⁶⁾.

Recommendations

The Egyptian legislator should intervene to add an article to the law regulating community reform and rehabilitation centers related to the care of sentenced juvenile children, to stipulate the compulsory education of these children, in order to prepare them socially to become useful members of society.

The second topic: Inmate's right to culture

The first requirement: Within the framework of Egyptian law

In accordance with the Law on the Organization of Correction and Community Rehabilitation Centers, there shall be established in each reform center a library for inmates containing religious, scientific and moral books that encourage inmates to make use of them in their free time. However, the practical reality is that libraries are in reform and rehabilitation centers only (public prisons) and are not located in geographical reform and rehabilitation centers (central prisons) and there is no encouragement for prisoners to go to them and benefit from the books they contain⁽⁴³⁷⁾.

⁴³⁶ Supreme Constitutional Court, Case No. 40 of 16 s, issued at the session of September 2, 1995, published in the first part of the Technical Office's book No. 7, rule No. 10, page 194.

⁴³⁷

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Inmates may, at their own expense, bring books, newspapers, and magazines authorized to be circulated to view them in their free time. The management of the reform center shall review the books, newspapers, and magazines brought by inmates and shall not deliver them to them except after verifying that they are free from anything that violates the system, arouses feelings or senses, or violates security and doctrine, and signing them to this effect and stamping them with the seal of the reform center, provided that they are withdrawn from them in the military reform centers after completing their reading. The competent authorities and the reform centers shall be notified if these books, newspapers, or magazines are prohibited from printing and publishing ⁽⁴³⁸⁾.

438 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.2z39zg3zxnkw> 15 of the bylaws of the

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In military reform and rehabilitation centers, inmates may be allowed to practice their hobbies such as painting, music, etc., provided that they bring the necessary tools at their own expense, provided that this does not conflict with the security of the reform center or the comfort of inmates (439)

However, at the same time, the Administrative Court refused to allow inmates to possess a laptop with a card that provides access to the global network (Internet), because it considered that the possession of that device is contrary to the Law on the Organization of Correction and Rehabilitation Centers and its internal regulations: [There is no doubt that modern technologies have produced devices that are quick to communicate, see and know, including the laptop (laptop), which, like other computers, is characterized by transferring the user to the world of external communication with its high programs and technologies so that the user becomes free from censorship or interference from others, and if used inside the prison, it cannot be subject to the supervision and control of the prison administration, whether at the level of the person's use of it or at the level of transfer of information from the device or outside the prison.

The prisoner's possession of such a device enables him, in addition to following up his study, to communicate with the outside world by all means of communication and transfer information from inside his prison to the outside world through the use of the Internet, whether by wire or wireless, which is contrary to the Prison Law and its internal regulations. This law enables the prisoner to study and view the prison library or to bring the books, magazines and periodicals necessary for study within the scope of supervision and control of the prison administration in order to preserve the requirements of security inside the prison, which differ from other places, away from what would cause chaos and unrest, which was confirmed by this court in Case No.... For the year... At the hearing of 31/7/2007, which was held by the plaintiff with a request to enable him to communicate and send correspondence from his prison, it ruled to reject the request to stop the implementation of the contested decision in order to preserve the natural considerations of the prison facility, and then the contested decision not to allow the plaintiff to bring a laptop with his prisoner equipped with a card that provides him access to the World Wide Web (the Internet) was issued according to the appearance of the papers in conformity with the correct rule of law, absolving him of any defect, taking into account the special nature of the prison facility, which requires prisoners to take into account the requirements of security inside it, which differ from other places, away from everything that would

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cause chaos, breach of security or lack of control over the acts and actions of the prisoner, and thus the lawsuit is not based on its basis] ⁽⁴⁴⁰⁾.

The second requirement: within the framework of international conventions

The Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment afforded every detainee or prisoner the right to have access, within available resources and subject to reasonable conditions to ensure security and good order in the place of detention or imprisonment, to reasonable quantities of public sources of educational, cultural and media resources.

The Basic Principles for the Treatment of Prisoners also obligated them to treat prisoners with the necessary respect for their inherent dignity and value as human beings. It also prohibited discrimination against prisoners on the basis of race, color, sex, language, religion, political or other opinion, national or social origin, wealth, birth or any other status. However, it obligated them to respect religious beliefs and cultural principles of the category to which prisoners belong, whenever local circumstances so require ⁽⁴⁴¹⁾.

It also recognized the right of all prisoners without discrimination to participate in cultural and educational activities aimed at the full development of the human personality ⁽⁴⁴²⁾.

The Standard Minimum Rules for the Treatment of Prisoners [and](#) the [Nelson Mandela Rules](#) oblige each prison to have a library with an adequate amount of books that inmates are encouraged to make use of by facilitating their access to them and encouraging them to read ⁽⁴⁴³⁾.

The United Nations Rules for the Protection of Juveniles Deprived of their Liberty also obligated to provide in each detention institution a library equipped with sufficient books and educational and recreational periodicals suitable for juveniles, while encouraging juveniles and enabling them to use this library fully ⁽⁴⁴⁴⁾.

The Standard Minimum Rules for the Treatment of Prisoners [and](#) the [Nelson Mandela Rules](#) oblige prisoners to make the means available by reading daily or periodical newspapers or special publications issued by the prison institution or listening to radio programs or lectures under the supervision of the prison ⁴⁴⁵ administration.

⁴⁴⁰ Administrative Court, Case No. 14504 of 61, issued at the hearing of September 4, 2007, page 1004.

⁴⁴¹ Approved by the United Nations General Assembly in its resolution 45/111 of 14 December 1990, Principles 1, 2 and 3 of the Basic Principles for the Treatment of Prisoners.

⁴⁴² Principle No. 6 of the Basic Principles for the Treatment of Prisoners.

⁴⁴³ Rule No. 40 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 64 of the Nelson Mandela Rules](#).

⁴⁴⁴ [Rule No. 41 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

⁴⁴⁵ Rule 39 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 63 of the Nelson Mandela Rules](#).

Juveniles must also be given the opportunity to view the news regularly by reading newspapers, periodicals and other publications, enabling them to listen to radio programs and watch television programs and films, and by allowing visits from representatives of any club or legal organization interested in the event⁽⁴⁴⁶⁾.

The Nelson Mandela Rules oblige the prison administration to authorize every prisoner other than the courts (pretrial detainee or detainee) to obtain his or her alimony or the alimony of others within the limits consistent with the interest of the administration of justice and with the security of the prison and the maintenance of order in it, as he wishes from books, newspapers, writing tools and other means of spending time⁽⁴⁴⁷⁾.

A detained or imprisoned person shall have the right to have access, within the limits of available resources, if from public sources, to reasonable quantities of educational, cultural and informational resources, subject to reasonable conditions relating to ensuring security and good order in the place of detention or⁴⁴⁸ imprisonment.

The necessary writing tools must be provided to the prisoner other than the courts - who is in pre-trial detention - at his request in order to prepare documents related to his defense, including confidential instructions addressed to his lawyer or the person who provides him with legal assistance⁽⁴⁴⁹⁾.

446 [Rule No. 62 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.](#)

447 [Rule No. 90 of the Standard Minimum Rules for the Treatment of Prisoners, and Rule No. 117 of the Nelson Mandela Rules.](#)

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449 [Rule No. 120 of the Nelson Mandela Rules.](#)

Recreational and cultural activities must be organized in all prisons, in order to ensure the physical and mental health of prisoners ⁽⁴⁵⁰⁾.

Privilege systems must also be established in each prison that match the different categories of prisoners and the different methods of treatment, with the aim of encouraging prisoners to behave well, developing their sense of responsibility, and motivating them to pay attention to their treatment and make them cooperate in it ⁽⁴⁵¹⁾.

For women prisoners, prison authorities must be aware that women prisoners with different religious and cultural backgrounds have different needs and may face multiple forms of discrimination if they are to benefit from gender and culturally sensitive programs and services. Prison authorities should provide comprehensive programs and services to meet these needs, in consultation with the inmates themselves and the groups concerned ⁽⁴⁵²⁾.

Criticism

Egyptian law had allowed the inmate to bring at his expense the books, newspapers, and magazines he was authorized to circulate, after the management of the reform center had reviewed them and ensured that they were free of anything that contravened the system, aroused feelings or senses, or disturbed security and belief. However, the internal regulations should have specified the criteria or method on the basis of which the extent to which books, newspapers, and magazines brought from abroad violated the system, aroused feelings or senses, or disturbed security and belief, in order to prevent the right to bring inmates to books, newspapers, and magazines from being stolen or suspended from the extent to which the management of the reform center wished to grant them to inmates or not.

The inmate must also be allowed to possess the books of rituals and religious education taken by his sect, and the confiscation of them by the administration must be prohibited.

Recommendations

The legislator must intervene to:

- Determining the criteria for the extent of violation of books, newspapers and magazines that the inmate brings from abroad to the system, and that this does not depend on the management of the reform center;

- Providing for the prohibition of the confiscation by the administration of the inmate's books of rituals and religious education.

⁴⁵⁰ Rule No. 78 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 105 of the Nelson Mandela Rules](#).

⁴⁵¹ Rule No. 70 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 95 of the Nelson Mandela Rules](#).

⁴⁵² [Rule No. 54 of the Bangkok Rules](#).

The third topic: The Inmate's Right to Practise His Religious Rites and Freedom of Religion

The first requirement: Within the framework of Egyptian law

The Law Regulating Correction and Rehabilitation Centers stipulates that each reform center must have one or more preachers to encourage inmates in virtue and urge them to perform religious obligations. The preacher must be familiar with the systems in the reform centers to enable him to perform his mission to the fullest extent and to participate spiritually and intellectually with the management of the reform center in treating inmates' souls ⁽⁴⁵³⁾.

The preacher must visit every inmate who is dominated by homosexuality and dishonesty, exerting his effort to reform and discipline him. The preacher of the center or department is assigned to visit the inmates twice a week to encourage them in virtue and urge them to perform religious rituals. Inmates in preaching lessons are divided into groups so that each group listens to the preacher at least once a week ⁽⁴⁵⁴⁾.

The administration of the reform center teaches inmates in military reform centers educational, social and religious lessons with the aim of correcting any deviation in them ⁽⁴⁵⁵⁾.

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The second paragraph of

https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.lw1ygbxcv7d9_19 of the Bylaws of Correction and Rehabilitation Centers, and Articles 22 and 23 of the Bylaws of the Correction and Rehabilitation Centers.

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https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.oksw4gqr700_11 of the Internal Regulations of Military Prisons.

The Administrative Court of Justice ruled that preventing the administration of the Reform Center from performing Friday prayers in a group is a negative decision contrary to the law: [Article (46) of the Constitution stipulates that "the state guarantees freedom of belief and freedom of religious practice."

Whereas the Constitution has determined that the State guarantees freedom of belief and freedom to practise religious rites, there is no doubt that there is a close relationship between the availability of freedom of belief and the effects that may result from that freedom that cannot be removed as long as those effects are not contrary to any of the requirements of public order and public morals established in society, as saying otherwise means emptying that freedom of its content and making it a mere slogan and rhetoric without real content or arranging any results contrary to public order or public morals, What is guaranteed by the Egyptian Constitution has also been guaranteed by international charters, the most important of which is the Universal Declaration of Human Rights adopted by the General Assembly of the United Nations on 10/12/1948, by virtue of its resolution No. 217 (D3), which stipulates in Article (18) that: "Everyone has the right to freedom of thought, conscience and religion (...) and the freedom to express them in education, practice, worship and observance, whether in secret or with the community." In addition, among the modern international charters is the Arab Charter_____ on Human <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D9%85%D9%8A%D8%AB%D8%A7%D9%82-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A-%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D8%A5%D9%86%D8%B3%D8%A7%D9%86#h.k53z9748ox5> Rights, which stipulates in [Article \(27\)](#) that "Individuals of every religion have the right to practice their religious rites....." Article (32) of the Prisons Regulation Law No. 396 of 1956 stipulates that "Every Lyman or public prison shall have one or more preachers to entice prisoners in virtue and urge them to perform religious obligations....."

Article (23) of the Internal Regulations of the Prisons Regulation Law stipulates that "prisoners in preaching lessons shall be divided into groups so that each group listens to the preacher at least once."

In this regard, the court considers that the Islamic Sharia preceded all these charters and constitutions more than fourteen centuries ago, as it decided that freedom with explicit and conclusive texts, including the saying of the truth, blessed and exalted in verse (256) of Surat Al-Baqarah, there is no compulsion in religion. Rationality has been shown by the rich... and the Islamic Sharia has

regulated the rituals of God, and prayer was the first of these rituals. It has a status that is not condemned by another ritual. Prayer is the pillar of religion, which is performed only by Him. The Messenger of God, peace be upon him, said, "The head of the command is Islam, its pillar of prayer, and the climax of the hump of jihad for the sake of God." It is the first obligatory act of worship by God Almighty. Anas (may Allah be pleased with him) said: "I imposed the prayer on the Prophet (may Allah's peace and blessings be upon him) for the night of my captivity, in which there were fifty, then it decreased until I made five, then we call you, Muhammad: He does not change the saying with me, and that you have fifty with these five." Narrated by Ahmad, Al-Nasa'i and Al-Tirmidhi, the Messenger of Allah (may Allah's peace and blessings be upon him) said: "The first thing that a slave is held accountable for on the Day of Resurrection is prayer. If you reconcile, the rest of his work will be reconciled, and if you lose, he will ruin the rest of his work." Narrated by Al-Tabarani, which is the last commandment of the Messenger of Allah (may Allah's peace and blessings be upon him) at his death, and he said as he was uttering his last breath. "Prayer is prayer and what your faith possesses." Many verses have been revealed in prayer, including the saying of Almighty Allah: Establish prayer and give zakah (purity) Surah Al-Baqarah verse (110), and Almighty said: The success of the believers who are in their prayers is in their humility, saying: And those who are on their prayers are guarding the verses (1, 2, 9). Among the obligatory prayers are the Friday prayers, where the scholars unanimously agreed that they were obligatory. Almighty said: O Allah, whoever believes, when we call for prayer from the Day of Resurrection, they will keep prayers from the Day of Resurrection until the Remembrance of Allah and the Warnings of Allah (9) Surat Al-Jumu'ah, and in the Holy Prophet's Sunnah, the Messenger of Allah (peace and blessings of Allah be upon him) said, "Whoever abandons three groups in laxity, Allah has sealed his heart." Narrated by the five, Friday prayers are obligatory for a free, sane, adult, resident Muslim who is able to seek them, free from permissible excuses for failing to do so. The Prophet (peace and blessings of Allah be upon him) said, "Friday is a right and duty for every Muslim in the community.....".

In terms of the fact that this court has settled in many of its rulings on upholding the principle of freedom of belief and the practice of religious rites as one of the basic principles that are close to the human person, and therefore in light of this, it is not permissible in any way for the administration to issue a decision or refrain from issuing a decision that violates any of them.

In that it shows from the appearance of the papers and to the extent necessary to adjudicate the urgent part of them without infiltrating the matter, that the administration of Tora prison, which the defendant is carrying out the period of the criminal sentence, has prevented him from performing Friday prayers in the mosque located in the prison, and the administrative authority has not denied that, but has

limited its defense to the absence of a negative decision to refrain from allowing him to perform this prayer.

Since the aforementioned prayer is an exact imposition on every Muslim and is held only in a group, and the papers have testified that there are no excuses that allow the plaintiff to fail to perform it except for the work of the administrative authority, which is if it represents a legitimate excuse for the plaintiff, but it affects a right guaranteed by the principles of Islamic Sharia, the Constitution, the law and international charters as mentioned above, and therefore the contested negative decision is based on a reason that is not legally justified according to the apparent nature of the papers and is likely to be canceled when considering the subject of the lawsuit, and thus the corner of seriousness is available in the request to stop the implementation of the contested decision, and the case must be as well as the judiciary to stop its implementation.

As for the element of urgency, it is available in the urgent part because of the irreversible consequences of the implementation of the decision, represented in depriving the plaintiff of his constitutional, legal and legitimate right to perform Friday prayers in the Tora Prison mosque referred to] ⁽⁴⁵⁶⁾.

One priest is allowed to visit his community of inmates on each of their festivals and is allowed to eat the sacrifice he brings to them. On their festivals, Israelis are also allowed to eat cashier foods that are received from the rabbinate and delivered to them in their own pots as required by their Sharia ⁽⁴⁵⁷⁾.

The second requirement: within the framework of international conventions

First: For prisoners

The Standard Minimum Rules for the Treatment of Prisoners [and](#) the [Nelson Mandela](#) Rules stipulated that_a religious representative should be appointed to work full time, if the number of prisoners justifies this, and that that representative should be allowed to perform religious rites regularly, and to make special visits to prisoners in order to take care of them.

It is prohibited to deprive any prisoner of contact with the qualified religious representative of any religion, provided that the prisoner is not forced to pay any religious representative a visit if the prisoner objects to this ⁽⁴⁵⁸⁾.

The prisoner must be allowed to perform the duties of his religious life and attend the prayers held in the prison, and he is allowed to possess the books of ritual and religious education taken by his sect, while the law regulating reform and community rehabilitation centers in Egypt granted the

⁴⁵⁶ Judgment of the First Circuit of the Administrative Court in Case No. 36947 of 62 K issued on December 2, 2008.

⁴⁵⁷ Article 74 of the Internal Regulations of Correction and Rehabilitation Centers.

⁴⁵⁸ Rule 41 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 65 of the Nelson Mandela Rules](#).

administration the right to confiscate any books, magazines, or newspapers if it deems them contrary to the system, provoking feelings or senses, or disturbing security and belief ⁽⁴⁵⁹⁾.

Second: For juveniles

Every juvenile shall be allowed to fulfill his religious and spiritual needs, and to attend religious rites or events organized in the detention institution or to perform his rites himself.

He must also be allowed to possess the necessary books or materials of rituals and religious teachings followed by his sect.

The custodial institution shall appoint one or more representatives of the religion professed by a sufficient number of juveniles in this institution, or approve those designated for this purpose. The religious representative shall be allowed to hold regular religious ceremonies and make special pastoral visits to juveniles at their request. Every juvenile also has the right to be visited by a qualified representative of the religion he determines, and the juvenile has the right to refrain from participating in religious ceremonies and the freedom to refuse religious education, guidance or education in this regard ⁽⁴⁶⁰⁾.

Criticism

We note that if the Law on the Organization of Correction and Community Rehabilitation Centers stipulated that each public correction center should have one or more preachers, but it did not require their permanent presence inside the correction center, and the law did not regulate the right of the inmate to meet with the religious preacher at the time he sees fit.

Recommendations

The legislator must intervene to provide for:

- At least one religious preacher affiliated with the religion of the majority of inmates must be resided in each of the various correctional centers;
- The right of the inmate to meet with the religious preacher at the time he sees fit;
- The right to practice religious rites as determined by the religious preacher.

⁴⁵⁹ Rule No. 42 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 66 of the Nelson Mandela Rules](#).

⁴⁶⁰ [Rule No. 48 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

Chapter Seven: Inmate's Social and Psychological Care - Inmate's Right to Social and Psychological Care

The first topic: Within the framework of Egyptian law

The first requirement: Appointing a social worker at the Correctional Center

The Egyptian legislator in the law regulating reform and rehabilitation centers paid special attention to the social welfare of the inmate, so the reform center must have one or more specialists in the social and psychological sciences, provided that social workers take care of inmates from the social point of view. Inmates are divided among social workers assigned to study cases so that each of them is concerned with a specific group, and each inmate is assigned a record that includes a comprehensive research on his condition in terms of social and psychological aspects and the improvement or relapse that occurs, provided that this research as well as tracking research is recorded in special forms, taking into account that the confidentiality of these research is kept strictly confidential⁽⁴⁶¹⁾.

The Head of the Social Service at the Correctional Center shall be the most senior social worker and shall be responsible for coordinating and supervising social work, as well as training male and female students of institutes and colleges who are authorized by the Prison Authority to be trained. He may also perform some of the work of the social worker according to the need and nature of the work at the Correction Center⁽⁴⁶²⁾.

The work is divided among the social workers in the correctional center. One or more social workers are assigned to study cases, a social worker to work with groups, and a social worker for external care by contacting different bodies and institutions. Inmates are divided among the social workers assigned to study cases so that each of them is assigned to a specific group⁽⁴⁶³⁾.

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462 Article 17 of the Internal Regulations of Correction and Rehabilitation Centers.

463 Articles 18 and 19 of the Bylaws of Correction and Rehabilitation Centers.

Second: Inmate's Family Social Security Pension

State care for the inmate's family. The legislator considered that the inmate's wife and/or son and/or daughter are in a state of poverty in the application of the provisions of the Social Security Law, if her breadwinner is imprisoned for a period of at least six months, and they have no income, and they have the right to receive social security assistance, which is financial assistance, monthly or exceptional, received by the entitled individual or family ⁽⁴⁶⁷⁾.

The Prime Minister estimated the monthly security assistance paid in application of the provisions of the Social Security Law at 323 pounds for a family of one member, 360 pounds for a family of two members, 413 pounds for a family of three members, and 450 pounds for a family of four members ⁽⁴⁶⁸⁾.

Exceptional cash assistance may also be disbursed when it is proven from field social research that the individual or family deserves it ⁽⁴⁶⁹⁾.

The children of a legally detained person, an inmate, a female inmate who is the breadwinner, a male inmate, or a female inmate who is the breadwinner, for a period of not less than one month, are entitled to a monthly pension from the competent ministry of social security of not less than sixty pounds ⁽⁴⁷⁰⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%B1%D8%B3%D9%88%D9%85#h.owhfkq7ztne0> 1 of the Minister of Interior's Resolution No. 211 of 1965 regarding the organization of exemptions <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D9%88%D8%B2%D9%8A%D8%B1-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-211-%D9%84%D8%B3%D9%86%D8%A9-1965-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%AD%D8%A7%D9%84%D8%A7%D8%AA-%D8%A7%D9%84%D8%A5%D8%B9%D9%81%D8%A7%D8%A1-%D9%85%D9%86-%D8%A8%D8%B9%D8%B6-%D8%A7%D9%84%D8%B1%D8%B3%D9%88%D9%85#h.owhfkq7ztne0> from some of the fees prescribed by the Civil Status Law.

⁴⁶⁷ Article No. 4 of Law No. 137 of 2010 on the promulgation of the Social Security Law, and Articles No. 2 and 4 as amended by the decision of the Minister of Social Solidarity No. 186 of 2015, 34 and 40 of the decision of the Minister of Social Solidarity No. 451 of 2010 on the executive regulations of the Social Security Law.

⁴⁶⁸ <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-375-%D9%84%D8%B3%D9%86%D8%A9-2014#h.jnsphw3zx3uc> 1 of the Prime Minister's Decision <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-375-%D9%84%D8%B3%D9%86%D8%A9-2014#h.jnsphw3zx3uc> No. 375 of 2014 regarding the statement of entitlement to monthly security assistance formerly the security pension - which is disbursed in application of the provisions of the Social Security Law.

⁴⁶⁹ Articles 46 and 47 of the Minister of Social Solidarity Resolution No. 451 of 2010 regarding the executive regulations of the Social Security Law promulgated by Law No. 137 of 2010.

⁴⁷⁰ <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B7%D9%81%D9%84#h.18eiwgek4o3b> 49 of the Child Law, as amended by Law No. 126 of 2008.

Third: The system of alternative families for inmates' children

State care for the children of inmates. The legislator has decided to have the right to benefit from the system of alternative families stipulated in the Children's Law. This system aims to provide integrated social, psychological, health and professional care for children over the age of three months and their circumstances prevented them from growing up in their natural families, by creating an alternative environment to receive children, providing them with the necessary expertise to help them ensure a normal life suitable for children and follow up the safety of their upbringing properly, and working to provide all the reasons for psychological and social balance. The most important of these reasons is to entertain children on various occasions by various means and methods, such as taking trips and preparing appropriate camps accompanied by their alternative foster families ⁽⁴⁷¹⁾.

The system of alternative families serves foster care: for children over the age of three months, and their care is with alternative families or within the shelters of the Ministry of Social Solidarity, and up to the age of settling for work or marriage for females ⁽⁴⁷²⁾.

471 [Article No. 46 of the Child Law](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AA%D9%86%D9%81%D9%8A%D8%B0%D9%8A%D8%A9-%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B7%D9%81%D9%84#h.mn2sw9v6lwy5) amended by Law No. 6 of 2015, [Article No. 85 of the Prime Minister's Decision](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AA%D9%86%D9%81%D9%8A%D8%B0%D9%8A%D8%A9-%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B7%D9%81%D9%84#h.mn2sw9v6lwy5) [Minister's Decision No. 1143 of 2020](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1143-%D9%84%D8%B3%D9%86%D8%A9-2020#h.9brribd5ics), the [Prime Minister's Decision No. 178 of 2016](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1143-%D9%84%D8%B3%D9%86%D8%A9-2016#h.l4oe1ho569ub) and the [Prime Minister's Decision No. 208 of 2014](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-208-%D9%84%D8%B3%D9%86%D8%A9-2014#h.g6i73c43sc49), and [Article No. 86 of the Executive Regulations of the Child Law](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1143-%D9%84%D8%B3%D9%86%D8%A9-2020#h.9brribd5ics) amended by the [Prime Minister's Decision No. 1143 of 2020](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1143-%D9%84%D8%B3%D9%86%D8%A9-2020#h.9brribd5ics).

472 [Article No. 87 of the Executive Regulations of the Child Law](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AA%D9%86%D9%81%D9%8A%D8%B0%D9%8A%D8%A9-%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B7%D9%81%D9%84#h.upw5gmsrp4vv87), as amended by [Prime Minister's Decision No. 1143 of 2020](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1143-%D9%84%D8%B3%D9%86%D8%A9-2020#h.9brribd5ics).

The conditions for handing over the child to an alternative family are stipulated in the [executive regulations of the Child Law](#), which are as follows:

1-The religion of the family must be the religion of the child, and the spouses must be Egyptian.

As an exception to the above, the Supreme Committee for Alternative Families may approve the sponsorship of a child for an alternative family consisting of one Egyptian spouse.

2. The family shall consist of a couple who have the elements of moral and social maturity based on social research carried out by the competent social administration and the competent civil association or institution, and that each of them shall not be less than twenty-one years of age and not more than sixty years of age.

The Kafalah Alternative Families Committee may exempt that the age of each of the spouses in the Kafalah alternative family may not exceed sixty years, according to the results of social research.

As an exception to the above, widows, divorced women, and those who have never been married and have reached the age of not less than thirty years may sponsor children if the committee deems them fit to do so.

3-The family must have the social, economic, psychological, health and material capacity to care, and be aware of the needs of the child in care.

4- Obtaining the approval of the Alternative Families Committee in the competent Social Solidarity Directorate, in the event that the family wishes to care for more than one child.

5-The family headquarters shall be in a suitable environment in which educational, religious, medical and sports institutions are available, and the health conditions of the housing and the acceptable level of health of the family members shall be met, based on social research carried out by the competent social administration.

6-The family undertakes to provide the child - the place of care - with all his needs, like the rest of its members.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1143-%D9%84%D8%B3%D9%86%D8%A9-2020#h.9brbibd5ics> the PrimeMinister's Decision No. 1143 of 2020, the [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-208-%D9%84%D8%B3%D9%86%D8%A9-2014#h.g6i73c43sc49](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-178-%D9%84%D8%B3%D9%86%D8%A9-2016#h.l4oe1ho569ub) PrimeMinister's Decision No. 178 of 2016 and the PrimeMinister's Decision No. 208 of 2014.

7. The foster family shall facilitate the task of representatives of the Ministry of Social Solidarity, the Supreme Committee for foster families, the Department of Family and Childhood in the directorates of social solidarity, the association or the civil institution competent in supervision and field visits of the foster family and the child and follow up on it in a manner that does not prejudice the principle of confidentiality and professionalism.

8-The foster family undertakes, if the child is of known parentage, that the contact in his affairs shall be through the Department of Family and Childhood, and it is prohibited for it to hand him over, even temporarily, to his parents, one of them, or to any other person except through this Department.

9. The substitute family accepts to cooperate with the Department of Family and Childhood in drawing up plans for the benefit of the child in care, including his return to his family or his transfer to another house or social institution.

10-The family undertakes in writing to preserve the child's lineage.

11-The foster family shall submit the criminal record periodically as determined by the competent department.

12. The spouses must have at least a high school diploma or its equivalent.

13- Families wishing to sponsor must pass the training course organized by the Ministry of Social Solidarity.

The committee may exempt from some of the conditions set out in clauses (2, 4, 12) according to the results of social research ⁽⁴⁷³⁾.

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Article

https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AA%D9%86%D9%81%D9%8A%D8%B0%D9%8A%D8%A9-%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B7%D9%81%D9%84#h.psn7lcvjq9o6_89 of the Executive Regulations of the Child Law, as amended by [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1143-%D9%84%D8%B3%D9%86%D8%A9-2020#h.9brribd5ics](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-178-%D9%84%D8%B3%D9%86%D8%A9-2016#h.l4oe1ho569ub) Prime Minister's Decision No. 1143 of 2020, and the <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1783-%D9%84%D8%B3%D9%86%D8%A9-2018#h.gwvli4ejpsyq> Prime Minister's Decision No. 1783 of 2018.

The substitute family shall immediately notify the competent Family and Childhood Department of any change in its marital status or place of residence and any change in the circumstances of the child in care, such as employment, enrolment in a school, escape, death, or marriage of the girl.

It is prohibited for the substitute family to travel abroad, with or without the child in care, without the prior written consent of the Family and Childhood Department of the competent Social Solidarity Directorate, provided that the substitute family goes within a month from the date of its arrival to the country to which it traveled to the nearest diplomatic mission from its place of residence to register its data, the data of the child and the means of communication with it, and that the substitute family is obligated to facilitate the task of the representatives of the diplomatic mission in supervising and field visits to the substitute family and the child and following it up in a manner that does not violate the principle of confidentiality and professionalism, and that it notifies the nearest diplomatic mission of any changes to the family data or to the data of the child, and the substitute family is also obligated to notify the Family and Childhood Department of the competent Social Solidarity Directorate immediately upon its arrival in the country⁽⁴⁷⁴⁾.

Upon receiving the child in care, the substitute family shall open an account in Nasser Social Bank or open a savings book in an amount of not less than three thousand pounds or deposit this amount in the child's account if there is an account or a savings book for him. The family shall receive a photocopy of the deposit receipt to the Department of Family and Childhood in the directorate to which the place of residence belongs.

The substitute family shall carry out the duties of caring for the child in care free of charge, and it has the right to bequeath to him or give him from its property the amount it deems appropriate in accordance with the law. It is not permitted to disburse from the amounts deposited in the child's account at Nasser Social Bank or in his savings book under any name except with the approval of the Supreme Committee for Kafalah Substitute Families.

The foster substitute father or the foster substitute mother, as the case may be, "holder of the foster substitute family card" shall have educational guardianship over the foster child, provided that

474 [Article No. 91 of the Executive Regulations of the Child Law](#), and [Article No. 91 bis of the Executive Regulations of the Child Law](#) added <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-178-%D9%84%D8%B3%D9%86%D8%A9-2016#h.14oe1ho569ub> by [Prime Minister Decision No. 178 of 2016](#) and amended <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1143-%D9%84%D8%B3%D9%86%D8%A9-2020#h.9brrbid5ics> by [Prime Minister Decision No. 1143 of 2020](#).

the family shall notify the Social Administration annually of a certificate of proof of enrollment from the school in which the child is enrolled ⁽⁴⁷⁵⁾.

The social worker shall manage the family and childhood in the directorate, the social administration, or the social unit, as the case may be, by supervising the cases within the scope of his work. He shall visit children in foster families every three months and whenever necessary, while following up the child at every stage of his age until he reaches the age of majority. He shall send the reports in full confidentiality to the directorate to take the necessary action and submit them to the committee of foster families if necessary, provided that the files of the children are kept in the competent social solidarity directorate ⁽⁴⁷⁶⁾.

The third requirement: Preparing the convict to go out into society

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Article

https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AA%D9%86%D9%81%D9%8A%D8%B0%D9%8A%D8%A9-%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B7%D9%81%D9%84#h.oibitamriu1t_99 of the Executive Regulations of the Child Law, as amended by the <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-178-%D9%84%D8%B3%D9%86%D8%A9-2016#h.l4oe1ho569ub> Prime Minister's Decision No. 178 of 2016, the [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1143-%D9%84%D8%B3%D9%86%D8%A9-2020#h.9brbibd5ics](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1783-%D9%84%D8%B3%D9%86%D8%A9-2018#h.gwvli4ejpsyq) Prime Minister's Decision No. 1783 of 2018, and the <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1143-%D9%84%D8%B3%D9%86%D8%A9-2020#h.9brbibd5ics> Prime Minister's Decision No. 1143 of 2020.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AA%D9%86%D9%81%D9%8A%D8%B0%D9%8A%D8%A9-%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B7%D9%81%D9%84#h.cxh4n3w7e3mc102> of the Executive Regulations of the Child Law, as amended <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-178-%D9%84%D8%B3%D9%86%D8%A9-2016#h.l4oe1ho569ub> by Prime Minister Decision No. 178 of 2016 and <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%8AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1143-%D9%84%D8%B3%D9%86%D8%A9-2020#h.9brbibd5ics> Minister Decision No. 1143 of 2020.

Before his release, whether conditional release or final release, the convict must pass a transition period of no more than two years, if he spent four consecutive years in the reform center⁽⁴⁷⁷⁾.

First: Benefits enjoyed by the convict during the transition period

(1) Transfer him to the reform center located in his governorate district in which he wants to reside after his release or to a medium-security reform center.

(2) Placing him in work commensurate with what he was practicing before his imprisonment as much as possible.

(3) Treating him as a pre-trial detainee in relation to visitation and correspondence.

The visit shall take place in the office of an officer and in his presence or on his behalf and shall be for a period of forty-five minutes unless the director of the reform center deems it necessary to increase it further.

(4) Allowing him to visit his family outside the reform center once every three months during the first year of the transition period, then once every month during the following nine months, and then once every two weeks during the last three months, provided that the duration of one visit does not exceed 48 hours in addition to the dates of the distance, provided that this does not endanger public security or his person.

The inmate shall specify who he will visit, his place of residence, and his relationship to it, and he shall return to the reform center before the expiry of the date of the visit. If he is delayed without an acceptable excuse, he may be deprived of the next visit or of this benefit, as the case may be.

The inmate shall be paid each time from his savings in the reform center an appropriate amount as well as what corresponds to the expenses of moving back and forth from the headquarters of the reform center to the headquarters of the visit.

The behavior of the prisoner outside the prison and his regularity in returning shall be taken into account when considering the availability of the conditions for his conditional release, all of this in addition to the other privileges prescribed for his grade, and these privileges shall be granted gradually⁽⁴⁷⁸⁾.

⁴⁷⁷ Article 84 of the Internal Regulations of Correction and Rehabilitation Centers, as amended by Minister of Interior Decision No. 765 of 1974.

⁴⁷⁸ Article 85 of the Internal Regulations of Correction and Rehabilitation Centers, as amended by Minister of Interior Decree No. 345 of 2017, Minister of Interior Decree No. 1058 of 2008, and Minister of Interior Decree No. 765 of 1974.

For those placed in the institution, the social worker contacts the social affairs directorates in the governorates to work on caring for their families in a meeting and notifying them at least two months before their release to take care of them abroad and help them find an honest job for them ⁽⁴⁷⁹⁾.

Second: Social Participation Council

The Social Participation Council was established to support inmates, released persons and their families by Prime Minister Decision No. 2904 of 2012 as an advisory body affiliated with the Ministry of Interior based in the Community Protection Sector. This Council is concerned with:

1- Activating the paths of cooperation and coordination with the various government agencies and reform centers in the fields of training, awareness, culture, vocational rehabilitation and production for inmates, released persons and their families, and developing areas of cooperation in line with modern penal policy.

2. Propose ways to cooperate with bodies, associations and civil society institutions and coordinate their efforts and activities for the benefit of inmates, released persons and their families.

3- Preparing relevant scientific and applied studies and research related to prisoners and released prisoners in coordination with specialized scientific institutions and investing the efforts of international and regional organizations in this field.

4- Supporting the capabilities and developing the skills of the staff of correctional centers in the task of rehabilitating inmates in accordance with the concepts of modern penal policy.

5- Upgrading the policies of education and social and psychological services in prisons of all kinds in coordination with other concerned authorities to emphasize the complementary role of state agencies in this field.

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Article

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.4a91hh97pja0> 15 of Presidential Decree No. 82 regarding <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.4a91hh97pja0> the establishment of a labor institution in which repeat offenders are placed.

6- Supporting reform centers with material and technical capabilities to ensure their continued development and modernization, establishing more vocational rehabilitation centers and productive projects in them, and providing the necessary sources of funding for this.

7- Proposing programs that ensure the gradual integration of the inmate into society through preparatory programs for release that begin organizationally within the correction center or after his release.

8-The participation of released prisoners who have previously benefited from rehabilitation programs in reform centers in the efforts of civil society institutions to rehabilitate inmates socially, culturally and professionally.

9- Changing the society's view of the released prisoners by establishing and consolidating a community culture aimed at advocating for the care of the families of the inmates of the reform centers during the execution of the punishment, and working to provide job opportunities for the released prisoners ⁽⁴⁸⁰⁾.

The council is chaired by the Assistant Minister of Interior for the Community Protection Sector and includes in its membership a representative of each of the following bodies:

1- The concerned bodies of the Ministry of Interior: namely the State Security Investigations Sector, the Public Security Department Sector, the General Directorate of Information and Relations, the General Directorate of Legal Affairs, the General Directorate of Drug Control, the General Directorate of Juvenile Welfare Investigations, the General Directorate for the Protection of Morals, the Department of Aftercare, the Training Department, and the Police Research Center. They are permanent members of the Council without changing or restricting the duration of the Council's session, provided that these bodies limit their permanent representative to the duration of the Council's session.

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Article

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-2904-%D9%84%D8%B3%D9%86%D8%A9-2010#h.qjkw837xkdbw> 2 of the Prime Minister 's Decision <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-2904-%D9%84%D8%B3%D9%86%D8%A9-2010#h.qjkw837xkdbw> No. 2904 of 2010 regarding the establishment of the Community Participation Council to support inmates of correction and rehabilitation centers, those released and their families.

2- The Ministries of "Information, Health, Social Solidarity, Manpower and Immigration" with the rank of at least a Undersecretary.

3- The National Councils for "Women, Motherhood and Childhood, and Human Rights" and the General Federation of NGOs.

4- The competent technical departments in the community protection sector shall be determined according to the need and issued by a decision by the competent Assistant Minister of Interior with a maximum of eight members.

5- Civil associations and institutions, the number of which shall not be less than four and not more than ten, and the term of membership of each of them shall be one year, which may be renewed for another period or periods.

6- Any bodies or legal persons that the Ministry of Interior deems fit to join the Council. The chairman of the board may invite whomever he deems fit to attend the sessions, provided that they do not have the right to vote.

The council shall have a secretary general appointed from among its members to take minutes of the sessions and follow up on the recommendations issued by the council ⁽⁴⁸¹⁾.

The council shall meet at least once a month or at the invitation of its chairman, and the recommendations shall be issued by a majority of the votes of those present. In the event of a tie, the side in which the chairman is present shall prevail, provided that these recommendations are submitted to the Minister of Interior and do not become effective until after ⁴⁸² their adoption.

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Article

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-2904-%D9%84%D8%B3%D9%86%D8%A9-2010#h.rffakc229mtp> 1 of the Prime Minister's <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-2904-%D9%84%D8%B3%D9%86%D8%A9-2010#h.rffakc229mtp> Decision No. 2904 of 2010 regarding the establishment of the Community Participation Council to support inmates of correction and rehabilitation centers, the released and <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-2904-%D9%84%D8%B3%D9%86%D8%A9-2010#h.rffakc229mtp> their families, and Articles 1 and 2 of the Minister of Interior's Decision No. 3 of 2011 regarding the identification of the Ministry of Interior members of the Community Participation Council to support inmates of correction and rehabilitation centers, the released and their families.

⁴⁸² Articles 4 and 5 of the Prime Minister's Decision No. 2904 of 2010 regarding the establishment of the Community Participation Council to support inmates of correction and rehabilitation centers, those released and their families.

The board may recommend accepting gifts, donations, and unconditional gifts provided by different entities in accordance with the controls and procedures specified by the laws and⁴⁸³ regulations.

The Community Protection Sector at the Ministry of Interior bears the expenses of the Council's work, including the expenses it requires to implement the approved recommendations⁽⁴⁸⁴⁾.

The second topic: Within the framework of international conventions

The First Requirement: Social Care for the Convicted

It is clear from the development of the Standard Minimum Rules for the Treatment of Prisoners and the Nelson Mandela Rules that they serve to demonstrate the spirit in which prison management should be conducted and the objectives it should⁴⁸⁵ pursue.

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Article

https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-2904-%D9%84%D8%B3%D9%86%D8%A9-2010#h.injyrhucb7tz_6_of_the_Prime_Minister's_Decision
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-2904-%D9%84%D8%B3%D9%86%D8%A9-2010#h.injyrhucb7tz>
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-2904-%D9%84%D8%B3%D9%86%D8%A9-2010#h.injyrhucb7tz> No. 2904 of 2010 regarding the establishment of the Community Participation Council to support inmates of correction and rehabilitation centers, those released and their families.

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485

Rule No. 56 of the Standard Minimum Rules for the Treatment of Prisoners, and Rule No. 86 of the Nelson Mandela Rules.

The competent authorities provide assistance when needed to dependents, especially minors, and family members of detained or imprisoned persons, and also provide appropriate care for children who have been left unsupervised⁽⁴⁸⁶⁾.

The prison system should seek to reduce the differences between prison life and free life that would minimize the sense of responsibility of prisoners or the respect due to their human dignity, and prison administrations should make all reasonable accommodations and adjustments to ensure that prisoners with physical, mental or other disabilities live in prison fully and effectively on an equal basis⁽⁴⁸⁷⁾.

Therefore, according to these rules, it is better to take the necessary measures, before the end of the sentence, to ensure the gradual return of the prisoner to his community, and this can be done through a system that paves the way for the release of the prisoner to be carried out in the prison itself or in another appropriate institution, or through his release on probation with a form of supervision and control that is not carried out by the police, and includes effective social assistance⁽⁴⁸⁸⁾.

The Arab Charter on Human Rights stipulated that the prison system should aim at the reform and social rehabilitation of prisoners⁽⁴⁸⁹⁾.

486 Principle No. 31 of the Body of
[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.om8evfvzd1tt](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.om8evfvzd1ttPrinciples) Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.

487 Rule No. 60 of the Standard Minimum Rules for the Treatment of Prisoners, and Rule No. 5 of the Nelson Mandela Rules.

488 Rule No. 87 of the Nelson Mandela Rules.

489 Article 20 of the Arab Charter on Human Rights.
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D9%85%D9%8A%D8%AB%D8%A7%D9%82-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A-%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D8%A5%D9%86%D8%B3%D8%A7%D9%86> 20 of the Arab Charter on Human Rights.

The focus of the treatment of prisoners should be as part of the community, and they should not be excluded from it, using as much as possible community bodies to help prison staff perform the task of social rehabilitation of prisoners.

There must be social assistants in the prison to help integrate the prisoner with society and maintain and improve all relations of the prisoner with his family and social organizations that benefit him.

Measures should be taken to ensure the protection of the rights of the prisoner related to his civil interests and his enjoyment of social security and other social benefits, to the maximum extent consistent with the law and with the nature of the punishment ⁽⁴⁹⁰⁾.

The treatment of those sentenced to imprisonment or by any similar measure to deprivation of liberty must be aimed at giving them the determination to live under the law, to manage their needs with their own effort, and to make them able to enforce this determination. This treatment should be planned so that it encourages their self-esteem and develops a sense of responsibility ⁽⁴⁹¹⁾.

And that the duty of society does not end with the release of the prisoner. Therefore, there must be governmental or private bodies capable of lending effective care to the prisoner whose freedom has been restored after his release, with the aim of alleviating the spontaneous hostile attitudes against him and allowing his rehabilitation to return to society ⁽⁴⁹²⁾.

The [Nelson Mandela Rules](#) required that the treatment of persons sentenced to imprisonment or a similar measure depriving them of their liberty should be for the purpose of giving them the desire to live on their own after their release under the law, and to qualify them to achieve this desire, to the extent that the duration of the sentence allows. This treatment should aim to encourage their self-respect and develop their sense of responsibility ⁽⁴⁹³⁾.

To achieve these purposes, all appropriate means of religious care, education, guidance and vocational training for prisoners must be used, as well as the use of methods of individual social assistance, vocational guidance, physical sports and personal development, according to the individual needs of each prisoner, taking into account his social and criminal history, his physical and mental abilities and talents, his personal mood, the duration of his sentence, and his future after his release.

The Standard Minimum Rules for the Treatment of Prisoners and the Nelson Mandela Rules require that, as soon as possible after the admission of each sentenced prisoner for a given period, the prison director shall receive full reports on the marital status of the prisoner. Such reports shall always

⁴⁹⁰ Rule 61 of the Standard Minimum Rules for the Treatment of Prisoners, [and rule 88 of the Nelson Mandela Rules](#).

⁴⁹¹ Rule No. 65 of the Standard Minimum Rules for the Treatment of Prisoners.

⁴⁹² Rule No. 64 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 90 of the Nelson Mandela Rules](#).

⁴⁹³ [Rule No. 91 of the Nelson Mandela Rules](#).

include a report prepared by a physician or other qualified health care professional on the physical and mental conditions of the prisoner. Reports and other appropriate documents relating to the prisoner shall be placed in an individual file. This file must be kept up to date and classified in a way that enables the responsible employees to view it whenever the need arises⁽⁴⁹⁴⁾.

Care must be taken to maintain and improve the prisoner's relations with his family, in the interest of both parties⁽⁴⁹⁵⁾.

The prisoner must be encouraged and assisted to establish relations with persons and bodies outside the prison⁽⁴⁹⁶⁾.

Governmental and private agencies and bodies that help persons released from prison to re-establish their feet in society must ensure that they have access, to the extent possible and necessary, to documents and identity papers, appropriate housing and work, appropriate clothing suitable for the climate and segregation, adequate means to reach their destination and secure their livelihoods in the period following their release, and that representatives of government agencies and bodies, taking into account coordination between them to make the best use of their efforts, have access to the prison and to prisoners, and that they are consulted on the future of the prisoner from the beginning of the implementation of his sentence⁽⁴⁹⁷⁾.

The second requirement: social care for women prisoners

Prison managers shall develop and implement classification methods that take into account the special needs of women and the conditions of female prisoners to ensure the preparation and implementation of appropriate and individualized plans aimed at their early rehabilitation, treatment and reintegration into society⁽⁴⁹⁸⁾.

Gender-sensitive risk assessment and categorization of prisoners should include:

(a) To take into account the fact that women prisoners pose a lesser risk to others and the highly detrimental effects that security measures and heightened levels of isolation can have on women prisoners;

(b) Provide background information on women's backgrounds, such as violence they may have experienced, mental disability and drug use, as well as their responsibility to care for their children

⁴⁹⁴ Rule 66 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 92 of the Nelson Mandela Rules](#).

⁴⁹⁵ Rule No. 79 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 106 of the Nelson Mandela Rules](#).

⁴⁹⁶ Rule No. 80 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 107 of the Nelson Mandela Rules](#).

⁴⁹⁷ Rule 81 of the Standard Minimum Rules for the Treatment of Prisoners, [and rule 108 of the Nelson Mandela Rules](#).

⁴⁹⁸ [Rule No. 40 of the Bangkok Rules](#).

and others, all of which must be taken into account in their detention and the preparation of appropriate plans for the duration of their sentences;

(c) Ensure that sentencing plans for women prisoners include rehabilitation programmes and services tailored to their specific needs;

(d) Ensuring that women in need of mental health care are placed in shelters where their movement is not restricted, where the level of security measures is minimal and where they receive appropriate treatment, and not in facilities where high security measures are imposed on them simply because they suffer from mental health problems⁽⁴⁹⁹⁾.

Provided that women prisoners are able to enroll in a balanced and comprehensive program of activities that takes into account gender-appropriate needs.

The prison system must be flexible enough to meet the needs of pregnant women, nursing mothers and women with children in prison. Facilities or arrangements for the care of children in prisons are provided in order to enable women prisoners to participate in activities organized in prison.

Special efforts should be made to provide programs suitable for pregnant women, breastfeeding mothers and women with their children in prison, and special efforts should be made to provide services suitable for women prisoners who need psychological support, especially women prisoners who have been subjected to physical, psychological or sexual abuse⁽⁵⁰⁰⁾.

Prison authorities, in cooperation with probation and/or social welfare services, community groups and NGOs, should develop and implement comprehensive pre- and post-release reintegration programmes for women prisoners, ensuring that the special needs of women are taken into⁵⁰¹ account.

Additional support is provided to released women prisoners who require psychological, medical, legal and practical assistance to ensure their successful reintegration into society, in cooperation with community service providers⁵⁰².

The services provided to women prisoners before and after their release shall be reviewed to ensure that they are appropriate for and accessible to indigenous women prisoners and women prisoners belonging to particular ethnic and racial groups, in consultation with the⁵⁰³ groups concerned.

499 [Rule 41 of the Bangkok Rules.](#)

500 [Rule No. 42 of the Bangkok Rules.](#)

501 [Rule No. 46 of the Bangkok Rules.](#)

502 [Rule No. 47 of the Bangkok Rules.](#)

503 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A8%D8%A7%D9%86%D9%83%D9%88%D9%83#h.r7i1vw2lzeim> 55 of the Bangkok Rules.

The provisions of the Tokyo Rules shall guide the development and application of appropriate methods to deal with cases of female offenders. Within the legal systems of Member States, gender-sensitive options are developed on measures to refer female offenders to reform programs outside the criminal justice system and alternatives to pretrial detention and sentencing, taking into account the past victimization of many female offenders and their responsibility to provide⁵⁰⁴ care.

Female offenders shall not be separated from their families and communities without due regard to their family backgrounds and ties. Alternative methods are applied to deal with women who commit crimes, such as measures to refer female offenders to reform programs outside the criminal justice system and alternatives to pretrial detention and sentencing, where appropriate and⁵⁰⁵ possible.

Non-custodial means of protection are generally used, for example in shelters run by independent bodies, NGOs or other community services, to protect women in need of such protection. Temporary measures involving the detention of a woman for the purpose of her protection shall be applied only when necessary and at the express request of the woman concerned, and in all cases under the supervision of judicial or other competent authorities. These preventive measures do not continue to be applied against the will of the woman concerned⁽⁵⁰⁶⁾.

Adequate resources must be made available to find alternatives appropriate to the situation of women offenders in order to integrate non-custodial measures with actions taken to address the most common problems that place women in the criminal justice system. These may include therapeutic sessions, counselling for women victims of domestic violence and sexual abuse, appropriate treatment for women with mental disabilities, and education and training programmes to improve their employment opportunities. These programs take into account the need to provide care for children and services exclusively for women⁽⁵⁰⁷⁾.

In sentencing female offenders, courts must also have powers to consider mitigating factors such as the absence of a criminal record and the relatively insignificant nature of the criminal conduct, in light of the caring responsibilities of the women concerned and the usual backgrounds⁽⁵⁰⁸⁾.

In order to prevent women from committing crimes and for the purposes of referring them to reform programs outside the criminal justice system and issuing alternative sentences, the possibility of providing women in the community with gender- and trauma-sensitive drug treatment programs and women's access to such treatment must be⁵⁰⁹ improved.

504 [Rule 57 of the Bangkok Rules.](#)

505 [Rule No. 58 of the Bangkok Rules.](#)

506 [Rule No. 59 of the Bangkok Rules.](#)

507 [Rulehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A8%D8%A7%D9%86%D9%83%D9%88%D9%83#h.53jwvpaexka 60 of the Bangkok Rules.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A8%D8%A7%D9%86%D9%83%D9%88%D9%83#h.53jwvpaexka)

508 [Rule No. 61 of the Bangkok Rules.](#)

509 [Rule No. 62 of the Bangkok Rules.](#)

The responsibility of women prisoners to provide care and their specific needs with regard to reintegration into society shall be taken into account in decisions regarding early parole⁵¹⁰.

Efforts must be made to organize and promote comprehensive, results-oriented research on crimes committed by women, the reasons that lead them to fall under criminal justice, the impact of being in a criminal environment and imprisonment on women, and on the characteristics of female offenders and programs designed to reduce the possibility of women reoffending, as a basis for effectively preparing plans and developing programs and policies to meet the needs related to the reintegration of female offenders into society⁽⁵¹¹⁾.

Efforts should also be made to organize and promote research on the number of children affected by their mothers' subordination to the criminal justice system, their incarceration in particular and the consequent impact on children, in order to contribute to the development of policies and programmes taking into account the best interests of the⁵¹² child.

Efforts should be made to periodically review, assess and disseminate information on trends, problems and factors associated with women's criminal behaviour and the effectiveness of addressing the reintegration needs of women offenders and their children into society, in order to reduce their stigmatization and the stigmatization of their children and the negative impact on them of being subject to the criminal justice⁵¹³ system.

It should also:

1. Raise awareness among the media and the public on why women are subject to the criminal justice system and how best to address this, in order to allow for the reintegration of women into society, taking into account the best interests of the child;

2. Include policies aimed at improving the results of the criminal justice system's responses to women offenders and increasing equity for women and their children, and publish and disseminate research and examples of good practices in this area;

3. To provide the media, the public and those with professional responsibility in matters relating to women prisoners and offenders on a regular basis with factual information on matters covered by these Rules and on their implementation;

⁵¹⁰ [Rule No. 63 of the Bangkok Rules.](#)

⁵¹¹ [Rule No. 67 of the Bangkok Rules.](#)

⁵¹² [Rule 68 of the Bangkok Rules.](#)

⁵¹³ [Rule 69 of the Bangkok Rules.](#)

4- Preparing and implementing training programs for relevant officials in the criminal justice system on these rules and on the results of research in order to raise their awareness of the provisions contained therein and encourage them to work with them⁽⁵¹⁴⁾.

The third requirement: Social care for juvenile prisoners

The Beijing Rules made it clear that the aim of training and treating juveniles placed in correctional institutions is to provide them with care, protection, education and professional skills in order to help them play constructive and productive social roles in society. Therefore, care, protection and all necessary assistance - social, educational, professional, psychological, medical and physical - that they may need must be provided by virtue of their age, gender or personality in order to help them develop properly.

Young female offenders placed in an institution deserve special attention to their personal needs and problems, are guaranteed fair treatment, and are prohibited from discriminating against young offenders in their care, protection, assistance, treatment and training.

Parents and guardians of juvenile offenders have the right to enter penal institutions⁽⁵¹⁵⁾.

The fourth requirement: Helping juveniles to integrate into society

All juveniles should benefit from arrangements aimed at helping them return to society, family life, education or employment after their release, including the establishment of procedures that include early release, and the organization of special study courses⁽⁵¹⁶⁾.

The competent authorities must provide or ensure the provision of services to help juveniles reintegrate into society, and to reduce prejudice against them. These services should ensure, to the extent possible, that the juvenile is provided with adequate housing, work, clothing, and sufficient

514 [Rule No. 70 of the Bangkok Rules.](#)

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516 [Rule No. 79 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.](#)

livelihoods after his release in order to facilitate his successful reintegration into society. Representatives of bodies providing these services should also be consulted and their access to detained juveniles should be provided to help them return to society⁽⁵¹⁷⁾.

The Arab Charter on Human Rights obliges each State party to ensure special treatment for a child at risk or delinquent to whom a charge relates. It must also ensure special treatment consistent with his age, preserve his dignity, facilitate his rehabilitation and reintegration, and play a constructive role in society⁽⁵¹⁸⁾.

Efforts must be made to provide juveniles, at all stages of the proceedings, with the assistance they need, such as housing, education, vocational training, work or any other useful or practical assistance, in order to facilitate their rehabilitation⁽⁵¹⁹⁾.

Volunteers, voluntary organizations, local institutions and other community institutions are invited to contribute effectively to the rehabilitation of the juvenile within a community framework that is, to the extent possible, within the framework of the family unit⁽⁵²⁰⁾.

[Rule No. 25 of the Beijing Rules](#) expresses the need to adopt a qualification approach in all actions related to juvenile offenders, and cooperation with the local community is indispensable if the directives of the competent authority are to be effectively implemented. Volunteer efforts and voluntary services, in particular, have proven to be valuable resources, but they are currently underutilized. In some cases, cooperation by ex-offenders (including ex-addicts) can be extremely helpful.

The aim of training and treating juveniles placed in correctional institutions is to provide them with care, protection, education and vocational skills in order to help them play constructive and productive social roles in society.

Juveniles placed in institutions shall be provided with care, protection and all necessary assistance - social, educational, vocational, psychological, medical and physical - that they may need by virtue of their age, gender or personality and aimed at assisting their sound development.

Juveniles placed in institutions are separated from adults, and are detained in a separate institution or in a separate part of an institution that also detains adults.

517 [Rule No. 80 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.](#)

518 [Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D9%85%D9%8A%D8%AB%D8%A7%D9%82-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A-%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D8%A5%D9%86%D8%B3%D8%A7%D9%86#h.5hovkc9h2ejh](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D9%85%D9%8A%D8%AB%D8%A7%D9%82-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A-%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D8%A5%D9%86%D8%B3%D8%A7%D9%86#h.5hovkc9h2ejh) 17 of the Arab Charter on Human Rights.

519 [Rule No. 24 of the Beijing Rules.](#)

520 [Rule No. 25 of the Beijing Rules.](#)

Young female offenders placed in an institution deserve special attention to their personal needs and problems. In no case shall they receive care, protection, assistance, treatment and training to a lesser extent than young offenders, and they shall be guaranteed fair treatment.

For the good and welfare of juveniles placed in institutions, their parents or guardians shall have the right to enter such institutions.

Provided that cooperation between ministries and between departments is strengthened for the purpose of providing juveniles placed in institutions with appropriate school education or vocational training, as the case may be, and to ensure that they do not leave the institution while at a disadvantage in terms of education⁽⁵²¹⁾.

Efforts are being made to provide semi-institutional arrangements such as half-freedom homes, educational houses, day training centers and other appropriate arrangements that can help juveniles return to proper integration into society⁽⁵²²⁾.

The importance of post-custodial care in an Islamic institution should not be overlooked. Therefore, this rule stresses the need to establish a network of semi-institutional arrangements. This rule also stresses the need for a variety of facilities and services aimed at meeting the different needs of young offenders who return to society, and to provide guidance and structural support, as an important step towards the success of return in integration into society.

Efforts should be made to organize and promote the necessary research as a basis for effective planning and policy development, and efforts should be made to periodically review and assess trends, problems and causes of juvenile delinquency and crimes, as well as the diverse special needs of incarcerated juveniles, and efforts should be made to establish an evaluative research mechanism as part of the composition of the system of administration of juvenile justice, systematically implemented as an integral part of national development efforts, and the provision of services in the field of administration of juvenile justice should be planned and systematically implemented as an integral part of national development efforts.

It is widely recognized that using research as a basis for an informed juvenile justice policy is an important mechanism to ensure that practices in this area keep pace with advances in knowledge, and to further develop and improve the juvenile justice system. The reciprocal feedback between research and policy is particularly important for juvenile justice. With rapid, often high-impact changes occurring in young people's lifestyles and in the forms and dimensions of juvenile crime, community and judicial responses to juvenile offenses and delinquency quickly become outdated and inadequate.

⁵²¹ [Rule No. 26 of the Beijing Rules.](#)

⁵²² [Rule No. 29 of the Beijing Rules.](#)

Thus, the Beijing Rules set standards for integrating research into policy development and application in the administration of juvenile justice, and the rule draws particular attention to the need for regular review and evaluation of current programmes and measures. and the need to plan according to the broader framework of overarching development goals.

The continuous assessment of the needs of juveniles, as well as the trends and problems of the ward, is a prerequisite for improving methods of formulating appropriate policies and approving appropriate interventions, at both the formal and informal levels. In this context, responsible agencies should facilitate research conducted by independent persons and bodies. It may also be useful to identify and take into account the views of juveniles themselves, without being limited to those who come into contact with the system.

In the planning process, particular emphasis must be placed on establishing a more effective and equitable system for the delivery of essential services. Towards this end, a comprehensive and regular assessment of the needs and special problems of juveniles, which are very diverse, should be carried out, with clear-cut priorities, and in this regard. There should also be coordination in the use of available resources, including the use of viable alternatives and community-based support to develop specific actions aimed at implementing and monitoring planned programmes⁵²³.

Criticism

Although the [internal regulations](#) of the [reform and community](#) rehabilitation [centers](#) obligated the psychologist at the reform center to draw up a policy for a plan for the treatment, treatment and guidance of the inmate, including guidance for the professional aspect for which the inmate is fit, on the other hand, the regulation omitted to indicate the methods of integrating the inmate with the external community, which encourages and helps him to maintain and establish relations with persons or bodies outside the reform center, which would help him to rehabilitate him.

The law, as well as the bylaws of correctional centers, omitted to provide for methods of inmate rehabilitation to assist inmate rehabilitation.

It is also clear from the text of the decision establishing the Social Participation Council that the opinion of the Council does not extend beyond mere recommendations that are not binding on the executive authority, and that the Council is fully subordinate to the Minister of Interior, who has full discretion in the implementation of those recommendations, or their non-implementation.

⁵²³ Rule No. 30 of the Beijing Rules.

Recommendations

The legislator must intervene to oblige the psychologist to develop a plan for the treatment and guidance of the inmate, provided that such plan includes:

- Explaining the methods of integrating the inmate with the external community, and not leaving this to the discretion of the administration;
- Statement of methods of inmate rehabilitation.

Chapter Eight: Health Care for Inmates

The first topic: Inmate's right to health care

The first requirement: The residency of the doctor in the reform center (the extent to which a doctor must reside in the reform center)

First: Within the framework of Egyptian law

The law regulating correction and rehabilitation centers has differentiated health care requirements based on whether the facility is a standard or geographical correction center, particularly regarding the presence of a resident doctor. The law mandates that each correction and rehabilitation center have one or more doctors assigned to healthcare duties, with at least one being a resident doctor. However, for geographical correction and rehabilitation centers, a resident doctor is not required; instead, a government doctor may be assigned to perform the duties of a correction center doctor, with a requirement to inspect inmates at least twice a week and to be available for emergencies as needed. ⁽⁵²⁴⁾.

The work establishment shall have one or more resident doctors ⁽⁵²⁵⁾.

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Article

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Article

[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.q9v7wwabz9sb](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.q9v7wwabz9sb_16) of Presidential Decree No. 82 [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.q9v7wwabz9sb](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.q9v7wwabz9sbof) 1984 regarding the establishment of a labor institution in which repeat offenders are placed.

In military reform centers, a government doctor is assigned to perform the work assigned to the doctor of the reform center, in the event that the reform center does not appoint a doctor ⁽⁵²⁶⁾.

Each military reform center shall be provided with a first aid medical cabinet in the custody of one of the officials working in the reform center ⁽⁵²⁷⁾.

Second: Within the framework of international conventions

The Basic Principles for the Treatment of Prisoners required that prisoners have access to health services available in the country without discrimination on the basis of their legal status ⁽⁵²⁸⁾.

The Standard Minimum Rules for the Treatment of Prisoners differ in the issue of the doctor's stay in prison. In very large prisons, at least one doctor must reside inside the prisons or in direct proximity to it. In other prisons, it is sufficient for the doctor to make daily visits to the prison, provided that he makes his stay close enough to the prison so that he can attend without delay in emergency situations ⁽⁵²⁹⁾.

The state is obligated to provide health care to prisoners, and law enforcement officials are obligated to ensure the protection of the health of persons detained in their custody, and they shall take all immediate measures necessary to provide medical care to them whenever necessary.

All prisoners must receive the same level of health care available in the community, and the necessary health services must be provided to them free of charge and without any discrimination on the basis of their legal status, and coordination must be made with the General Directorate of Public Health, to ensure continuity of treatment and care for prisoners, and prisoners must be vaccinated against HIV, tuberculosis, and any other infectious diseases, and the state also provides them with treatment for drug addiction ⁽⁵³⁰⁾.

⁵²⁶ [Article 13 of the Internal Regulations of Military Prisons.](#)

⁵²⁷ [Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.113c5kqxqn7b](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.erfbt13emu2q) 22 of the Internal Regulations of Military Prisons.

⁵²⁸ Principle No. 9 of the Basic Principles for the Treatment of Prisoners.

⁵²⁹ Rule 52 of the Standard Minimum Rules for the Treatment of Prisoners.

⁵³⁰ [Rulehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.113c5kqxqn7b](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.113c5kqxqn7b) 24 of the Nelson Mandela Rules, [Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AF%D9%88%D9%86%D8%A9-%D9%84%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%B3%D9%84%D9%88%D9%83-%D8%A7%D9%84%D9%85%D9%88%D8%B8%D9%81%D9%8A%D9%86-](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AF%D9%88%D9%86%D8%A9-%D9%84%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%B3%D9%84%D9%88%D9%83-%D8%A7%D9%84%D9%85%D9%88%D8%B8%D9%81%D9%8A%D9%86-%)

Every prisoner must have the right to use the services of a qualified dentist, and a prisoner other than the courts - in pretrial detention - may be authorized to visit and be treated by his own doctor or dentist, if there is a reasonable justification for this, and he is able to pay the necessary expenses⁽⁵³¹⁾.

As for juveniles, any of them is entitled to adequate preventive and therapeutic medical care, including care in dentistry, ophthalmology and psychiatry, and in obtaining pharmaceuticals and special diets indicated by the doctor.

Whenever possible, medical care must be provided to juveniles through competent health facilities and services in the community in which the custodial institution is located, in order to prevent the stigmatization of juveniles and to promote self-esteem and integration into society⁽⁵³²⁾.

Women's health care services must be provided to female prisoners at least equal to those available in the community, and a female doctor or nurse must be provided to her if the prisoner requests to be examined or treated by a female doctor or nurse, except in cases that require urgent medical intervention, and one of the female employees must be present for examination in the event that a doctor performs an examination contrary to the prisoner's desire⁽⁵³³⁾.

The Bangkok Rules made it mandatory to identify the health status of female prisoners by conducting a comprehensive examination to determine their primary health care needs and to identify sexually transmitted diseases or blood-borne diseases. Female prisoners may be allowed to conduct HIV testing, based on the risk factors involved, with the provision of the necessary medical consultations before and after this examination, as well as to identify their mental health care needs, including post-traumatic stress disorders, risks of suicide and self-harm, and to prepare a reproductive health record for the prisoner, including recent or incarcerated pregnancies, births and any issues related to reproductive health, and to detect the presence of drug addiction.

As well as what the prisoner may have been subjected to from sexual abuse and other forms of violence before entering prison. If the diagnosis results in a sexual violation or other forms of violence that the prisoner was subjected to before or during detention, the prisoner shall be informed of her right to seek asylum to the judicial authorities.

The prisoner shall be fully informed of the procedures and steps followed in this regard. If the prisoner agrees to proceed with the legal procedures, the relevant officials shall be notified of this

[%D8%A7%D9%84%D9%85%D9%83%D9%84%D9%81%D9%8A%D9%86-%D8%A8%D8%A5%D9%86%D9%81%D8%A7%D8%B0-%D8%A7%D9%84%D9%82%D9%88%D8%A7%D9%86%D9%8A%D9%86#h.otz540ti9ye](#) 6 of the Code of Conduct for Law Enforcement Officials.

⁵³¹ Paragraph 3 of Rule 22 of the Standard Minimum Rules for the Treatment of Prisoners, Rule 90 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 118 of the Nelson Mandela Rules](#).

⁵³² [Rule No. 49 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

⁵³³ [Rule No. 10 of the Bangkok Rules](#).

and the case shall be immediately referred to the competent authority for investigation. Prison authorities assist these women in obtaining legal assistance.

The prison authorities also seek to ensure that they have direct access to specialized psychological support and specialized psychological counseling, whether women choose to proceed with legal proceedings or not, provided that they take specific measures to avoid any form of reprisals against female detainees who submit such reports or proceed with legal proceedings ⁽⁵³⁴⁾.

The right of female prisoners at all times to maintain the confidentiality of their medical information must be respected, specifically the right not to provide information related to their reproductive health and not to undergo a related examination ⁽⁵³⁵⁾.

The Standard Minimum Rules for the Treatment of Prisoners also stipulate that each prison must have at least one qualified physician with some knowledge of psychiatry. Prison medical services must be closely regulated in relation to the local or national public health department. Prison medical services must also include a psychiatric branch to diagnose and treat mental abnormalities when necessary.

In the case of the availability of treatment services provided by hospitals in the prison, the equipment, tools and pharmaceutical products provided must be adequate to provide the necessary medical care and treatment for sick prisoners, provided that they include a staff of appropriate professional qualification ⁽⁵³⁶⁾.

The [Nelson Mandela Rules](#) required that each prison have a health care service tasked with assessing the physical and mental health of inmates, and that special attention be given to inmates with special medical care needs or health problems hindering their rehabilitation.

According to Nelson Mandela's rules, the prison health service consists of a multidisciplinary team with a sufficient number of qualified individuals working with full clinical independence, and also includes sufficient experts in psychology and psychiatry, and the services of a qualified dentist must be made available to each prisoner ⁽⁵³⁷⁾.

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535 [Rule No. 8 of the Bangkok Rules.](#)

536 Rule 22 of the Standard Minimum Rules for the Treatment of Prisoners.

537 [Rule No. 25 of the Nelson Mandela Rules.](#)

The second requirement: Check the doctor for the repair center

First: Within the framework of Egyptian law

1-Public Correction and Rehabilitation Centers

The repair center doctor inspects the repair center at least once a day, provided that he is not assigned to come to the repair center on public holidays except in urgent emergency cases ⁽⁵³⁸⁾.

2-Geographical Correction and Rehabilitation Centers

The doctor at the correctional center inspects the inmates at least twice a week, and may be called whenever necessary ⁽⁵³⁹⁾.

3. Military reform and rehabilitation centers

In military correction and rehabilitation centers, the doctor must attend the inmates' clinic at least twice a week, as called in emergency cases whenever necessary ⁽⁵⁴⁰⁾.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.39j9mr6j55j_23_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.39j9mr6j55j_the_Geographical_Reform_and_Rehabilitation_Centers.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.39j9mr6j55j_23_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.39j9mr6j55j_the_Geographical_Reform_and_Rehabilitation_Centers.)

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4-Following up the case of the inmate held in solitary confinement

The doctor shall visit every inmate held in solitary confinement on a daily basis. If he finds that there is harm to his health as a result of the period he spends in pretrial detention, he shall inform the director of the Correction and Rehabilitation Center in writing of the means he indicates to prevent this damage, and the director of the Correction and Rehabilitation Center shall implement what the doctor indicates ⁽⁵⁴¹⁾.

The administration is responsible for compensating the inmate in the event of a breach of the obligation to supervise and care for his health condition, and the failure to conduct periodic medical examination on him. The Supreme Administrative Court has ruled that: [Articles (33), (34), (36), (74) of Law No. 396 of 1956 regarding prisons stipulate that each prison must have a resident doctor entrusted with the health work of the prison, and the prison administration must take into account this to supervise and care for the health condition of prisoners and conduct periodic medical examination on them so that the disease does not waste their lives and provide the necessary aid in a timely manner to every prisoner or detainee suffering from illness..... The law required the Director General of Prisons to supervise this.

In terms of the responsibility of the administration for the decisions issued by it is that there is an error on its part that the administrative decision is illegal, that is, it has one or more defects stipulated in the Law of the Council of State and that the person concerned inflicts damage, and that there is a causal relationship between the error and the damage in that the damage results from the illegal decision.

Whereas, applying the foregoing to the facts of the present dispute, it is established from the papers that the son of the appellee was politically arrested on 6/12/1993 and remained in detention until 27/11/1995 (the date of his death) despite the issuance of decisions to release him and the issuance of decisions to re-arrest him, and he was sick about two and a half months before his death and the prison administration did not take into account his illness and did not conduct a medical examination on him and was left untreated until he died on 27/11/1995 despite suffering from three

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butterfly wounds, which makes it clear that he was lying on his back for a period of time On 27/11/1995 - the day of death - he informed his colleagues in the ward about his worsening health condition at about 8:30 in the morning to the ward guard who informed the nurse of the aforementioned illness that he had passed by and informed his colleagues that he could be transferred to the hospital the next day without taking care of his medical condition and inform the doctor in charge of his condition so that he could be treated and transferred to the hospital at the same time to save his life. At 1:00 pm, the aforementioned detainee suffered a severe fainting condition. His colleagues informed the guard again who informed the officer in charge of the ward who moved to the prison and was He was transferred to the hospital, where he died on the road before reaching it. The medical report stated that the body of the deceased was severely weakened and excessively thin. The death of the detainee was due to his advanced medical condition, described by the lungs in the form of double purulent bronchopneumonia and the accompanying meningitis. Therefore, the prison administration neglected the care given by the legislator to prisoners and detainees regarding the health condition of the detainee. It also neglected to feed him until he suffered from emaciation, weakness and extreme thinness, according to the medical report.

In addition to the above, the appellant administrative authority did not provide any legitimate reason or justification for the arrest of the appellee's inheritor in the period from 6/12/1993 to 27/11/1995 - the day on which he died - which establishes a presumption in favor of the appellees of the validity of what they claim that the decisions to arrest their inheritor were issued tainted by many defects of illegality, including the failure of the corner of the cause and the defect of the violation of the law, which is available with the corner of error on the side of the appellant administrative authority.

In terms of the element of harm, there is no doubt that the issuance of the aforementioned detention decisions without a justifiable reason, and the failure of the prison administration to provide treatment for the aforementioned detainee, which resulted in his death, resulted in the injury of the appellees with material damage represented in the death of their bond in life when they were old, as well as moral damage represented in the grief, sorrow and feeling of psychological pain as a result of the loss of their son by his death as a patient without treatment in the detention facility, and the causal relationship between the error of the administration and the damage caused to the appellees, which requires the judiciary to compensate them for these damages] ⁽⁵⁴²⁾.

5- Daily sick inmate clinic

⁵⁴² Supreme Administrative Court, Appeal No. 4294 of 46 S issued at the session of November 22, 2003, Technical Office 49 page 134, rule number 14.

The physician must clinic sick inmates daily and the clinic of each inmate who complains of the disease, and order the transfer of the patient to the reform center hospital ⁽⁵⁴³⁾.

Second: Within the framework of international conventions

International conventions require that the doctor and other qualified health care professionals be allowed to inspect all sick prisoners daily, any prisoner who complains of physical or mental health problems or injury, or any other prisoner who draws his attention in particular, provided that all medical examinations are carried out in strict confidentiality, and that the doctor submits a report to the prison director whenever it appears to him that the prisoner's physical or mental health has been or will be harmed by his continued imprisonment or as a result of any prison conditions ⁽⁵⁴⁴⁾.

The examination of juvenile prisoners shall also be with the aim of detecting and treating any physical or mental illness and any condition of substance abuse or other conditions that may hinder the juvenile's integration into society.

Adequate medical facilities and equipment must be provided to suit the number of inmates in the custodial institution and their requirements, and personnel trained in preventive medical care and in the treatment of emergency medical cases must be provided.

Every juvenile who gets sick, complains of illness, or shows symptoms of physical or mental distress must be presented to a doctor for immediate examination ⁽⁵⁴⁵⁾.

Juvenile detention institutions must adopt specialized programs carried out by competent personnel for the prevention of drug abuse and for rehabilitation.

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544 Rule 25 of the Standard Minimum Rules for the Treatment of Prisoners and Rule 31 of the Nelson Mandela Rules.

545 Rule No. 51 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

Such programs shall be adapted to the age, gender and other requirements of the juveniles concerned, and facilities and services for detoxification shall be provided, equipped with trained personnel for juveniles who use drugs or alcohol ⁽⁵⁴⁶⁾.

The right of female prisoners at all times to maintain the confidentiality of their medical information must be respected, specifically the right not to provide information related to their reproductive health and not to undergo a related examination ⁽⁵⁴⁷⁾.

If the prisoner is accompanied by a child, he is also subject to a medical examination, preferably by a pediatrician to determine the methods of treatment and medical care required, and to provide appropriate health care at least equivalent to the health care available in his community ⁽⁵⁴⁸⁾.

Medical examinations on female prisoners must only be attended by medical personnel, unless the doctor considers that there are exceptional circumstances for security reasons in the presence of a prison staff member, or unless the prisoner requests the presence of a staff member for such examinations, provided that the staff member is a woman, and that the examinations are conducted in a manner that ensures privacy, dignity, and confidentiality ⁽⁵⁴⁹⁾.

Criticism

It is clear from the above that the Egyptian legislator distinguished between:

Inmates placed in public reform centers, on the one hand, are men sentenced to life or aggravated imprisonment, women sentenced to life or aggravated imprisonment, as well as pregnant women in their sixth month, the mother of the child who has not reached two years of age in public reform centers, regardless of the penalty imposed on her, and foreigners who have been ordered to temporarily detain those whom he deems to be deported.

Among other inmates held in geographical reform centers, and other places of detention determined by a decision of the Minister of Interior on the other hand, who are sentenced to imprisonment with work or simple imprisonment for a period not exceeding three months, and any convicted of physical coercion and pretrial detainees held in the geographical reform center, are inmates held in special reform centers or one of the places of detention attached to police stations, security directorates, central security camps, and other places that have become geographical reform centers by decisions issued by ministers of interior, on the other hand.

⁵⁴⁶ [Rule No. 54 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

⁵⁴⁷ [Rule No. 8 of the Bangkok Rules](#).

⁵⁴⁸ [Rule No. 9 of the Bangkok Rules](#).

⁵⁴⁹ [Rule 11 of the Bangkok Rules](#).

While the law requires that each public correctional center have one or more doctors residing in the center, the law does not require that there be a resident doctor in the geographical correction center or any other place of detention. A government doctor may be assigned to perform the work assigned to the doctor of the correctional center, provided that he inspects the inmates at least twice a week, with the possibility of summoning him whenever necessary.

This distinction, which violates the principle of equality between persons in the same legal centers, as all of them have restricted their freedom, because as we have already explained, the legislator has taken the severity of the punishment imposed on the inmate as a basis for classifying the types of reform centers without any other factors in classifying inmates, ignoring at the same time the classification of inmates from a medical, psychological, mental or social point of view.

In this regard, the Supreme Constitutional Court ruled that: [The principle of the equality of citizens before the law, which is repeated by all Egyptian constitutions as a fundamental pillar of rights and freedoms of all kinds and as a basis for justice and social peace, is aimed at preserving rights and freedoms in the face of forms of discrimination that undermine or restrict their exercise and as a means to determine the equal protection of all rights. Its scope of implementation is not limited to the freedoms, rights and duties guaranteed by the Constitution, but also extends to those determined by legislation - original and subsidiary - within the limits of the discretionary power of the legislator, and that Although Article 40 of the Constitution prohibits discrimination between citizens on the basis of sex, origin, religion or belief, this does not mean at all exclusively for cases in which discrimination is prohibited, but its mention of it as the most frequent at work, and saying otherwise leads to the approval of discrimination except for those cases, which contradicts the essence of the principle of equality and prevents it from achieving its goal and exposes public freedoms, rights and duties to the risk of discrimination between citizens on grounds that are not justified objectively, and before that all of them clash and issued the same Article 40, which was formulated as follows: «Citizens are equal before the law» If the forms of discrimination contrary to the Constitution cannot be limited, but their basis is every distinction, restriction, preference or exclusion that arbitrarily affects the rights and freedoms guaranteed by the Constitution or the law, whether by denying their origin, disrupting or diminishing their effects in a way that prevents them from being carried out on an equal footing between those legally eligible to benefit from them] ⁽⁵⁵⁰⁾.

We note from the above that the legislator has also embraced the criterion of the type of reform center regarding the doctor's obligation to inspect the reform center. The legislator obligated the doctor in the public reform centers to inspect the center at least once a day, while the doctor in the

⁵⁵⁰ Supreme Constitutional Court, Case No. 155 of 18 S. Issued at the hearing of March 6, 1999 and published in a book in the first part of the book of the Technical Office No. 9, rule No. 28, page 214.

geographical reform centers visits the center twice a week, without any justification, in violation of the principle of equality between all those whose freedom has been restricted.

We have seen from our review of international conventions that at least in small prisons, the doctor must make daily visits to the prison, provided that he makes his stay close enough to the prison, and that prisoners have all the means to access the health services available in their country at the same level of health care available in society without discrimination on the basis of their legal status as prisoners.

We also saw that every prisoner has the right to use the services of a dentist, and that a pre-trial detainee has the right to be visited and treated by his own doctor or dentist, if necessary.

In addition, special health care must be provided to women prisoners and a doctor or nurse must be provided to them in the event that they request to be examined or treated by a doctor or nurse.

Recommendations

All places of detention and correctional centers must be equal in the matter of the residency of a doctor. The right of the pre-trial detainee to be visited by his own doctor to be examined must also be stipulated. The correctional centers must be committed to providing health care for all inmates, especially women, with the need to provide for the presence of a doctor or nurse to be examined. The legislator must also intervene to stipulate the obligation of the doctor in all places of detention to inspect the condition of detainees.

The second topic: The right of the inmate to seek a second medical opinion other than the opinion of the doctor of the reform center

The first requirement: Within the framework of Egyptian law

The law regulating correction and rehabilitation centers or the bylaws of correction and rehabilitation centers in Egypt did not provide for the right of the detainee or inmate to seek a second medical opinion, other than the opinion of the doctor of the correction center.

The second requirement: within the framework of international conventions

The Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment provides for the right of a prisoner or his lawyer to request or request a second medical examination or a second medical opinion from a judicial or other authority⁽⁵⁵¹⁾.

Criticism

The law regulating reform and community rehabilitation centers, as well as the internal regulations of reform centers in Egypt, did not provide for the right of the detainee or inmate to seek a second medical opinion, other than the opinion of the doctor of the reform center, which contributes to concealing the facts of torture and cruel treatment received by the inmate in his prison, which is a violation of his right to health and integrated health care guaranteed by the Constitution⁽⁵⁵²⁾

Recommendations

The legislator must intervene to provide for the right of the inmate to seek the opinion of his own doctor or a second medical opinion other than the doctor of the reform center, from a judicial authority

551 Principle No. 25 of the Body of

[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.gci4er9ps27q](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.gci4er9ps27qPrinciples for the Protection of All Persons under Any Form of Detention or Imprisonment) of All Persons under Any Form of Detention or Imprisonment.

552 [Article 18 of the Constitution.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D8%AF%D8%B3%D8%AA%D9%88%D8%B1#h.cd11cvlmxneo)

or from any other authority, by himself or through his lawyer, while allowing him the right to file a grievance and reconsider the decision issued to reject his request in this regard.

The third topic: The right of the inmate to the safety of his body

The first requirement: Within the framework of Egyptian law

The law regulating correction and rehabilitation centers or the internal regulations of correction and rehabilitation centers are devoid of any rules governing the relationship between the doctor of the correctional center and inmates, which represents a legislative failure to protect the inmate or detainee from torture that he may be subjected to or any form of cruel, inhuman or degrading treatment or punishment. In fact, the doctor does not only participate passively in those acts, but also positively in the torture of the inmate or detainee, by using his knowledge and skills to assist in the interrogation of the inmate and detainee.

The Court of Cassation has ruled that the failure of the prison doctor who underwent the medical examination of the detainee - whether accused, detained or imprisoned - to prove the injuries he suffered, upon writing a report of the result of the examination, is considered a crime of forgery, and that submitting that forged report to the prison administration with knowledge of his forgery is considered a crime of using a forged document: [Since the contested judgment was between the fact of the lawsuit in saying that the defendants..... When the first and second officers worked, the third worked as a police assistant, and the fourth and fifth police soldiers worked in the prison....., they tortured the victim..... During his pre-trial detention in prison in felony No..... The fourth and fifth defendants heated them in the fire in the prison bakery, extinguished the burning tobacco scrolls in various places of his body, and beat him with satisfied solid objects. They caused burns to the face, arms, abdomen, back, robots, and legs of the first three degrees, bruises to the arms, left thigh, and feet, and scalp tissue, which led to to toxic blood poisoning and double pneumonia as a result of suppuration of the tissues in the locations of these multiple injuries. This was accompanied by trauma to the victim, which led to his death and that the sixth defendant..... The prison doctor who signed the medical examination on the victim committed a forgery when he wrote a report on the result of this disclosure that he did not prove the fire burn injuries. He also used the forged report by submitting it to the prison administration with his knowledge of its forgery. The judgment stated that the incident was proven in this way against the appellants and the rest of the defendants, evidence derived from the statements of the prosecution witnesses and the confession of the fifth defendant..... The investigations of the Public Prosecution, what came from examining the scene of the accident, what was proven by the autopsy report of the victim's body, and what was stated in the

medical examination report written by the sixth defendant when that was so, and what was stated in the contested judgment in his statement of the incident of the lawsuit on the advanced context is sufficient in knowledge of it and the circumstances surrounding it, with all the legal elements of the crime that the appellants condemned, and that his evidence to prove its proof against them is reasonable evidence that would lead to what he arranged for it, which achieves the purpose of the street from the affirmation of the statement of the incident and its evidence as required by the law] (553).

The second requirement: within the framework of international conventions

The relationship between the physician shall be governed by the same ethical and professional principles that apply to patients in the community. The physician shall protect the physical and mental health of prisoners, prevent them from diseases and treat them on clinical medical grounds only. The physician shall also abide by the independence of prisoners and informed consent with regard to their health. The physician shall also respect the confidentiality of medical information collected about the patient, unless this leads to a real and imminent risk of harm to the patient or others.

Physicians and staff in charge of medical care are committed to protecting the health of prisoners and detainees, as well as providing treatment of diseases of the same level and quality available to non-prisoners.

The doctor is prohibited from participating - positively or negatively - in any acts that may constitute torture or other cruel, inhuman or degrading treatment or punishment, or complicity or incitement to such acts or attempts to commit them, including the prohibition of the doctor's participation in medical or scientific experiments that may harm the prisoner's health.

It is prohibited to expose any detained or imprisoned person, even with his consent, to medical or scientific experiments that may be harmful to his health.

The doctor may allow prisoners, based on their free and informed consent, and in accordance with applicable law, to participate in clinical trials and other health research available in the community, if it is expected to benefit them health with direct and significant benefit, and the doctor may also allow prisoners to donate cells or tissue from their body or organs to their relatives ⁽⁵⁵⁴⁾.

⁵⁵³ Court of Cassation, Appeal No. 5732 of 63 S issued at the hearing of March 8, 1995 and published in the first part of the book of the Technical Office 46 rule No. 75 page 488.

⁵⁵⁴ [Rule No. 32 of the Nelson Mandela Rules](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-), Principles No. 1 and 2 of the Code of Medical Ethics relating to the Protection of Persons under Any Form of Detention or Imprisonment from Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Principle No. 22 of the Body of Principles for https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-

A doctor's association in any professional relationship with a prisoner or detainee that is not intended to assess the health, physical, or mental condition of the prisoner or detainee is a violation of the principles of⁵⁵⁵ medical ethics.

It is also a violation of medical ethics for a doctor - or health officer - to use his knowledge and skill to assist in the interrogation of prisoners and detainees in a manner that may harm their physical or mental health or condition, as well as to testify about the fitness of the prisoner or detainee in relation to any form of treatment or punishment that may harm his physical or mental health⁽⁵⁵⁶⁾.

It is also a violation of medical ethics for a doctor to participate in any procedure that would restrict the movement of a prisoner or detainee, unless such a procedure is necessary to protect the health or safety of the prisoner in accordance with purely medical standards⁽⁵⁵⁷⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.bmrzla1b33lk> the Protection of All <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.bmrzla1b33lk> Detention or Imprisonment, Article 7 of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%B9%D9%87%D8%AF-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A-%D8%A7%D9%84%D8%AE%D8%A7%D8%B5-%D8%A8%D8%A7%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D9%85%D8%AF%D9%86%D9%8A%D8%A9-%D9%88%D8%A7%D9%84%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A%D8%A9#h.kcq6wx895y8q> the International Covenant on Civil Rights, and <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D9%85%D9%8A%D8%AB%D8%A7%D9%82-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A-%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D8%A5%D9%86%D8%B3%D8%A7%D9%86#h.3ntv2bypu4rd9> of the Arab Charter on Human Rights.

⁵⁵⁵ Principle No. 3 of the Code of Medical Ethics relates to the protection of persons subjected to any form of detention or imprisonment from torture and other cruel, inhuman or degrading treatment or punishment.

⁵⁵⁶ Principle No. 4 of the Code of Medical Ethics relates to the protection of persons subjected to any form of detention or imprisonment, from torture and other cruel, inhuman or degrading treatment or punishment.

⁵⁵⁷ Principle No. 5 of the Code of Medical Ethics relates to the protection of persons subjected to any form of detention or imprisonment, from torture and other cruel, inhuman or degrading treatment or punishment.

It is prohibited for a doctor to deviate from the ethics of the medical profession for any reason, even in cases of emergency⁽⁵⁵⁸⁾.

Prison authorities must take measures to meet the protection needs of minor female prisoners⁵⁵⁹.

Age- and gender-sensitive programmes and services, such as counselling on sexual abuse or violence, should be made available to underage female prisoners. They must be educated about women's health care, and have the possibility to visit gynecologists on a regular basis similar to adult prisoners⁽⁵⁶⁰⁾.

Pregnant minor prisoners must also receive support and medical care equivalent to that of adult prisoners, and a medical professional monitors their health, taking into account that they may be more exposed to health complications during pregnancy due to their young age⁽⁵⁶¹⁾.

Recommendations

The legislator must intervene to provide rules to regulate the relationship between the correctional center doctor and the inmates, in order to protect all detainees from torture or cruel, inhuman or degrading treatment, including at least the following:

- Aggravating the penalty imposed on the doctor of the correctional center in the event that he conceals any information about the health condition of the inmate;
- Aggravating the penalty imposed on the doctor of the correctional center in the event of his active or passive participation in torture or cruel treatment of the inmate;
- Aggravating the penalty imposed in the event of conducting any medical or scientific experiments on the inmate;
- sanctioning a physician for using his or her skills to assist in the interrogation of an inmate or detainee to the detriment of his or her physical or mental health or condition;
- Imposing a penalty in the event that the doctor participates in any procedure that would restrict the movement of the inmate or detainee unless necessary for the protection or safety of the inmate.

⁵⁵⁸ Principle No. 6 of the Code of Medical Ethics relates to the protection of persons subjected to any form of detention or imprisonment, from torture and other cruel, inhuman or degrading treatment or punishment.

⁵⁵⁹ [Rule No. 36 of the Bangkok Rules.](#)

⁵⁶⁰ [Rule No. 38 of the Bangkok Rules.](#)

⁵⁶¹ <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A8%D8%A7%D9%86%D9%83%D9%88%D9%83#h.vvrdmnn6tqj3> 39 of the Bangkok Rules.

The fourth topic: The right of the inmate to be protected from epidemic diseases within the reform center

Within the framework of Egyptian law, the prison doctor shall be responsible for health measures that ensure the health of prisoners, prevent them from epidemic diseases, monitor the validity and adequacy of food, clothing, and furnishings intended for prisoners, and observe the cleanliness of workshops, sleeping quarters, and all prison places. To this end, he may take the following measures:

(562)

The first requirement: Within the framework of Egyptian law

First: Medical examination of the inmate as soon as he is placed in the reform center

The doctor shall examine each inmate as soon as he is placed in the reform center and prove his health condition and the work he can do, provided that this is not later than the next morning. The

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doctor shall return to each inmate at least once a week to check on his condition in terms of health and hygiene ⁽⁵⁶³⁾.

As for the geographical correction and rehabilitation centers, the doctor examines the new inmates at the time of passing by the correction center ⁽⁵⁶⁴⁾.

In the reform and rehabilitation centers for those convicted of drug crimes, the medical examination and the necessary medical tests shall be carried out on the convicts periodically and whenever the need arises to verify that no convict has taken any narcotic substance. If it is proven from the medical examination or analysis that the inmate has used any narcotic substance, the director of the reform center shall write a report of the incident and submit the matter to the Public Prosecution. In the geographical reform and rehabilitation centers, the doctor shall examine the new inmates at the time of passing through the reform center ⁽⁵⁶⁵⁾.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.nu5ksqc27z4y](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.nu5ksqc27z4y) 24 of the Bylaws of

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%88%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%B3%D8%AC%D9%88%D9%86-%D8%AE%D8%A7%D8%B5%D8%A9-%D8%A8%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%88%D9%85-%D8%B9%D9%84%D9%8A%D9%87%D9%85-%D9%81%D9%8A-%D8%AC%D8%B1%D8%A7%D8%A6%D9%85-%D8%A7%D9%84%D9%85%D8%AE%D8%AF%D8%B1%D8%A7%D8%AA#h.5ts4g1bvfb9](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%88%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%B3%D8%AC%D9%88%D9%86-%D8%AE%D8%A7%D8%B5%D8%A9-%D8%A8%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%88%D9%85-%D8%B9%D9%84%D9%8A%D9%87%D9%85-%D9%81%D9%8A-%D8%AC%D8%B1%D8%A7%D8%A6%D9%85-%D8%A7%D9%84%D9%85%D8%AE%D8%AF%D8%B1%D8%A7%D8%AA#h.5ts4g1bvfb9) 6 of Presidential Decree No.https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-

In military reform and rehabilitation centers, the doctor must check on new inmates when passing through the reform center ⁽⁵⁶⁶⁾.

Second: Examination of all workers at the correction center

The doctor of the Correction and Rehabilitation Center shall inspect all employees of the Correction Center preventively once every fifteen days in order to prevent and immunize against diseases ⁽⁵⁶⁷⁾.

Third: Conducting tests for virus C

All correction and rehabilitation centers are obligated to conduct tests for virus C on all their inmates, provided that if it is proven that they are infected with virus C, the case papers are transferred to the nearest virus treatment center affiliated with the National Committee for Hepatitis Control or Health Insurance, as the case may be, in order to determine the appropriate treatment ⁽⁵⁶⁸⁾.

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568

Articles 2 and 3 of the Prime Minister's Decision No. 2105 of 2016 regarding the implementation of the National Comprehensive Medical Survey Plan for Virus C.

Fourth: Examining the inmate before transferring him to another repair center

The doctor shall examine each inmate before transferring him to another correctional center. The inmate shall not be transferred before the doctor acknowledges that the inmate is free of any disease that prevents his transfer or endangers his condition. The doctor shall indicate the appropriate means of transportation if necessary⁽⁵⁶⁹⁾.

Fifth: Putting the Inmate to Health Testing

Upon admission to the correctional center, unless transferred from public correction and rehabilitation centers, the inmate shall be placed under health testing for a period of ten days, during which he shall not mix with other inmates, nor shall he perform work, nor shall he be managed, and the necessary medical examinations and tests shall be conducted during that period, and then he shall be transferred to the department designated for him in the correction center unless the doctor deems otherwise⁽⁵⁷⁰⁾.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.q73qkm8oo9hq_36_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.q73qkm8oo9hq_the_Reform_and_Community_Rehabilitation_Centers.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.q73qkm8oo9hq_36_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.q73qkm8oo9hq_the_Reform_and_Community_Rehabilitation_Centers.)

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.lhtlfxqvjem6_46_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.lhtlfxqvjem6_the_Reform_and_Community_Rehabilitation_Centers.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.lhtlfxqvjem6_46_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.lhtlfxqvjem6_the_Reform_and_Community_Rehabilitation_Centers.)

Sixth: Examining the inmate before releasing him

The doctor shall examine the inmate before his release and shall order that he be sent to one of the external hospitals if he deems that he needs hospital treatment unless one of his relatives or friends receives it. The doctor shall send the released inmate to the nearest infectious hospital if he suspects that he has an epidemic or infectious disease⁽⁵⁷¹⁾.

The second requirement: within the framework of international conventions

First: Medical examination of the prisoner as soon as he is placed in prison

The prison doctor or other qualified health care professional shall meet with each prisoner as soon as possible after entering the prison to speak with him/her and examine him/her, determine his/her fitness for work, exercise, and participate in other activities.

He shall also determine the prisoner's health care needs and take the necessary measures to provide him with treatment, as well as any ill-treatment that the prisoner was subjected to before entering prison, any signs of psychological stress due to his imprisonment, or other risks of suicide, self-harm, or any symptoms resulting from discontinuation of drug, drug, or alcohol use. The doctor or health care professional shall take the necessary individual or therapeutic measures.

The doctor or specialist assigned to examine the prisoner makes arrangements for clinical isolation and treatment in the event that the prisoner is suspected of having any infectious diseases⁽⁵⁷²⁾.

If the doctor or any health care professional, while examining the prisoner upon entering the prison or while providing him with medical care, discovers any signs of torture or other cruel, inhuman or degrading treatment or punishment, he must document these cases and inform the competent

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[Article \[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.5kxo3xuz5gt5_38_of_the_Bylaws_of\]\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.5kxo3xuz5gt5_38_of_the_Bylaws_of\) 38 of the Bylaws of](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.5kxo3xuz5gt5_38_of_the_Bylaws_of)
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.5kxo3xuz5gt5> the Reform and Community Rehabilitation Centers.

⁵⁷² Rule 24 of the Standard Minimum Rules for the Treatment of Prisoners, and Rule 30 of the Nelson Mandela Rules.

medical, administrative or judicial authority, provided that the correct procedural safeguards are applied to protect the prisoner from being exposed to him or his related persons from a foreseeable risk of causing harm⁽⁵⁷³⁾.

A comprehensive examination must be conducted to identify the health status of female prisoners, to determine the needs of primary health care, and to identify the following:

(a) Have sexually transmitted diseases or blood-borne diseases, and women prisoners may also have access to HIV testing, based on the risk factors involved, with the provision of necessary medical consultations before and after such testing;

(b) Mental health care needs, including post-traumatic stress disorder and risk of suicide and self-harm;

(c) The prisoner's reproductive health record, including recent or incarcerated pregnancies, births and any reproductive health issues;

(d) The existence of a drug addiction;

(e) Sexual abuse and other forms of violence that women prisoners may have suffered before entering prison⁽⁵⁷⁴⁾.

If the diagnosis results in a sexual violation or other form of violence to which the prisoner was subjected prior to or during detention, the prisoner shall be informed of her right to seek asylum from the judicial authorities. The prisoner shall be fully informed of the procedures and steps followed in this regard. If the prisoner agrees to proceed with the legal procedures, the relevant officials shall be notified of this and the case shall be immediately referred to the competent authority for investigation. Prison authorities assist these women in obtaining legal assistance.

Whether or not a woman chooses to proceed with legal proceedings, the prison authorities seek to ensure that she has direct access to specialized psychological support or counselling.

Provided that specific measures shall be taken to avoid any form of reprisals against female detainees who submit such reports or proceed with legal proceedings⁵⁷⁵.

The doctor also examines the juvenile immediately after his placement in the detention institution, to identify any physical or mental condition that requires medical attention, as well as to record any evidence of ill-treatment prior to his admission to the institution⁽⁵⁷⁶⁾.

⁵⁷³ [Rule No. 34 of the Nelson Mandel Rules](#) A.

⁵⁷⁴ [Rule No. 6 of the Bangkok Rules](#).

⁵⁷⁵ [Rule No. 7 of the Bangkok Rules](#).

⁵⁷⁶ [Rule No. 50 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

Second: Medical examination of the prisoner

The medical services in the prison institution shall monitor and treat any physical or mental ailments or diseases of the prisoner so that they are not an obstacle to his rehabilitation, and shall provide all necessary medical, surgical and psychological services to the prisoner⁽⁵⁷⁷⁾.

The prison doctor or the competent health authority shall inspect the prison and advise the prison director on the quantity, quality, preparation and provision of food, and indicate the extent to which health and hygiene rules are followed in the prison and among prisoners. He shall also advise on the condition of sanitary facilities, heating, lighting and ventilation in the prison, the suitability and cleanliness of prisoners' clothes and mattresses, and the extent to which prisoners adhere to the rules related to physical education and sports in the absence of specialists in these activities.

The prison director shall take into account the advice or reports received from the prison doctor, and shall take immediate steps to implement the opinions and recommendations referred to in those reports.

The prison director shall submit an immediate report with his personal opinion accompanied by the opinions and recommendations of the responsible doctor or the competent public health authority to a higher authority, in the event that his personal opinion does not agree with the opinions or recommendations of the prison doctor or is not within his competence⁽⁵⁷⁸⁾.

Preventive health care measures for women prisoners, such as screening for vaginal infections, breast cancer and gynecological cancers, must be provided on an equal basis with women of the same age in the community⁽⁵⁷⁹⁾.

Criticism

The legislator has decided the responsibility of the doctor of the reform center for health procedures that ensure the safety of the health of inmates and prevent them from epidemics, as well as his responsibility for monitoring the validity and adequacy of food, clothing and furnishings allocated to them.

However, the legislator did not pay attention to the opinion of the doctor in those procedures that must be taken in that regard. It did not stipulate that the director of the reform center must take what

⁵⁷⁷ Rule 62 of the Standard Minimum Rules for the Treatment of Prisoners.

⁵⁷⁸ Rule 26 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 35 of the Nelson Mandela Rules](#).

⁵⁷⁹ <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A8%D8%A7%D9%86%D9%83%D9%88%D9%83#h.z7uzkbydkt37> 18 of the Bangkok Rules.

the doctor sees, which indicates that his opinion in those matters is a purely advisory opinion that has no effect.

The Egyptian legislature has paid attention to conducting HIV tests on all inmates.

However, on the other hand, it overlooked other diseases and epidemics, such as cancer, especially those to which women are exposed, such as breast cancer. The legislator also did not set any general rules to deal with cases of epidemics that find reform centers and places of detention a fertile environment for their activity. This is evident in the current situation with the outbreak of the Corona virus throughout the world. The legislator also did not pay attention to regulating the provision of vaccines to everyone whose freedom has been restricted.

Once again, we find that the Egyptian legislator distinguished between inmates placed in public reform centers and other inmates. The doctor in public prisons is obliged to examine each inmate immediately after his placement in the reform center and prove his health condition and the work he can do, provided that this is not later than the next morning. Each inmate must return at least once a week to check his condition in terms of health and hygiene. In geographical reform centers, the doctor examines new prisoners at the time of passing through the reform center only.

Such discrimination has no basis and no justification from the Constitution or international charters, and it violates the principle of equality as we have shown before. It also exposes inmates in non-public reform centers to the transmission of diseases and infections from new inmates who have been placed in the geographical reform center before the doctor examines them and examines their condition.

Recommendations

It shall be stipulated that the inmate shall be examined immediately upon his placement in the correctional center and before entering the place prepared for the rest of the inmates, in order to protect all those placed in the correctional center from the transmission of diseases and epidemics to them from outside the correctional center.

The legislator must also intervene by stipulating:

- The commitment of the director of the correctional center to the opinion of the doctor in the matters within his competence, and taking the executive steps to implement the recommendations of the doctor presented in his report on the safety of the health of inmates and their prevention of epidemics, and on the condition of the health facilities of the correctional center;

- The obligation of the doctor of the reform center to submit his report on the preventive health measures to be taken in the center to a higher authority in the event that the director of the reform center refuses to take the necessary measures regarding the implementation of those measures;
- The obligation of the director or commissioner of the reform center to submit an immediate report with his personal opinion in the event that it conflicts with the opinion of the doctor of the reform center in what he deems to be preventive health measures;
- Provide vaccinations to all those whose freedom has been restricted in their places of detention;
- Providing special health care for cancer patients.

The fifth topic: The right of the inmate to provide food appropriate to his health condition

The first requirement: Within the framework of Egyptian law

The doctor of the Correction and Rehabilitation Center shall, within the framework of Egyptian law, monitor the food provided to inmates and determine its suitability as required by the health condition of the inmate. The director of the Correction and Rehabilitation Center shall implement the recommendations of the doctor of the Correction and Rehabilitation Center regarding the modification of the treatment or food of an inmate as required by his health condition ⁽⁵⁸⁰⁾.

However, if the Director of the Correction and Rehabilitation Center has reservations about these recommendations, the matter shall be submitted to the Director of the Medical Department of the Correction and Rehabilitation Centers to form a committee to consider the decision of the doctor of the Reform Center ⁽⁵⁸¹⁾.

The second requirement: within the framework of international conventions

580 [The first paragraph of Article No. 33 of the Internal Regulations of the Community Reform and Rehabilitation Centers](#), as amended by Minister of Interior Decision No. 345 of 2015, [and Article No. 27 of the Internal Regulations of the Geographical Reform and Rehabilitation Centers](#).

581 [The second paragraph of Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.2u0twbh5kfbh 33 of the Internal Regulations of Correctionand Rehabilitation Centers](#).

The prison doctor or the competent health authority shall, in accordance with international conventions, inspect the prison and advise the prison director on the quantity, quality, preparation and provision of food.

The prison director shall take into account the advice or reports received from the prison doctor, and shall take immediate steps to implement the opinions and recommendations referred to in those reports.

The prison director shall submit an immediate report with his personal opinion accompanied by the opinions and recommendations of the responsible doctor or the competent public health authority to a higher authority, in the event that his personal opinion does not agree with the opinions or recommendations of the prison doctor or is not within his competence⁽⁵⁸²⁾.

Criticism

As we have seen in the past, the doctor's opinion in determining the suitability of food for the health condition of the inmate is an advisory opinion. However, the legislator differentiated between inmates placed in public reform centers and their peers in geographical reform centers. The director of the reform center in public reform centers, in case of his reservation on the recommendations concluded by the doctor, must submit the matter to the director of the medical department in the reform centers to form a committee to consider what the doctor of the reform center decided, while there was no effect on the same report submitted by the doctor in the geographical reform centers.

Recommendations

It shall be stipulated that the opinion of the physician shall be mandatory in matters falling within his competence, such as the quality of food provided to the inmate. Inmates placed in public reform centers shall be equal to other detainees in geographical reform centers and other places of detention.

It must be stipulated that the inmate has the right to appeal or grievance against the decision issued to determine the quality of the food provided to him, and to decide on his grievance as soon as possible.

⁵⁸² Rule 26 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 35 of the Nelson Mandela Rules](#).

The sixth topic: The right of the inmate to release a medical report on his injury within the reform center

The first requirement: Within the framework of Egyptian law

The law regulating correction and rehabilitation centers obliges the doctor of the correction center to write a medical report on the injury of any inmate, whether the inmate is presented to him through the administration of the correction center or witnesses the injury himself in the clinic or during his visit to the inmates⁽⁵⁸³⁾.

The doctor of the reform center shall also write a medical report in the event that he suspects that an inmate is infected with leprosy, and the reform center shall send the report to the medical department of the department with a statement of his observations⁽⁵⁸⁴⁾.

The administration of the leprosy colony manages the ward of the reform center attached to it. The Assistant Minister of the Community Protection Sector is appointed to guard the inmates placed in it. The administration of the colony treats inmates according to its system, including dispensing medicines and nursing day and night⁽⁵⁸⁵⁾.

The necessary food shall be disbursed to the inmates who are transferred to the ward of the correction and rehabilitation centers in the leprosy colony at the expense of the community protection sector, and the necessary furniture and clothing shall be disbursed to them from the community protection sector. Sanctions, visits, correspondence, and other matters related to the treatment of inmates shall follow the system prescribed in the community protection sector⁽⁵⁸⁶⁾.

583 Article 35 of the Internal Regulations of Correction and Rehabilitation Centers.

584 [Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.yqop4q3zdc1w_53_of_the_Internal_Regulations_of_Correctionand_Rehabilitation_Centers.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.yqop4q3zdc1w_53_of_the_Internal_Regulations_of_Correctionand_Rehabilitation_Centers)

585 Articles 54, 55 of the Bylaws of Correction and Rehabilitation Centers.

586 [Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.cyapgetx05z_56_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.cyapgetx05z_the_Reform_and_Community_Rehabilitation_Centers.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.cyapgetx05z_56_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.cyapgetx05z_the_Reform_and_Community_Rehabilitation_Centers)

Inmates residing in the leprosy colony and who are able to work in jobs commensurate with their health condition as decided by the colony administration⁽⁵⁸⁷⁾.

The second requirement: within the framework of international conventions

International conventions oblige the prison doctor to submit a report to the prison director whenever he deems that the physical or mental health of any prisoner has been or will be harmed by his continued imprisonment or by any other prison condition⁽⁵⁸⁸⁾.

The physician shall also visit prisoners subject to disciplinary sanctions such as solitary confinement, food reduction, or any other punishment likely to harm the physical or mental health of the prisoner, and may advise the prison director to suspend or change the punishment if he deems it necessary for reasons related to the physical or mental health of the prisoner⁽⁵⁸⁹⁾.

Any medical officer must inform the director of the relevant custodial institution or the independent authority responsible for protecting the safety of the juvenile immediately if he has reason to believe that the physical or mental health of an event has been or will be harmed by continued detention, a hunger strike or any condition of detention⁽⁵⁹⁰⁾.

The prison director shall take into account the advice or reports received from the prison doctor, and shall take immediate steps to implement the opinions and recommendations referred to in those reports.

The prison director shall also submit an immediate report with his personal opinion accompanied by the opinions and recommendations of the responsible doctor or the competent public health

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.d3h2tm48I21_57_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.d3h2tm48I21_the_Reform_and_Community_Rehabilitation_Centers.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.d3h2tm48I21_57_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.d3h2tm48I21_the_Reform_and_Community_Rehabilitation_Centers.)

588 Rule No. 25 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 33 of the Nelson Mandela Rules](#).

589 Rule 32 of the Standard Minimum Rules for the Treatment of Prisoners.

590 Paragraph 3 of rule 26 of the Standard Minimum Rules for the Treatment of Prisoners, [and paragraph 2 of https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.49a33p8pwwkrule_35_of_the_Nelson_Mandela_Rules.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.49a33p8pwwkrule_35_of_the_Nelson_Mandela_Rules.)

authority to a higher authority, in the event that his personal opinion does not agree with the opinions or recommendations of the prison doctor or is not within his competence⁽⁵⁹¹⁾.

Criticism

The Egyptian Law on the Organization of Correction and Community Rehabilitation Centers obligated the doctor to write a medical report on the injury of any inmate, but the legislator did not stipulate the obligation of the doctor to submit his report to any other party, and therefore that report is kept in the medical file of the inmate, and no one may view it, and the legislator did not arrange any penalty in the event that the doctor violated his obligation to write that medical report.

Recommendations

As we have already indicated that the legislator must intervene to oblige the doctor to inspect the condition of reform centers of all kinds on a daily basis, he must also add to his obligations in these cases the obligation of the doctor to write a written medical report on the injury of any inmate and its causes, provided that he submits his report to the director of the reform center, and that the director of the reform center must take the necessary legal procedures and refer the papers to the Public Prosecution in the event of suspicion of a criminal offense resulting in that injury.

The seventh topic: The right of the inmate to dispense the necessary medicine for his treatment

The first requirement: Within the framework of Egyptian law

The pharmacist at the reform center is responsible for the custody of all types of medicines, with the doctor assuming these duties in the pharmacist's absence or in centers without a pharmacist. The pharmacist is accountable for the preservation of all medicines, as well as the custody, maintenance, and preservation of medical equipment and surgical instruments. The pharmacist prepares the medications prescribed by the center's doctor, recording in a designated log all medicines, equipment, and instruments received and dispensed. Additionally, the pharmacist completes medicine requisition forms per the

⁵⁹¹ Paragraph 3 of rule 26 of the Standard Minimum Rules for the Treatment of Prisoners, [and paragraph 2 of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.49a33p8pwwkrule> 35 of the Nelson Mandela Rules.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.49a33p8pwwkrule)

doctor's instructions and handles related clerical tasks. He is also responsible for inspecting the milk supplied to the reform center. ⁽⁵⁹²⁾.

The pharmacist is prohibited from dispensing any medicine without a written order from the doctor of the reform center ⁽⁵⁹³⁾.

The second requirement: within the framework of international conventions

No drugs should be dispensed to the juvenile except for the necessary treatment of the juvenile from a medical authority, and the dispensing of any narcotic drug should always be with the permission and supervision of qualified medical personnel, and obtaining the consent of the juvenile concerned after being informed of his condition.

It is prohibited to give the juvenile medicines with the aim of extracting information or confessions, as a punishment, or as a means of restraining the juvenile, and it is prohibited to use juveniles in experiments with drugs or treatment ⁽⁵⁹⁴⁾.

The eighth topic: The inmate's right to access his medical file

The first requirement: Within the framework of Egyptian law

The law regulating correction and rehabilitation centers obliges the doctor to record data on the ages, health status, injuries, disabilities, and diseases of inmates, and decent work for each of them himself ⁽⁵⁹⁵⁾.

⁵⁹² Articles 40, 41, 43 and 44 of the Bylaws of Correction and Rehabilitation Centers.

⁵⁹³ Article 42 of the Bylaws of the Reform and Community Rehabilitation Centers.

⁵⁹⁴ [Rule No. 55 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

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[Article \[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.gmasyrz58p5s_28_of_the_bylawshttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.gmasyrz58p5s_of_correction_and_https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A\]\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.gmasyrz58p5s_28_of_the_bylawshttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.gmasyrz58p5s_of_correction_and_https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A\)](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.gmasyrz58p5s_28_of_the_bylawshttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.gmasyrz58p5s_of_correction_and_https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A)

The doctor shall inform the Director of the Public Correction and Rehabilitation Center of the names of inmates who have reached the age of sixty to present them to the Director of the Medical Services Department of the Correction and Rehabilitation Centers to approve their age estimate in preparation for their transfer to the Public Correction and Rehabilitation Center⁽⁵⁹⁶⁾.

The second requirement: within the framework of international conventions

On the other hand, the Nelson Mandela Rules - as we have already explained - stipulated the existence of an integrated medical team, including many specialties, in the prison health services department. The department prepares accurate, updated and confidential individual medical files for all prisoners. The prisoner may request to see his medical file at any time, and he may authorize another person to see that file.

When a prisoner is transferred from one institution to another, his medical file is transferred with him to the receiving institution surrounded by medical confidentiality⁽⁵⁹⁷⁾.

Criticism

As we have seen, the Law Regulating Correction and Community Rehabilitation Centers or the Internal Correctional Centers Regulations have no regulation for the possibility of the inmate to view

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his medical file, or the possibility of delegating or delegating the inmate to another person to view that file.

Medical work in reform centers is carried out by one doctor in all cases, whether in public or geographical reform centers. The doctor also records the data of the medical files of inmates. The legislator, whether in the law regulating reform and community rehabilitation centers or the regulations of internal reform centers, omitted the obligation to update the medical files of the inmate. There was no penalty for omitting to record these data in the medical file of the inmate, which facilitates the concealment of torture or inhuman treatment that the inmate may receive.

Egyptian law did not regulate any mechanism for informing the inmate, his agent, or his authorized representative of the data recorded in his medical file.

Recommendations

The legislator must intervene to provide for:

- The possibility of the doctor using an employee or a nurse to record the medical files of inmates under the supervision of the doctor;
- Obligation to update the medical files of the inmate, and imposing a penalty in case of violation;
- The imposition of a penalty in the event of omission to record some data on the health condition of the inmate;
- Provide the inmate or his representative or delegate with access to the data recorded in his medical file, and the possibility of obtaining an official copy of that file, or any data recorded in it;
- Providing an opportunity for the inmate or his representative or delegate to sign another doctor to examine him other than the doctor of the reform center, and a way to file a grievance or appeal against the decision issued to reject this.

The ninth topic: Inmate's right to get vaccinated from epidemic diseases

The first requirement: Within the framework of Egyptian law

The Egyptian legislator obliges the doctor to vaccinate inmates when they are placed in correction and rehabilitation centers against smallpox and typhoid, and he also vaccinates inmates from time to time against smallpox⁽⁵⁹⁸⁾.

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In military reform and rehabilitation centers, the doctor supervising the reform center vaccinates inmates at the time of their placement when needed against smallpox and typhoid⁽⁵⁹⁹⁾.

The second requirement: within the framework of international conventions

The Nelson Mandela Rules required inmates to be vaccinated against HIV, tuberculosis, and all infectious diseases, and required prisoners to be treated for drug addiction⁶⁰⁰.

Programmes and services to address the specific needs of women must also be developed to address HIV cases in prisons, including the prevention of mother-to-child transmission.

Prison authorities encourage and support initiatives in HIV prevention, treatment and care⁶⁰¹.

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[The second paragraph of Rule No. 24 of the Nelson Mandela Rules.](#)

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[Rule No. 14 of the Bangkok Rules.](#)

Women prisoners must be educated and provided with information on preventive health care measures, including HIV, sexually transmitted diseases and other blood-borne diseases, and on women's specific health conditions⁶⁰².

Criticism

The Egyptian law had specified the diseases that inmates must be vaccinated when placed in public and central reform centers, namely smallpox and typhoid. The legislator provided for these diseases exclusively, without the rest of the infectious diseases. The law required inmates to be vaccinated when placed in military reform centers when needed. Therefore, the legislator left the issue of estimating the extent to which inmates should be vaccinated when placed in military reform centers to the discretionary authority of the center's doctor without being punished for that, without any justification or support.

Recommendations

The legislator must intervene to stipulate that inmates must be vaccinated when placed in reform centers of all kinds:

- against all infectious diseases without limitation;
- Without any discretion on the part of the doctor or the management.

The tenth topic: The right of the inmate to obtain the necessary treatment for his condition outside the Correction and Rehabilitation Center

The first requirement: Within the framework of Egyptian law

Within the framework of Egyptian law, the doctor of the reform center shall submit a report to the medical administration in the community protection sector if he deems it necessary to treat the inmate in an external hospital, if the reasons for his treatment in the reform center hospital are not available, in order to decide what the medical administration deems necessary in this regard.

The law obliges medical, government, and university facilities to treat inmates who are referred to them from reform centers for treatment, in accordance with the controls and conditions prescribed by the Minister of Health and Higher Education in coordination with the Minister of Interior.

⁶⁰² [Rule 17 of the Bangkok Rules.](#)

The doctor of the correctional center may take whatever he deems necessary to maintain the health of the inmate in emergency and urgent cases, while providing the community protection sector with an urgent medical report from him.

The doctor of the correction center must also ask the permission of the community protection sector in cases that he deems necessary to seek the opinion of a specialist doctor, and the permission is taken by phone in urgent cases.

The doctor of the reform center may order the acceptance of medicines received from abroad if he deems it necessary ⁽⁶⁰³⁾.

According to the advisory opinion of the General Assembly of the Fatwa and Legislation Divisions, the Community Protection Sector is the entity entrusted with the treatment of the inmate throughout the period of his imprisonment and is committed to the expenses of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.dcz5mefh3dq5> that <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.i7dmqhafbhd> 33 bis of the Law on the Organization of Community Reform and Rehabilitation Centers, added by Law No. 106 of 2015, Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.dmkfho993fyg> 20 of the Internal Regulations of Military Prisons.

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[%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.dcz5mefh3dq5](#) treatment: [Article (1 bis) of the [Prisons Regulation Law](#) (Law on the Organization of Community Reform and Rehabilitation Centers) promulgated by Law No. (396) of 1956, which stipulates that: Anyone who is detained, arrested, detained, or deprived of his freedom in any way, shall be placed in one of the prisons set forth in the previous article, or one of the places specified by a decision of the Minister of Interior to which all the provisions contained in this law apply, provided that the right of entry stipulated in Article 85 shall be granted to the Attorney General or his deputy, who is a member of the Public Prosecution, with the rank of at least a chief prosecutor. Article (33) of it stipulates that: In every Lyman or non-central prison, there shall be one or more doctors, one of whom shall be a resident entrusted with health work as determined by the internal regulations. The Central Prison shall have a doctor. If a doctor is not appointed to it, a government doctor shall be assigned to perform the work entrusted to the prison doctor. Article (33 bis) of it, added by Presidential Decree Law No. (106) of 2015, stipulates that: Government and university medical facilities shall treat prisoners referred to them from prisons for treatment, in accordance with the controls and conditions issued by a decision by the Ministers of Health and Higher Education in coordination with the Minister of Interior.

It also reviewed Article (24) of the Minister of Interior Resolution No. (79) of 1961 on the Internal Regulations of Prisons, which stipulates that: The prison doctor is responsible for health procedures that ensure the safety of the health of prisoners, in particular..., and that Article (27) of it stipulates that: The doctor must examine every prisoner immediately upon his placement in prison, provided that this is not later than the next morning and that he proves his health condition and the work he can do, and he must also visit the sick prisoners' clinic daily and the clinic of every prisoner who complains about the disease, and orders the transfer of the patient to the prison hospital.... Article (37), which was replaced by Minister of Interior Resolution No. (3320) of 2014, stipulates that: If the reasons for treating a prisoner in the prison hospital are not available and the prison doctor deems it necessary to treat him in an external hospital, he must submit a report to the medical department of the Prison Authority to decide what it sees.

In emergency or urgent cases, the prison doctor may take whatever he deems necessary to preserve the health of the prisoner while providing the authority with an urgent medical report from him. If the doctor deems that the patient's condition requires the opinion of a specialist doctor, he shall seek the permission of the Prison Authority in this regard. The permission shall be taken by telephone in urgent cases. The prison doctor may order the acceptance of medicines received by the prisoner from abroad if he deems it necessary.

The General Assembly of the Fatwa and Legislation Sections recalled that the legislator required in the Prisons Regulation Law (the Law Regulating Community Reform and Rehabilitation Centers) that each prison or central prison shall have one or more doctors entrusted with health work as determined by the internal regulations. It also obligated government and university medical facilities to treat prisoners referred to them from prisons. It also obligated the prison warden to guard prisoners and implement the provisions of the law and regulations of prisons within the prison he manages. The regulation assigned the prison doctor the responsibility for health procedures that ensure the safety of prisoners' health. It also obligated him to examine the prisoner immediately after his imprisonment and prove his health condition and the work he can do. It also obligated him to order the prisoner's clinic to transfer the patient to the prison hospital if necessary. If the prisoner's treatment is not available in the prison hospital and the doctor sees the need to treat him in an external hospital, he must submit a report to the medical administration of the prison authority to decide what it deems. In emergency cases, the doctor must take what he deems necessary to maintain the health of the prisoner with an urgent medical report from him.

Whereas, it is established from the papers that the student/..... He was enrolled in the Fourth Division of the Faculty of Law, Zagazig University, and he was arrested in Case No. (329) for the year 2017, the retribution administrator on charges of joining the terrorist ISIS organization, and the prosecution ordered his pretrial detention pending the case on 5/2/2017, provided that he considers the renewal of his detention order before the Ismailia Criminal Court. However, on 6/3/2017, he was transferred to the specialized hospital of the Suez Canal University for treatment. He was discharged from the hospital on 3/5/2017 after his condition improved. The costs of his treatment in the aforementioned hospital amounted to 127692.04 (one hundred and twenty-seven thousand six hundred and ninety-two pounds and four piasters). The student paid an amount of 18,000 (eighteen thousand) pounds, and Zagazig University also paid an amount of 25262.37 (twenty-five thousand and two hundred and sixty-two pounds and thirty-seven piasters) on 10/4/2017 under check No. (20134800673070), and then Zagazig University received a letter from the President of the Suez Canal University asking it to pay the amount of 844.6729 (eighty-four thousand and eighty-two hundred and twenty-seven pounds and sixty-seven pias) the remaining costs of the treatment of the aforementioned student.

Whereas the aforementioned, and the aforementioned student was held in pretrial detention pending the aforementioned case throughout the period of his treatment at the Specialized Hospital of the Suez Canal University, and since the legislator explicitly stipulated the obligation of the Prison Service of the Ministry of Interior to sign, through its specialized doctors, a medical examination of every prisoner or detainee immediately upon his placement in prison and the clinic of patients from

them on a daily basis, as well as ordering his transfer to the prison hospital if his condition requires, and if the reasons for his treatment are not available, he must submit a report to the Medical Department of the Prison Service to decide what it deems appropriate, and the Medical Department in that case must refer him to one of the government or university hospitals that must provide the necessary treatment to him, and therefore the Prison Service and the Suez Canal University Hospital are the entity entrusted with his treatment throughout the period of his detention in connection with the aforementioned case, and therefore the University of Zagazig does not bear the costs of treatment of the aforementioned student, and the request of the Suez Canal University to pay the costs of his treatment is not based on the law]⁽⁶⁰⁴⁾.

If the investigation requires a detainee with pulmonary tuberculosis who is present in the clinic, it is not permissible to invite him to appear before the prosecution that undertakes the investigation, but the papers must be sent to the nearest representative of this clinic to ask him⁽⁶⁰⁵⁾.

The second requirement: within the framework of international conventions

In accordance with the Standard Minimum Rules for the Treatment of Prisoners, a prisoner whose condition requires special attention must be transferred to specialized prisons or civilian hospitals⁽⁶⁰⁶⁾.

The [Nelson Mandela Rules](#) required that the prisoner be guaranteed immediate access to medical care in urgent cases. If the prison has its own medical service, it must include hospital facilities and be adequately staffed and equipped to provide appropriate treatment and care services for prisoners referred to it. If the prisoner's condition requires special care or surgery and the prison does not provide medical services for his health care, he shall be transferred to specialized institutions or to civilian hospitals.

The Nelson Mandela Rules prohibited non-health care professionals from making clinical decisions, and also prohibited the decisions of health care officials from being overturned or ignored by non-medical prison staff⁽⁶⁰⁷⁾.

Women's prisons must be provided with the necessary facilities to provide prenatal and postnatal care and treatment. Arrangements may be made for the birth of children in a hospital outside the prison. If the child is born in prison, this is not recorded in his birth certificate⁽⁶⁰⁸⁾.

⁶⁰⁴ Fatwa of the General Assembly of the Fatwa and Legislation Sections of the State Council No. 1554 of 2018 issued at the 14th session of November 2018, File No. 32/2/4749.

⁶⁰⁵ Article 1054 of the written, financial and administrative instructions of the Public Prosecution.

⁶⁰⁶ Rule 22 of the Standard Minimum Rules for the Treatment of Prisoners.

⁶⁰⁷ [Rule No. 27 of the Nelson Mandela Rules](#).

⁶⁰⁸ Rule No. 23 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 28 of the Nelson Mandela Rules](#).

Criticism

As we explained, the medical administration of the reform centers in Egypt is competent to decide on the extent to which the inmate should be treated outside the reform center. However, the law did not regulate how the inmate, his agent, or his authorized representative should be informed of the medical administration's decision in this regard, and how to file a grievance against that decision.

Recommendations

The legislator must intervene to determine a mechanism to inform the inmate of the decision of the medical administration in the matter of his treatment in a hospital outside the reform center, as well as provide a mechanism for appealing or grievance against the decision issued to reject it.

Eleventh Research: The right of the inmate who is sick at the correctional center or hospitalized to visit his relatives

Single requirement: within the framework of Egyptian law

The internal regulations of the reform and rehabilitation centers in Egypt allowed visiting sick inmates placed in the hospital of the public reform and rehabilitation centers at the place of the regular visit whenever their health condition allows this, but if the doctor of the reform center decides that their health condition does not allow this, the visit to the hospital shall take place in the presence of the head nurse and after taking health measures before visitors ⁽⁶⁰⁹⁾.

Criticism

On the other hand, the law regulating reform and rehabilitation centers, as well as the internal regulations of the reform centers, did not allow the inmate the right to contact his family and inform them of his illness or serious injury, or transfer him to a hospital outside the inmate. The internal regulations of the reform centers in Egypt granted the inmate's relatives the right to visit him if he became ill or injured while in the reform center or visit him if he was transferred to a hospital outside the reform center. On the other hand, the law or the internal regulations of the reform centers did not

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allow the inmate the right to contact his family and inform them of his illness or serious injury, or transfer him to a hospital outside the inmate, or oblige the administration to inform the inmate the inmate the inmate to inform the inmate the inmate of his illness or serious injury, or transfer him to a hospital outside the reform center. How can the inmate the sick inmate of the reform center or the hospital visit him, if they were not informed of this?!

Twelfth Research: The right of the inmate to inform his family in the event of illness or serious injury

The first requirement: Within the framework of Egyptian law

The law regulating community correction and rehabilitation centers and the regulations of the internal correction and rehabilitation centers are devoid of any statement of the right of the inmate to inform his family of the injury or illness to which he was subjected.

The second requirement: within the framework of international conventions

International conventions oblige the prisoner to be able to inform his family or any other person he considers to be a means of communication of the serious diseases or injuries that may be inflicted on him, as well as in emergency cases, and cases of transferring the prisoner to the hospital, and to provide the prisoner with the means he needs to achieve this. The prisoner also has the right not to inform his wife or close relatives of his illness or injury⁽⁶¹⁰⁾.

In the case of juveniles, each of the family or guardian of the juvenile, or any other person designated by the juvenile, may be informed of the medical condition of the juvenile, upon request and in the event of any significant changes in the health of the juvenile.

The director of the custodial institution shall notify the juvenile's family or guardian, or the person designated by the juvenile, of cases that require the juvenile to be transferred to a medical facility outside the institution, or cases that require medical treatment for more than 48 hours inside the institution.

The consular authorities of the State to which the juvenile belongs must be notified if he is a foreigner⁽⁶¹¹⁾.

⁶¹⁰ Rule 44 of the Standard Minimum Rules for the Treatment of Prisoners, Rule 68 and the [second paragraph of https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.nuy2obtaabow](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.nuy2obtaabow) Rule 69 of the Nelson Mandela Rules.

⁶¹¹ [Rule No. 56 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

Criticism

As we have seen, the law regulating correction and rehabilitation centers and the regulations of the internal correction centers are devoid of any right for the inmate to inform his family of the injury or illness to which he was subjected. The legislator also omitted the obligation of the administration authority to inform the inmate's family of the matter of his illness or serious injury, or to transfer him to the hospital, whether inside or outside the correction center.

Recommendations

The legislator must intervene to provide for:

- The inmate's right to contact his/her family to inform them of a serious injury or illness;
- Obliging the management authority to inform the inmate's family in the event of serious injury or infectious disease;
- Obliging the management authority to inform the inmate's relatives in the event of his transfer to a hospital inside or outside the reform center, and the measures taken in this regard.

The thirteenth topic: The right of the inmate to be exempted from work in the event of his inability to do so

Single requirement: within the framework of Egyptian law

Every inmate sentenced to a penalty with work may request an exemption from work due to his health conditions. The director of the reform and rehabilitation center shall submit his request to the medical services department of the reform centers in conjunction with the competent health inspector. If it is found that his condition does not allow work, the exemption decision shall be issued by the assistant minister for the community protection sector, provided that the public prosecutor is notified. The doctor of the reform center shall monitor his condition and submit a medical report about him every two months at most to the director of the reform and rehabilitation center.

Inmates whose request for exemption from work or reinstatement to work is rejected may file a grievance against this rejection. The director of the Correction and Rehabilitation Center shall submit his grievance to the Public Prosecution to submit it to the forensic doctor for examination and to express an opinion on that grievance⁽⁶¹²⁾.

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Fourteenth Research: The right of the inmate to be transferred to a mental hospital in the event of a defect in his mental powers

The first requirement: Within the framework of Egyptian law

If the prison doctor finds that a prisoner who is permanently sentenced has a mental disorder, he shall present his order to the Director of the Medical Services Department of Prisons for examination. If he sees that he is sent to a mental hospital to verify his condition, he shall do so immediately.

If, after his examination, it becomes clear that he is insane, he remains in the hospital and informs the Attorney General to issue an order to place him in it until he is acquitted, provided that the period he spent in the hospital is deducted from the period of his sentence.

The hospital administration shall inform the Attorney General when the prisoner has recovered to order his return to prison, provided that after his return to prison after his recovery from mental illness, he shall be treated appropriately to his condition, as well as the case of the prisoner in the institution⁽⁶¹³⁾.

The competent prosecution shall be notified in the event that one of the pretrial detainees or one of the convicts who decided to appeal the judgments issued against them suffers from a defect in his mental powers or is suspected of having a mental illness⁽⁶¹⁴⁾.

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[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.bm4rklpto38e](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.bm4rklpto38e_and_Article_17_of_Presidential_Decreehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.bm4rklpto38e) and Article 17 of Presidential Decree <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.bm4rklpto38e> No. 82 of 1984 regarding the establishment of a labor institution in which repeat offenders are placed.

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Article 50 of the Bylaws of the Reform and Community Rehabilitation Centers.

If a female prisoner is placed in a mental hospital, her child shall not be sent with her and handed over to his father or one of his relatives, or handed over to a shelter by the governor of the entity in the event that it is not possible to hand him over to one of his relatives⁽⁶¹⁵⁾.

The second requirement: within the framework of international conventions

On the other hand, international conventions prohibit placing persons found not to be criminally responsible or later diagnosed with intellectual disabilities and/or severe mental health problems whose condition is aggravated by remaining in prison. Arrangements are made to transfer them to specialized mental health facilities under the supervision of qualified health care professionals as soon as possible, provided that measures are taken, in agreement with the competent agencies, to continue the psychological treatment of the prisoner and to provide him with psychosocial assistance after his release if necessary.

As for the rest of the other prisoners, the health care departments must provide treatment for those who need treatment for mental illnesses⁽⁶¹⁶⁾.

According to the Bangkok Rules, comprehensive programs must be provided to women prisoners who need mental health care inside prison or in non-custodial facilities to ensure mental health care and rehabilitation, provided that they are appropriate for each individual case and that these programs take into account gender differences and the traumas that women prisoners are exposed to⁽⁶¹⁷⁾.

Specialized treatment programs should also be provided in prison health departments for women who use psychoactive substances, taking into account the abuse they have experienced in the past, the special needs of pregnant women and women accompanied by their children, and their different cultural⁶¹⁸ backgrounds.

Strategies must be developed and implemented in order to prevent female prisoners from committing suicide and self-harm as part of a comprehensive policy in the field of mental health care in women's prisons and to provide appropriate, specialized and sensitive support to the needs of women who are likely to do so. Prison staff must be made aware of times when women may feel psychological distress to take into account their situation and ensure that appropriate support is provided to them⁽⁶¹⁹⁾.

615 Article 51 of the Bylaws of the Reform and Community Rehabilitation Centers.

616 Rules 82, 83 of the Standard Minimum Rules for the Treatment of Prisoners, and Rules [109, 110](#) of the Nelson Mandela Rules.

617 [Rule No. 12 of the Bangkok Rules](#).

618 [Rule No. 15 of the Bangkok Rules](#).

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A juvenile suffering from a mental illness must be treated in a specialized institution under independent medical management, and measures must be taken, in agreement with the competent agencies, to ensure the continuation of any psychological treatment necessary for the juvenile after his release⁽⁶²⁰⁾.

The fifteenth topic: Inmate's right to exercise

The first requirement: Within the framework of Egyptian law

The Egyptian Law Regulating Correction and Rehabilitation Centers allowed each of the convicted inmates who do not perform work and who are held in pretrial detention and who are under health probation separately, during the period of opening the reform center, sports queues for one hour in the morning and one hour in the evening, except for Fridays and public holidays, unless the holiday exceeds one day. On the second day and the following days, they are allowed to play sports in the morning only for half an hour, provided that this is under adequate guard⁽⁶²¹⁾.

The second requirement: within the framework of international conventions

International covenants required that prisoners have access to the outdoors, physical exercise, personal hygiene, health care, and sufficient personal space⁽⁶²²⁾.

Every prisoner who is not employed in outdoor work shall have the right to exercise appropriately in the open air for at least one hour a day, weather permitting, provided that sports and recreational

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620 [Rule No. 53 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.](#)

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622 [Rule No. 42 of the Nelson Mandela Rules.](#)

education shall be provided, during the period allotted for exercise, to juvenile prisoners and others who are permitted to do so by their age and state of health. Provided that, for this purpose, they are provided with the necessary place, facilities and equipment ⁽⁶²³⁾.

The juvenile shall be entitled to an appropriate period of time in which he shall exercise freely daily and, if the weather permits, outdoors, during which time he shall be provided with appropriate spiritual and physical training.

The custodial institution must provide adequate places, equipment and equipment for these activities, and the custodial institution must ensure that each juvenile has the physical ability to participate in the physical education programs available to him. And to provide him with therapeutic physical education and medication, under medical supervision, for the juveniles who need them.

Each juvenile shall also have free time, part of which shall be allocated, at the request of the juvenile, to help him develop his technical and professional skills ⁽⁶²⁴⁾.

Criticism

As a result of the small size of most places of detention and prisons in general, as we have seen above, the practice of sports by inmates or detainees is a kind of luxury, which none of them can claim.

Recommendations

The legislator must consider specifying the places of detention and correctional centers in general in terms of space, and in particular the minimum amount of personal space for everyone whose freedom has been restricted, as well as stipulating in the regulations that everyone whose freedom has been restricted must be exposed to natural light as well as to open air, which helps to improve the physical and psychological health of inmates.

⁶²³ Rule 21 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 23 of the Nelson Mandela Rules](#).

⁶²⁴ [Rule No. 47 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

Sixteenth Research: The right to preserve the body of the inmate in the event of his death inside the reform center

The first requirement: Procedures to be taken in the event of the death of the inmate within the reform center within the framework of Egyptian law

First: Informing the family of the deceased inmate and the administration

In the event of the death of the inmate, the administration of the correction center shall notify the administration in whose jurisdiction his family resides to notify them immediately, and the body of the deceased shall be handed over to his family if they come to receive it, while allowing them to see it if they wish to do so ⁽⁶²⁵⁾.

If the death is the result of the execution of a death sentence, the director of the reform center shall report the incident with the natural death certificate to the health office located in his prison district to record the incident in the health death book and issue a burial permit, provided that the death certificate does not mention that the cause of death is the execution of the death sentence ⁽⁶²⁶⁾.

The Director of the Reform Center shall immediately inform the Public Prosecution and the competent authorities of the death of any inmate who dies suddenly or as a result of an accident or is seriously injured ⁽⁶²⁷⁾.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.9zn988mnbov3> 37 of the Law on the Organization of Correction and Community Rehabilitation Centers.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AA%D9%86%D9%81%D9%8A%D8%B0%D9%8A%D8%A9-%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%A3%D8%AD%D9%88%D8%A7%D9%84-%D8%A7%D9%84%D9%85%D8%AF%D9%86%D9%8A%D8%A9#h.dmm917dmlqb3> 17 of the Minister of Interior's Resolution No. 1121 of 1995 regarding the issuance of the Executive Regulations of the Civil Status Law.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.6fi9gq2n4fgo> 78 of the Law on the Organization of Correction and Community Rehabilitation Centers.

Second: Transferring the Body of the Deceased Inmate

Health measures shall be taken at the expense of the government if the family of the deceased inmate wishes to transfer the body to his country. These health measures include the remuneration of the doctor, the price of medicines, the tools necessary for embalming, and the fund, while the transfer of the body of the deceased is at the expense of his family.

The doctor of the reform centre shall issue the death certificate and submit it to the health office in whose district the reform centre is located to obtain the burial permit. The permit shall mention the grave in which the burial takes place. The body shall not be handed over to the family of the deceased unless accompanied by this permit.

These health measures shall not be taken if the body to be buried does not exceed the period necessary to reach it in summer and winter, and the transport is not by railway, provided that the burial is carried out within (24 hours) from the time of death.

However, if the deceased is the result of infectious diseases, it is prohibited to authorize the transfer of their bodies to any party, and they must be buried in the cemetery of the party where the death occurred ⁽⁶²⁸⁾.

Third: The case of the non-attendance of the family of the deceased inmate to receive his body

The body of the deceased prisoner shall be deposited if twenty-four hours have elapsed since his death without the presence of any of his family to receive his body in the nearest place to the prison intended for the preservation of bodies, and the body shall be handed over to one of the university

628 Articles 58 and 59 of the Internal Regulations of Correction and Rehabilitation Centers, [Article 32](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.xd0wavi1yr3yof) [the Internal Regulations of Geographical Correction and Rehabilitation Centers](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.w5jmaqvrthz), as amended by Minister of Interior Decision No. 3098 of 2001, [Article 33](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.w5jmaqvrthz) of the [Internal Regulations of Geographical Correction and Rehabilitation Centers](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.w5jmaqvrthz), and Articles 23 and 24 of the Internal Regulations of Military Prisons.

bodies if seven days have elapsed from the date of his deposit in the place where the bodies were kept without any of the family of the deceased submitting to receive them ⁽⁶²⁹⁾.

The second requirement: The procedures to be taken in the event of the death, disappearance or serious injury of the prisoner during his detention within the framework of international conventions

In the event of the death of a prisoner, the prison director shall immediately inform his next of kin, or the person designated by the prisoner to contact him in case of emergency ⁽⁶³⁰⁾.

The prison administration must treat the body of the deceased prisoner with respect and dignity, and his body must be handed over to his closest relatives as soon as possible, and the prison administration must facilitate the conduct of burial ceremonies in accordance with the appropriate rites followed in the culture of the deceased if there is no other responsible party willing or able to do so, and it must keep a complete record of the incident ⁽⁶³¹⁾.

In the event of the death, disappearance, or serious injury of a prisoner, the director of the prison shall immediately report to the judicial authority or any other competent authority independent of the prison administration any death, disappearance, or serious injury in custody. He shall also immediately report whenever there are reasonable grounds to believe that an act of torture or other cruel, inhuman, or degrading treatment or punishment has been committed in the prison, regardless of whether or not he has received a formal complaint about it, and regardless of the initiation of an internal investigation, and that authority shall be tasked with conducting a prompt, impartial, and effective investigation into the circumstances and reasons for these cases, provided that the competent authority conducts the investigation either on its own initiative or at the request of a member of that person's family or any person with knowledge of the case. Such an investigation shall, if the circumstances warrant, be conducted on the same procedural basis if the death or disappearance occurred shortly after the end of the detention or imprisonment. The results of this

⁶²⁹ [Article No. 37 of the Law on the Organization of Correction and Rehabilitation Centers, as amended by Law No. 119 of 1974, and Article No. 19 of Presidential Decree No. 82 of 1984 regarding the establishment of a labor institution in which repeat offenders are placed.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.sef95s2qifr1Decree No. 82 of 1984 regarding the establishment of a labor institution in which repeat offenders are placed.)

⁶³⁰ [Paragraph 1 of Rule 69 of the Nelson Mandela Rules.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.nuy2obtaabowof the Nelson Mandela Rules.)

⁶³¹ [Rule No. 72 of the Nelson Mandela Rules.](#)

investigation or a report thereon shall be made available upon request unless this jeopardizes an ongoing criminal investigation⁽⁶³²⁾.

If the deceased prisoner is a juvenile, his next of kin shall have the right to see the death certificate, to see the body, and to determine the manner of disposing of it.

An independent investigation must be conducted into the causes of the death of the juvenile if it occurs during his detention, or within six months from the date of his release from the custodial institution, if there are reasons to believe that the death is related to the period of detention, provided that the nearest relatives of the juvenile have access to the report prepared in this regard⁽⁶³³⁾.

Prison management must take immediate steps to ensure that persons potentially involved in the commission of an act of torture or other cruel, inhuman or degrading treatment or punishment in prison do not participate in the investigation, and that they do not come into contact with witnesses, the victim or the victim's family.

The prison administration must fully cooperate with the authority in charge of the investigation, and ensure that all evidence is preserved⁽⁶³⁴⁾.

The European Court of Human Rights ruled that the state must compensate the families of a prisoner who died due to taking drugs inside the prison, and the inaction of the prison administration

632 Principle No. 34 of the Body of Principles for the Protection of All Persons under Any Form of Detention<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.wfn6wm9imu9> for the Protection of All <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.wfn6wm9imu9> Persons under Any Form of Detention, it is noted that the Egyptian Law Regulating Community Correction and Rehabilitation Centers does not provide for informing the Public Prosecution or the competent authorities in the event of the disappearance of the prisoner.

633 Rule No. 57 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

634 Rule<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.xllshvdeplhf> 71 of the Nelson Mandela Rules.

in conducting an investigation into the cause of his death: [In the judgment of the Chamber of Day 1 in the case of Patzaki et al. v. Greece (application No. 20444/14).

The European Court of Human Rights decided, unanimously, that there had been: a violation of article 2 (right to life) of the European Convention on Human Rights by virtue of its procedural party (inquiry), and no violation of article 2 within its substantive framework.

The case concerns the death of a drug addict in prison. The application was submitted by eight members of the family of the deceased (his wife, daughter, mother, father and four siblings). The court considered that the part of the application submitted by the father of the deceased and two of his siblings was inadmissible.

With respect to the other Claimants' complaint, the Court ruled in particular that the length of the judicial investigation (four years and eight months) had violated the diligence and promptness requirements for an effective investigation. It also considered that the authorities did not closely examine the case of the deceased and did not conduct an effective investigation into the circumstances of the death. For example, the Assizes Court did not summon persons whose statements could have been decisive for the outcome of the case, and the preliminary investigation into the deputy director of the prison was discontinued without any reasons or procedural steps.

Finally, the Court found that the circumstances of the death did not clearly indicate any liability of the State resulting from the consumption of psychotropic substances.

A few days later, two of Dr. In June 2009, a wife and her mother asked to sue any individual responsible for De Vie's death.

On 31 January 2011, the Prosecutor discontinued the case on the grounds, in particular, that the DV's use of narcotic drugs in prison was not sufficient to establish punishable conduct by prison staff and that the analgesics and antidepressants would have been sufficient to cause the DV's death since he had taken all his tablets once in the evening.

On 15 July 2013, following the plaintiffs' appeal, the prosecutor referred the case of the prison governor and prison doctor to trial for manslaughter committed by persons with certain legal obligations. On 5 September 2013, the Assizes Court acquitted the accused. The court found that the doctor could not have predicted that Dr. He consumes alcohol and narcotic drugs at the same time as he consumes psychotropic substances. Furthermore, she returned the case to examine whether a case should be brought against the deputy governor of the prison, who did not take steps to verify information that drugs were being trafficked inside the prison, and one of the recipients was Dr. The prosecutor suspended the case without giving reasons.

On 31 July 2013, the Claimants filed a claim for damages before the Administrative Court of Mytilene, alleging negligence on the part of the prison guards and medical staff. The hearing was scheduled for 19 September 2018.

Complaints, Proceedings and Court Composition Based on Article 2 (Right to Life), the Claimants complained that the Greek State did not comply with its positive obligation to protect D.V. life in prison.

The application was submitted to the European Court of Human Rights on 28 February 2014.

The judgment was rendered by a chamber of seven judges composed as follows: Ksenija Turkovic (Croatia), presiding, Linus Alexander Sicilianos (Greece), Krzysztof Wojciech (Poland), Armen Harutyunyan (Armenia), Paulin Koskello (Finland), Jovan Ilevski ("The Former Yugoslav Republic of Macedonia"), Gilberto Velesi (San Marino), and also Abel Campos, the Registrar of the oath.

Court Decision {Article 2 (Right to life - Procedural Party/ Investigation)}.

On admissibility: The court rejected the part of the application submitted by three applicants (the father and two brothers) because they did not file a formal complaint.

They have filed a claim for damages against the State under Article 105 of the Introductory Act to the Civil Code.

The court considered that this procedure was doomed to failure and therefore not effective.

Regarding the merits of the complaint raised by the other five plaintiffs: The Court held that there had been a violation of the procedural aspect of Article 2 of the Agreement for the following reasons.

First, the length of the investigation - four years and eight months to determine responsibility and decide whether people implicated in a prisoner's fatal overdose should be prosecuted - did not meet the due diligence and speed requirements for an effective investigation.

Second, the Court reiterated that domestic courts must not allow life-threatening crimes to go unpunished. In the present case, the Chios Criminal Court has failed to summon persons whose statements may be decisive in the outcome of the case. Prisoners who participated in the D.V. cell were not questioned by any of the authorities involved in the investigation or summoned to appear before the Assizes Court. Furthermore, the expert who conducted the toxicological examination of the deceased and the prison officers who distributed the medicines during the days leading up to the death were not questioned.

Furthermore, the court referred the case back to the prosecutor to assess whether a case should be brought against the deputy governor of the prison, whom it considered to be the only person who was aware of the information provided by dr. who failed to respond in order to verify that information. The prosecutor had ordered a preliminary investigation, but had not taken any procedural action.

Later, he had dropped the case without giving reasons, and refused to provide the plaintiffs with a copy of the file on the grounds that they lacked legal status. Accordingly, the Court considered that the authorities did not subordinate D.V. 's case to due diligence required under Article 2 of the Convention and therefore did not carry out an effective investigation into the circumstances of his death. Article 2 (Right to life - Substantive Party).

The court held that the prison authorities did not have sufficient facts at their disposal to indicate that Dr. He was in special danger the day before his death or faced a greater potential risk than any other drug-addicted prisoner of fatal consequences.

There was therefore no violation of the substantive aspect of Article 2. Article (41).

The court decided that Greece would pay 15,000 euros (EUR) to his wife and daughter D.V. and €13,000 each to his mother and two siblings in respect of non-material damage.

Greece has also committed to pay 2000 euros in respect of costs and expenses] ⁽⁶³⁵⁾.

Criticism

It is noted that the only obligation in the law regulating Egyptian reform centers in the event of the death or serious injury of the inmate is to inform the Public Prosecution and the competent authorities, without being obliged to conduct an investigation into the incident that led to the injury or death?!

We note from the above that the Law Regulating Correctional Centers stipulates that the body of the deceased inmate shall be handed over to one of the university bodies, if no one submits to receive it within seven days from the date of his placement in the nearest place to the correction center intended for preserving the bodies.

Of course, this measure violates Articles [60 and 61](#) of the Egyptian Constitution, which stipulate the inviolability of the human body and criminalize assaulting, distorting, or impersonating it. The Constitution also prohibits conducting any medical or scientific experiment on a person in general without his free, documented consent.

The Constitution also stipulates that the consent of the same person must be issued or there is a notarized will issued by him to approve his donation of any of the organs of his body during his life or after his death ⁽⁶³⁶⁾.

Whereas international covenants stipulate that the body of the deceased prisoner shall be treated with respect and dignity, and that the administration shall facilitate the conduct of burial ceremonies

⁶³⁵ Judgment of the European Court of Human Rights in Application No. 20444/14.

⁶³⁶ [Article 61 of the Constitution](#).

in accordance with the appropriate rituals followed in the culture of the deceased, which is not stipulated by Egyptian law.

Recommendations

The legislator must intervene to amend the Law Regulating Correction and Rehabilitation Centers to stipulate:

- Obliging the Public Prosecution to conduct an investigation into the death of any inmate, and not only to be informed of this by the Director of the Reform Center;

- Obliging the administration to conduct the burial ceremony of the deceased inmate and to perform the religious rites followed in his religion, in the event that none of his relatives submits to receive the body;

- The administration must bury the body of the deceased, in the event that none of his relatives submits to receive his body, and it is prohibited to hand it over to any party without the written consent of the same person issued by his free will.

Chapter Nine: Visiting and Correspondence

Preamble

Contact with the outside world is one of the most important factors aiding prisoners in rehabilitation and providing opportunities for reintegration. The legislator is committed to providing inmates with means of communication with the outside world to boost their morale, facilitate their daily life within the correctional center, and strengthen ties with family and friends. Therefore, every convicted person is granted the right to correspond, and family members are given the right to visit regularly. In cases of necessity, they are also afforded the right to special visits on regular visitation dates.

The purpose of inmate visitation is to affirm their humanity, enabling them and their families to exercise a constitutional right established by the Constitution and legislated in a manner that balances the administration's duty to maintain security with the need to fulfill the inmate and family's rights in non-punitive contexts when obligations are met. Since personal freedom is among a citizen's most fundamental rights, it requires that inmates or those with restricted freedom be treated in a manner that preserves dignity by allowing some legitimate desires, including the right for inmates and their families to see each other during imprisonment.

The right to visitation is a dual right, benefiting both the inmate and their family simultaneously, which positively impacts the inmate's behavior within the reform center. This right also lays a foundation for social reintegration outside the center, aligning with the ultimate goal of the penal system.

As an effect of disciplinary punishment, the legislator arranged for the convict to be punished with specific penalties, depriving him of visiting and correspondence during the period of the punishment. As for the prohibition from visiting, the legislator authorized its absolute or restricted prohibition - depending on the circumstances - at certain times, either for health reasons or for security-related reasons.

The first topic: The Inmate's Right to Correspondence

The first requirement: Within the framework of Egyptian law

The Law on the Organization of Correction and Community Rehabilitation Centers differentiated between the convict and the pre-trial detainee in the right to correspondence and telephone communication. It allowed the convict the right to correspondence and telephone communication for a fee at any time, while the right of the pre-trial detainee to correspondence or telephone communication was restricted by a decision of the Public Prosecution or the investigating judge not to issue a decision to the contrary⁽⁶³⁷⁾.

The Public Prosecution and the investigating judge may, in all cases, order that the accused in pretrial detention not contact other inmates and that no one visits him, without prejudice to the right of the accused to always contact his defender without the presence of anyone⁽⁶³⁸⁾.

Every person sentenced to a custodial sentence may send four letters per month as of the date of execution of the sentence. He may also receive correspondence received by him after informing the director of the Correction and Rehabilitation Center about it, unless such correspondence is from the prisoner's lawyer regarding the case in which he is accused⁽⁶³⁹⁾.

In Geographical Correction and Community Rehabilitation Centers, inmates have the right to correspond at any time, and those sentenced to imprisonment with work have the right to send one letter once a week⁽⁶⁴⁰⁾.

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[Article](#)

[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.mfqxmatbrcwp_38](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.mfqxmatbrcwp_38) of the [Law](#) on the [Organization of Reform and Community Rehabilitation Centers](#), as amended by [Law No. 106 of 2015](#), and Article 60 of the Internal Regulations of Reform and Community Rehabilitation Centers.

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640

https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.7h9wrfb5jk8h_64 of the [Internal Regulations of Correction and Rehabilitation Centers](#), as amended by Minister of Interior Decree No. 1058 of 2008, Minister of Interior Decree No. 2270 of 1973, and Minister of Interior Decree No. 1582 of 1973.

The inmate has the right to correspond in the event of his transfer to a reform center in another country, even if the date of correspondence is not due, unless his transfer to another reform center is in the interest of control or the inmate is approved for transfer to a public reform and rehabilitation center. This correspondence shall not be counted from the correspondence prescribed for him ⁽⁶⁴⁵⁾.

Shall be punished by imprisonment for a period of no less than one month and a fine of no less than one thousand pounds and no more than five thousand pounds or one of these two penalties, without prejudice to any more severe punishment stipulated in any other law, whoever enters the

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.1aj1pv28adcc> the Reform and Community Rehabilitation Centers,
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.y2mvuf346ixr> the Bylaws of the Geographical Reform and Rehabilitation Centers, and Article 32 of the Bylaws
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.7s8vx06dri7t> of the Military Prisons.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.qvf3hfexk03> the Reform and Community Rehabilitation Centers.

reform center or the camp or takes out messages from it contrary to the system prescribed for the reform center under the laws and regulations ⁽⁶⁴⁶⁾.

The second requirement: within the framework of international conventions

A detained or imprisoned person shall have the right, immediately after arrest and after each transfer from one place of detention or from one prison to another, in accordance with the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, to notify or request the competent authority to notify members of his family or other appropriate persons of his choice, of his arrest, detention, imprisonment or transfer and of the place where he is being detained.

If the detained or imprisoned person is a foreigner, he shall also be immediately informed of his right to communicate by appropriate means with a consular post or the diplomatic mission of the State of which he is a national or which is otherwise entitled to receive such communication in accordance with international law, or with the representative of the competent international organization, if he is a refugee or is otherwise under the protection of an intergovernmental organization.

The competent authority shall, on its own initiative, do so if the detained or imprisoned person is a juvenile or is unable to understand his right, paying special attention to notifying the parents or guardians.

The competent authority shall comply with such notification without delay, provided that it may postpone the notification for a reasonable period when exceptional necessities in the investigation so require.

Foreign prisoners must be granted a reasonable amount of facilities to communicate with the diplomatic and consular representatives of the state to which they belong with their nationality, and prisoners who are nationals of states that do not have diplomatic or consular representatives in the country, refugees, and stateless persons are granted similar facilities to communicate with the diplomatic representative of the state entrusted with caring for their interests or any national or international authority whose task is to protect such persons ⁽⁶⁴⁷⁾.

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Article

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The detainee or prisoner shall have the right to be visited by, and to correspond with, members of his family in particular. He shall have sufficient opportunity to communicate with the outside world, subject to reasonable conditions and restrictions specified by law or legal regulations⁽⁶⁴⁸⁾.

Prisoners must be allowed, within the framework of the necessary control, to communicate with their families and friends at regular intervals, whether by correspondence in writing or using means of communication and electronic and digital means, as well as to receive visits⁽⁶⁴⁹⁾.

[648](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.507wojhur3jdPrinciples for the Protection of <u>https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.507wojhur3jd Detention or Imprisonment</u>, Rule No. 38 of the Standard Minimum Rules for the Treatment of Prisoners, <u>and Rule No. 62 of the Nelson Mandela Rules</u>.</p>
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Principle No. 19 of the Body of
[649](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.73qn5h104hjsPrinciples for the Protection of <u>https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.73qn5h104hjs of All Persons under Any Form</u>

<u>https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.73qn5h104hjs of</u>

<u>Detention or Imprisonment.</u></p>
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Rule 37 of the Standard Minimum Rules for the Treatment of Prisoners, and paragraph 1 of https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-

The prisoner has the right to inform his family or any person whom he considers to be a means of communication immediately of his imprisonment or transfer to another institution and of any serious illness or injury that may be inflicted on him, and the prison administration must enable him to do so and provide him with the means he needs for this purpose ⁽⁶⁵⁰⁾.

Employees must maintain the confidentiality of matters of a confidential nature in their possession, unless the performance of duty or the requirements of justice require otherwise ⁽⁶⁵¹⁾.

The second topic: The right of the inmate to make telephone communications and the inviolability of his postal, telegraphic and electronic correspondence, telephone conversations and their confidentiality

The first requirement: Within the framework of Egyptian law

The convicted person and the pre-trial detainee may, unless prevented by the Public Prosecution or the investigating judge in accordance with the Code of Criminal Procedure, call by telephone for a period not exceeding three minutes twice a month, starting from the date of entitlement to the visit, in exchange for the dates of the visit. The telephone call may be exceptionally authorized in cases of necessity and with the approval of the Minister of Interior, under the following conditions:

- (i) there is no danger to public security;
- (2) Be of good conduct within the correctional centre.

Telephone contact may be prevented depending on the circumstances at certain times, if required for security reasons ⁽⁶⁵²⁾.

The second requirement: within the framework of international conventions

International covenants have detailed the prisoner's right to contact his family members as follows.

[%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.hqs4j2q0tg5nrule 58 of the Nelson Mandela Rules.](#)

⁶⁵⁰ [Rule No. 68 of the Nelson Mandela Rules.](#)

⁶⁵¹ [Article 4 of the Code of Conduct for Law Enforcement Officials.](#)

⁶⁵² Article 64 bis of the Internal Regulations of the Reform and Community Rehabilitation Centers, added by Minister of Interior Decision No. 1058 of 2008, and amended by Minister of Interior Decision No. 345 of 2017.

First: The right of the prisoner to contact his family

It is prohibited to deprive a detained or imprisoned person of contact with the outside world, especially his family or lawyer, for a period exceeding days ⁽⁶⁵³⁾.

A detained or imprisoned person shall have the right to be visited by his family members in particular and to correspond with them, and shall have adequate opportunity to communicate with the outside world, subject to reasonable conditions and restrictions specified by law or legal regulations ⁽⁶⁵⁴⁾.

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The prisoner is allowed, under the necessary supervision, to communicate with his family and reputable friends, at regular intervals, both by correspondence and by receiving visits ⁽⁶⁵⁵⁾.

Second: The right of the prisoner to contact her family members

The Bangkok Rules mandated that women prisoners be encouraged to communicate with their family members, including their children and their children's parents and legal representatives, and that the prison administration facilitate such communication by all reasonable means. Measures must also be taken to ensure compensation for the harms suffered by women detained in prisons far from their homes ⁽⁶⁵⁶⁾.

Third: The right of the juvenile prisoner to communicate

All means shall be provided to ensure that juveniles are in contact with the outside world - in application of the right of juveniles to receive fair and humane treatment in order to prepare them for their return to society - through contact with their families, friends and others belonging to reputable external organizations, or with representatives of such organizations.

Juveniles have the right to leave detention institutions to visit their homes and families, or to receive education or vocational training or for any other important reasons with special permission, provided that the period spent by the sentenced juvenile outside the detention institution is deducted within the period of his sentence ⁽⁶⁵⁷⁾.

Every juvenile shall have the right to communicate with any person of his choice, in writing or by telephone, unless his communications are restricted by law, at least twice a week, and the necessary assistance shall be provided to enable him to do so, and the juvenile shall also have the right to receive incoming messages ⁽⁶⁵⁸⁾.

The right of the juvenile to protect his privacy must be respected at all stages in order to avoid any harm he may suffer as a result of unnecessary propaganda or because of criminal descriptions, and

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⁶⁵⁵ Rule 37 of the Standard Minimum Rules for the Treatment of Prisoners.

⁶⁵⁶ [Rule No. 26 of the Bangkok Rules.](#)

⁶⁵⁷ [Rule No. 59 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.](#)

⁶⁵⁸ [Rule No. 61 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.](#)

it is not permissible, in principle, to publish any information that could lead to the identification of the juvenile offender⁽⁶⁵⁹⁾.

The Beijing rules stress the importance of protecting the juvenile's right to respect his privacy, as young people are overly sensitive to the descriptions they are given. Criminological research on forensic descriptions has provided evidence of the harmful effects (of various kinds) that young people always regret being described as (delinquents) or (criminals), and those rules also stress the importance of protecting the juvenile the harmful effects that may result from the publication of information about the case in the media (such as mentioning the names of young offenders). whether they are still charged or sentenced). It is necessary to protect and defend the interest of the individual, at least in principle.

Criticism

We note from the above that the Egyptian legislator has imposed a financial fee for the inmate's telephone contact, which restricts and disrupts the right of the prisoner to communicate with his family and relatives. We have previously indicated that the inmate who works in the reform center does not exceed 7 pounds per day.

Recommendations

The Egyptian legislator shall provide the right of telephone communication to the inmate with his family and relatives free of charge.

The third topic: Inmate's right to litigation (judicial announcements)

Single requirement: within the framework of Egyptian law

Inmates shall be notified to the director of the reform center or his representative, and the director of the reform center or his representative shall take all means to inform each inmate as soon as possible of the copy of any judgment or paper announced to him at the reform center and clarify its content to him.

If the inmate expresses a desire to send a copy of the declaration to a specific person, it must be sent to him by registered letter and these procedures must be recorded in a special register⁽⁶⁶⁰⁾.

⁶⁵⁹ Rule No. 8 of the Beijing Rules.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A> Article

However, the obligation of the director of the Correction and Rehabilitation Center or his representative to take all means to inform each inmate as soon as possible of the form of any judgment or paper that is announced to him in the Reform Center and his understanding of what it contains, does not in itself ensure that the inmate notified to him is aware of the content of the papers subject of the announcement. Therefore, the Supreme Constitutional Court ruled that the text of clause (7) of Article 13 of the Civil and Commercial Procedures Law is unconstitutional, as it does not include the necessity of proving the delivery of the papers required to be announced to the inmate himself. Hence, the fact of handing over the inmate to whom these papers are announced must be proven for the sake of his knowledge of their content: [Whereas the legislator in his report has distinguished between the two contested texts in guaranteeing both the right of litigation and the right of defense between litigants who are natural persons, as he divided them - regarding the means of their communication with the litigation in the pending lawsuit - into two categories, and set for each of them a system for notifying them of that litigation that differs from the other, despite the equal legal status of the litigants in the lawsuit. The first category, represented by the non-prisoned defendants, is competent with a legislative organization to deliver the papers required to be announced, including successive steps. Ensuring that the litigant notified to him is aware of these papers, as stated in the provisions of Articles (10) and (11) of the Civil and Commercial Procedures Law, while the legislator assumed that this knowledge is complete for the addressees of the second category, which includes prisoners, as soon as a copy of the notice is delivered to the prison director, his warden, or his substitute, as included in the two contested texts. These litigants were of the two categories referred to in one legal position, given the unity of the addressee's status in the lawsuit papers in each of them. This means that the legal organization to prove the delivery of the papers required to be announced must be subject to procedural and substantive rules according to uniform standards, whether in the field of requiring the right or litigation in it, or in the field of the right to conduct methods of appeal in the judgments issued in the disputes before the judiciary.

Whereas, since the foregoing, and this distinction between the two categories of litigants as mentioned above was considered an unjustified arbitrary discrimination, as it was not based on objective grounds required by the nature of the dispute, without saying that this distinction is based on the fact that the addressee is imprisoned, which is required to organize his announcement in accordance with the existing system in prisons, and without affecting the establishment of this unjustified arbitrary discrimination, as contained in the text of [Article \(81\) of the Prisons Regulation Law \(the Law Regulating Community Correction and Rehabilitation Centers\)](#) The aforementioned prison director, his warden or his substitute must take all means to inform each prisoner as soon as

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possible of the copy of any judgment or paper that is announced to him in the prison and his understanding of its contents, as this does not in itself ensure that the prisoner notified to him is aware of the content of the papers subject of the announcement, and therefore the aforementioned duty does not dispense with proving the fact of handing over the prisoner declared to him himself those papers; for the sake of his knowledge of their content, and then the two challenged texts have singled out the second category of the two categories of litigants referred to - this category includes the plaintiff In the present case - with exceptional treatment that lacks the merits it justifies, that deprives them of the guarantee of handing over the papers to be announced; in order to inform them of their content, and this exceptional treatment was merely because they are imprisoned, although their equality with their peers is obligatory and primary because they are restricted from freedom on the one hand, and their presence in a certain known place, which is prison, on the other hand; which means that there is no physical impediment or barrier to handing over the papers to be announced to their persons, and accordingly; these two texts have deprived the plaintiff, unlike his peers from the first category, of his right to access to justice and his protection from the defense guarantee, after he has become unable to reach it due to his lack of knowledge of the proceedings against him, as a result of not receiving its papers, and only handing over a copy of its declaration to his prisoner, and thus he is armed with his weapons in defense and presenting his point of view in the incident in dispute against his opponents whose interests are in conflict with him; although they must all be similar in these guarantees, and thus the two texts contested have violated the principle of equality, the right of litigation, and the right of defense; with which must not be ruled⁽⁶⁶¹⁾.

The Court of Cassation ruled that the purpose of the inmate's declaration was not achieved in the event that the lawsuit papers did not contain evidence of his receipt in person or his legal representative of the declaration paper from the administration side or the letter in which the minutes informs him of the delivery of that paper to the administration side: [Decision - in the jurisdiction of the two bodies of this court for criminal, civil, commercial and personal status materials collectively that the legislator has deviated from the general principle of announcing the judicial records papers stipulated in Articles 10, 11, and 13 of the Code of Procedure regarding the announcement of the judgment to the convicted person - in cases where he has failed to attend all the sessions specified for the consideration of the lawsuit and has not submitted a memorandum of his defense.

Article 13/3 of the Code of Pleadings required that this judgment be announced to the person of the convicted person or in his home country in appreciation of the impact of his announcement, which is the start of the appeal dates - an exception to the original rule from which the appeal date begins from the date of issuance of the judgment - which the legislator was keen to inform him of more guarantees to verify the convict's certainty or presumption in this regard without being satisfied with the judgment knowledge. Therefore, the announcement of the judgment with the administration body,

⁶⁶¹ Judgment of the Supreme Constitutional Court, Case No. 49 of 30 S, issued at the session of March 3, 2018.

which provides the judgment knowledge, does not in itself produce an impact on the start of the appeal dates unless the convict or the stakeholder proves that the latter has received the announcement from the administration or the registered letter in which the record informs him that the copy of the announcement of the judgment was delivered to that body. Then the purpose of the procedure is achieved by informing him of the judgment issued against him pursuant to the text of Article 20 of the Code of Pleadings and the announcement produces its impact and the date of the appeal opens. Whereas, the contested judgment violated this consideration and established its jurisdiction by forfeiting the right of the appellant to appeal to file it after the deadline on the basis that he had been notified of the judgment on 18/9/2008 addressed with the administration authority and was notified of the imprisonment, although the papers came without evidence that the appellant personally or his legal representative received the announcement paper from the administration authority or the letter in which the recorder informs him of the delivery of that paper to the aforementioned authority so that it can be said that the purpose of the procedure was achieved with his knowledge of the judgment as the convicts did not prove this knowledge. Therefore, the contested judgment, as it ruled that the right of the appellant to file the appeal for the report after the deadline was forfeited, has erred in the application of the law in a way that requires its cassation, provided that with the cassation the referral] (662).

If an inmate wishes to submit a report of the appeal or otherwise through the director of the Correction and Rehabilitation Center, it shall be written on the form designated for that and approved by the Attorney General. The director of the Correction and Rehabilitation Center shall verify the receipt of the appeal reports or other reports submitted by the inmates and record them in the register designated for that purpose, and they shall be sent immediately to the registry of the competent court, and it may be sent by mail by registered letter if the registry of the competent court is far from the correction center (663).

In military reform and rehabilitation centers, a register of petitions shall be established in each reform center to review the judgments of the military courts submitted by the convict and received by the director of the reform center. The director of the reform center shall prove the date of their submission to them by his own knowledge and record them in the register. He shall also communicate

662 Judgment of the Court of Cassation - Civil Department in Appeal No. 14794 of 79 S issued at the session of 11 April 2017, unpublished.

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the petitions to the military trial unit of the convict to submit them in turn to the Military Justice Department (Military Appeals Department of the Police Department) ⁽⁶⁶⁴⁾.

The fourth topic: The inmate's right to privacy and the inviolability of his postal, telegraphic and electronic correspondence, telephone conversations and confidentiality

The first requirement: Within the framework of Egyptian law

The director of the correction and rehabilitation centre may review every paper received by the inmate or the inmate wishes to send it, with the exception of correspondence and correspondence exchanged between the inmate and his lawyer regarding the case in which he is accused.

All inmates are also authorized to receive the letters they receive unless the Director of the Correction and Rehabilitation Center deems that they contain something suspicious or disturb security, and in this case the letters are sent to the Director of Security to act on them ⁽⁶⁶⁵⁾.

In this regard, the Administrative Court of Justice ruled that: [The Constitutional Legislator has affirmed that freedom of opinion and expression is guaranteed by the state to every citizen, as it is one of the fundamental freedoms that are necessitated by the nature of the sound democratic system, and is keen to uphold the principle of equality between citizens in rights and duties, and is concerned with preserving the dignity and humanity of the imprisoned person. It is not permissible to harm him physically or morally or to derogate from his constitutionally and legally established rights and freedoms. There is no doubt that one of these rights and freedoms is the freedom of the prisoner in opinion and expression, provided that he enjoys that freedom within the framework of the legal rules and controls in force, considering that the prisoner, who is a citizen, already enjoys all the rights and freedoms of a free and free citizen, but they are not equal in what they are subject to in terms of controls and rules. The various laws in various fields have regulated these rights and freedoms for the citizen who is not imprisoned, and the Prisons Law and its executive regulations guarantee the regulation of the rights and freedoms of prisoners, making the prisoner the right to communicate and communicate with his family and relatives in the exercise of his constitutional rights and raise his morale and facilitate his living inside the prison and confirm the link between him and his family and

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665 [Article No. 61](#) of the [Internal Regulations](#) of the [Reform and Community](#) Rehabilitation Centers, as amended by the decision of the Minister of Interior No. 345 of 2017, [and Article No. 35](#) of the [Internal Regulations](#) of the [Geographical Reform and Rehabilitation Centers](#).

friends through correspondence, correspondence and other matters. This is within the limits of what is prescribed without the matter reaching the extent of exercising the functions of his job or profession like the citizen outside the prison because, as already said, they are not equal in the legal status and also stipulated that his contact and communication with his family and relatives should be under the supervision of the prison administration, which was blocked by the legislator for considerations related to achieving security and tranquility, whether inside or outside the prison, and preserving the lives of prisoners and their symptoms, the need to see all the papers received by the prisoner, What is sent outside the prison, except for the correspondence between the prisoner and his lawyer regarding the cases in which he is accused or filed, provided that the prison administration then declares what does not raise suspicion or disturb the security of the papers, and holds otherwise, whether it is related to what is received to the prisoner from papers or what is issued from him outside the prison and says otherwise not to include what is sent from the prisoner outside the prison, which violates the nature of the organization contained in Article (61) of the internal regulations of the prisons and makes the right of the prison administration to view the papers sent abroad In vain, it is unacceptable, especially since the decisions issued by the prison administration in this regard are subject to legitimacy control by the administrative judiciary, which examines it for its conformity or non-conformity with the law.

Considering that authorizing the plaintiff to hand over his articles and papers to his visitors for publication in the newspaper of El-Ghad Party would threaten the security of the country and provoke inmates in the aforementioned prison due to the fact that its writer is one of the prisoners in it, because of the allegations and omissions it contains on the regime and its men, and then the contested decision not to allow the plaintiff to circulate his articles and papers referred to from his prison to outside the prison is issued according to the appearance of the papers in conformity with the true rule of law, taking into account the special nature of the prison facility, which requires its officials to take into account the requirements of security inside it and different from other places, away from everything that would cause chaos and unrest]⁽⁶⁶⁶⁾.

In military reform and rehabilitation centers, the director of the reform and rehabilitation center or his representative has the right to see every paper received by the inmate and every paper that the inmate wishes to send, without exception.

All letters received by the inmate shall be delivered to him unless the director of the reform center deems that they contain something suspicious or prejudicial to the security of the center. In this case, these letters shall be sent to the director of the community protection sector or the director of security to act on them, as well as the letters issued by the inmate⁽⁶⁶⁷⁾.

⁶⁶⁶ Judgement of the Administrative Court in Case No. 27625 of 60 S issued at the session of July 31, 2006.

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The right of the inmate to correspondence does not forfeit his right to regular visits due to him, and the letters written by the inmate to his family or friends do not affect the request for money to buy underwear or the like on the regular correspondence dates due to him ⁽⁶⁶⁸⁾.

The second requirement: within the framework of international conventions

Many international covenants stipulated respect for the correspondence of all persons, and the right of every person to protect the law from arbitrary interference with his private life and the resolution of his correspondence, including the Universal Declaration of Human Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the International Covenant on Civil and Political Rights, the American Convention on Human Rights, the Convention on the Rights of the Child, and the Arab Charter on Human Rights ⁽⁶⁶⁹⁾.

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Article 12 of the Universal Declaration of Human Rights, Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms,

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Criticism

The Egyptian Constitution had protected postal, telegraphic and electronic correspondence, telephone conversations and all means of communication, guaranteed their confidentiality, and prohibited their confiscation, access or censorship except by a reasoned judicial order and for a specific period. In the cases specified by law, it stipulated that: "Private life is inviolable, and it is inviolable. Postal, telegraphic, and electronic correspondence, telephone conversations, and other means of communication are inviolable, and their confidentiality is guaranteed. They may not be confiscated, accessed, or censored except by a reasoned judicial order, for a specific period, and in the cases specified by law.

The state is also committed to protecting the right of citizens to use public means of communication in all its forms, and it is not permissible to disrupt, suspend or deprive citizens of them, arbitrarily, and the law regulates this. ⁽⁶⁷⁰⁾.

The Constitution protects the private life of all people, whether citizens or non-citizens, enjoying their personal freedom, or restricting that freedom, whether free, detained, pre-trial, or inmate in one of the reform centers in implementation of a judicial ruling. The Constitution did not distinguish between people in that right. It also prohibited the violation of the private life of any person except by a reasoned judicial order for a specific period and in the cases specified by law. The Supreme Constitutional Court ruled that: [There are areas of the private life of each individual that are inaccessible, and should always be considered legitimate - no one should break into them to ensure their confidentiality, preserve their sanctity, and in order to try to snoop on them or embezzle some of their aspects, especially through modern scientific means whose development has reached an astonishing degree, and their growing ability to penetrate has had a far-reaching effect on all people, even in their most accurate matters, and what is related to their features of life, but rather to their personal data that have been reviewed and collected by us. Access to these areas has often led to embarrassment or harm for their owners. These aspects of personal life safeguard two interests that may appear separate yet are complementary. They generally pertain to personal matters that should remain private and to the individual's independence in making significant decisions that—by their nature and consequences—are closely tied to personal destiny, influencing life choices and the conditions in which these patterns are established. All these aspects, to which individuals turn, confident in their sanctity and free from oversight, form the right to a private life, with boundaries that protect intimate ties within this scope. While some constitutional documents may not explicitly define this right, it is often considered among the most comprehensive and profound rights, deeply linked to the values championed by civilized nations. Whereas the current Constitution, after stipulating in the

⁶⁷⁰ [Article 57 of the Constitution.](#)

first paragraph of Article (57) that private life is inviolable, and inviolable, is a branch of this right - and in the text of the second paragraph of this article - the right to preserve postal, telegraphic and electronic correspondence, telephone conversations, and other means of communication in appreciation of their inviolability, and also guaranteed their confidentiality, so that they may not be confiscated, accessed, or censored except by a reasoned judicial order for a specific period, and in the cases specified by law, and in this context, the challenged text subjected the monitoring or registration report Determining its duration for a set of controls governing it, which guarantees its seriousness and effectiveness in preserving the rights and freedoms guaranteed by the Constitution, provided that a reasoned order is issued by the investigating judge - or a member of the Public Prosecution whose degree is not less than a chief prosecutor - based on the investigations and investigations revealed to him of the evidence of the seriousness of the accusation against the accused, which is valid and sufficient reason for issuing the order, for the period he estimates, which does not exceed thirty days, and if he permits its renewal for another similar period or periods, he has surrounded the determination and renewal of that period with guarantees that ensure that it is not perpetuated, and not compromised Personal freedom or beyond the limits of private life, which is guaranteed by the Constitution in Articles (54, 57) of it, except for the necessity required by the interest of the investigation as one of the aspects of the public interest, and its purpose is to reveal the truth in a felony or misdemeanor punishable by imprisonment for a period not exceeding three months, and within the limits required by that, so that these measures, with their seriousness, do not take a way to infringe on the rights and freedoms of individuals, and in crimes of little importance]

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The violation of the privacy of messages occurs in two ways: either by not reaching the person of the addressee, or by disclosing the contents of the message.

As we have seen, international conventions and all legislations of developed countries stipulate that prisoners' correspondence shall be respected and protected from examination and shall not be dispersed because respect for correspondence is evidence of respect for human rights and the protection of human rights.

On the other hand, the violation and assault of correspondence is a clear indication that the state that attacks the correspondence of the inmate of the reform center does not respect the human being and does not feel his humanity. Such states are often illegal.

⁶⁷¹ Judgment of the Supreme Constitutional Court, Case No. 207 of 32 S, issued at the session of 1 December 2018 and published on 10 December 2018 in issue 49 bis of the Official Gazette, page 39.

Recommendations

Sometimes force majeure circumstances may arise that make it necessary to make some exceptions to the right of the inmate to protect his correspondence and maintain its confidentiality. However, in all cases, the original must remain the protection of the inmate's correspondence and the exception must be the permissibility of its dispersal and access, in accordance with specific controls. These controls are as follows:

- Access to the inmate's correspondence is necessary for the protection of national security, public security, the integrity of the country's economy, the prevention of disorder and crime, the protection of health and morals or the protection of the rights and freedoms of others;

- Access to the inmate's correspondence will prevent the commission of a crime before it occurs, provided that the crime expected to occur is serious and that the means of criminal investigation and evidence collection are unable to detect it, or in the event of strong evidence of the occurrence of a crime, provided that in that case strong evidence that access to the inmate's correspondence will lead to the disclosure of that crime.

As for the situation in Egypt, the principle - as we have already indicated - is to inform the director of the reform center of every paper received by the inmate or the inmate wishes to send it, and even the correspondence exchanged between the inmate and his lawyer, unless it is specific to the case in which the inmate is accused.

The principle became the right of the management of the reform center to view all the correspondence of the inmate received from any person, even if he is his lawyer, and the exception became the prohibition of access to the correspondence exchanged between the inmate and his lawyer regarding the case in which the inmate is accused. This means that it is permissible to view the correspondence exchanged between the inmate and his lawyer as long as it is not related to the same case in which the inmate is accused. It is also permissible to view the correspondence exchanged between the inmate and any lawyer other than his lawyer⁽⁶⁷²⁾.

The Egyptian legislator shall amend the law regulating correction and rehabilitation centers and their internal regulations to be in line with the protection prescribed by the constitution for the private correspondence of every person - including those whose freedom has been restricted - and prohibit access to, confiscation of, or censorship of inmate correspondence except by a reasoned judicial order and for a specified period, in accordance with the following controls:

- Access to the inmate's correspondence must be necessary in order to:

⁶⁷² Article No. 61 of the Internal Regulations of the Reform and Community Rehabilitation Centers, as amended by the decision of the Minister of Interior No. 345 of 2017.

- protection of national security, public security or the integrity of the country's economy;
- or to protect health and morals or protect the rights and freedoms of others.
- Or to prevent chaos and crime, and to stipulate:
 - Access to the inmate's correspondence will prevent the commission of a crime before it occurs;
 - that the crime expected to occur is serious;
 - Criminal investigation and evidence-gathering methods are unable to detect them;
 - There are strong indications that access to the inmate's correspondence will lead to the detection of that crime;
- The director of the reform center shall request the Public Prosecution to issue a reasoned judicial decision of limited duration to monitor the correspondence of a certain inmate in person, and the deputy has the discretionary authority to issue the order or not according to what the director of the reform center submits in this regard.

Even in cases where messages received by the inmate may be confiscated without informing him of the content of the message, the inmate must be informed of the arrival of a message to him, and the data of its sender.

Fifth Research: The right of the inmate to be informed of matters of importance related to him

The first requirement: Within the framework of Egyptian law

The Egyptian legislator obligated the director of the reform center to inform the inmate at any time of any important matter related to the inmate, such as the death or illness of one of his relatives, etc. He may also allow the inmate to send a telegram at his expense if he deems it necessary after reviewing the original telegram and approving its sending ⁽⁶⁷³⁾.

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The second requirement: within the framework of international conventions

The prison administration must inform the prisoner immediately in the event of a serious illness or death of one of his close relatives or any person of interest to him ⁽⁶⁷⁴⁾.

The juvenile must also be notified as soon as possible of the death, illness or serious harm of any member of his immediate family ⁽⁶⁷⁵⁾.

Criticism

We note that the Egyptian legislator stipulated that the inmate should be informed immediately of matters of importance related to him, and since the regulation did not specify the time to be reported and gave the director of the reform center the discretionary authority to determine the time of reporting, thus dropping the simplest rights of the inmate to check on his family and relatives, and the important matters related to them.

Recommendations

It is preferable to stipulate the obligation of the director of the correctional center to inform the inmate immediately of any matter of importance related to it, and this can be done in specific cases, such as the death of a relative of the inmate or a serious illness.

The sixth topic: The right of the inmate to visit his family

The prisoner's contact with the outside world is an important measure to prevent the practice of torture against the prisoner by allowing him to meet with relatives, lawyers and doctors without delay after his deprivation of liberty and regularly thereafter. Contact with the outside world is necessary not only as a guarantee against the practice of torture, but also in order to respect the right of prisoners to family and private life.

[%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.8nn8jpn368k](#) the [Reform and Community Rehabilitation Centers](#).

⁶⁷⁴ Rule 44 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 70 of the Nelson Mandela Rules](#).

⁶⁷⁵ [Rule No. 58 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

The first requirement: Visits within the Correction and Rehabilitation Center

First: Within the framework of Egyptian law

1-Visits inside the correctional center

The relatives of the convict may visit him twice a month, under the supervision and supervision of the management of the correction center. The management of the correction center is committed to treating the visitors of the inmates humanely, and ensures them the appropriate places to wait and visit ⁽⁶⁷⁶⁾.

Guest visits are restricted by the guest's pedal, or his file ⁽⁶⁷⁷⁾.

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[Article https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.1aj1pv28adcc 65 of the Bylaws of https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.1aj1pv28adcc the Reform and Community Rehabilitation Article https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.y2mvuf346ixr 42 of the Bylaws of https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.y2mvuf346ixr the Geographical Reform and Rehabilitation Centers, and Article 32 of the Bylaws https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.y2mvuf346ixr the Geographical Reform and Rehabilitation Centers, and Article 32 of the Bylaws](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.1aj1pv28adcc 65 of the Bylaws of https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.1aj1pv28adcc the Reform and Community Rehabilitation Article https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.y2mvuf346ixr 42 of the Bylaws of https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.y2mvuf346ixr the Geographical Reform and Rehabilitation Centers, and Article 32 of the Bylaws https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.y2mvuf346ixr the Geographical Reform and Rehabilitation Centers, and Article 32 of the Bylaws)

The family of the convicted person shall be authorized to visit him after the lapse of one month from the date of commencement of the sentence, once every fifteen days ⁽⁶⁷⁸⁾.

As for the visit of those convicted of drug crimes, it is not permissible to visit them before the lapse of six months from the start of implementation or the lapse of half of the sentence, whichever is less, except with the approval of the Management Committee of the Correction and Rehabilitation Center ⁽⁶⁷⁹⁾.

As for the detainee in the institution of recidivists, his family has the right to visit him one month after being placed in the institution once a month, and the next visit is not permissible until one month after the previous visit ⁽⁶⁸⁰⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.7h9wrfb5jk8h> 64 of the [bylaws of](#) <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.7h9wrfb5jk8h> the [reform and community rehabilitation centers](#), as amended by Minister of Interior Decree No. 1058 of 2008, Minister of Interior Decree No. 2270 of 1973, and Minister of Interior Decree No. 1582 of 1973.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.7h9wrfb5jk8h> the [reform and community rehabilitation centers](#), as amended by Minister of Interior Decree No. 1058 of 2008, Minister of Interior Decree No. 2270 of 1973, and Minister of Interior Decree No. 1582 of 1973.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%88%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%B3%D8%AC%D9%88%D9%86-%D8%AE%D8%A7%D8%B5%D8%A9-%D8%A8%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%88%D9%85-%D8%B9%D9%84%D9%8A%D9%87%D9%85-%D9%81%D9%8A-%D8%AC%D8%B1%D8%A7%D8%A6%D9%85-%D8%A7%D9%84%D9%85%D8%AE%D8%AF%D8%B1%D8%A7%D8%AA#h.lcjt0o5df0fv5> 5 of [Presidential Decree No. 228](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%88%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%B3%D8%AC%D9%88%D9%86-%D8%AE%D8%A7%D8%B5%D8%A9-%D8%A8%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%88%D9%85-%D8%B9%D9%84%D9%8A%D9%87%D9%85-%D9%81%D9%8A-%D8%AC%D8%B1%D8%A7%D8%A6%D9%85-%D8%A7%D9%84%D9%85%D8%AE%D8%AF%D8%B1%D8%A7%D8%AA#h.lcjt0o5df0fvf> 5 of [Presidential Decree No. 1990](#) on the establishment and organization of rehabilitation centers and reform of those convicted of drug crimes.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.cvcglq3449zs> 21 of [Presidential Decree No. 82](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.cvcglq3449zs> 21 of [Presidential Decree No. 82](#)

In military reform and rehabilitation centers, the inmate's families have the right to visit him after the lapse of ten days from the date of their placement in the reform center, and the visit is once every two weeks as long as the inmate's behavior is good⁽⁶⁸¹⁾.

Families of those sentenced to imprisonment with work have the right to visit them once every two weeks⁽⁶⁸²⁾.

In military reform and rehabilitation centers, the inmate's families have the right to visit him after the lapse of ten days from the date of their placement in the reform center, and the visit is once every two weeks as long as the inmate's behavior is good⁽⁶⁸³⁾.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.rcxr0tpiduou> 25 of the Internal Regulations of Military Prisons.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.j17myn15idae> 36 of the Bylaws of the Geographical Reform and Rehabilitation Centers.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.rcxr0tpiduou> 25 of the Internal Regulations of Military Prisons.

The visit of the child placed in a shelter to his inmate mother shall be once a week upon her request, unless there is a health impediment to the visit ⁽⁶⁸⁴⁾.

It is permitted for the families of the inmate to visit him once before his transfer or after his transfer, even if the date of the regular visit due to him does not fall due, in the event that he is transferred to a reform center in another country, provided that such visit is not counted from the visits scheduled for him, and unless it is transferred in favor of the seizure, or approved for transfer to a public reform center ⁽⁶⁸⁵⁾.

The custodian appointed to manage the business of the convict - in application of [Article No. 25 of the Penal Code](#)- or his official agent may also visit the inmate for a special accounting visit once every six months, and he may be authorized to make an exceptional visit for the same period if necessary and with the approval of the Director General of the Community Protection Sector ⁽⁶⁸⁶⁾.

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The special visit does not delay the date of the regular visit scheduled for the inmate ⁽⁶⁸⁷⁾.

2. Visiting rights for foreign inmates

The Assistant Minister of Interior for the Community Protection Sector authorizes the visit of foreign inmates to representatives of embassies and consuls belonging to the nationalities of the countries they represent or whose interests are sponsored by those embassies, and to provide them with the necessary facilities, provided that reciprocity is granted ⁽⁶⁸⁸⁾.

3. Restriction of the right to visit

The right of the relatives of the convicted detainee, whether in public reform and rehabilitation centers or in military reform centers, to visit is limited by the good behavior of the inmate inside the reform center ⁽⁶⁸⁹⁾.

[%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.aqlip3c8hcnv 78 of the Internal Regulations of the Reform and Community Rehabilitation Centers](#), as amended by Minister of Interior Decision No. 1058 of 2008.

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Second: Within the framework of international conventions

1-The prisoner's right to visit

The prisoner is allowed to receive visits from his family and friends at regular intervals⁽⁶⁹⁰⁾.

2. Visiting rights for female prisoners

Prison authorities encourage, and where possible also facilitate, visits to women prisoners as an important prerequisite for their mental wellbeing and reintegration into society⁶⁹¹.

Given that women prisoners are disproportionately exposed to domestic violence, they should be appropriately consulted about who, including their family members, they are allowed to visit⁶⁹².

Prison authorities provide women prisoners with options, such as home leave, open prisons, rehabilitation homes, and community programs and services, to the maximum extent possible to facilitate their transition from prison to freedom, reduce the possibility of stigmatization, and reconnect with their families at the earliest⁶⁹³ possible stage.

3-The right to visit the juvenile

The juvenile has the right to receive regular and frequent visits, at the rate of one visit every week or at least one visit every month, and the visit must take place in circumstances that take into account the privacy of the juvenile, and ensure unrestricted contact with his family or lawyer⁽⁶⁹⁴⁾.

4. Right of visit for foreign prisoners

Foreign prisoners shall be granted a reasonable amount of facilities to communicate with the diplomatic and consular representatives of the State to which they belong with their nationality, and prisoners who are nationals of States that do not have diplomatic or consular representatives in the country, refugees and stateless persons shall be granted similar facilities to communicate with the

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.rcxr0tpiduou> reform and community rehabilitation centers, as amended by the decision of the Minister of Interior No. 1058 of 2008, the decision of the Minister of Interior No. 2270 of 1973, the decision of the Minister of Interior No. 1582 of 1973, and Article 25 of the internal regulations of military prisons.

⁶⁹⁰ Rule 37 of the Standard Minimum Rules for the Treatment of Prisoners.

⁶⁹¹ [Rule No. 43 of the Bangkok Rules.](#)

⁶⁹² [Rule 44 of the Bangkok Rules.](#)

⁶⁹³ [Rule No. 45 of the Bangkok Rules.](#)

⁶⁹⁴ [Rule No. 60 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.](#)

diplomatic representative of the State entrusted with the care of their interests or with any national or international authority whose task is to protect such persons ⁽⁶⁹⁵⁾.

5. For foreign women prisoners

When there are relevant bilateral or multilateral agreements, the transfer of foreign women prisoners who are not resident in the state in which they are imprisoned to their homelands, especially if they have children in their homelands, shall be considered as soon as possible during their imprisonment, after the woman concerned submits a request for transfer or her informed and informed consent to it. When a child living with a foreign woman prisoner who is not resident in the state in which she is imprisoned is to be released from prison, the repatriation of the child shall be considered, taking into account the interest of the child and in consultation with his mother ⁽⁶⁹⁶⁾.

The Second Requirement: Inspection of Inmate Visitors

First: Within the framework of Egyptian law

Officers of the Correction and Rehabilitation Center shall have the right to search any person, whether inmates, employees of the center or others, who is suspected of possessing prohibited items inside the Correctional Center ⁽⁶⁹⁷⁾.

The Court of Cassation ruled that: [Whereas the appellant does not dispute that he was held in prison pending pre-trial detention, and therefore he is subject to the provisions of the prison regulations and system, and whereas Article 41 of Decree-Law No. 396 of 1956 regarding the organization of prisons stipulates that "the prison officer has the right to search any person suspected of possessing prohibited things inside the prison, whether he is a prisoner, prison worker or others," which means that the inspection of the appellant was a use of a right granted by law merely for suspicion or suspicion of the appellant's possession of prohibited things, which was not wrongly deduced and what the appellant raises in this regard is invalid] ⁽⁶⁹⁸⁾.

⁶⁹⁵ Principle No. 16 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, Rule No. 38 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 62 of the Nelson Mandela Rules](#).

⁶⁹⁶ [Rule No. 53 of the Bangkok Rules](#).

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[Article](#)

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⁶⁹⁸ Court of Cassation, Appeal No. 20827 of 75S issued at the hearing of November 14, 2012, published in a technical office letter 63 page 696, rule No. 123.

The Court of Cassation also ruled the law, as it allowed anyone suspected of possessing prohibited items inside the reform center not to differentiate regarding the permissibility of inspection between inmates and others inside the reform center: [Since Article 41 of Decree-Law No. 396 of 1956 on the organization of prisons stipulates that “The prison officer has the right to search any person suspected of possessing prohibited items inside the prison, whether he is a prisoner, prison worker or others.” The appellant did not dispute that she was caught while inside the prison if she visited her brother, which allowed the prison officer who suspected her to assign the second witness to search her in accordance with the aforementioned text, which does not differentiate between prisoners and others inside the prison, the result of the judgment of refusing to pay the invalidity of arrest and search is consistent and correct by law, and what the appellant raises in this regard is not valid] ⁽⁶⁹⁹⁾.

The visitor may be prevented from visiting if he refuses to inspect, provided that this is recorded in the accident record ⁽⁷⁰⁰⁾.

The search of inmate visitors is a precautionary administrative measure and is not considered an act of investigation in order to obtain evidence. Therefore, it is not necessary to have sufficient evidence or previous permission from the investigating authority, nor does it require judicial control of the person conducting it. The visitor's consent to the search or the issuance of a positive act from the person being searched is not required. It is sufficient not to oppose the search - which is a negative act. The Court of Cassation ruled that: [The street granted the prison officer the right to search those suspected of possessing prohibited things inside the prison, whether they are prisoners, prison workers or others. This did not require the availability of arrest and search restrictions regulated by the Code of Criminal Procedure, but it is sufficient for the prison officer to suspect that one of the

⁶⁹⁹ Court of Cassation, Appeal No. 10781 of 80 S, issued at the session of January 12, 2011, published in Technical Office Letter No. 62, page 22, rule No. 5. See also: Appeal No. 286 of 60S, issued at the session of March 14, 1991, published in Technical Office Letter 42, Part I, page 510, rule No. 74.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.q02e0gwdkd3g_38_of_the_Bylawshttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.q02e0gwdkd3g_of_Geographical_Correctionand_Rehabilitation_Centers_and_Article_28_of_the_Bylawshttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.uh5olrg1jqrt_of_Military_Prisons.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.q02e0gwdkd3g_38_of_the_Bylawshttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.q02e0gwdkd3g_of_Geographical_Correctionand_Rehabilitation_Centers_and_Article_28_of_the_Bylawshttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.uh5olrg1jqrt_of_Military_Prisons.)

mentioned in the text possesses prohibited things inside the prison until the right to search him is proven. Whereas, the intended suspicion in this regard is a state of mind that performs the same officer, with which it is correct in the mind to say that there is a suspicion of possession of prohibited things inside the prison, and the estimation of this is entrusted to the searcher under the supervision of the trial court. Whereas, and the incident was in the form proven by the contested judgment and included in the papers, it shows that the inspection conducted by the witness of the incident to the respondent was in search of what contraband he knew he possessed inside the prison of the department, as such inspection does not violate the law. As it is one of the duties dictated by the nature of its work in order to reveal what contested prohibitions are in the possession of the defendant for fear of using them to harm himself or others, and which the prison regulations prohibit it from achieving. As such, it is not considered an inspection in the sense intended by the street as an act of investigation aimed at obtaining evidence, and it is only possessed by the investigating authority or with its previous permission, but it is a precautionary administrative measure that should not be mixed with the judicial inspection, and it does not require sufficient evidence or previous permission from the investigating authority, and it is not necessary to be a judicial seizure for those who carry it out. If this inspection results in evidence that reveals a crime punishable under common law, it is correct to cite this evidence as the fruit of a legitimate procedure in itself, and no violation was committed in order to obtain it] ⁽⁷⁰¹⁾.

It also ruled that: [It is decided that the inspection of visitors to prisons in accordance with the text of Article 41 of Decree-Law No. 396 of 1956 is a precautionary administrative measure that should not be confused with the judicial inspection and does not require sufficient evidence or previous permission from the investigating authority and does not require the capacity of judicial control. If this inspection results in evidence that reveals a crime punishable under the common law, then this evidence can be cited as the fruit of a legitimate procedure in itself and no violation was committed in order to obtain it. What the appellant raises about the individuality of the second witness to search despite the fact that she is not a judicial officer is inappropriate] ⁽⁷⁰²⁾.

It is sufficient for the validity of the inspection merely to suspect or doubt the possession of prohibited objects, so the Court of Cassation ruled that: [Since Article 41 of Decree-Law No. 396 of 1956 regarding the organization of prisons stipulates that: "The prison officer has the right to search any person suspected of possessing prohibited objects inside the prison, whether he is a prisoner, prison worker or others." In the light of this provision, it is stated that the inspection of the appellant was a use of the right authorized by law for mere suspicion or suspicion of the appellant's possession

⁷⁰¹ Court of Cassation, Appeal No. 50968 of 85 issued at the session of February 24, 2018. See also: Appeal No. 9977 of 78 s issued at the session of December 10, 2015, published in Technical Office Letter 66 page 853 Rule No. 126, Appeal No. 3066 of 32s, issued at the session of February 4, 1963, published in Technical Office Letter 14 Part I, page 88, Rule No. 19.

⁷⁰² Judgment of the Court of Cassation in Appeal No. 10781 of 80 S, issued at the session of January 12, 2011, published in Technical Office Letter No. 62, page 22, rule No. 5.

of prohibited things, which the judgment did not err in extracting. It was decided that the availability or non-availability of the case of flagrante delicto is one of the substantive issues that the trial court is independent of without penalty as long as it has established its judiciary on justifiable reasons. What the judgment stated was evidence of the availability of the case of flagrante delicto in response to the appellant's plea of the lack of availability of this case and the invalidity of arrest and search is sufficient and justifiable in responding to the plea and in accordance with the correct law. What the appellant raises in this regard is resolved into an objective controversy that may not be raised before the Court of Cassation] ⁽⁷⁰³⁾.

Suspicion or suspicion means that it is a state of mind by the same officer, with which it is correct in the mind to say that there is a suspicion of possession of prohibited things inside the correctional center, and the assessment of the availability of that state is entrusted to the inspector under the supervision of the trial court. In this regard, the Court of Cassation ruled that: [The street granted prison officers the right to search those suspected of possessing prohibited things inside the prison, whether they are prisoners, prison workers, or others. This did not require the availability of arrest and search restrictions regulated by the Criminal Procedure Code, but it is sufficient for the prison officer to suspect that one of the mentioned in the text possesses prohibited things inside the prison until it is proven that he has the right to search it. Whereas, the intended suspicion in this regard was a state of mind carried out by the same officer, with which it is correct in the mind to say that the suspicion of possession of prohibited things inside the prison is based on the inspector under the supervision of the trial court, and the contested judgment had proven that the inspection of the appellant took place inside the prison after the availability of signs that raised suspicion among the presenter... The head of the investigation unit of the penal institution invited him to believe that the appellant, who is not imprisoned or prison staff, while entering to visit an inmate in the penal institution, heads directly to the visit area in an attempt to meet with those in charge of the guard so that she is not subject to inspection, so the corporal... assigned to inspect females under the supervision of the aforementioned officer and upon being assigned to do so, the conclusion of the contested judgment of refusing to pay the nullity of the arrest and search shall be consistent and correct with the law, and the contention of the appellant in this regard shall be invalid] ⁽⁷⁰⁴⁾.

The purpose of the inspection is to prevent the leakage of any contraband into the reform centers in implementation of the provisions of the laws regulating it, and this purpose can only be verified by careful self-inspection of the person subjected to the inspection and in the manner that the person

⁷⁰³ Court of Cassation, Appeal No. 43252 of 76 issued at the session of 5 June 2007, published in Technical Office Letter No. 56, page 440, rule No. 88 , see also: Appeal No. 23129 of 59S, issued at the session of 5 March 1990, published in Technical Office Letter No. 41, Part I, page 473, rule No. 79.

⁷⁰⁴ Court of Cassation, Appeal No. 29534, of the year 76S, issued at the hearing of July 30, 2007, published in Technical Office Letter No. 58, page 489, rule No. 99. See also: Appeal No. 11347 of the year 60 S, issued at the hearing of December 11, 1991, published in Technical Office Letter No. 42, part II, page 1328, rule No. 183, Appeal No. 32698 of the year 86S, issued at the hearing of December 1, 2018, Appeal No. 11259 of the year 86 S, issued at the hearing of March 28, 2017.

conducting it believes that it achieves its intended purpose. The Court of Cassation ruled: [It is decided that there is no place for what the appellant raises that the inspection in his case is intended to be limited to just feeling the clothes from the outside only. This is an allocation of the meaning of the inspection - stipulated in Article 41 of Decree-Law No. 396 of 1956 regarding the organization of prisons - unallocated and inconsistent with the basis of its authorization, which is to verify that no contraband has leaked into prisons in implementation of the provisions of the laws regulating prisons, which can only be verified by careful self-inspecting of the person subjected to the inspection and how the person conducting it believes that it achieves its intended purpose] ⁽⁷⁰⁵⁾.

Whoever enters or attempts to enter the reform center or one of the camps of the reform centers in any way whatsoever shall be punished by imprisonment for a period no less than a month and a fine no less than one thousand pounds and not exceeding five thousand pounds or one of these two penalties, without prejudice to any more severe punishment ⁽⁷⁰⁶⁾.

Second: Within the framework of international conventions

The admission of visitors to the prison depends on their consent to be searched. The visitor may withdraw his consent at any time after he has previously consented to it. The prison administration may prevent the visitor from entering if he refuses to be searched.

Visitor search procedures are prohibited to be humiliating, and body cavity searches, or child searches, should be avoided ⁷⁰⁷.

The [Nelson Mandela Rules](#) required that searches be conducted in a manner respectful of the inherent human dignity and privacy of the searched person, taking into account proportionality, legality ⁷⁰⁸ and necessity.

The Nelson Mandela Rules also prohibited the use of intrusive search procedures, including strip searches and body cavity searches, except in cases of extreme necessity, when necessary in a place of privacy, carried out by health care professionals or, at a minimum, by personnel appropriately

⁷⁰⁵ Court of Cassation, Appeal No. 43252 of 76 S, issued at the session of June 5, 2007, and published in Technical Office Letter No. 58, page 440, rule No. 88.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9%1%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.2n5q862catm2> 92 of the Law Regulating Correctional and Community Rehabilitation Centers, as amended by Law No. 106 of 2015.

⁷⁰⁷ [Rule No. 60 of the Nelson Mandela Rules.](#)

⁷⁰⁸ [Rule No. 50 of the Nelson Mandela Rules.](#)

trained by medical professionals in accordance with hygiene, health and safety standards, and of the same sex as the person being searched.

The prison administration must keep records in which searches are restricted, especially naked searches, body cavity searches, and cell searches, and the reasons for the search, the identity of the searchers, and any results of the search are also recorded.⁽⁷⁰⁹⁾

The third requirement: Procedures and controls for visiting reform and community rehabilitation centers

First: Within the framework of Egyptian law

1- Place of visit

The inmate is visited in the place designated for this in the reform center in the presence of one of the users of the reform center during the visit of the inmates and one of the users during the visit of the inmates. As for the special visit, it takes place in the offices of one of the officers of the reform center and in his presence⁽⁷¹⁰⁾.

709 Rules Nos. 51, <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.1kvsyfr25m452> of the Nelson Mandela Rules.

710 [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.jjtfmwjgi3de](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.jjtfmwjgi3de_70_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.jjtfmwjgi3de) the Reform and Community Rehabilitation Centers.
https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.daorbeg6g4o_40_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.jjtfmwjgi3de

The visitor has the right to visit the detainee directly without any wires between them. The Administrative Court ruled that: [The constitutional legislator is concerned with preserving the dignity and humanity of the citizen who is imprisoned or whose freedom is restricted by any restriction and must be treated in a manner that preserves his human dignity, and prohibits his physical or moral harm or the derogation of his constitutionally and legally prescribed rights and freedoms, including the right to visit his family within the framework of the rules and controls prescribed by law.

By reading the provisions of the aforementioned Prisons and Emergency Regulation Laws, it is clear that they have been keen to emphasize the treatment of anyone who is deprived of his liberty without a judicial ruling, the treatment prescribed for pretrial detainees in this law, and they have decided that he has the right to correspond and his family to visit him, and the right to seek the assistance of a lawyer.

The Prisons Regulation Law provided for a statement of the rights of the prisoner, and Chapter Eight of it was devoted to regulating the procedures for visiting the prisoner and his correspondence in a way that the legislator recognized - and rightly so - the impact of the right to visit and the prisoner's communication with his family and loved ones in order to raise his morale in order to facilitate his living inside the prison, and considering that he is one of the rights decided for the benefit of both the prisoner and his family at the same time. Article (20) bis of the Prisons Regulation Law equated the right of anyone who is deprived of his freedom without a judicial ruling to treatment and pre-trial detention. This was confirmed by the provisions of the Emergency Law, which included equality between the pretrial detainee and the detainee in terms of rights, in a way that the visit of the pretrial detainee and the detainee is one of the prescribed rights, which is not prevented in any way except in the cases specified in the Criminal Procedure Law, which is limited to the right of the Public Prosecution and the investigating judge to prevent the visit, without prejudice to the right of the detainee to contact whoever he deems to inform him of what happened and to seek the assistance of a lawyer, and to authorize the prisoner's lawyer to meet him in private, provided that written permission is obtained from the Public Prosecution and the investigating judge in cases that he is assigned to investigate, whether the interview was at the invitation of the prisoner Or at the request of the lawyer.

In terms of the law regulating prisons and its executive regulations, the legislator has carefully regulated everything related to the visit of prisoners in terms of place, time and number, so that no

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.daorbeg6gg4o> the Geographical Reform and Rehabilitation Centers, and Article 26 of the Bylaws<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.jh7k5rxqh2in> of the Military Prisons.

lesser authority can add any new restriction it deems necessary in this regard. Otherwise, this becomes a departure from the provisions of the law. If a lesser authority is found to take action that goes beyond what the legislator has promised to the administration, it may refer to the competent authorities to put what it sees in its constitutional and legislative frameworks as preserving the rights of prisoners and the duty of the administration to maintain the security of prisons and their system.

It goes without saying that what is issued by the administration authority related to preventing or restricting the visit of the prisoner or pretrial detainee and the extent and scope of this prohibition is subject to the control of the administrative judiciary in light of the reasons provided by the administration on which it relied in its decision.

Based on the foregoing, and since it is established from the papers filed in the lawsuit file that the plaintiffs request to visit the detainee/.....- the detainee of the New Valley Prison, and in a manner that fulfills their desire to see him without buffer wires, and if the administration does not deny or submit contrary to what the plaintiffs stated in the lawsuit, its decision to prevent them from visiting the aforementioned detainee and that the visit is direct without a barrier or buffer wires is not based on fact or law.

The foregoing does not affect what was stated in the defense memorandum of the administration authority that the prevention and restriction of the visit was imposed by the need to maintain security inside the prisons, considering that it was just a sender who is not supported by reality or law, but rather neglects and contradicts - without a basis from the law and regulations governing prisons - with the legislative wisdom to visit the prisoner or prisoner, which aims to consolidate his sense of his humanity and enable him to see his family, contact his lawyer and meet him in private, and this is one of the simplest personal rights of the prisoner or prisoner that the Constitution is keen to maintain and decided by the legislation as mentioned above, and taking into account that the duty of the administration requires reconciling considerations of maintaining security and its duty to satisfy the need of the prisoner and his family within the framework of the controls prescribed by law⁽⁷¹¹⁾.

Provided that the child placed in one of the shelters for his inmate mother shall be visited in a place other than the place prepared for the regular visit and in the presence of one of the staff of the reform center⁽⁷¹²⁾.

⁷¹¹ Administrative Court, Case No. 4705 of 54 Q issued at the hearing of 29 December 2009, See also: Case No. 4710 of 54 Q issued at the hearing of 29 December 2009, Case No. 4703 of 54 Q issued at the hearing of 29 December 2009, Case No. 1649 of 61, issued at the hearing of 27 March 2007, Case No. 29841 of 60 Q issued at the hearing of 20 February 2007, and its judgments in cases No. 24953, 29834, 29842 and 29994 of 60Q issued at the hearing of 6 February 2007, Case No. 39876, 28781 of 60 Q issued at the hearing of 16 January 2007, Case No. 4707 of 54 Q issued at the hearing of 29 December 2009.

⁷¹²

[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-)

2. Visiting times

The regular visit in the reform centers shall be from nine o'clock in the morning until twelve o'clock in the afternoon on all days of the week except Friday. As for the inmates who work in the mountain and Tora farm, as well as those who are attached to the Industrial Secondary School in Al-Qanat, their visit shall be on Fridays only. The regular visit is not allowed on public holidays except for the first and second days of Eid al-Fitr and Al-Adha, in which it is allowed to those who deserve it ⁽⁷¹³⁾.

In military reform and rehabilitation centers, the visit takes place on any day of the week except Fridays and public holidays, between nine in the morning and one in the afternoon, and the duration of the visit does not exceed half an hour ⁽⁷¹⁴⁾.

One priest is allowed to visit his community of inmates on each of their festivals and is allowed to eat the sacrifice he brings to them. On their festivals, Israelis are also allowed to eat cashier foods that are received from the rabbinate and delivered to them in their own pots as required by their Sharia ⁽⁷¹⁵⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.liognf98cz6a> 80 of the Internal Regulations of the Reform and Community Rehabilitation Centers, as amended by Minister of Interior Decision No. 1058 of 2008.

713 Article No. 73 of the Bylaws of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.y77953c5p1n> the Reform and Community Rehabilitation Centers, as amended by the decision of the Minister of Interior No. 350 of 1978, and Article No. 40 of the <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.daorbeg6qq4o> Bylaws of the Geographical Reform and Rehabilitation Centers.

714 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.jh7k5rxqh2in> 26 of the Internal Regulations of Military Prisons.

715 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.zgj3gatehql9> 74 of the Bylaws

3. Duration of the visit

The duration of the regular or special visit shall be sixty minutes, and the Director of the Reform Center may, after the approval of the Director General of the Reform and Rehabilitation Centers, extend that period if necessary ⁽⁷¹⁶⁾.

The child placed in one of the shelters shall visit his inmate mother, who is under the age of fourteen years, for a period of two hours at most ⁽⁷¹⁷⁾.

The duration of the visit for inmates in geographical reform and community rehabilitation centers or in military reform and community rehabilitation centers shall be half an hour ⁽⁷¹⁸⁾.

of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.zgj3gatehq19> the Reform and Community Rehabilitation Centers.

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Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.yqji6jiuznr> 71 of the Internal Regulations of the Reform and Community Rehabilitation Centers, as amended by Minister of Interior Decision No. 1058 of 2008.

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Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.iioqnf98cz6a> 80 of the Internal Regulations of the Reform and Community Rehabilitation Centers, as amended by Minister of Interior Decision No. 1058 of 2008.

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Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.daorbeg6qg4o> 40 of the Bylaws <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.daorbeg6qg4o> of Geographical Correction and Rehabilitation Centers and Article 26 of the Bylaws <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.daorbeg6qg4o>

As for the custodian appointed to manage the business of the <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA#h.q6xafvybq60b> convict in <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA#h.q6xafvybq60b> application <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA#h.q6xafvybq60b> of **Article 25 of the Penal Code**, or his official agent, the duration of his scheduled accounting visit shall be forty-five minutes once every six months ⁽⁷¹⁹⁾.

4. Maximum number of inmate visitors

The number of visitors to the inmate must not exceed two persons at a time except with the approval of the Director of the Correction and Rehabilitation Center within the limits of four visitors, while exceeding the children accompanying them ⁽⁷²⁰⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.jh7k5rxqh2in> of **Military Prisons**.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.aqlip3c8hcnv> 78 of the **Internal Regulations of the Reform and Community Rehabilitation Centers**, as amended by Minister of Interior Decision No. 1058 of 2008.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.lbwyh1wudzrl> 41 of the **Bylaws of** <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.lbwyh1wudzrl>

The legislator has differentiated the maximum number of visitors for each person whose freedom has been restricted between the detainee in the public reform and community rehabilitation centers and the inmates of the geographical reform and community rehabilitation centers on the one hand, and others who have been placed in the military reform and community rehabilitation centers, and decided that the maximum number of visitors for the inmate in the public or geographical reform and community rehabilitation centers is four persons, with the permission of the director of the reform and rehabilitation center, while he did not set a maximum limit for the number of visitors to inmates in the military reform and community rehabilitation centers, who are allowed to visit by the director of the center⁽⁷²¹⁾.

5. Inmate's consent to visit

To complete the visit or interview, the consent of the inmate is required, and the inmate's visitor must indicate his name and his relationship with the inmate⁽⁷²²⁾.

[Article \[Article \\[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.shejr7lutgvm_72_of_the_Bylaws_of\\]\\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.shejr7lutgvm_the_Community_Reform_and_Rehabilitation_Centers\\) the \\[Community Reform and Rehabilitation Centers\\]\\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.shejr7lutgvm_the_Community_Reform_and_Rehabilitation_Centers\\), as amended by Minister of Interior Decree No. 1675 of 2011 and Minister of Interior Decree No. 989 of 1977.\]\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.shejr7lutgvm_72_of_the_Bylaws_of%https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.shejr7lutgvm_the_Community_Reform_and_Rehabilitation_Centers\)](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.shejr7lutgvm_72_of_the_Bylaws_of%https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.shejr7lutgvm_the_Community_Reform_and_Rehabilitation_Centers)

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Article https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.jh7k5rxqh2in_26_of_the_Internal_Regulations_of_Military_Prisons 26 of the [Internal Regulations of Military Prisons](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.jh7k5rxqh2in_26_of_the_Internal_Regulations_of_Military_Prisons).

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Second: Within the framework of international conventions

The prisoner's consent to the visit

Given that women prisoners are disproportionately exposed to domestic violence, they should be appropriately consulted about who, including their family members, they are allowed to visit⁷²³.

The fourth requirement: Preventing the visit

First: Within the framework of Egyptian law

The visit may be absolutely prohibited or restricted at certain times depending on the circumstances for health or security reasons, after the approval of the Security Manager⁽⁷²⁴⁾.

While the principle is that the administrative authority may prevent the visit at certain times and for reasons related to security or health, but this prohibition is not absolute or indefinite for a certain period, it is not permissible to exercise that authority at all times and in a permanent or continuous manner that lasts from the period of the inmate or detainee's presence in the reform center. The absolute prohibition of the visit constitutes a waste of the inmate's humanity, moral harm to him and deprivation of a natural right prescribed for him and his family. The Supreme Administrative Court ruled that: [The legislator has respected the human being and his dignity, so he granted the convict of any penalty the right to visit, which is a double right prescribed for the convict and his family. Any of them may request this visit in accordance with the controls set by Law No. 396 of 1956 and its internal regulations. As an exception to this principle, the administrative authority may prevent the visit of the prisoner for health or security reasons, but this prohibition is not absolute or indefinite for a certain

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.py56n5wew4v1> the Reform and Community Rehabilitation Centers.

723 [Rule 44 of the Bangkok Rules](#).

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.2l1mkokqjdsV> 42 of the Law on the Organization of Correction and Community Rehabilitation Centers, Article 43 of the Internal Regulations of Geographical Correction and Community Rehabilitation Centers, and <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.gpdvtpgagx2> Article 29 of the Internal Regulations of Military Prisons.

period, but it is a ban from visiting at certain times and for reasons related to security or health. This authority may not be exercised at all times and in a permanent or continuous manner that takes from the time of the presence of the prisoner or detainee in his imprisonment and saying otherwise, it constitutes a waste of the prisoner's humanity, moral harm to him, and deprivation of a natural right prescribed for him and his family.

Whereas, it is evident from the papers that the Appellee disputed preventing her from visiting her brother, who was sentenced in his high-security prison, by issuing successive decisions prohibiting her from visiting for periods of three months, the last of which was Decision No. 556 of 1999, which is used to prevent her from visiting permanently and continuously, which violates the provisions of the Constitution and the law]⁽⁷²⁵⁾.

It is not permitted for the administration authority to perpetuate the prohibition of visiting the inmate or detainee by issuing successive decisions prohibiting his visit by his family and relatives because of the deviation from the limits of the discretionary authority granted to the administration authority in this regard in violation of the provisions of the law. The Administrative Court ruled that: [The Constitution guarantees the treatment of every citizen arrested, imprisoned, or whose freedom is restricted in a manner that preserves his dignity and prohibits his physical or moral harm, and obliges anyone who is arrested or detained to be informed of the reasons for his arrest or detention and grants him the right to contact whomever he deems to be informed of what happened. The legislator also obligated in Law No. 396 of 1956 regarding the organization of prisons to treat anyone who has been deprived of his liberty without a judicial ruling as a remand prisoner, and decided the right of the prisoner's relatives to visit him, and allowed the Attorney General or the Director General of the Prisons Authority or his representative to authorize the families of the prisoner to visit him outside the normal dates of the visit. The legislator also authorized an absolute or restricted ban on visiting the prisoner, provided that this is for health reasons or security-related reasons. Law No. 162 of 1958 on the state of emergency required the treatment of the detainee as a remand prisoner.

In terms of visiting the prisoner or detainee is one of his rights that he must enjoy, and it is also one of the rights of his family and relatives, and the legislative license granted to the authorities based on the fact that the prisons, which allows them to prevent the visit completely or temporarily, did not respond without restriction, but the legislator restricted him to the necessity of having health reasons or reasons related to security that justify this prohibition. If these reasons are not met, the prohibition of the visit is contrary to the law, and this stems from the fact that the administration may not perpetuate the prohibition of visiting the prisoner or detainee by issuing successive decisions that prevent their visit by their families and relatives because of the deviation from the limits of the

⁷²⁵ Supreme Administrative Court, Appeal No. 3383 of 46S issued at the session of January 29, 2006, and published in Technical Office Letter No. 51 Part I, page 653, rule No. 91.

discretionary authority granted to the administration in this regard in violation of the provisions of the law.

Whereas, the plaintiffs stated that the administration prevented them from visiting their son /..... The detainee has been detained in Istiqbal Prison in Tora since 17/11/1996 by issuing successive decisions banning visits for a period of three months, which has always prevented them from visiting him. It has been proven from the papers that the First Assistant Minister of Interior issued Decision No. 467 of 1998 banning visits to a number of prisons for security reasons, including Istiqbal Prison in Tora. He also issued a decision No. 597 of 2000 with the same content. The administration did not deny that it prevented the plaintiffs from visiting their son since the date of his arrest, nor did it provide evidence that it allowed them to visit him or that it released him.

In terms of that, while it is permissible for the competent authority to issue a decision to permanently or temporarily prevent the visit of the prisoner or detainee, but this is subject to the existence of serious reasons that rise in the conscience of the administration and push it to issue the ban decision. If the administration issues its successive decisions to prevent the visit of the aforementioned detainee without providing reasons justifying it in terms of security or health so that the judicial control extends to it as one of the decisions that are contrary to the principle of the freedom of meeting the detainee with his family, its decision in this regard may have lost the justifiable reason for him, so the decision of the administration to prevent the plaintiffs from visiting their son detained in the prison in which he is permanently prevented is issued in violation of the provisions of the law, and it must be canceled with the consequent effects, especially their right to visit their son in the prison in which he is located] ⁽⁷²⁶⁾.

It also ruled that: [The legislator was keen to establish guarantees for those who are arrested or arrested in accordance with the provisions of the Emergency Law, even if it is an exceptional system, but it is not an absolute system, but a system subject to the law so that this system does not affect the public freedoms guaranteed by the Constitution. Among the provisions contained in Article 3 bis of Law No. 50 of 1982 on the state of emergency referred to is the right of the detainee to contact his family and treat him as a pre-trial detainee, which is distinct from the treatment of those sentenced to a criminal penalty, as explained in Article (17) of Law No. 396 of 1956 on the organization of prisons, which states that "The Director General of Prisons may, after the approval of the Attorney General, grant those sentenced to simple detention all or some of the benefits prescribed for pre-trial detainees."

Based on the above, the administrative detainee must be treated as a pre-trial detainee, and this treatment finds its minimum in terms of preserving his dignity as a human being and not harming him physically or morally, and in the right of his family to visit and correspond with him, which is a dual

⁷²⁶ Administrative Court, First Circuit - Case No. 11426 of 54 S, issued at the session of December 29, 2009.

right for him and his family, and either of them may request this visit in accordance with the controls prescribed by Law No. 396 of 1956 and the internal regulations of the aforementioned prisons.

As an exception to the aforementioned principle, the administrative authority may, in accordance with the provisions of Article(42) of the aforementioned Law No. 396 of 1956, prohibit visiting the prisoner for health or security reasons at certain times either absolutely or restrictively, that is, it stipulates that the prohibition to prevent visiting prisoners in their places of residence must be for certain times, as the prohibition responds to any time specified in a certain time, and it cannot be permanent or indefinite, and this specific time prohibition may be absolute. For example, it is prohibited to visit the prisoner for a week except in the presence of one of the prison officers, for example, or to take place at a certain time in the morning or evening, or other forms that would make the prohibition of the visit restricted. Moreover, the absolute or restricted prohibition at certain times must have one of two reasons only, which are either health reasons or security reasons, and it is not permissible to add any other reason to them, and to say otherwise, i.e. to permanently prevent the visit may take the period of the prisoner or detainee's presence in his detention is considered a confiscation of one of his basic rights Clinging to his person as a social person by nature, which constitutes a waste of his humanity, and a moral harm to his sense and feeling, which is contrary to the natural rights prescribed for man and contrary to the text of Article (42) of the Constitution.

In terms of the foregoing, it is established from the papers that the plaintiff's husband/... He was arrested in 1992 and held in a high-security prison, and the defendant administrative authority prevented him from visiting under successive administrative decisions, the latest of which was Resolution No. 556 of 1999, and explained this because of the succession of warnings by the security authorities against the targeting of some terrorist elements for some prisons.

In terms of the follow-up of the administrative decisions issued by the defendant administrative body to prevent the visit for a certain period after another without an interval, it results in a permanent denial of the visit, which the legislator was keen to assert as a natural right for the constitutional and legal considerations for which he decided for the families of the prisoner the right to visit him, and the threat of some outlaws to carry out some terrorist operations does not serve as a justification for the loss of the natural rights affirmed by the Constitution. The task of securing prisons from the inside or outside is the task of the regime authorities in the prison without prejudice to the rights of citizens and does not entitle them to prevent the visit of prisoners permanently, but if they decide to prevent it for a specific period, they must take measures and measures that enable them to ensure the rights enshrined in the Constitution and the law to provide for them without reaching those procedures and measures to the extent of absolute and permanent deprivation following the periods that prevent the

visit, and therefore the impugned decision is contrary to the rule of law worthy of cancellation with the⁷²⁷ consequences thereof.

Whereas it was the authority of the administrative authority to prohibit the visit, but that authority is not an absolute authority without restrictions, but it is restricted by a clear and specific restriction that the prohibition is for a certain time and for health or security reasons, a sign that the absolute prohibition of the visit violates the right to visit prescribed by law and prevents the inmate from his right to defend himself in the stages of litigation subsequent to his imprisonment, pre-trial detention, or arrest, which is contrary to the Constitution and the law, the Administrative Court ruled that: [Visiting a prisoner, pre-trial detainee, or detainee is one of his basic rights. It is not permissible to deprive him of this right because of its violation of his dignity and humanity. If the origin is the right to visit, then the prohibition of visitation is an exception that may not be expanded or measured. Article (42) of the aforementioned Prisons Regulation Law has permitted the absolute prohibition of visitation at certain times for health reasons or for security reasons. This means that the authority of the Minister of Interior to prevent visitation is not an absolute authority without restrictions, but rather it is an authority restricted by a clear and specific restriction, which is that the prohibition is for a certain time and for reasons This means that the absolute prohibition of visiting violates the legally prescribed right of visit and prevents the prisoner from his right to defend himself in the stages of litigation subsequent to his imprisonment, pre-trial detention, or detention, which is contrary to the Constitution and the law.

Whereas it is established from the papers that the contested decision prevented the visit of the plaintiff because he is detained in the high-security prison No. (2) in the area of Tora, and the ban came absolutely without a specific time limit, and therefore it is contrary to the law, which must be with him and the case as well as the judiciary to cancel the contested decision]⁽⁷²⁸⁾.

It is also not permissible for the administration to invoke security reasons in support of the absolute and permanent prevention of the visit, because of the prohibition of hyperbole, exaggeration and lack of compliance with the controls of legal legitimacy. The continuous denial of the visit also represents psychological harm, pain, humiliation and coercion to the will and morals of the detainee that would close the way for him to return to the right path and deepen his sense of hatred of society and to his retirement, and to confirm his negative idea of it. In this regard, the Administrative Court ruled that: [The constitutional principle that the state is subject to the law - in light of democratic concepts - It is based on the fact that the legislation in force does not violate the rights and guarantees prescribed for the citizen and respects them as one of the primary assumptions of the establishment of the legal state, and that the Constitution, as the supreme basic law, which established the rules and principles of the system of government on the basis of which the functions of public authorities and

⁷²⁷ Administrative Court, Case No. 10759 of 53 K issued in the session of 24 November 2009.

⁷²⁸ Administrative Court, Case No. 1496 of 48 S issued in the session of May 12, 2009.

the limits of their activity are determined while ensuring and maintaining public rights and freedoms and ways to protect them, and that there is a constitutional obligation to treat the citizen who is imprisoned or whose freedom is restricted with treatment that preserves human dignity, and that the criminal penalty and the procedures for its implementation must be a barrier to entering crime and its perceptions and the need to prepare the guilty for a better life, which is something that It is only possible to take into account his rights specified by the laws and regulations implementing them in order to achieve the satisfaction of some of his legitimate needs and rights, including his right and his family to see him during the period of his imprisonment, which reflects positively on his behavior inside the prison in preparation for a life of integrity outside the prison that achieves the goal of the penal system.

In terms of adhering to the principles of legitimacy in the field of criminalization and punishment and in the field of preserving freedoms, it is related to the legal principles of the state. The difference between the state of law and the state of tyranny is determined by the state's behavior towards its citizens, through the punitive laws it issues based on its authority and the means and procedures it adopts to apply those laws, as the state may not resort to a similar lawlessness because this would undermine its legitimacy.

In terms of the Prisons Law, it has dealt with the rights of the prisoner or remand prisoner, and Chapter Eight of it is devoted to regulating the procedures for visiting the prisoner and his correspondence in a way that the legislator rightly recognized that the right of visitation is one of the rights established for the benefit of both the prisoner and his family at the same time. Article (20) bis of the Prisons Law has equated the right of anyone who is deprived of his liberty without a judicial ruling in treatment and remand prisoner. This was confirmed by the provisions of the Emergency Law of equality between the remand prisoner and the detainee in rights, in a way that the visitation of the remand prisoner and the detainee is one of the prescribed rights that is not prohibited in any case except in the cases specified in the Code of Criminal Procedure, which is limited to the right of the Public Prosecution and the investigating judge to prevent the visit, without prejudice to the right of the accused to communicate with his defender without the presence of anyone.

Whereas the legislator - in the Prisons Law and its executive regulations - has strictly regulated everything related to the visit of prisoners in terms of place, time and number, so that no lesser authority can add any new restriction it deems in this regard, otherwise this becomes a departure from the provisions of the law, and if it becomes clear to a lesser authority to take action that goes beyond what the legislator has paid to the administration, it may refer to the competent authorities to put what it deems within its constitutional and legislative frameworks, which preserves the rights of prisoners and the duty of the administration to maintain the security of prisons and their system.

Whereas, what is issued by the administration authority related to preventing or restricting the visit of the prisoner or pretrial detainee and the extent and scope of this prohibition is subject to the control of the administrative judiciary in light of the reasons provided by the administration on which it relied in its decision.

Based on the foregoing, and since the plaintiff requests a visit to his son/.....- the detainee held in Abu Zaabal prison since 1995, and that he obtained several permits from the Attorney General to visit him, but he has not been able to visit him since his arrest under the pretext of closing the prison completely for three months, which was renewed before its expiry for similar periods, until the closure of the prison became continuous and the visit was completely prohibited.

Whereas it is established from the papers filed in the lawsuit file that the administration - the Prisons Service Sector - has issued several successive temporary administrative decisions, including decisions No. 467 of 1998, 556 of 1999 and 597 of 2000 dated 22/7/2000 to prevent the visit for three months from the prisons "Al-Istiqbal Batra - Highly Guarded Batra - Section III Highly Guarded Beleman Abu Zaabal - Extremist elements in the Fayoum Public Prison", which benefits from the succession of decisions to prevent the visit period after another without interval of time to the extent of permanent and continuous deprivation of the right of visit, which means the violation of the legal and constitutional rights prescribed for the detainee and his family in this regard.

If the administration does not provide evidence that the reasons or justifications for the absolute prohibition to visit the plaintiff's son have lapsed, its decision to refrain from enabling the plaintiff to visit his son is not based on fact and law.

The foregoing does not affect what was stated in the defense memorandum of the administrative authority that the plaintiff is a member of the Islamic Group organization or that the ban was imposed by the need to maintain security because of the warning of one of the security authorities against the targeting of terrorist elements for some prisons. This is due to the fact that the invocation of security reasons does not serve as a basis for the absolute and permanent prevention of the visit, because of the hyperbole, exaggeration and lack of compliance with the controls of legal legitimacy, as well as what the continuous denial of the visit represents of psychological harm, pain, humiliation and coercion to the will and morale of the detainee that would close the way for him to return to the right path and deepen his sense of hatred of society and his retirement, as well as to confirm his negative idea about him.

Believing that the nobility of the end, by the administrative authority, is indispensable for the legitimacy of the means, and that the violation of the law does not make him immune from the protection of this law, and that it was - and still is - in the ability of the administrative authority to achieve a balance between the rights of the detainee and his family in compliance with and respect

for the provisions of the Constitution and the rule of law and the reasons for maintaining security and its requirements, and that the appealed decision has prevented the visit of the detainee (the son of the plaintiff) permanently and continuously, contrary to the constitutional principles and the provisions of the law, which makes him worthy of cancellation]⁽⁷²⁹⁾.

The decision issued to restrict the right to visit the convict or prevent him at all at certain times from the administrative authority must be based on his reason of the requirements and reasons for security, and the source of the decision must disclose the security reasons that called for its issuance. If the administrative authority refrains from disclosing the reason for its decision and withholds the assets from which it derived it, it establishes a presumption that the decision is not based on the correct reason. The Supreme Administrative Court ruled that: [The legislator was keen to provide the prisoner with the means of communication with the outside world to raise his morale and facilitate The provisions of Chapter VIII of Law No. 396 of 1956 regarding the organization of prisons regulated the provisions of visitation and correspondence, giving each convict the right to correspondence, and giving his family the right to a regular visit after two months from the date of execution of the sentence for once a month for those sentenced to hard labor executed in Limanat, with the duration of the visit set at a quarter of an hour, and giving his family in cases of necessity the right to a special visit at the dates of the regular visit based on the permission of the Attorney General or the lawyer The director general of prisons or his deputy for a period not exceeding half an hour, with the possibility of extending this period if necessary and with the approval of the director of the prison or his deputy.

As an effect of disciplinary punishment, the legislator arranged for the convict to be punished with detention in the special disciplinary team by depriving him of visiting and correspondence during the period stipulated for this team, which does not exceed six months. As for the prohibition of visiting, the legislator permitted its absolute or restricted prohibition - depending on the circumstances - at certain times, either for health reasons or for security-related reasons. The regulation allowed permission to visit during its suspension for health reasons with the approval of the Director General of Prisons, with appropriate health measures taken before visitors.

Whereas, while the administration authority is not obligated to justify its decision, if the administration authority discloses the reason for its decision or the law obliges it to justify it, what it expresses from it shall be subject to the control of the administrative judiciary, and in order to implement its control, it may examine it to verify its conformity or non-conformity with the law and its impact on the result of the decision. This legal control of the two pillars of the reason finds its natural limit in ascertaining whether the result is reasonably extracted from the assets it produces physically and legally, If they are extracted from non-existing assets or if they are extracted from assets that

⁷²⁹ The judgment of the Administrative Court in Case No. 11415 of 54 S issued at the session of 29 December 2009, and see also: Case No. 10710 of 53 S issued at the session of 24 November 2009, Case No. 26057 of 57 S issued at the session of 13 July 2004, Case No. 29343 of 57 S issued at the session of 1 June 2004, Case No. 383 of 56 S issued at the session of 12 March 2002.

they do not produce, or if the adaptation of the facts on the assumption of their physical existence does not result in the result required by the law, the decision is devoid of the basis of the reason and is contrary to the law. The administrative judiciary may, in order to exercise its mandate to exercise judicial control over administrative decisions, mandate the administrative authority to disclose the reason for its decision and to put in its court the assets from which this reason was derived, so that the refusal of the administration to disclose the reason for its decision or the size of the assets from which it was derived is considered a presumption that the decision was not based on the correct reason.

Whereas, on the basis of all of the foregoing, and since it is established from the appearance of the papers that on October 23, 1993, the decision of the Director General of Prisons (the second appellant) was issued to prevent the visit of convicts.... And..... (Deposited with Liman Tora to carry out the hard labor sentence imposed on them in Case No. 462 of 1981 State Security) except with the permission of the Public Prosecution for security-related reasons in accordance with Article 42 of Law No. 396 of 1956 regarding the organization of prisons. The source of the decision did not disclose the security reasons that called for the issuance of this decision. The administrative authority in the administrative judiciary did not put forward any assets from which these security reasons were derived, but refrained from disclosing the reason for its decision and withheld the assets from which it was derived, and only stated that the decision issued by it was based on security-related reasons, which are considered as the sent statements that must be heeded, and all of this establishes a presumption that the decision is not based on the correctness of its reason, which becomes contrary to the provisions of the law.

Inasmuch as the contested judgment has gone this doctrine and suspended the implementation of the contested decision, it has coincided with the true rule of law and the right to adjudicate it, which means that the appeal against it is not based on a sound basis of the law that must be rejected.

In terms of the fact that there are no arguments in what the appellants mourned for the contested judgment that the legislator allowed the administrative authority an absolute ban on the visit or the restriction of this right in proportion to the reasons it deems appropriate and that the Public Prosecution is the body entrusted with the supervision of prisons and accordingly has permission to visit in light of the new circumstances of prisoners, and the restriction of the right of visit based on permission from the Public Prosecution is not a waiver of the jurisdiction of the Prisons Authority to the Public Prosecution, there are no arguments in this regard as the right of judicial supervision prescribed for the Public Prosecution under Article (85) Law No. 396 of 1956 did not assign this jurisdiction to the Public Prosecution, but it came in line with the provisions of the Code of Criminal Procedure for pretrial detention (Articles 134 to 143) or for the implementation of custodial sentences

(Articles 478 to 490). Hence, Article (85) above granted the right of judicial supervision to the Attorney General and his agents in their jurisdictions to enter all places of imprisonment at any time to verify what is required by laws and regulations and to take what they deem necessary regarding what is happening. Violations in this regard, as for the visitation rights prescribed for convicts, they have been regulated by law as mentioned above and did not authorize the Public Prosecution in this regard except to prevent the permission for the special visit mentioned in Article (40) thereof. If this is the case and the prohibition of the visitation is for security requirements when it is based on flimsy reasons, it does not make sense to say that the permission of the Public Prosecution is higher than the factual reasons for security requirements, then this obituary must be paid attention to the appealed judgment] ⁽⁷³⁰⁾.

The visit shall not be authorized during its suspension for health reasons except with the approval of the Assistant Minister for the Community Protection Sector, while taking appropriate health measures before visitors ⁽⁷³¹⁾.

It is not permitted to prevent the child from visiting one of the shelters for his inmate mother on time for any reason related to the mother's behavior inside the correctional center ⁽⁷³²⁾.

The Public Prosecution and the investigating judge may, in all cases, order that the accused in pretrial detention not contact other inmates and that no one visits him, without prejudice to the right of the accused to always contact his defender without the presence of anyone ⁽⁷³³⁾.

Second: Within the framework of international conventions

The Principles on the Protection of All Persons under Any Form of Detention or Imprisonment prohibit depriving a detained or imprisoned person of contact with the outside world, especially his family or lawyer, for a period exceeding ⁷³⁴ days.

⁷³⁰ Supreme Administrative Court, Appeal No. 1174 of 40 S issued in the session of November 12, 1995 and published in the first part of the book of the Technical Office No. 41, rule No. 7, page 47.

⁷³¹ Article 79 of the bylaws of the reform and community rehabilitation centers, as amended by the decision of the Minister of Interior No. 345 of 2017.

⁷³² Article 80 of the Internal Regulations of the Reform and Community Rehabilitation Centers, as amended by the decision of the Minister of Interior No. 1058 of 2008.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D8%A1%D8%A7%D8%AA-%D8%A7%D9%84%D8%AC%D9%86%D8%A7%D8%A6%D9%8A%D8%A9#h.e7y9ma60dt8w](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D8%A1%D8%A7%D8%AA-%D8%A7%D9%84%D8%AC%D9%86%D8%A7%D8%A6%D9%8A%D8%A9#h.e7y9ma60dt8w) 141 of the Code of Criminal Procedure, as amended by Law No. 353 of 1952.

⁷³⁴ Principle No. 15 of the Body of

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6->

The Human Rights Committee has held that practices of detaining people for prolonged periods without allowing them to communicate with their family, friends or lawyers and subjecting their correspondence to active censorship constitute violations of the standards contained in articles 10 (1) (humane treatment) and 14 (3) (access to counsel) of the International Covenant on Civil and Political Rights (ICCPR⁷³⁵).

[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.t5ncppik5ryz](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.t5ncppik5ryzPrinciples) Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.

⁷³⁵ - Miguei Angel Estrella v. Uruguay, loc. Cit. footnote 63 above- , at p.98, para. 10 restrictions on correspondence- ; Elsa Cubas v. Uruguay 70/1980- 1 April 1982- , Selected Decisions..., vol. 1, p. 130, at p. 132, para. 12 incommunicado detention for the three months- ; Adolfo Drescher Caldas v. Uruguay, loc. Cit. footnote 19 above- , at p. 82, para. 14 incommunicado detention for six weeks- ; Lucia Arzuaga Gilboa v. Uruguay p. 178, para. 14 incommunicado detention for 15 days- 147/1983- 1 November 1985- , ibid., p. 176

Adolfo Drescher Caldas v. Uruguay, loc. Cit

The first paragraph of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%B9%D9%87%D8%AF-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A-%D8%A7%D9%84%D8%AE%D8%A7%D8%B5-%D8%A8%D8%A7%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D9%85%D8%AF%D9%86%D9%8A%D8%A9-%D9%88%D8%A7%D9%84%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A%D8%A9#h.cakkuu7tyyn1> 10 of the International Covenant on Civil and Political Rights, and the third paragraph of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A7%D9%84%D8%B9%D9%87%D8%AF-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A-%D8%A7%D9%84%D8%AE%D8%A7%D8%B5-%D8%A8%D8%A7%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D9%85%D8%AF%D9%86%D9%8A%D8%A9-%D9%88%D8%A7%D9%84%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A%D8%A9#h.52ptwaqymrw5> Article 14 of the International Covenant

Although officials may exercise control over the detainee's correspondence in order to ensure the proper management of the place of detention, such control must be subject to preventive conditions that prevent arbitrary application⁽⁷³⁶⁾.

In all cases, "prisoners must be allowed, under the necessary supervision, to communicate with their families and those who are known to be their friends at intervals through correspondence as well as receiving visits"⁽⁷³⁷⁾.

The European Court and the European Commission of Human Rights have also confirmed that most restrictions on correspondence with counsel and with family members are void⁷³⁸.

The Committee also stressed that family members must be informed of the status of the person's detention and the place of this detention⁽⁷³⁹⁾.

Criticism

The prisoner's contact with the outside world is an important measure to prevent the practice of torture against the prisoner by allowing him to meet with relatives, lawyers and doctors without delay after his deprivation of liberty and regularly thereafter. Contact with the outside world is necessary not only as a guarantee against the practice of torture, but also in order to respect the right of prisoners to family and private life.

We note from the above that the Egyptian legislator has differentiated between inmates in public reform centers and other inmates in geographical or military reform centers, so he decided that the duration of the visit in public reform centers should be for sixty minutes, while he decided that the duration of the visit in geographical or military reform centers should be for half an hour only, violating the principle of equality between those whose legal centers have united.

Since the law or the internal regulations of the correction and rehabilitation centers do not define good behavior, preventing the inmate from visiting becomes subject to the discretion of the director of the correction center, who decides the extent of the inmate's good behavior, which is considered a penalty in addition to the penalty imposed on the inmate.

[%D8%A8%D8%A7%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D9%85%D8%AF%D9%86%D9%8A%D8%A9-%D9%88%D8%A7%D9%84%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A%D8%A9#h.52ptwaqymrw5 on Civil and Political Rights.](#)

⁷³⁶ Larry James Pinkney v. Canada, loc. Cit.

⁷³⁷ Miguel Angel Estrella v. Uruguay, loc. cit.

⁷³⁸ See, e.g., Silver et al., Judgment of 25 March 1983, European Court of Human Rights, Series A, No. 61, and Campbell v. United Kingdom, Judgment of 25 March 1992, *ibid.*, No. 233.

⁷³⁹ See Bernard Leo McVey, Oliver Anthony O'Neill and Arthur Walter Evans v. United Kingdom, Nos. 8? 22/77 8025/77 - Report of 18 March 1981, European Commission of Human Rights, Decisions and Reports, vol. 25, p. 15.

It is also clear that the Egyptian legislator granted the inmate the right to visit anyone whose freedom was restricted, but he differentiated between the convicts in determining the start date of benefiting from that right into three categories:

Category I: They are convicts placed in military reform centers and granted by the legislator the right to visit after the lapse of ten days from the date of their placement in the center;

The second category: They are the convicts who are placed in reform centers or in the labor institution, and these are granted by the legislator the right to visit after the lapse of a period of one month from the date of their placement in the center;

The third category: They are the convicts who are placed in drug reform centers, and those whom the legislator granted the right to visit after the lapse of a period of six months from the date of their placement in the center.

This is an unwarranted arbitrary distinction, as the legislator has distinguished between inmates according to the reform center in which they are placed, despite the fact that they are in the same legal centers, which is a violation of the principle of equality between them.

The legislator also restricted the right to visit, provided that the inmate's behavior was good within the correctional center, which gave the administration full discretion in determining the extent of the inmate's good behavior or not, without setting any controls to determine that good behavior, and without a commentator on that authority, including an additional penalty to be added to the convict, without granting the inmate the right to file a grievance or appeal against the decision to prevent him from visiting for misconduct.

It is also clear that the Egyptian legislator, as well as international conventions, depends on the entry of visitors to the prison for the visit by their consent to be inspected. However, the Egyptian legislator did not require the visitor's consent to the inspection explicitly or the issuance of a positive act by him by agreeing to the inspection. Rather, he merely did not oppose the inspection.

The Egyptian legislator also did not require the judicial control of the person conducting the inspection, nor did it set any controls for conducting the inspection in a manner that respects the inherent human dignity and privacy of the person subject to the inspection, or any consideration for proportionality, legality, and necessity in the inspection process.

Whereas the [Nelson Mandela Rules](#) prohibited the use of intrusive search procedures, including the search of the naked body and the search of the body cavities, except in cases of extreme necessity, provided that such inspection is carried out - when necessary - in a place of privacy, and that it is carried out by health care professionals or, as a minimum, by appropriately trained medical personnel in accordance with hygiene, health and safety standards, provided that they are of the same

sex as the subject of the inspection, and the Nelson Mandela Rules oblige the prison administration to keep records in which the search procedures are restricted, and these records also record the reasons for conducting the inspection, the identity of those responsible for it, and any results resulting from the inspection.

Whereas the Egyptian legislator has authorized an absolute or restricted ban at certain times depending on the circumstances, for health or security reasons, and left the decision in this matter to the discretion of the administration, but on the other hand, this ban must not be permanent, or take a large period of time from the presence of the person whose freedom is restricted in the reform center, the continuous denial of the visit represents psychological harm, pain, humiliation and coercion of the will and morals of those whose freedom has been restricted, which would close the way for him to return to the right and deepen his sense of hatred of society and his retirement, which constitutes a waste of his humanity, moral harm and deprivation of a natural right prescribed for him and his family.

It is noted from the above that the Law Regulating Correction and Rehabilitation Centers or the Internal Regulations of Correction Centers did not set any controls for the place of the visit, and if the law obliges the inmate's visitors to be searched, and prevents them from visiting if they refuse to search, what is the justification for placing cords between the freedom-restricted person and his visitors?!

Recommendations

The legislator must intervene to equalize all convicts in all reform centers of all kinds, to set a single date to start granting all convicts the right to visit starting from the date of their placement in any center.

The Egyptian legislator must establish controls for the inspection of inmate visitors in a manner that preserves their dignity, and that proportionality and necessity are taken into account in the inspection process, with the need to issue explicit consent from inmate visitors to the inspection process, and to provide for his right to withdraw his consent to the inspection after that consent has been previously issued.

The authority of the administration authority must also be reviewed in its decisions issued to prevent the visit, that the director of the reform center submits a reasoned report to the Public Prosecution to prevent those whose freedom has been restricted from visiting for a specified period, and that the Public Prosecution issues its decision in that regard, provided that there is a mechanism for those whose freedom has been restricted to complain about the decision issued to prevent them from visiting.

The law regulating reform and rehabilitation centers or the internal regulations of reform centers must stipulate controls for the place of the visit, and they must:

- The place of visit is decent and respectful of the dignity of the guest and visitor;
- It is prohibited to put wires between visitors and anyone whose freedom has been restricted.

The legislator must standardize the duration of the visit for everyone whose freedom has been restricted in all types of reform centers, by a full 60 minutes, in order to achieve the principle of equality between all those whose freedom has been restricted.

The seventh topic: Inmate's right to a private visit or conjugal visit

The first requirement: In Egyptian law

The legislator authorized the inmate's families to visit him outside the regular visit dates if necessary, based on the permission of the Attorney General, the Attorney General, the Assistant Minister of Interior for the Community Protection Sector, or his representative ⁽⁷⁴⁰⁾.

The custodian appointed to manage the business of the convict - in [applicationhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA#h.q6xafvybq60b](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA#h.q6xafvybq60b) of [Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA#h.q6xafvybq60b](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA#h.q6xafvybq60b) No. 25 of the Penal Code- or his official agent may also visit the inmate for a special accounting visit of forty-five minutes once every six months, and he may be authorized for an exceptional visit for the same period if necessary and with the approval of the Director General of Correction and Rehabilitation Centers ⁽⁷⁴¹⁾.

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Article

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/1/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.i18jfurkj45m> 40 of the Law on the Organization of Correction and Community Rehabilitation Centers, as amended by Law No. 106 of 2015.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%)

The special visit does not delay the date of the regular visit scheduled for the inmate⁽⁷⁴²⁾.

The second requirement: within the framework of international conventions

Within the framework of international conventions, the right to conjugal visits is applied when allowed without discrimination, and within the framework of the principle of equality between male and female prisoners, provided that procedures are established and places are provided to ensure a fair and equal opportunity to benefit from this right, with due care to preserve safety and dignity⁽⁷⁴³⁾.

Criticism

The Egyptian Law on the Organization of Correction and Rehabilitation Centers or any of the internal regulations of reform centers does not contain any text that allows or prevents the right of conjugal visit, but since it is one of the basic rules in organizing private visits that they take place in the offices of an officer of the reform center in his presence or his representative⁽⁷⁴⁴⁾.

Therefore, it is practically impossible to have such kind of visits in Egyptian reform centers, given the large number of prisoners and the limited possibilities of overcrowded prisons.

On the other hand, it has been confirmed that many conjugal visits have taken place before in Egyptian prisons since 1952⁽⁷⁴⁵⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.aqlip3c8hcnv> 78 of the Internal Regulations of the Reform and Community Rehabilitation Centers, as amended by Minister of Interior Decision No. 1058 of 2008.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.8qfyb9myn08l> 77 of the Bylaws of the Reform and Community Rehabilitation Centers.

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[Paragraph No. 2 of Rule No. 58 of the Nelson Mandela Rules, and Rule No. 27 of the Bangkok Rules.](#)

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Article 70 of the Internal Regulations of Correction and Rehabilitation Centers.

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The first legal retreat in Egyptian prisons took place in 1952 during the reign of King Farouk when the Minister of War at the time, Major General Hussein Serry Amer, was imprisoned after his failure at the hands of the "Free Officers" to head the Army Officers

The extent of the permissibility of conjugal visitation is disputed by two opinions:

The first opinion: The inmate has the right to be alone with his wife and to cohabit with her. Psychologically, the inmate is psychologically affected as a result of his inability to cohabit with his wife for a long time. According to psychologists and sociologists, the need for sex is one of the physiological needs of the human being, which are the needs necessary to preserve the individual, which are found at the base of Maslow's pyramid⁽⁷⁴⁶⁾.

These physiological needs include: the need to breathe; the need for food; the need for water; the need for balance control; the need for sex; the need for excretion; the need for sleep, and the individual who suffers from periods of unsatisfied physiological needs, may want in the future when he is able to satisfy these needs to satisfy them excessively, for example, we may find that the poor when he becomes rich, most of his expenses go to eating, drinking and marriage.

On the other hand, the right to legal privacy protects the family of the prisoner from disintegration, which is consistent with the objectives of the prison itself, and is based on discipline and reform.

This right is also not only related to the prisoner, but also affects his family. The wife has the legitimate right to face the wives of prisoners, prisoners, or the prisoners themselves. Because of the deprivation of the husband or wife and the lack of legal privacy inside prisons, many problems occur, and end with either the wife's request for divorce or the deviation of the wife. Adultery cases spread because of that problem, and homosexuality also spreads among prisoners and illegal relations inside prisons, which leads to the spread of diseases and epidemics among them, and among prisoners are those who resort to escape because of that problem.

Religious privacy contributes to the refinement and reform of the prisoner and thus achieves two purposes:

First: The repentance of the person is a repentance of Nasuh, because he will be linked to his family, and therefore he will be careful not to return to prison again.

Club and the victory of Major General Muhammad Najib. The secret brigade was placed in prison and asked to see his wife, so they allowed him to retreat to be the first legal retreat in Egypt in violation of the prison regulations, which was criticized by the newspapers at the time and considered excessive and disgraceful behavior

The most famous legal retreat in Egyptian prisons, as prison officers confirm, was for Sheikh Omar Abdul Rahman, the spiritual guide of the banned "Islamic Group" organization in Egypt, where eyewitnesses from the jailers who lived during the period when Sheikh Omar was imprisoned said that he was alone with his wife inside a tent in the prison courtyard, and that she gave birth to him during his imprisonment as a boy and celebrated this with the members of the group

The news is published in: Al-Sharq Al-Awsat newspaper is available at the following link:

https://archive.aawsat.com/details.asp?section=4&article=28674&issueno=8131#.YMNfF_kzbct.

⁷⁴⁶ Maslow's hierarchy of needs - is a psychological theory presented by Abraham Maslow in his 1943 paper "The Theory of Human Motivation" in the scientific journal "Psychological Review". Maslow then expanded his idea to include his observations of innate human curiosity. His theory follows the branch of developmental psychology that studies the evolution and growth of man during the various stages of his life. This theory discusses the order of human needs and describes the motivations that drive them; these needs are: physiological needs, safety needs, social needs, the need for appreciation, and the need for self-actualization

Maslow studied "perfect" human specimens such as Albert Einstein, Jane Adams, Eleanor Roosevelt, and Frederick Douglass rather than troubled or sick people. Maslow also studied 1 healthy college student. He explained his theory fully and in detail in his 1954 book Motivation and Personality. Over time, the theory became widely known and used in sociology research, management and teaching in secondary and higher education.

Second: Preserving the family from disintegration and delinquency, especially the wife if she is a young woman and does not have the ability to be patient with her husband ⁽⁷⁴⁷⁾.

A fatwa was issued by the Egyptian Fatwa House in response to a question about the permissibility of legal privacy between the inmate and his wife or vice versa? Is there a specific period specified by the Sharia to deprive the husband of his wife? And how long does it take for a husband to move away from his wife, so she has the right to ask for a divorce?

There is no legitimate objection to the privacy of the prisoner with his wife or vice versa. Islam took into account the satisfaction of man's material and spiritual needs, until the Prophet (peace and blessings of Allah be upon him) counted this right as one of the alms that Allah Almighty rewards. He said: «In a few of you, alms is charity» Narrated by Muslim.

It is not permissible to deprive a man of his wife by way of ta 'zir, because ta 'zir in this case will not fall on him alone, but will exceed the harm to his wife, and the punishment in Islam is personal, so that the perpetrator does not exceed others, and it is up to the administration to do what it deems fit. As for the period of distance that allows the application for divorce to harm the wife from her husband's distance from her, it is one year or more, according to what is in force before the Egyptian courts.

The text of the fatwa reads as follows: "Islam has taken into account the satisfaction of material and spiritual needs to maintain the security and stability of society, and this is one of the manifestations of moderation and balance in the Sharia, and the character of punishment is one of the principles of Islam, so no one is taken for the guilt of another, regardless of kinship, and in this, the Almighty says: No soul burdened with sin will bear the burden of another [Fatir: 18]. The Almighty says: Whoever does good, does so to his own benefit; and whoever does evil, will suffer its evil consequence. Your Lord does no wrong to His servants. [Fussilat: 46].

Sharia law has made each of the spouses' rights and duties towards the other, and one of these rights is marital cohabitation in its own sense, so the majority of jurists argued that the wife has the right to cohabit with her husband at least once in every purification or month unless it is a legitimate excuse that prevents him from cohabiting with her; for the Almighty saying: So keep away, and do not have intercourse with your wives during their monthly cycles until they are purified. [Al-Baqarah: 222].

Imam Shafi 'i argued that this is a right that he, like all other rights, should not have.

Imam Ahmad ibn Hanbal Those who swear not to have intercourse with their wives must wait for four months.¹ Allah is certainly All-Forgiving, Most Merciful, if they change their mind. But if they settle on divorce, then Allah is indeed All-Hearing, All-Knowing. [Al-Baqarah: 226-227].

⁷⁴⁷ Dr. Sophie Abu Talib - Professor, Faculty of Law, Cairo University: <https://tinyurl.com/pkw8epam>.

If the husband was on a journey and had no excuse not to return to his wife, Imam Ahmad went to the time when the man brought his wife in this case by six months; he was asked: How long does the man miss his wife. He said: Six months is the limit to him, if he refuses to return to her and she is unable to go to him with Muharram, the ruler separated between them, and his argument in that is what was told about the Commander of the Faithful, Omar Ibn Al-Khattab, may God be pleased with him, that he asked his daughter, the mother of the faithful, Hafsa, may God be pleased with her: How long does a woman have patience with her husband? She said: Five months or six months. I gave people six months to walk a month, stay four months, and walk back a month.

A husband has a legal obligation to fulfill his wife's marital rights, ensuring her needs are met according to her specific requirements. Imam Al-Ghazali, in *Ihya' Ulum al-Din* (2/50), states that a husband should ideally engage with his wife at least once every four nights, as this was deemed fair, reflecting the allowance of up to four wives in Islamic law. However, Al-Ghazali clarifies that the frequency should be adjusted based on the wife's individual needs, emphasizing that it is obligatory to fulfill her marital rights adequately to protect and satisfy her.

Due to the significance of this principle, the Messenger of Allah, Prophet Mohamed PBUH highlighted that lawful marital relations are a form of charity, for which Allah grants reward. In a hadith narrated by Abu Dharr (may Allah be pleased with him), the Prophet (peace and blessings be upon him) said, *"In the intimate act of one of you there is charity."* The companions asked, *"O Messenger of Allah, when one of us fulfills his desire, will he have a reward for it?"* He replied, *"Do you not see that if he were to fulfill it in an unlawful way, he would bear a sin? Likewise, if he fulfills it in a lawful way, he earns a reward."* (Sahih Muslim)

In the fact of the question and based on the aforementioned laws: it is permissible for a prisoner to be alone with his wife, as well as the imprisoned wife with her husband, to exercise the legitimate rights of the spouses, because the punishment in Islam is personal and does not exceed the perpetrator to others. As for the question about the husband's deprivation of his wife, is there a period specified by Sharia for that? Jurists have stipulated that ta 'zir is the beating, slapping, imprisonment, exile, standing from a council, exposing a head, blackening a face, shaving a head for those who hate it, riding the donkey reversed, turning it on this body among people, or threatening it with types of punishments. It is not permissible to ta 'zir by shaving the beard, cutting off a limb, or wounding it. Their restriction shows their unanimity that it is not permissible to deprive a man of his family.

Accordingly, in the incident of the question: There is nothing to prevent the Sharia from allowing the prisoner to meet his wife or vice versa, and the period of separation between the spouses that

allows the request for divorce when the wife is harmed is a year or more, according to what is in force before the Egyptian courts, and there is no ta 'zir in Sharia by depriving the person of his wife, as this was related to Prophet Mohamed PBUH, in the story of the survivors, and it is all up to the administration to do what it deems fit for society to prevent or allow, and Allah Almighty knows best.

“(748) .

Also, many legislations of the Arab countries have granted the prisoners the right to legal privacy (749) .

The second opinion: This opinion considers granting the prisoner the right to legal privacy as an affront to the dignity of women because prison is not the appropriate place to practice sexual intercourse or the legal right between spouses. The application of the legal privacy system requires the provision of special places where husbands can meet their wives without prejudice to the dignity of wives; Because it is necessary to take care of the dignity of the wife who goes to her imprisoned husband for sexual intercourse and legal privacy (750) .

Also, the application of the idea of legal privacy does not suit all prisoners or their social status because some of those sentenced to prison, and some detainees have more than one wife. Is the Ministry of Interior required in this case to equalize between wives, or leave the matter of justice to the husband who entered the prison after he lost his conscience and committed one of the crimes?

⁷⁴⁸ The fatwa of the Egyptian Fatwa House No. 196 of 2004, issued on February 26, 2004, is published on the website of the Egyptian Fatwa House at the following link: <https://tinyurl.com/y6bcukta>.

⁷⁴⁹ The Hashemite Kingdom of Jordan - Article 20 of Law No. 9 of 2004 on Correction and Rehabilitation Centers: " Every inmate sentenced for a period of one year or more to seclusion with his legal spouse in a place in the center designated for this purpose that meets the conditions of legal seclusion in accordance with instructions issued by the Director."

Kingdom of Bahrain - Article 43 of Law No. 18 of 2014 Concerning the Issuance of the Law of the Reform and Rehabilitation Institution: "The inmate has the right to a legal privacy with his spouse, and he may complete the procedures of his marriage, all in accordance with the procedures and controls specified by the executive regulations."

Kingdom of Bahrain - Article 62 of the Minister of Interior's Resolution No. 131 of 2015 regarding the Executive Regulations of the Reform and Rehabilitation Institution Law: "An inmate sentenced to imprisonment or imprisonment for a period of one year or more may seclude his legal spouse once a month for a period of three hours, provided that the approval of the center's doctor, social worker and the legal spouse is obtained in a separate place designated for this purpose in the center and meets the conditions of legal seclusion, provided that the legal seclusion does not result in harming public security or public health within the center.

The director of the institution shall set the rest of the conditions and controls of the Shariah retreat, as well as the conditions, duration and all the controls of the Shariah retreat for those sentenced to death. "

The State of Qatar - Article 20 of the Minister of Interior's Resolution No. 11 of 2012 regarding the issuance of the executive regulations of Law No. 3 of 2009 regulating penal and correctional institutions: "Taking into account the provisions of Articles 48, 49 and 50 of the law, the detainee has the right to receive visitors as follows:

- 1- Public visits two days a week for men, and two days for women
- 2- Visits to diplomatic or consular missions or lawyers, on a daily basis
- 3- Family visits, at the rate of four visits per month
- 4- Private visits Sharia Retreat - at the rate of four visits per month

The director may, in accordance with the reasons of security and public health or those of the detainee, reduce the days of visits or temporarily prevent them.

⁷⁵⁰ Dr. Ahmed Al-Mahjoub, Expert at the Social and Criminal Research Center: <https://tinyurl.com/pkx8epam>.

Another problem arises if the wife refuses to meet her imprisoned husband? Are you considered an outlier? If a husband refuses to meet his imprisoned wife, does she have the right to ask for a divorce for harm or to take it off? ⁽⁷⁵¹⁾.

For my part, I see that the right of the inmate to a conjugal visit is a legitimate right that helps in the proper psychological preparation for him, and helps in the discipline of his behavior, and his concern for his family. On the other hand, all the objections directed to granting the inmate the right to a conjugal visit did not address the legal basis for depriving the prisoner entirely of this right, but all relate to the procedures for the inmate's use of that right.

Recommendations

It is advisable for the legislature to establish guidelines granting inmates the right to conjugal visitation and legal privacy. This initiative aligns with human and social values, upholding fundamental rights and contributing to the rehabilitation of inmates.

However, it is essential to distinguish between inmates in granting this right, with objective criteria that consider each inmate's behavior and commitment to reform. This privilege should be denied to those convicted of crimes that harm society or compromise honor and trust.

If the current Egyptian reform system does not support this concept of legal seclusion, alternative solutions could include designated reform centers or supervised home visits, drawing on successful models from other countries.

Eighth Research: The right of the inmate to visit his relatives who are placed with him in one reform center or another reform center

Single requirement: within the framework of Egyptian law

The legislator authorized the director of the reform center to allow inmates in one center to visit each other within the limits prescribed for the regular visit, provided that the visit takes place in the assistant's office and in his presence.

Visiting an inmate with an inmate may only be permitted if his wife or a mahram is his.

The visit takes place in the place designated for the regular visit and outside the dates of this visit in the presence of one of the employees of the reform center with the inmate and the assistant of the reform center with the inmate.

⁷⁵¹ Major General Mohamed Abdel Fattah Omar - Former Egyptian Assistant Minister of Interior: <https://tinyurl.com/pkw8epam>.

The Assistant Minister for the Community Protection Sector may allow inmates to visit their relatives placed in another correctional center if necessary⁽⁷⁵²⁾.

The ninth topic: The right of the inmate who is sick in the reform center or hospitalized to visit his relatives

Single requirement: within the framework of Egyptian law

It is permissible to visit sick inmates placed in the reform center hospital at the place of the regular visit whenever their health condition allows this, but if the doctor of the reform center decides that their health condition does not allow this, the visit shall be carried out in the hospital in the presence of the head nurse and after taking health measures before visitors⁽⁷⁵³⁾.

Criticism

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.sdplngq80jv4](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.sdplngq80jv4) 75 of the Bylaws of [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.zcusvvyz7stw2](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.sdplngq80jv4) the Reform and Community Rehabilitation Centers.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.zcusvvyz7stw2](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.zcusvvyz7stw2) 76 of the Bylaws of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.zcusvvyz7stw2> Community Correction and Rehabilitation Centers, see the above when we are subjected to the right of a prisoner who is sick in prison or hospitalized to visit his relatives.

As we have already presented, none of the law regulating the Egyptian reform and rehabilitation centers or the internal regulations of the reform and rehabilitation centers has provided for the right of the inmate to contact his family and inform them of a serious illness or injury, or transfer him to a hospital outside the reform center. The internal regulations of the reform and rehabilitation centers in Egypt have granted the inmate's relatives the right to visit him if he gets sick or injured while in the center or visit him if he is transferred to a hospital outside the center. On the other hand, the law or the internal regulations of the reform and rehabilitation centers have denied the inmate the right to contact his family and inform them of a serious illness or injury, or transfer him to a hospital outside the reform center, or oblige the administration to inform the inmate the inmate to inform the inmate's relatives of a serious illness or injury, or transfer him to a hospital outside the reform center. How can the inmate of the sick inmate of the reform center or the hospital visit him, if they are not informed of this?!

The tenth topic: The right of the pre-trial detainee, the detainee and those sentenced to simple imprisonment to have their families visit them

Single requirement: within the framework of Egyptian law

The internal regulations of the community correction and rehabilitation centers differentiated between those sentenced to simple imprisonment and those in pretrial detention in terms of the right to visit by deciding in Article (60) that their families may visit them once a week on any day of the week except Fridays and public holidays, unless the Public Prosecution or the investigating judge prevents this for those in pretrial detention in accordance with Article No. 141 of the Code of Criminal Procedure, while Article No. 64 of the same regulation made the visit of those sentenced to life imprisonment, rigorous imprisonment, imprisonment or imprisonment with work by their families after the lapse of a month from the date of the execution of the sentence, and then visit them, as long as their behavior is good, once a month for those sentenced to life imprisonment or rigorous imprisonment by men in Liman, and once every three weeks for those sentenced to men in prison or imprisonment with work, as well as for those transferred from Liman to public prisons, and once every three weeks for women sentenced to any punishment.

However, after amending the text of Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD->

https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.mfqxmatbrcwp_38 of the Law Regulating Correction and Rehabilitation Centers, by virtue of Law No. 106 of 2015<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-106-%D9%84%D8%B3%D9%86%D8%A9-2015#h.bm0j8z8l6tk9>, the families of every person sentenced to a custodial sentence, regardless of the type of punishment, and every pretrial detainee have the right to a regular visit, and that this visit, as of the date of entry into force of Law No. 106 of 2015 twice a month<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-106-%D9%84%D8%B3%D9%86%D8%A9-2015#h.bm0j8z8l6tk9>, unless the Public Prosecution or the investigating judge decides otherwise for the pretrial detainee, and the visit takes place under the supervision and supervision of the prison administration in accordance with the controls and procedures specified by the internal regulations of the prisons, without the requirement of obtaining permission from the Public Prosecution, given that the law does not contain a text, this permit must be obtained, and without prejudice to the obligation of the prison administration to work on the treatment of visitors to pretrial detention, humane treatment, and to ensure them the appropriate places to wait and visit ⁽⁷⁵⁴⁾.

As for expelled foreigners who are subject to a temporary detention order, their relatives may visit them once a week on any day of the week except Fridays and public holidays, unless the Public Prosecution or the investigating judge prevents this in accordance with Article 141 of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D8%A1%D8%A7%D8%AA->

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Article

https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.mfqxmatbrcwp_38 of the Law on the Organization of Reform and Community Rehabilitation Centers, as amended by Law No. 106 of 2015, and Article https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.lnxnfo22okx1_60 of the Internal Regulations of Reform and Community Rehabilitation Centers.

[Code of Criminal Procedure](#), and in accordance with the conditions prescribed for pretrial detainees ⁽⁷⁵⁵⁾.

Whereas the geographical list of correctional and community rehabilitation centers gave the right to the families of those sentenced to simple imprisonment and pre-trial detention to visit once a week ⁽⁷⁵⁶⁾.

However, this text has been copied in compliance with the principle of the hierarchy of legal rules. The Administrative Court ruled that: [By virtue of [Law No. 106 of 2015](#), Article (38) of the aforementioned Decree-Law No. 396 of 1956 was amended to read: "Subject to the provisions of the Code of Criminal Procedure, every convicted person shall have the right to correspond, telephone for a fee, and his family may visit him twice a month, all under the control and supervision of the prison administration in accordance with the controls and procedures specified by the internal regulations.

The pre-trial detainee shall have this right unless a decision is issued by the competent public prosecution or the competent investigative judge to the contrary, in accordance with the procedures specified by the internal regulation.

The prison administration works to treat prisoners' visitors humanely and ensure them the appropriate places to wait and visit. "

In terms of the meaning of this text, it is the right of the families of every person sentenced to a custodial sentence, regardless of the type of punishment, and every detainee on remand to visit him the normal visit, and that this visit, as of the date of entry into force of [Law No.https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-106-%D9%84%D8%B3%D9%86%D8%A9-2015#h.bm0j8z8l6tk9106 of 2015](#) twice a month, unless the Public Prosecution or the investigating judge decides otherwise

⁷⁵⁵ Article 3 of the Minister of Interior's Resolution No. 72 of 1959 on the Organization of Reform and Community Rehabilitation Centers.

⁷⁵⁶ [Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.p90yrka9m9wo 37 of the Bylaws ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.p90yrka9m9wo the Geographical Reform and Rehabilitation Centers.](#)

for the pre-trial detainee, and the visit is carried out under the control and supervision of the prison administration in accordance with the controls and procedures specified by the internal regulations of the prisons, without the requirement of obtaining permission from the Public Prosecution, given that the law does not contain a text that requires this permission, and without prejudice to the obligation of the prison administration to work on the treatment of visitors to pre-trial detention, humane treatment, and to ensure them the appropriate places to wait and visit, and thus the provisions of Articles (60) and(64) of the internal regulations of the prisons regarding the determination of this visit are copied] ⁽⁷⁵⁷⁾.

It also ruled that: [Article (38) of Decree-Law No. 396 of 1956 regarding the organization of prisons amended by [Decree-Law No. 106 of 2015](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-106-%D9%84%D8%B3%D9%86%D8%A9-2015#h.bm0j8z8l6tk9) stipulates that, taking into account the provisions of the <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-106-%D9%84%D8%B3%D9%86%D8%A9-2015#h.bm0j8z8l6tk9>

Code of Criminal Procedure, every convict shall have the right to correspond, phone in return for a financial return, and his family to visit him twice a month, all under the control and supervision of the prison administration in accordance with the controls and procedures specified by the internal regulations. The pre-trial detainee has this right, unless a decision is issued by the competent public prosecution or the investigating judge otherwise, in accordance with the procedures specified by the internal regulations. This means that the right of the relatives of the convict or pre-trial detainee to visit the convict or pre-trial detainee is a regular visit, as of the date of entry into force of the a decision of the President of the the aforementioned <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-106-%D9%84%D8%B3%D9%86%D8%A9-2015#h.bm0j8z8l6tk9> Law No. 106 of 2015, which is 21/10/2015, has become twice a month, unless the public prosecution or the investigating judge decides otherwise for the pre-trial detainee, in the manner referred to, and under this text, the provisions of the internal regulations of the prisons regulating the visit, including the provision of the settlement of the law, in compliance with its principle (the rules ⁽⁷⁵⁸⁾.)]

According to the text of Article 3 bis of the Emergency Law, the detainee shall be treated as a pre-trial detainee, which entitles his family to visit him in accordance with the rules prescribed in this regard, and he shall enjoy the same rights. In this regard, the Administrative Court ruled that: [Article (20 bis) of Law No. 396 of 1956 regarding the organization of prisons, provided that "anyone who is

⁷⁵⁷ Administrative Court, First Circuit, Case No. 59757 of 69 S, issued at the hearing of 26 April 2016.

⁷⁵⁸ Administrative Court, Case No. 7013 of 70 S, issued at the hearing of 26 April 2014.

deprived of his liberty without a judicial ruling shall be treated as a pre-trial detainee in this law, and all provisions contrary to this shall be repealed" Article (38) of the same law stipulates that "Every convicted person shall have the right to correspond with his family to visit him, in accordance with the internal regulations and pre-trial detainees have this right without prejudice to the provisions of the Code of Criminal Procedure regarding them in this regard."

Article (3 bis) of Law No. 162 of 1958 on the State of Emergency, as amended by Law No. 50 of 1982, stipulates that «... The detainee shall be treated as a pre-trial detainee....».

In terms of the above provisions, the legislator decided to treat anyone who is deprived of his freedom without a judicial ruling as a pretrial detainee, and his family has the right to visit him to check on him in accordance with the rules governing this matter, and therefore the detainee is treated as a pretrial detainee and enjoys the same rights prescribed for him.

In terms of the papers, it is established that the son of the plaintiff is detained according to the certificate issued by the Office of the Attorney General dated 13/11/2011 and filed in the case file. The plaintiff submitted a request to visit his son detained in Al-Wadi Al-Jadid Prison, but the papers did not indicate that he made that visit, which was not denied by the administration, which indicates that the administration refused to enable him to visit his son despite the necessity to do so in accordance with the law, which means that the contested decision is contrary to the law, which the court decides to cancel it with the consequent effects] ⁽⁷⁵⁹⁾.

The eleventh topic: The right of the inmate mother to visit her child

The first requirement: Within the framework of Egyptian law

The Egyptian legislator is obligated to facilitate the visibility of the inmate to her child placed in a shelter and bring him to the reform center once a week at the request of the inmate. There was no health impediment, and the visit takes place in a place other than the place prepared for the regular visit in the presence of one of the supervisors of the reform center for a period of two hours at most. This visit is not prevented for any reason related to the behavior of the mother inside the reform center, and that visit is not counted from the regular visits due to the inmate.

The visit shall take place in the place designated for the regular visit and on its dates when the son exceeds fourteen years of age ⁽⁷⁶⁰⁾.

⁷⁵⁹ Administrative Court, Case No. 44986, of the year 65, issued at the hearing of March 15, 2016.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%)

The second requirement: within the framework of international conventions

The Bangkok Rules stipulate that an open meeting between mother and child should be allowed, and visits involving children should take place in an atmosphere that makes the visit a positive experience in all respects, especially the behavior of employees, and should be extended for a long period whenever possible ⁽⁷⁶¹⁾.

Criticism

Taking care of the rights of the child, the Egyptian legislator has done well in granting the right to the inmate mother to visit her child for a long period of up to two hours, and that that visit takes place in places other than those prepared for the regular visit. The legislator also prohibited preventing the child from visiting his mother for any reason related to the mother's behavior inside the reform center.

However, the legislator, on the other hand, has restricted that right by stipulating that the inmate's child must be placed in a shelter, and it follows that the inmate mother, who has children, but is not placed in the shelters, is visited by her children in accordance with the provisions of the regular visit.

This condition has no basis or equivalent in all international conventions.

Recommendations

It is better to protect the child's right to meet his mother, and not to deprive the mother of her child, to apply the rules of the child's visit to his inmate mother, and to allow extended open visits between the inmate mother and her child, in application of the principle of equality between all inmates.

The twelfth topic: The right of the inmate to visit his family outside the reform center

The first requirement: Within the framework of Egyptian law

The legislator authorized the inmate to visit his family outside the reform center, in accordance with the following controls:

(i) if circumstances of force majeure or necessity so require;

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⁷⁶¹ [Rule No. 28 of the Bangkok Rules](#).

(2) The period spent by the inmate outside the reform center for the visit shall not exceed 48 hours in addition to the dates of the distance and organization. The inmate's exit at each visit shall be at nine o'clock in the morning of the day specified for it and he shall return not later than the closing date of the reform center on the evening of the third day. The inmate shall be prevented from leaving on the next visit when its deadline arrives in the event that he is late for his return to the reform center by a period not exceeding 24 hours without an acceptable excuse. The inmate shall be considered a fugitive if he does not return to the reform center after the delay period exceeds 48 hours from the date specified for his return. The Department and the concerned authorities shall be notified of his escape. In all cases, a report shall be made to administratively remove the inmate;

(3) Provided that there is no danger to public security or to his person, that the competent security authority acknowledges that there is no danger to public security to the person of the inmate from going out to visit, and that authority may at any time withdraw its first opinion if there are circumstances that prevent the inmate from leaving the correctional center;

(4) The inmate shall specify the name of the person who will visit him outside the correction center during the period of his stay in the transition period, his place of residence and his connection to it, and the latter shall agree in writing to host the inmate at each visit;

(5) Upon discharging at each visit from the guest's safe deposit, the guest shall be paid an appropriate amount in addition to the corresponding round-trip expenses;

(6) The inmate shall return to the reform center before the expiry of the visit date. If he is delayed without an acceptable excuse, he may be deprived of the next visit or of this benefit, as the case may be⁽⁷⁶²⁾.

The following procedures shall be followed when the inmate leaves the reform and community rehabilitation centers for the visit:

(1) The inmate must submit a written request upon his entitlement to leave the reform center to visit stating his desire to leave;

(2) Upon discharge from the reform center, the inmate shall be given, on each visit, a written permit affixed to his photograph, indicating his name, the type of charge against him, the duration of his sentence, the date of the beginning of his imprisonment, the date specified for his release, the name of the person to whom the inmate is going to visit, his relationship with the inmate and his place of residence, the date of his discharge from the reform center, the hour and the date on which he is

⁷⁶² Article (85) bis of the Internal Regulations for Reform and Community Rehabilitation Centers added by the Minister of Interior Decision No. 765 of 1974, and Article (85) of the Internal Regulations for Reform and Community Rehabilitation Centers, as amended by the Minister of Interior Decision No. 345 of 2017 and amended by the Minister of Interior Decision No. 1058 of 2008, and the Minister of Interior Decision No. 765 of 1974.

scheduled to return. The inmate shall be alerted upon his departure from the reform center to the need to abide by the conditions and duties imposed on him and indicated on the back of the permit.

These obligations are as follows:

(a) The obligation of the inmate not to depart from the path of the road leading directly to the place of residence of the inmate going to visit him;

(b) The inmate's commitment not to leave the specified authority during the period of the visit;

(c) The inmate's keenness not to exceed the period prescribed for his return to the reform center and to hand himself over immediately to the nearest police authority if any circumstance arises that prevents him from continuing his journey or would delay his return to the reform center on time. The competent police authority shall notify the reform center by telephone of the presence of the inmate and take measures to return him.

(3) On the day before the inmate's departure, the management of the correctional center sends a telephone signal to the police authority in whose district the inmate's place of residence is located, to visit him on the date specified for his departure and the time specified for his return to the correctional center for information.

The Minister of Interior may authorize the release of the convict from his detention under appropriate guard to receive the duty of condolence or the marriage of one of his first-degree relatives in order to communicate with his family, unless there is a danger to public security, after consulting the security authorities ⁽⁷⁶³⁾.

The Minister of Interior has granted an additional advantage to every inmate who refused to escape from prison in the period from 28/1/2011 to 10/2/2011, or who surrendered himself to the community reform and rehabilitation centers, police stations and departments, or units of the armed forces, or who surrendered himself to those authorities within fifteen days from 26 February 2011 (the date of publication of the decision of the Minister of Interior), which is his right to visit his relatives outside the prison once every two months during the first year of the transition period, then once every month during the following six months, and then once every fifteen days during the last six months, in accordance with the rules specified in the Law Regulating Community Reform and Rehabilitation Centers and the [Internal Regulations of Community Reform and Rehabilitation Centers](#) ⁽⁷⁶⁴⁾.

The second requirement: within the framework of international conventions

⁷⁶³ [Article No. 85 bis 2 of the Internal Regulations](#) of the [Reform and Community Rehabilitation Centers](#), added by Minister of Interior Decision No. 3320 of 2014.

⁷⁶⁴ Article 1 of the Minister of Interior's Resolution No. 335 of 2011.

International covenants oblige the prisoner, if circumstances permit, to go under guard or alone to that person's clinic if his health condition is critical, and he must also be allowed to attend the funeral of one of his close relatives or whom he cares about in the event of his death⁽⁷⁶⁵⁾.

The event must also be given the opportunity to participate in the funeral of the deceased member of his immediate family or to visit his seriously ill relative⁽⁷⁶⁶⁾.

The European Court of Human Rights ruled that Latvia must pay compensation to a prisoner who was denied leave by the prison administration to attend his father's funeral:

Summary of Judgment: In the Chamber's judgment today *Osis v. Latvia* (Application No. 12879/09), the European Court of Human Rights held, by a majority of five votes to two, that there were:

Violation of Article 14 (prohibition of discrimination) in conjunction with Article 8 (right to respect for private and family life) of the European Convention on Human Rights.

The case concerns a prison inmate who complained that he was not allowed to attend his father's funeral under a law regulating prison systems that discriminated in favour of women.

The court found that men and women who committed a serious crime and received the same punishment were treated differently. Men were automatically placed in the highest security category and held in closed prisons, while women went to partially closed, less restrictive prisons.

The law meant that the plaintiff was automatically barred from attending the funeral, whereas the woman would have had such a possibility. He did not make any individual assessment of the proportionality of this prohibition and suffered discrimination in violation of the Convention.

Key Facts (Facts): The applicant, Martić Jess, is a Latvian citizen born in 1981 and lives in the Ventspils region (Latvia).

Mr. Osis was sentenced to 20 years in prison for kidnapping, aggravated homicide and extortion in 2001. Under the legislation in force, he began his sentence in 2002 as a high-security prisoner in a closed prison. Subsequently apply to the Medium Security category at the same facility.

In 2008, Mr. Oasis complained to the authorities that male and female prisoners convicted of the same crimes and sentenced to the same prison were treated differently when serving their sentence. In particular, women were initially placed in partially closed rather than closed prisons, allowing them to more quickly obtain certain privileges, such as leave.

The Department of Justice dismissed his complaint, citing the Enforcement of Sentences Act and the fact that the legislature had decided that men and women should be treated differently when it

⁷⁶⁵ Paragraph 2 of Rule 44 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 70 of the Nelson Mandela Rules](#).

⁷⁶⁶ [Rule No. 58 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

came to enforcing prison sentences. There was no discrimination as the rights of both genders were restricted and both were deprived of their freedom.

Mr. Cis filed three complaints with the Constitutional Court in 2008 about alleged discrimination against male prison inmates, as women who had committed the same type of offenses were serving the same sentence in more lenient conditions under the law.

The Constitutional Court refused to initiate proceedings on any of the complaints on the basis of insufficient legal reasoning. Among other things, I found that Mr Osis failed to identify why differences in the legal treatment of men and women were not allowed and why male and female prisoners convicted of the same offences were in similar situations.

His third complaint to the Constitutional Court, in October 2008, included the fact that he was not allowed to attend his father's funeral, whereas a prisoner in the same position would have been allowed to do so.

Complaints, Procedures and Composition of Court: The Claimant complained that men and women convicted of the same offence were treated differently when it came to the prison regime applied to them, particularly in relation to the right to prison leave, which meant that he did not do so. He was able to attend his father's funeral. It was based on Article 14 (prohibition of discrimination) in conjunction with Article 8 (right to respect for private and family life), Article 5 (right to liberty and security) and Article 10 (freedom of expression).

The application was submitted to the European Court of Human Rights on 12 December 2008.

The judgment was rendered by a chamber of seven judges composed as follows: Angelica Nosberger (Germany), President, Yonko Grozhev (Bulgaria), Andrei Potoki (France), Ciofra O'Leary (Ireland), Martius Metz (Latvia), Gabriel Koczko-Stadelmeyer (Austria), Lado Shantoria (Georgia), as well as Milan Plashko, Deputy Registrar of the Division.

Court Decision: The Court decided to deal with the case under Article 14 in conjunction with Article 8. It also rejected a preliminary objection by the government that the plaintiff had not exhausted domestic remedies. In particular, in dismissing Mr Osis's third case, the Constitutional Court expressed, at least in part, its position on the substance of his complaint.

On the merits, the Court noted that it had consistently held that Article 14 could apply if persons in a similar or closely related situation were treated differently. This was the case of Mr Osis, which concerned men and women who had been convicted of particularly serious or serious offences, the application of prison regulations and their impact on the family life of prisoners.

Not all differences in treatment have violated Article 14, but there must be a legitimate aim, and the means used must be proportionate to the aim.

The government said that treating men and women differently in prison was justified by the fact that women prisoners had distinct needs. The court accepted this argument in part, especially when it came to motherhood. However, any measures still have to be proportionate.

The court noted that under the Enforcement of Sentences Act, Mr. Osis was not allowed to attend his father's funeral because he was a medium-security prisoner in a closed prison.

No other considerations were taken into account when the authorities refused to grant him leave. However, a woman convicted of the same crimes is automatically placed in a partially closed prison and, having served the same sentence and applied to the same level of security, will be eligible for leave.

The government said female prisoners were less violent, but did not support this argument with specific data. In any case, the court could not accept that all male prisoners were so much more dangerous that there was no need for an individual risk assessment.

Furthermore, the Committee for the Prevention of Torture (CPT) has criticized Latvia's system of establishing advance procedures specific minimum periods under different prison security regulations, stating that it is up to the prison authorities to decide on these arrangements, based on agreed criteria and individual assessments of inmates.

The Court shared the Government's view that female prisoners should not face unduly harsh prison conditions, but that the same also applied to men. While Article 8 does not guarantee leave from prison to attend a funeral, local authorities have yet to assess these requests on their merits. In addition, European prison policy has increasingly emphasized rehabilitation, with the importance of family ties in aiding gender reintegration.

The court concluded that while some differences in treatment could be justified, the blanket ban on males leaving prison, even to attend a funeral, did not help meet the special needs of female detainees. The refusal to assess Mr. Osis's request to attend the funeral because of the prison system based on his gender had no objective and reasonable justification, and he therefore suffered discrimination and violation of his rights under the Convention. Just satisfaction (Article 41).

The court ruled by a majority of five votes to two that Latvia would pay the plaintiff 3,000 euros (EUR) in respect of the non-pecuniary damage.

Separate opinions: Judges Grozev and O'Leary expressed a joint dissenting opinion attached to the judgment]⁽⁷⁶⁷⁾.

⁷⁶⁷ Judgment of the European Court of Human Rights in Application 12879/09.

Criticism

It is clear from the above that the decision to allow the inmate - during the transition period - to visit his relatives outside the reform center is subject to the discretionary authority of the director of the reform center based on the opinion of the General Security. The legislator also restricted the right of the inmate to leave his prison to receive condolence or to contract a marriage with one of his relatives of the first degree that there is no danger to public security, as required by the survey of the opinion of the security authorities, and that the decision, in this case, is issued by the Minister of Interior.

The Egyptian legislator did not set up any mechanism to file a grievance against the decision to refuse the inmate to go out to visit his family outside the reform center.

Recommendations

The Egyptian legislator must intervene to establish a mechanism to grant the inmate the right to file a grievance against the decision to refuse him to leave the reform center in the legally prescribed cases, and his right to expeditiously adjudicate his grievance, for example, allowing the inmate to file a grievance against the decision of the Minister of Interior or the director of the reform center to refuse him to leave the reform center to the Public Prosecution, which may decide on this grievance expeditiously, balancing the reasons expressed by the inmate for his request to leave the reform center, and the security considerations expressed by the Minister of Interior or the director of the reform center in support of his decision to refuse the inmate's exit in the legally prescribed cases.

The thirteenth topic: The right of the inmate to meet with his lawyer in private

The first requirement: Within the framework of Egyptian law

The legislator allowed the inmate's lawyer to meet with him in private, whether at the invitation of the inmate or at the written request of the lawyer, after obtaining permission from the Public Prosecution or the investigating judge in the cases he is assigned to investigate. This visit or interview takes place in the offices of one of the officers of the Reform Center⁽⁷⁶⁸⁾.

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This visit takes place in the designated place in the reform center in the presence of one of the supervisors of the reform center during the visit of the inmates and one of the supervisors of the reform center during the visit of the inmates ⁽⁷⁶⁹⁾.

The lawyer of the pretrial detainee shall also be authorized to meet with him in private, provided that written permission is obtained from the Public Prosecution, whether the interview is at the request of the detainee or the request of his lawyer ⁽⁷⁷⁰⁾.

The Constitution prohibited the initiation of the investigation of the pre-trial detainee except in the presence of his lawyer, with the assignment of a lawyer to him if he does not have a lawyer ⁽⁷⁷¹⁾.

The Administrative Court of Justice ruled that the Constitution, in article 54, reproduced every provision of the Code of Criminal Procedure that allows the investigation of the accused in the absence of the defender: [The Constitution established the structure of the state on the basis of the rule of law, in the organization of state authorities and in the treatment of its authorities with citizens, and the systems of the judicial authority to be based on achieving justice by adjudicating disputes and judging those accused of committing crimes, and the Constitution assigned the Public Prosecution the competence to investigate crimes and initiate and initiate criminal proceedings, except for those excluded by law. The Constitution also stipulates that the legal profession is a free profession that participates with the judiciary in achieving justice and the rule of law and ensuring the right of defense. The Constitution guarantees lawyers the guarantees and protection due to them while performing the right of defense before the courts and before the investigation and inference bodies.

⁷⁶⁹ [Article 39 of the Law Regulating Correction and Community Rehabilitation Centers, and Article 53 of the Lawyers Law.](#)

⁷⁷⁰ [Article 70 of the Bylaws of the Reform and Community Rehabilitation Centers.](#)

⁷⁷¹ [Article No. 39 of the Internal Regulations of the Geographical Correction and Rehabilitation Centers, and Article No. 141 of the Criminal Procedure Law as amended by Law No. 353 of 1952 regarding the repeal and amendment of some articles of the Criminal Procedure Law.](#)

The third paragraph of [Article 54 of the Constitution.](#)

The lawyer is the judge and the member of the Public Prosecution to bear the burden of administering justice. The right is clear only if the balance between the power of accusation and the right of defense is right. Accusation without it may lead to abuse and arbitrariness, and it distances from the correct concept of justice. Justice is the entity and essence of the state that is based on the rule of law, and if the member of the prosecution represents the authority of the state in its investigation and what The lawyer in the performance of the duties of the right of defense represents the authority of conscience, as he appears before the investigation body and before the court in his individual capacity, and works within the limits of his personal responsibility to perform the right of defense within the limits of the law.

Whereas the Constitution guarantees the defendants the right to defense at the stage of investigation and at the stage of trial, and the Code of Criminal Procedure guarantees them this right, and the Constitution guarantees every defendant the right to communicate with his lawyer immediately after restricting his freedom, and prohibits the investigation of any defendant except in the presence of a lawyer assigned to him, and if he does not have a lawyer, the investigation body must assign a lawyer to defend him in the manner stipulated in Article (54) of the Constitution, and the Constitution copies the text of Article (54) every text in the Code of Criminal Procedure that allows the investigation of the defendant in the absence of his defender, The Constitution also prohibits the trial of the accused in crimes in which imprisonment is permissible except in the presence of a lawyer assigned or assigned. The duty of defense is divided between the investigation authority and the court on the one hand and the lawyer on the other hand. For the investigation authority and the court, it is a duty of empowerment. For the lawyer, it is a duty to perform. The investigation authority must enable the person under investigation to contact his lawyer, and not start the investigation with the person except in the presence of his lawyer, and to assign him a lawyer if he does not have a lawyer. The court is also obligated to assign a lawyer to the accused if he does not have a lawyer, during This obligation does not stop at the formal presence of the defender of the accused at the investigation stage and the trial stage, but the investigation authority and the court must enable the lawyer to contact the accused and to view the investigations and papers, and to show all aspects of defense that he deems appropriate and to respond to them or reject them within the limits of the law. As for the lawyer, he has the duty to defend the accused, whether he is assigned by him or delegated by the investigation authority or the court to defend him, and to strive his best efforts and estimate his energy to defend him. The lawyer, once he accepted the power of attorney or the assignment, became obligated according to the text of the Constitution and the law to bear the burdens of defending the accused. The legislator arranged for his default if he failed to perform this duty, he could be punished criminally and disciplinarily. The [Advocacy Law](#) guarantees the lawyer the right to be treated by the courts and the investigation authorities with due respect for his profession. It also guaranteed him

the right to access the lawsuits and judicial papers and obtain data related to the lawsuits he was pursuing. The legislator obligated all courts, prosecution offices, police departments and other bodies before which the lawyer exercises his task to provide him with the facilities required to carry out his duty and enable him to view the lawsuits. papers, obtaining data, attending investigations with his client, and achieving all of this is related to legal obligations that they have to fulfill and achieve.

Whereas all state facilities, including the headquarters of the courts and the Public Prosecution, were established to serve citizens, and citizens must have access to them to serve their interests, and it is not permissible for them to be prevented from entering them or to be prevented between them, or to put obstacles and procedures that make it difficult for them to enter those facilities to receive the services they provide, and citizens have the right to receive good treatment in them, and to find appropriate places to wait for them, and courts and prosecution offices are the arena of lawyers practicing their mission at their headquarters and performing the duty of defending the accused, Every lawyer has the right to enter the premises of the courts and the Public Prosecution with full dignity and not restricted to enter or carry out the duties of his profession of attending the investigation or trial or access to investigations or cases and other work necessary for the performance of his work in the defense of the accused or required by the tasks of his profession. If the right of defense is one of the constitutional rights, the legislator does not have the right, when organized, to restrict it in a way that affects its origin and essence. A fortiori, the administrative authority does not have an administrative decision to restrict the exercise of this right, even indirectly, because the right is guaranteed in the Constitution It includes guaranteeing all its obligations and prevents any violation of it or what is required for the performance of this right, and placing restrictions on the lawyer's entry to the court premises and the Public Prosecution and on the administrative work that the law must ensure for him does not only affect the right of the lawyer, but also detracts from the rights of the accused, and they are those for whose benefit the right of defense is initiated to protect their freedom, and the defense is a reassurance spread in the same accused by the presence of his defender next to him, and the lawyer cannot convey the feeling of reassurance to the accused and he is unable to contact him or enable him to gather the means of defending him.

In terms of the fact that the judiciary of Egypt has never been isolated from its people, material isolation or intellectual isolation that prevents it from realizing the suffering of people, the doors of the courts and the Public Prosecution have always been open to citizens, and the people of Egypt have settled in the certainty that the judiciary is the refuge of the oppressed and the support of the weak, and that the right, if lost anywhere else, is inviolable in the hands of judges, and that justice, if absent or absent, is present in the judgments of the judiciary, and judges have left Egypt as a deposit of the values of the independence of the judiciary and the preservation of the principles of justice in

substance and form, so that those who follow the judiciary learn that there is no fear of the right except from God, and Egypt has witnessed flags of lawyers who have vowed their lives to defend the right and seek justice, and judges have known their status, and lawyers have preserved the status of judges, their supporters and defended them against every attack on their jurisdiction or independence.

Whereas, starting from the appearance of papers and from the photographs attached to the case file, the administration authority prevented the entry of lawyers in the usual way to the State Security Prosecution in the Fifth Settlement in Cairo and forced them to stand in the public street outside the fence of the building in accordance with what is established from the source - to submit their requests and serve the interests of their clients. The plaintiffs in this lawsuit - who are all lawyers - sent telegraphic telegrams - attached to the papers are true copies of them - to the defendants, in which they mentioned the facts that prevented them from entering the prosecution building with the knowledge of the security forces. Preventing them from meeting with prosecutors to follow up the cases of their agents and from completing their work and transactions, and forcing them to submit their requests from outside the iron fence that surrounds the building, and asking the defendants in their capacity to issue a decision to avoid this course and allow them to enter the building and end the case of preventing them from entering the aforementioned public prosecution building, and the Defendant did not deny what the plaintiffs said, and did not provide evidence that it took the necessary measures to end this situation, which forces lawyers not to enter the prosecution headquarters and to submit their applications while standing in the street outside the walls of the prosecution building, and did not provide evidence It has removed the obstacles referred to and allowed lawyers to enter the building to carry out their work related to defending the defendants, attending investigations with them, and completing their other work of reviewing investigations, obtaining certificates, and other work required by the duty to defend the defendants. The conduct of the defendant administration in this regard constitutes, according to the papers, a negative decision that is contrary to the Constitution, the Criminal Procedure Law, and the Lawyers Law, and violates the rights of lawyers and violates the right of defense, and the ruling to cancel the contested decision is likely when deciding on the cancellation request, which achieves the corner of seriousness, The corner of urgency is also achieved because the implementation of the contested decision has irreversible consequences for the resulting violation of constitutional rights protected by and within the Constitution, and a ruling must be issued to stop the implementation of the negative decision of the administration authority to refrain from enabling the plaintiff and the interveners to enter the prosecution building to carry out the work of their profession, and to lift every ban that prevents them from entering the building or forces them to stand on the street outside the walls of the prosecution building to submit applications for the work of their profession, or disrupts or hinders their entry to attend investigations with the

defendants as long as their characteristics and interests are in entering the aforementioned building to complete the work they wish to carry out fixed and standing] ⁽⁷⁷²⁾.

This ruling was confirmed by the ruling of the Supreme Administrative Court, which ruled that: [Egypt's current constitution, issued on January 18, 2014, stipulates in Article 1 that: "The Arab Republic of Egypt is a state (...) whose democratic republican system is based on citizenship and the rule of law." Article (54) stipulates that: "Personal freedom is a natural right..... No one may be arrested, searched, imprisoned, or his freedom restricted by any restriction except by a reasoned judicial order required by the investigation. Any person whose freedom is restricted must be informed immediately of the reasons for this, informed of his rights in writing, enabled to contact his family and his lawyer immediately, and submit to the investigating authority within twenty-four hours from the time of restricting his freedom. The investigation with him shall not commence except in the presence of his lawyer, and if he does not have a lawyer, he shall be assigned a lawyer, with the provision of the necessary assistance to persons with disabilities, in accordance with the procedures prescribed by law (...). In all cases, the accused may not be tried in crimes for which imprisonment is permissible except in the presence of a lawyer assigned or assigned. In Article (92): "..... It is not permitted for any law regulating the exercise of rights and freedoms to restrict them in a way that affects their origin and essence. " Article (96) stipulates that: "The accused is innocent until proven guilty in a fair legal trial in which he is guaranteed the guarantees of self-defense.....". In Article (98): "The right to defend in person or by proxy is guaranteed. The independence of lawyers and the protection of their rights are a guarantee of the right of defense. The law guarantees to those who are financially unable the means to resort to the judiciary and defend their rights. "Article (198) stipulates that: "Lawyers are a free profession that participates with the judicial authority in achieving justice and the rule of law, ensuring the right to defense, and practiced by the lawyer independently..... All lawyers, while exercising the right to defend before the courts, enjoy the guarantees and protections established for them in the law, with their application to them before the investigation and inference bodies..... ".

In terms of the Code of Criminal Procedure promulgated by Law No. 150 of 1950 stipulates in Article (124) that: "The investigator of felonies and misdemeanors punishable by imprisonment shall not interrogate the accused or face him (...) except after inviting his lawyer to attend (...) If the accused does not have a lawyer, or his lawyer does not attend after his invitation, the investigator shall, on his initiative, assign him a lawyer. The lawyer may record in the minutes whatever pleas, requests, or observations he may have..... ". Article (125) stipulates that: "The lawyer must be allowed to view the investigation on the day before the interrogation or confrontation unless the judge decides otherwise. In all cases, the accused and his lawyer present with him during the investigation shall not be separated. " In Article (141): "The Public Prosecution and the investigating judge in the cases assigned to be investigated in all cases may order that the detained accused does not communicate with other

⁷⁷² Administrative Court, Case No. 9226 of 70 S, issued at the session of 21 June 2016, unpublished.

prisoners, and that no one visits him, without prejudice to the right of the accused to always communicate with his defender without the presence of anyone." Article (375) stipulates that: "Except in the case of an excuse or impediment that proves its validity, the lawyer, whether he is assigned (...) or assigned by the accused, shall defend the accused at the hearing or appoint a substitute. Otherwise, he shall be sentenced by the Criminal Court to a fine (...) without prejudice to the disciplinary trial if the case requires.».

In terms of the Advocacy Law promulgated by Law No. 17 of 1983, it stipulates in [Article \(1\)](#) that: "Advocacy is a free profession that participates with the judicial authority in achieving justice and in affirming the rule of law and in ensuring the right to defend the rights and freedoms of citizens....". In [Article \(49\)](#): "The lawyer has the right to be treated by the courts and other bodies before which he appears with due respect for the profession...". [Article \(52\)](#) stipulates that: "The lawyer has the right to view lawsuits and judicial papers and obtain data related to the lawsuits he initiates. All courts, prosecution offices, police departments, real estate registry offices, and other bodies before which the lawyer exercises his profession shall provide him with the facilities required to carry out his duty, enable him to view the papers, obtain data, and attend the investigation with his client for the provisions of the law. His requests may not be rejected without legal justification... "

In terms of the above, the Constitution has devoted Chapter Four of it to the rule of law, specifying the rules without which the rule of law does not exist, which are complementary to each other, and indicating that the rule of law in the state is the focus of its legal system and the basis of its legitimacy. It is not permissible for it to violate the rights that are recognized in democratic countries as a primary assumption for the establishment of the legal state, and a basic guarantee for the preservation of human rights and dignity, all in the belief that democracy is a way, a future and a way of life, and an affirmation that the people - alone - are the source of authorities. And that freedom, human dignity and social justice are the right of every citizen, and that the exercise of its powers is no longer a personal privilege for anyone, but it exercises them on behalf of the group and for its benefit, restricted by legal rules that are superior to it, and protect it from being unbridled to ensure that it is returned on its heels if it exceeds its borders, as the sovereignty of the people is in the homeland of a master, and the Constitution has established the judicial authority to achieve justice by adjudicating disputes, issuing judgments in accordance with the law, and making interference in the affairs of justice or cases a crime that does not fall under the statute of limitations, and assigned the Public Prosecution - which is an integral part of the judiciary - the mandate to investigate crimes, move and proceed with the case Except for what is excluded by the law, the Constitution also stipulates that the legal profession is a free profession that participates with the judicial authority in achieving justice, seeking the truth, seeking the legal means that help it investigate it, and communicating rights to its

families in a way that establishes its balance of justice. The Constitution guarantees them the due guarantees and protection during their performance of the right of defense before the courts and before the investigation and inference bodies, which cannot be separated or isolated from the right to litigation, because the right of defense is closely related to the judicial litigation from the point of view of clarifying its aspects, correcting its course, following up its procedures and presenting its arguments in a manner that The support of its pillars, the response to what opposes it, and the management of a capable defense shall ensure the right to face the important issues raised by the judicial litigation, especially through the trade-off between multiple alternatives that are likely to be the most relevant to it and the most likely to win it, while supporting it with productive papers. Since the Constitution strengthens it to ensure the defense in this manner, it is not permissible for the executive authority to waste this right or reduce its content in a way that disrupts or limits its effectiveness, revealing that the defense guarantee is no longer a luxury that can be overridden. Adhering to its formal goals without delving into its objective facts, is considered a retreat from its true content, a collision with the meaning of justice, contrary to its requirements, and that denying, restricting, or obstructing the guarantee of defense, which takes it beyond its intended purposes, is nothing but a subversion of justice itself in a way that prevents it from standing together on its feet, whether its veto or obstruction is directed to the right of defense in person, which guarantees the right of every individual to present his point of view on the incident in question, indicating the rule of law in its regard, Or was it related to the defense by proxy when the person resides by choice a lawyer who reassures him of his experience and abilities and sees his confidence in him more capable of securing the interests he aims to protect, and that the current constitution, after deciding the origin of the right to guarantee the defense - in person or by proxy - has taken a step further by approving the second paragraph of Article (98) of it, which stipulates that the state guarantees to those who are financially unable the means to resort to the judiciary and defend their rights, entitling the legislator to decide the appropriate means by which the indigent are appointed to preserve their rights and freedoms by securing the guarantee of their defense, as the right does not appear clearly unless the balance between The power of accusation and the right of defense, there is no value in guaranteeing defense away from the right of access to the headquarters of the Public Prosecution and the courthouses of the judiciary. Therefore, lawyers must exercise their profession in an independent manner, in which there is no authority over them except for their conscience and the rule of law, and to overcome all difficulties and obstacles so that they are able to manage the affairs of the cases they are assigned to defend. Otherwise, the right of defense and its implementation is behind silent walls, because the rights assigned by the Constitutions and legal systems lose their practical significance if those responsible for upholding them cannot access or apply them. Without active enforcement, constitutional provisions remain static, merely words on paper. They come to life only when their

boundaries are respected through consistent application, enforcement, guidance, and reliance, ensuring they are not confined to mere text. Whereas the current Constitution of Egypt, in the text of Article (54), copies every text in the Code of Criminal Procedure that allows the investigation of the accused in the absence of the defender, and therefore it is the responsibility of the Public Prosecution to enable those with whom the investigation is conducted to contact their lawyers, and not to start the investigation with them except in their presence, and to facilitate the means of communication with them, and to enable them to know all the evidence and evidence regarding the accusation against them, and to facilitate their access to all papers and investigations, and to allow them time It is necessary to provide all aspects of defense and defenses that he deems appropriate in order to reach the truth, and if the duty of the lawyer is to defend the accused, whether he is assigned by him or delegated by the investigation authority or the court, and to do what he can and to the best of his ability to perform his mission, it is the responsibility of the administrative authorities at the headquarters of the courts, the Public Prosecution, the police and other public facilities to provide him with all the facilities required to carry out his mission in the required manner, and to put in place means and devices that preserve his dignity, and therefore if the administrative authority places any obstacles or obstacles that would prevent the lawyer From entering the previously mentioned premises or if his entry to them affects or undermines his dignity, it thus violates a constitutional right that the legislator, when regulating it, does not have the right to restrict it in a way that affects its origin and essence. A fortiori, the administrative authority does not have the right to restrict it in a way that destroys its content, or obstructs it to prevent it from exercising its scope in a way that narrows its scope. If the administration violates the constitution in this regard, whether intentionally or inadvertently, it must be corrected and returned to the seriousness of rightness and legitimacy.

In terms of the foregoing, and since it is clear from the appearance of the papers, and from the photocopies attached to the appeal file, that the administration authority prevented the lawyers from entering the headquarters of the State Security Prosecution in the Fifth Settlement in Cairo according to the usual ways, and forced them to stand in the public street outside the building wall to submit their requests, practice their message, and serve the interests of their clients, and the appellee - all of them lawyers - sent telegraphic telegrams attached to the papers, photocopies of them - to the appellants "in their capacity", in which they mentioned the facts of preventing them from entering the Public Prosecution building with the knowledge of the security forces and preventing them from meeting with prosecutors to follow up the cases of their agents or to accomplish their work, and forcing them to submit their requests from outside the wall surrounding the aforementioned building, and the administrative authority did not issue a decision enabling them to enter the Public Prosecution building, and did not provide proof that it took the necessary measures to remove and overcome the obstacles referred to preserve the lawyers' dignity, and that they can perform their message with

ease, the conduct of the appellant administration authority in the advanced manner is contrary to the Constitution and the law.

If the contested judgment goes to this doctrine, it shall have been issued in accordance with the provisions of the Constitution and the law, and then it is necessary - and this is the case - to rule to reject the appeal] ⁽⁷⁷³⁾.

It is also prohibited to seize the papers and documents that the detainee may hand over in reserve to his lawyer, as well as the correspondence exchanged between them in the case ⁽⁷⁷⁴⁾.

Whereas Article No. 46 of the Regulations of the Community Correction and Rehabilitation Centers prohibits visiting the inmate or pretrial detainee within the first ten days of entering the correctional center or place of detention in order to place him under health examination ⁽⁷⁷⁵⁾.

However, this text does not justify preventing the lawyer of the inmate or pre-trial detainee from meeting with his defender. Article 124 of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D8%A1%D8%A7%D8%AA-%D8%A7%D9%84%D8%AC%D9%86%D8%A7%D8%A6%D9%8A%D8%A9#h.58hn265myccmthe> Criminal Procedure Law granted the accused the right to always communicate with his defender. Therefore, the text of Article 46 of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.lhtlfxqvjem6> Internal Regulations of the Correction and Community Rehabilitation Centers grants the director of the

⁷⁷³ Supreme Administrative Court, Appeal No. 82156 of 62 S issued on September 9, 2017.

⁷⁷⁴ Article 96 of the Code of Criminal Procedure.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.lhtlfxqvjem6> 46 of the Internal Regulations of the Reform and Community Rehabilitation Centers, as amended by Minister of Interior Decision No. 3320 of 2014.

Correction and Rehabilitation Center the right to prevent the accused from contacting his lawyer within the first ten days of his detention inside the correctional center due to his placement under health testing, which is a violation of the right of the accused or pre-trial detainee to defense.

Whereas [Article No. 64 of the Internal Regulations of the Correction and Community Rehabilitation Centers](#) does not authorize convicts to visit until one month has elapsed from the date of the commencement of the sentence, we believe that this does not prejudice the right of the inmate to visit his lawyer at any time, in accordance with the provisions of [Article No. 39 of the Law on the Organization of Correction and Community Rehabilitation Centers](#), as well as [Article No. 53 of the Law on Advocacy](#) ⁽⁷⁷⁶⁾.

We also believe that the imposition of a disciplinary penalty on the inmate or pre-trial detainee by solitary confinement or placement in a high-security room shall not prejudice the right of the inmate or pre-trial detainee to meet with his lawyer and to be alone with him.

It is also noted that neither the text of [Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.79t3anna5i71>](#) 39 of the Law Regulating Correction and Community Rehabilitation Centers, nor [Article 53 of the \[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.jjtfmwjgi3de\]\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A6%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.jjtfmwjgi3de\)](#) 64 of the bylaws of the [Law Regulating the Reform and Community Rehabilitation Centers](#), as amended by the decision of the Minister of Interior No. 1058 of 2008, the decision of the Minister of Interior No. 2270 of 1973, the decision of the Minister of Interior No. 1582 of 1973, [Article 39 of the Law Regulating the Reform and Community Rehabilitation Centers](#), [Article 53 of the Lawyers Law](#).

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Article

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.jjtfmwjgi3de> 64 of the bylaws of the [Law Regulating the Reform and Community Rehabilitation Centers](#), as amended by the decision of the Minister of Interior No. 1058 of 2008, the decision of the Minister of Interior No. 2270 of 1973, the decision of the Minister of Interior No. 1582 of 1973, [Article 39 of the Law Regulating the Reform and Community Rehabilitation Centers](#), [Article 53 of the Lawyers Law](#).

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D9%85%D8%AD%D8%A7%D9%85%D8%A7%D8%A9#h.x8cbzq27rxfa>
Lawyers Law, restricted the right of the inmate to visit his lawyer with a certain number of visits or a specific time for the duration of the visit, or the requirement of a state of necessity to grant such a visit.

The second requirement: within the framework of international conventions

According to the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, the competent authority must inform the detainee immediately after his arrest of his right to the assistance of a lawyer with facilities, and he shall have the right to a lawyer appointed by him who has a judicial authority, if he does not have a lawyer of his own choosing, and without paying anything if he does not have sufficient resources to do so ⁽⁷⁷⁷⁾.

As stipulated in the Basic Principles on the Role of Lawyers ⁽⁷⁷⁸⁾.

⁷⁷⁷ <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.cs2rmj4gv9ds> 17 of the Body of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.cs2rmj4gv9ds> Principles for the Protection of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.cs2rmj4gv9ds> All Persons under Any Form of Detention or Imprisonment.

⁷⁷⁸ Adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Havana from 27 August to 7 September 1990, Principles 1, 2, 3, 4 and 7 of the Basic Principles on the Role of Lawyers.

A detained or imprisoned person has the right to communicate and consult with his lawyer, and to have adequate time and facilities to consult with his lawyer. It is prohibited to suspend or restrict that right, except in exceptional circumstances specified by law or regulations if this is unavoidable for the maintenance of security and good order.

Interviews between the detained or imprisoned person and his lawyer may be in the sight of a law enforcement officer, but they may not be in the hearing of him. Respect for the confidentiality of communications and consultations between lawyers and their clients must be ensured. It is also prohibited to use communications between the detained or imprisoned person and his lawyer as admissible evidence against him, unless they are related to an ongoing crime or a crime planned ⁽⁷⁷⁹⁾.

The accused, to defend himself, is authorized to request the nomination of a lawyer appointed by the court free of charge when the law provides for this possibility, to receive visits from a lawyer in preparation for his defense, and to deliver confidential instructions to him. To this end, he shall have the right to be given writing tools if he so requests. Interviews between the accused and his lawyer may take place within the sight of the policeman or prison employee, but without being within his hearing ⁽⁷⁸⁰⁾.

All those arrested, detained, or imprisoned must be provided with sufficient opportunities, times and facilities for a lawyer to visit them, talk to them, and consult them, without delay, interference or monitoring, and in full confidentiality. Such consultations may take place within sight, but not within the hearing, of law enforcement officials.

779 Principle No. 8 of the Basic Principles on the Role of Lawyers, and Principle No. 18 of the [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.jgqlebv78spaBody](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.jgqlebv78spaBody) of Principles for the [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.jgqlebv78spaForm](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.jgqlebv78spaProtection) of Detention or Imprisonment.

780 Rule 93 of the Standard Minimum Rules for the Treatment of Prisoners.

Governments shall ensure and respect the confidentiality of all communications and consultations between lawyers and their clients within the framework of their professional relations ⁽⁷⁸¹⁾.

A prisoner, or a prisoner who is not a court, must have access to effective legal aid, and the prisoner or prisoner who is not a court must be given the opportunity, time, and facilities necessary to be visited, spoken to, and consulted by his lawyer or legal aid provider without delay, eavesdropping, or censorship, and this must be done in strict confidentiality. Such a visit may be conducted under the eyes of prison staff, but not within the hearing of them, provided that the prison administration facilitates access to the services of an independent competent interpreter for those prisoners who do not speak the local language ⁽⁷⁸²⁾.

781 Principles 8, 22 of the Basic Principles on the Role of Lawyers.

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Rules	Nos.	61.
https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.5g66afe94mgr120 of the Nelson Mandela Rules.		

Criticism

We note from the above that the origin in Egypt is that the inmate must meet with his lawyer in private, submit a written request from the lawyer or the inmate and obtain permission from the Public Prosecution or the investigating judge in the cases that he is assigned to achieve for each interview, which limits the effectiveness of the right of defense prescribed for any person.

The Egyptian legislator did not guarantee to everyone whose freedom was restricted the confidentiality of communications and consultations with his lawyer, nor did it prohibit the use of communications between those whose freedom was restricted and his lawyer as acceptable evidence against him.

Recommendations

The Egyptian legislator must allow everyone whose freedom has been restricted to meet with his lawyer, and the prohibition of that interview must be based on serious reasons and strong evidence that it is harmful to security within the reform center based on what the director of the reform center submits to the Public Prosecution, which decides on the decision to refuse to meet the person whose freedom is restricted with his lawyer, with a mechanism for grievance against the decision issued in this regard.

The Egyptian legislator shall also invalidate any evidence against those whose freedom has been restricted obtained from the contacts and consultations he conducts with his lawyers, unless they result from a permission for surveillance issued to the Public Prosecution, and for a specific period.

Chapter Ten: The Inmate's Right to Provide Disciplinary Guarantees before Imposing a Disciplinary Penalty

It is the right and responsibility of prison administrations to maintain security and good order within places of detention while respecting the rights of prisoners and adhering to the principles of necessity and proportionality between violations and the punishment of prisoners.

The law regulating community correction and rehabilitation centers has allocated Articles 43 to 48 to clarify the system of disciplining prisoners. This law specifies the penalties that may be imposed on prisoners, yet it does not define the specific acts that require disciplinary penalties.

The first topic: Types of disciplinary sanctions

The first requirement: Within the framework of Egyptian law

The disciplinary sanctions that may be imposed on the inmate in accordance with the Law on the Organization of Correction and Community Rehabilitation Centers are:

1. Warning;

2- Deprivation of all or some of the privileges prescribed for the inmate's degree or category for a period not exceeding thirty days;

3- Delaying the transfer of the inmate to a higher degree than his grade in the correctional center for a period not exceeding six months if he is sentenced to imprisonment or the correctional center, and for a period not exceeding one year if he is sentenced to life imprisonment or rigorous imprisonment;

4- Reducing the inmate to a lesser degree than his grade in the correctional center for a period not exceeding six months, if he is sentenced to imprisonment or imprisonment, and for a period not exceeding one year if he is sentenced to life imprisonment or rigorous imprisonment;

5- solitary confinement for a period not exceeding thirty days;

6- Placing the convict - provided that he is not less than eighteen years old and not more than sixty years old - in a special high-security room for a period not exceeding six months, while depriving him of all or some of the privileges prescribed for him under the law or internal regulations⁽⁷⁸³⁾.

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[Article](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.o0w0osvy561a> 43 of the Law on the

Whereas the law or its internal regulations did not specify the acts that require the imposition of a disciplinary penalty on the inmate, it singled out the penalty for the situation in a special highly guarded room, and specified guarantees for the imposition of that penalty only⁽⁷⁸⁴⁾.

The value of the items that the inmate causes to be destroyed shall be deducted from his secretariats deposited for his account at the reform center⁽⁷⁸⁵⁾.

The second requirement: within the framework of international conventions

The Standard Minimum Rules for the Treatment of Prisoners and the Nelson Mandela Rules stated that strictness should be applied in maintaining discipline and order, but without imposing more restrictions than necessary to ensure security and the good order of community life⁽⁷⁸⁶⁾.

The United Nations Rules for the Protection of Juveniles Deprived of their Liberty stipulate that the aim of all disciplinary measures and procedures shall be safety and organized social life, instilling a sense of justice, self-respect, and respect for the fundamental rights of each person, and preserving the dignity of the juvenile⁽⁷⁸⁷⁾.

Organization of Correction and Community Rehabilitation Centers, as amended by Law No. 106 of 2015. Article 43 of the Law on the Organization of Correction and Community Rehabilitation Centers provided for the punishment of flogging by flogging an inmate not exceeding 36 lashes. If the age of the inmate is less than seventeen years, the flogging shall be replaced by beating with a thin stick not exceeding ten sticks, in the event of assault on employees entrusted with maintaining order in the correctional center or collective rebellion, or any other case of necessity decided by the Minister of Interior. The punishment of flogging shall not be imposed on female inmates, but the penalty of flogging has been <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-152-%D9%84%D8%B3%D9%86%D8%A9-2001#h.aowldtdksdmocanceled> under Article 1 of Law No. 152 of 2001.

⁷⁸⁴ Articles 39 and 40 of the Internal Regulations of Military Prisons, and Article 1 of the Minister of Interior Resolution No. 74 of 1959 stipulates the cases of necessity in which the punishment of flogging may be imposed, namely:

1. Achieving things likely to cause harm to others or to the security of the correction center;
- 2- Stealing or imitating the keys of the correction center;
3. Escape or attempted escape;
- 4- Assaulting employees who enter the correctional center to perform work related to their job or visitors who have an official status;
5. Deliberately destroying or altering the records of the correctional centre or the papers of inmates;
- 6- Intentionally destroying any of the objects of the repair center, if the value of the damages exceeds one pound;
- 7-Setting fires inside the rooms;
- 8-Deliberately setting fire to the repair center;
- 9- Beating an inmate if the beating causes an injury that needs to be treated.

However, the Minister of Interior's Decree No. 668 of 2002 stipulated the abolition of Ministerial Decree No. 74 of 1959, as well as the abolition of the penalty of flogging wherever it appears in the internal regulations of the Law of Correction and Community Rehabilitation Centers or in the instructions implementing it.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.yu6xnpkc1365> 42 of the Internal Regulations of Military Prisons.

⁷⁸⁶ Rule 27 of the Standard Minimum Rules for the Treatment of Prisoners, and Rule 36 of the Nelson Mandela Rules.

⁷⁸⁷ <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF->

In all cases, all disciplinary measures involving cruel, inhuman or degrading treatment are prohibited, including corporal punishment, placement in a dark cell, confinement in a confined cell or solitary confinement, and any other punishment that may be detrimental to the physical or mental health of the juvenile concerned. It is also prohibited to reduce the amount of food and to restrict or deny contact with family members, for any reason. The employment of the juvenile is always seen as an educational tool and a means of enhancing his self-esteem to qualify him to return to society, and is not imposed as a disciplinary sanction. The juvenile shall not be punished more than once for the same offense that requires discipline. Collective sanctions are prohibited⁽⁷⁸⁸⁾.

The Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment stipulates that the law or legal regulations shall specify the types of conduct of a detained or imprisoned person that constitute disciplinary offences during detention or imprisonment, and a description of the disciplinary penalty that may be imposed and its duration and the authorities competent to impose that penalty⁽⁷⁸⁹⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%85-%D8%A7%D9%84%D9%85%D8%AA%D8%AD%D8%AF%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%A7%D9%84%D8%A3%D8%AD%D8%AF%D8%A7%D8%AB-%D8%A7%D9%84%D9%85%D8%AC%D8%B1%D8%AF%D9%8A%D9%86-%D9%85%D9%86-%D8%AD%D8%B1%D9%8A%D8%AA%D9%87%D9%85#h.ym6deaw7gvj3> 66 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

788 Rule No. 67 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

789 Principle No. 30, paragraph 1, of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment stipulates that the law or legal regulations shall specify the types of conduct of a detained or imprisoned person that constitute disciplinary offences during detention or imprisonment, and a description of the disciplinary penalty that may be imposed and its duration and the authorities competent to impose that penalty⁽⁷⁸⁹⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.6cm8lt9q5mxe> of All Persons under Any Form of Detention or Imprisonment stipulates that the law or legal regulations shall specify the types of conduct of a detained or imprisoned person that constitute disciplinary offences during detention or imprisonment, and a description of the disciplinary penalty that may be imposed and its duration and the authorities competent to impose that penalty⁽⁷⁸⁹⁾.

The Standard Minimum Rules for the Treatment of Prisoners as well as the Nelson Mandela Rules oblige the competent administrative authority to determine in accordance with the law or regulations the conduct that constitutes a disciplinary offence, the types and duration of disciplinary sanctions that may be imposed, and the authority competent to impose those sanctions, as well as any form of involuntary separation from the general prison population, such as solitary confinement, isolation, segregation, special care units, or restricted residence, whether as a disciplinary punishment or to maintain order and security, including issuing policies and procedures governing the use and reviewing or lifting the application of any form of involuntary separation ⁽⁷⁹⁰⁾.

The United Nations Rules for the Protection of Juveniles Deprived of their Liberty stipulate in the legislation or regulations adopted by the competent administrative authorities a definition of conduct that constitutes a disciplinary offense, the types and duration of disciplinary sanctions that may be imposed, the competent authority to impose them, as well as the competent authority to consider petitions for grievance against such sanctions ⁽⁷⁹¹⁾.

It is also prohibited to use any prisoner in work for prison service that involves a disciplinary capacity, but this must be done in a manner that does not hinder the use of prisoners in order to ensure the proper performance of self-governing systems, in which specific social, educational or sports activities or responsibilities are assigned, under the supervision of the administration, to prisoners organized in groups for treatment purposes ⁽⁷⁹²⁾.

It is prohibited to impose work on the juvenile as a disciplinary penalty ⁽⁷⁹³⁾.

A report on the misconduct of the juvenile must be submitted immediately to the competent authority, which must decide on it without any delay after a careful examination of the case ⁽⁷⁹⁴⁾.

[%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.6cm8lt9q5mxeof Detention or Imprisonment.](#)

790 Rule 29 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 37 of the Nelson Mandela Rules.](#)

791 [Rule No. 68 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.](#)

792 Rule No. 28 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 40 of the Nelson Mandela Rules.](#)

793 [Rule No. 67 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.](#)

794 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A7%D9%84%D8%A3%D9%85%D9%85-%D8%A7%D9%84%D9%85%D8%AA%D8%AD%D8%AF%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%A7%D9%84%D8%A3%D8%AD%D8%AF%D8%A7%D8%AB-%D8%A7%D9%84%D9%85%D8%AC%D8%B1%D8%AF%D9%8A%D9%86-%D9%85%D9%86-%D8%AD%D8%B1%D9%8A%D8%AA%D9%87%D9%85#h.ym6deaw7gvj3> Protection of Juveniles Deprived of their Liberty.

Health care personnel shall pay special attention to the health of prisoners subject to any form of involuntary segregation, by visiting them daily and providing them with medical assistance and immediate treatment at their request or at the request of prison staff.

Health care staff must also immediately inform the prison director of any negative effects of disciplinary sanctions or other restrictive measures on the physical or mental health of any prisoner, and inform him of the need to terminate or amend them for any reasons related to the physical or mental health of the prisoner. Health care staff must also be empowered to review cases of involuntary segregation of prisoners and recommend changes to ensure that such segregation does not aggravate the health condition or mental or physical disability of the prisoner⁽⁷⁹⁵⁾.

The Bangkok Rules prohibited the punishment of solitary confinement or disciplinary isolation for pregnant women, women with infants and nursing mothers in prison⁽⁷⁹⁶⁾.

It also prohibited that disciplinary sanctions imposed on female prisoners include preventing them from contacting their families, especially their children⁽⁷⁹⁷⁾.

The second topic: Controls for imposing the penalty of solitary confinement

Both Egyptian law and international conventions are concerned with the imposition of the penalties of solitary confinement or imprisonment in a special room with several controls, which we will address below:

The first requirement: Within the framework of Egyptian law

The law regulating community correction and rehabilitation centers allowed the imposition of the penalty of solitary confinement for a period not exceeding thirty days⁽⁷⁹⁸⁾.

⁷⁹⁵ [Rule No. 46 of the Nelson Mandela Rules.](#)

⁷⁹⁶ [Rule No. 22 of the Bangkok Rules.](#)

⁷⁹⁷ [Rule 23 of the Bangkok Rules.](#)

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.0w0osvy561a> 43 of the Law on the Organization of Correction and Community Rehabilitation Centers, as amended by Law No. 106 of 2015.

The second requirement: within the framework of international conventions

The Basic Principles for the Treatment of Prisoners, issued by United Nations Resolution 45/111 of 14 December 1990, stipulated that efforts must be made to abolish the penalty of solitary confinement or limit its use⁽⁷⁹⁹⁾.

The prison system should not aggravate the suffering inherent in the state of confinement except within the limits of the justifications for isolation or maintaining discipline⁽⁸⁰⁰⁾.

The Standard Minimum Rules for the Treatment of Prisoners prohibited the punishment of the prisoner by solitary confinement or by reducing the food given to the prisoner or any punishment likely to harm the prisoner's physical or mental health except after a doctor's examination of him and his written testimony on the prisoner's ability to bear that punishment⁽⁸⁰¹⁾.

The [Nelson Mandela Rules](#) also considered indefinite solitary confinement, solitary confinement for more than fifteen days, confinement of the prisoner to a dark or lighted cell without interruption, corporal punishment, reduction in the amount of food or drinking water, and collective punishment as cruel and inhuman punishments. These rules distinguished between two types of punishment of solitary confinement, and stipulated that solitary confinement may not exceed 22 hours a day, without making meaningful contact with others. As for prolonged solitary confinement, it may not exceed fifteen consecutive days⁽⁸⁰²⁾.

The Nelson Mandela Rules prohibited the use of solitary confinement except in exceptional cases as a last resort and for the shortest possible period and subject to an independent review of the case, and upon authorization from a competent authority. Solitary confinement is not imposed based on the prisoner's sentence⁽⁸⁰³⁾.

The Nelson Mandela Rules also required the prison administration to take the necessary measures for each prisoner who was subject to segregation in order to mitigate the potential harmful effects of this type of imprisonment on him and his community following his release from⁸⁰⁴ prison.

The United Nations Rules for the Protection of Juveniles Deprived of their Liberty also prohibited the imposition of the punishment of confinement in a narrow cell or solitary confinement on the juvenile, as well as any other punishment that is harmful to his physical or mental health⁽⁸⁰⁵⁾.

⁷⁹⁹ Principle No. 7 of the Basic Principles for the Treatment of Prisoners.

⁸⁰⁰ Rule 57 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule 3 of the Nelson Mandela Rules](#).

⁸⁰¹ Rule 32 of the Standard Minimum Rules for the Treatment of Prisoners.

⁸⁰² [Rule No. 44 of the Nelson Mandela Rules](#).

⁸⁰³ [Rule No. 45 of the Nelson Mandela Rules](#).

⁸⁰⁴ [The second paragraph of Rule No. 38 of the Nelson Mandela Rules](#).

⁸⁰⁵ [Rule No. 67 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

The Bangkok Rules prohibited the punishment of solitary confinement or disciplinary isolation for pregnant women, women with infants and nursing mothers in prison⁽⁸⁰⁶⁾.

The third topic: Controls for the imposition of the punishment of the situation in a special high-security room

The first requirement: Within the framework of Egyptian law

First: Acts that require the imposition of the penalty of the situation in a special heavily guarded room

As for the acts that require the imposition of the penalty of childbirth in a special highly guarded room, they have been specified by the [internal regulations](#) of the [community correction and rehabilitation centers](#) as follows:

- 1- Achieving things likely to cause harm to others or to the security of the reform center.
- 2- Stealing or imitating the keys of the repair center.
- 3- Escape or attempt to escape.
- 4- Attacking one of the employees who enters the correction center to perform work related to their job or one of the visitors.
5. Deliberately destroying or altering the records of the correctional centre or the papers of inmates.
- 6-Deliberately destroying some of the contents of the repair center.
- 7- Setting fire inside the rooms of the repair center.
- 8-Deliberately causing a fire at the repair center or its facilities.
- 9- Beating an inmate if the beating causes an injury that needs to be treated.
- 10-Committing any acts that may prejudice the security of the correctional center.

This is without prejudice to the taking of criminal procedures regarding the incident⁽⁸⁰⁷⁾.

Second: Guarantees of the execution of the penalty of the situation in a highly guarded room

⁸⁰⁶ [Rule No. 22 of the Bangkok Rules](#).

⁸⁰⁷ [Article No. 82 of the Internal Regulations](#) of the [Reform and Community Rehabilitation Centers](#), as amended by Minister of Interior Decision No. 345 of 2017 regarding the amendment of some provisions of the Internal Regulations of the Reform and Community Rehabilitation Centers.

The [by laws of the reform and community rehabilitation centers](#) stipulated several guarantees for the imposition of this penalty:

- 1-The heavily guarded room must meet the health conditions;
2. Such penalty shall not be imposed for a period exceeding six months;
- 3- This penalty shall not be imposed on the convict who is less than eighteen years of age or more than sixty years of age;
- 4- Take the opinion of the prison doctor before signing it;
- 5- Writing a record of the inmate's statements, investigating his defense, and hearing witnesses;
- 6-The penalty for the situation shall be imposed in a highly guarded room by a decision of the Assistant Minister for the Community Protection Sector at the request of the Director of the Reform Center⁽⁸⁰⁸⁾.

The second requirement: within the framework of international conventions

Corporal punishment, punishment by placing in a dark cell, and any cruel, inhuman, or degrading punishment are strictly prohibited as disciplinary sanctions⁽⁸⁰⁹⁾.

The [Nelson Mandela Rules](#) also required prison administrations to have conflict prevention, mediation, or other alternative dispute resolution mechanisms in place to prevent disciplinary infractions or to resolve disputes⁽⁸¹⁰⁾.

Criticism

Given the acts that require the imposition of the punishment of childbirth in a special high-security room or the imposition of any disciplinary punishment on the convicted person, we find that the terms contained in the Law on the Organization of Reform Centers or its internal regulations are general and broad to the extent that allows the administration of the reform center to impose penalties without

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809 Rule No. 31 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 43 of the Nelson Mandela Rules](#).

810 [The first paragraph of Rule No. 38 of the Nelson Mandela Rules](#).

there being an act that requires punishment, which leads to the release of the administration's hand in arbitrariness and disturbance of inmates.

Given the law regulating correction and rehabilitation centers and the regulations of internal correction centers with regard to discipline and imposition of penalties, we find that it implements inhuman punishments, and in some cases amounts to torture, and we find that it is devoid of the slightest principles of justice and lacks legitimacy, as the law specifies the penalties and penalties that may be imposed without specifying the acts that require the imposition of these penalties, neither by law nor by regulations, except for the punishment of the situation in a special highly guarded room where health conditions are met for a period not exceeding six months.

Applying the [Nelson Mandela Rules](#) to the punishment for the situation in a heavily guarded room stipulated by the Egyptian legislator, we find that this punishment is a total and detailed violation of those [rules](#). The [Nelson Mandela Rules](#) required that they apply to all prisoners without exception to general living conditions, including with regard to light, ventilation, temperature, sanitation, nutrition, drinking water, access to the outdoors, physical exercise, personal hygiene, health care, and sufficient personal space⁽⁸¹¹⁾.

It is clear from the above that none of the Egyptian Laws on the Organization of Correction and Rehabilitation Centers or its internal regulations has specified the types of behavior that constitute a disciplinary violation, which makes these punishments inhumane, and in some cases amounts to torture, and we find that it is devoid of the lowest principles of justice and lacks legitimacy, as the law specifies the penalties and penalties that may be imposed without specifying the acts that require the imposition of these penalties, neither by law nor by regulations, except the penalties of solitary confinement and placement in a highly guarded room. As for the rest of the disciplinary sanctions such as warning, deprivation of all or some of the privileges prescribed for the degree or category of the inmate for a period not exceeding thirty days, delaying the transfer of the inmate to a higher degree than his grade in the correctional center, or lowering the inmate to a lower degree than his grade in the correctional center, the legislator did not specify the types of violations that require the imposition of these penalties, in violation of the Standard Minimum Rules for the Treatment of Prisoners and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, as well as the Bangkok Rules.

It is also noted that the Egyptian Law on the Organization of Correction and Rehabilitation Centers or its internal regulations do not have any role for the doctor in the sanctions or measures imposed on the inmate, while on the other hand, the [Nelson Mandela Rules](#) require that health care staff pay special attention to the health of prisoners subject to any form of involuntary segregation, by visiting them daily and providing medical assistance and immediate treatment to them at their request or the

⁸¹¹ Rule No. 31 of the Standard Minimum Rules for the Treatment of Prisoners, [and Rule No. 43 of the Nelson Mandela Rules](#).

request of prison staff. The [Nelson Mandela Rules](#) also require health care staff to immediately inform the prison director of the negative effects of disciplinary sanctions or other measures restricting the physical or mental health of any prisoner, and inform him of the need to terminate or amend them for any reasons related to the physical or mental health of the prisoner.

The Law on the Organization of Correction and Rehabilitation Centers permits the imposition of a penalty of solitary confinement for a period not exceeding thirty days. This penalty is contrary to the Nelson Mandela Rules, which prohibited solitary confinement for a period of more than fifteen days. The Bangkok Rules also prohibited the imposition of this penalty on pregnant women, women with infants and nursing mothers in prison.

In addition, in view of the acts that require the imposition of the punishment of childbirth in a special high-security room or the imposition of any disciplinary punishment on the convicted person, we find that the terms contained in the Law on the Organization of Correction and Rehabilitation Centers or its internal regulations are general and broad to the extent that allows the administration of the reform center to impose penalties without there being an act that requires punishment, which leads to the release of the administration's hand in arbitrariness and disturbance of inmates.

Recommendations

The legislator shall intervene to establish the following controls in the event of imposing disciplinary sanctions on the inmate:

- The bylaws of reform centers must stipulate the acts that violate the system within the center, and specify each violation and its punishment, in a manner commensurate with the principle of the legality of the penalty and punishment;
- Activating the role of the doctor in examining the inmate subject to a disciplinary penalty, to indicate the negative effects of disciplinary sanctions or other restrictive measures on the physical or mental health of any inmate;
- Activating the role of the doctor of the reform center in recommending the need to terminate or amend any penalty imposed on the inmate for reasons related to his physical or mental health, and obliging the director of the reform center to implement that recommendation;
- Prohibition of the imposition of solitary confinement for a period exceeding fifteen days.

The fourth topic: Discipline guarantees

The first requirement: Within the framework of Egyptian law

First: Informing the inmate of his rights and obligations and the penalties imposed on him in the event of violating them

The Law on the Organization of Correction and Community Rehabilitation Centers differentiated between the penalties imposed by the Director of the Correction Center, and other penalties imposed by the Assistant Minister for the Community Protection Sector. As for the penalties that the Director of the Correction Center may impose, the inmate must be notified before any penalty is actually imposed on him attributed to him, his statements must be heard, and his defense must be investigated. The decision of the Director of the Correction Center to impose the penalty shall be final.

As for the penalties that the Assistant Minister of the Community Protection Sector may impose at the request of the Director of the Reform Center, a record must be drawn up that includes the statements of the inmate, the investigation of his defense, and the hearing of the testimony of witnesses ⁽⁸¹²⁾.

Upon entering the correctional center, the inmate must be informed of his rights and obligations and the penalties imposed on him when he violates the laws and regulations, and he must also announce how to submit his complaint ⁽⁸¹³⁾.

As for the military reform and community rehabilitation centers, the penalty shall be imposed after the prisoner has already been declared and his defense has been achieved ⁽⁸¹⁴⁾.

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The penalty decision imposed on the prisoner without announcing or informing him of the charges against him, or hearing his statements and investigating his defense, shall be null and void for violating the provisions of the law. In this regard, the Administrative Court ruled that: [The legislator specified the penalties that may be imposed on prisoners, including warning and solitary confinement for a period not exceeding fifteen days, and also specified the competent authority to impose these penalties and the quorum prescribed for each of them, so it entrusted the prison director or his warden to impose some penalties, including warning and solitary confinement for a period not exceeding a week, and took note of the imposition of these penalties with guarantees for prisoners, including that the prisoner shall be notified of the act attributed to him, hear his statements, and investigate his defense.

Inasmuch as it is one of the basic principles on which the rule of law state is based - in accordance with the provisions of the Constitution and the laws - that the accused is innocent until proven guilty in a legal trial in which the guarantees of self-defense are guaranteed and that the right to defend in person or by proxy is guaranteed, and accordingly, it is not permissible to impose a penalty on a prisoner except after he has already been declared, his statements have been heard, and his defense has been investigated. As a general rule, the investigation with the prisoner must meet the basic elements that must be generally available in the investigations, especially the provision of guarantees that ensure that the prisoner is informed of the accusation against him, presenting his defense, presenting evidence, hearing witnesses, and other means of investigating the defense in evidence or in denial. The investigation is invalid whenever it deviates from the public principles to be followed in its conduct and deviates from its objective, neutral and impartial nature, as long as long as any of those defects that are prejudicial to the right of the defense. The invalidity of the investigation is based on the invalidity of the penalty based on it.

Whereas, as a gift of the foregoing, and since it is clear from the papers and to the extent necessary to adjudicate the urgent part of the lawsuit, the warden of Tora Farm Prison issued eleven decisions to impose eleven penalties on the plaintiff....

Whereas, it appears from the papers that all these decisions were issued without announcing the plaintiff or informing him of the charges against him, hearing his statements and investigating his defense, and therefore they have been issued - according to what appears from the papers - null and void for violating the provisions of the law] ⁽⁸¹⁵⁾.

[AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.lrsvh6ufs32r 39 of the Internal Regulations of Military Prisons.](#)

⁸¹⁵ Judgement of the Administrative Court in Case No. 12886 of 63 S, issued on 21 April 2009.

Second: Determining the competent person to impose the disciplinary penalty on the inmate

In military reform and community rehabilitation centers, the director of the reform center may impose the following penalties:

- (1) Warning.
- (2) Solitary confinement for a period not exceeding one week.
- (3) Denial of visit or correspondence at once.
- (4) Denial of some features such as buying newspapers and magazines, practicing sports and hobbies, frequenting the library and dealing with the canteen, for a maximum period of 15 days.

If the director of the reform center sees the imposition of a punishment more severe than those penalties, he must submit the matter to the director of the community protection sector for inmates under his administration or to the director of security for the reform center located in the security directorates, after writing a report containing the statements of the inmate, the testimony of witnesses, and the penalty proposed to be imposed, in order to impose one of the following two penalties:

- (1) Solitary confinement for a period not exceeding 15 days.
- (2) Denial of all or some of the prescribed features for a period not exceeding thirty days⁽⁸¹⁶⁾.

The law did not require that the penal decision signed by the inmate be issued in writing, so it allowed its issuance orally, and it was sufficient to record all the penalties imposed on inmates in a special register⁽⁸¹⁷⁾.

⁸¹⁶ Articles 39 and 40 of the Internal Regulations of Military Prisons, and Article 1 of the Minister of Interior Resolution No. 74 of 1959 stipulates the cases of necessity in which the punishment of flogging may be imposed, namely:

- 1- Achieving things that may cause harm to others or to the security of the correction center
- 2- Stealing or imitating prison keys.
- 3- Running away or attempting to run away.
- 4- Assaulting employees who enter the correction center to perform work related to their job or visitors who have an official status.
- 5- Deliberately destroying or altering the records of the correctional center or the papers of inmates.
- 6- Destroying something from the repair center intentionally, if the value of the damages exceeds one pound
- 7-Setting fires inside the rooms.
- 8-Deliberately setting fire to the repair center.
- 9- Beating an inmate if the beating causes an injury that needs to be treated

However, the Minister of Interior's Decree No. 668 of 2002 stipulated the abolition of Ministerial Decree No. 74 of 1959, as well as the abolition of the penalty of flogging wherever it appears in the internal regulations of the Law on the Organization of Correction and Community Rehabilitation Centers or in the instructions implementing it.

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Third: Referral to the Military Court for serious violations committed in military reform and community rehabilitation centers

In the event of a serious violation committed in the military reform and community rehabilitation centers that requires referral to the military courts, the Director of the Community Protection Sector and the Director of the Police Department - each within his competence - shall have the authority to refer to the Supreme Military Court, the Deputy Director of the Community Protection Sector and the Deputy Security Directors - each within his competence - for referral to the central and central military courts that have supreme authority⁽⁸¹⁸⁾.

The second requirement: within the framework of international conventions

No prisoner shall be punished except in accordance with the provisions of the law or internal regulations, and may never be punished twice for the same violation, and no prisoner shall be punished only after being informed of the violation and given an effective opportunity to present his defense, and he shall be allowed to present his defense through an interpreter when necessary and possible, and the competent authority shall conduct a thorough study of the case⁽⁸¹⁹⁾.

The United Nations Rules for the Protection of Juveniles Deprived of their Liberty also prohibited punishing the juvenile more than once for the same violation⁽⁸²⁰⁾.

Any allegation that a prisoner has committed a disciplinary offence must be reported immediately to the competent authority, which must investigate the matter without undue delay, and the prisoner must be informed without delay in a language he understands of the nature of the charges against him, and the services of a competent interpreter must be used free of charge in the event that the language used in the disciplinary board cannot be understood or spoken, with sufficient time and facilities to prepare his defense.

The detainee or prisoner shall have the right to be heard before taking any disciplinary action against him, and he shall also have the right to appeal against this penalty⁽⁸²¹⁾.

⁸¹⁸ [%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.i5onqkafdiyowf](#) the [Internal Regulations of Geographical Correction and Rehabilitation Centers](#), and [Article 44 of the Internal Regulations of Military Prisons](#).

⁸¹⁹ [Article 41 of the Internal Regulations of Military Prisons](#), Rule No. 30 of the Standard Minimum Rules for the Treatment of Prisoners, and [Rule No. 39 of the Nelson Mandela Rules](#).

⁸²⁰ [Rule No. 67 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

⁸²¹ [Principle No. 30](#), paragraph 2, of the [Body](#) of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86->

The disciplinary sanction imposed on the juvenile must be in accordance with the provisions of the laws and regulations in force, and the juvenile must be notified of the alleged violation in a manner he understands, and given an appropriate opportunity to present his defense, before any sanction is imposed on him.

The juvenile must also be informed of his right to appeal the sanction decision signed before a competent impartial authority.

The custodial institution shall keep in its records all disciplinary procedures ⁽⁸²²⁾.

According to the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, it is prohibited to exploit the situation of a detained or imprisoned person inappropriately for the purpose of extracting a confession or forcing him to incriminate himself in any other way or to testify against any other person, and it is also prohibited to subject any person during interrogation to violence, threats, or interrogation methods that affect his ability to make decisions or to rule on matters ⁽⁸²³⁾.

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of Detention or Imprisonment.

822 Rule No. 70 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

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The law must determine the duration of any interrogation of a detained or imprisoned person and the periods between interrogations, as well as the identity of the officials conducting the interrogations and other attendees. The detained or imprisoned person, or his lawyer, shall have access to information regarding the duration of the interrogation and the identity of the employees conducting the interrogations, and other attendees⁽⁸²⁴⁾.

The [Nelson Mandela Rules](#) required that prisoners have the opportunity to seek judicial review of the disciplinary sanctions imposed on them, and that in the event of a trial, the prisoner shall have access to all guarantees of due process applicable to criminal proceedings, including unrestricted access to a lawyer⁽⁸²⁵⁾.

Criticism

The law wasted the principle of equality between inmates referred to discipline, while some inmates, in terms of disciplinary guarantees, were concerned with the need to write a report that

Persons under Any Form
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824 Principle No. 23 of the Body of
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825 Persons under Any Form
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.6jtpnz3t7id9> of All

Detention or Imprisonment.

Rule 41 of the Nelson Mandela Rules.

includes the inmate's statements, investigate his defense, and hear the testimony of witnesses. On the other hand, the law was content to hear the inmate's statements only for some of the penalties that are signed by the director of the correction center, without writing a record of this or hearing witnesses.

The law regulating Egyptian reform centers distinguishes between the penalties imposed by the director of the reform center, which are warning and solitary confinement for a period not exceeding one week, denial of a visit or correspondence at once, and denial of some features such as buying newspapers and magazines, practicing sports and hobbies, frequenting the library, and dealing with the canteen for a period not exceeding fifteen days. If the law requires, before imposing any of these penalties, that the inmate be notified of the act attributed to him, hearing his statements, and achieving his defense.

As for the other penalties imposed on the Assistant Minister for the Community Protection Sector, which are solitary confinement for a period not exceeding fifteen days, and deprivation of all or some of the prescribed privileges for a period not exceeding thirty days, the law requires the writing of a record that includes the statements of the inmate, the investigation of his defense, and the hearing of the testimony of witnesses.

Thus, the law wasted the principle of equality between inmates referred to discipline in terms of disciplinary guarantees. While some inmates singled out the need to write a report containing the statements of the inmate, investigate his defense, and hear the testimony of witnesses, on the other hand, the law was content to hear the statements of the inmate only with regard to the penalties signed by the director of the reform center, without writing a record of this or hearing witnesses.

The law also did not require that the penal decision signed by the inmate be issued in writing, so it was allowed to be issued orally, and it was sufficient to record all penalties imposed on inmates in a special register, in violation of the inmate's guarantees.

It is noted that the [internal regulations](#) of [military prisons](#) were limited to restricting only the penalties imposed on the inmate, without the obligation to record the violation committed by the inmate, which makes the assessment of the proportionality of the penalty imposed on the committed violation an absolute authority in the hands of the penal site, so that he can impose the maximum possible punishment for trivial violations that are not commensurate with the punishment imposed.

The law also did not provide for the right of the inmate to the presence of a defender during the investigation, which is a violation of his right to defense.

Therefore, it is better to stipulate the date of the violation and indicate the acts committed and the penalty imposed on the violator, and the person who imposed the inspectors penalty, in the register

prepared for that so that the review of those penalties and violations committed by the of the reform centers can be carried out.

On the other hand, if the Law on the Organization of Correction and Rehabilitation Centers or its bylaws did not provide for the right of the inmate to seek the assistance of a defender in the event of a disciplinary violation that violates his right to defense stipulated in the Constitution, the Nelson Mandela Rules must allow the prisoner to request the assistance of a defender, especially in the event of serious disciplinary violations.

Moreover, the Law Regulating Correction and Rehabilitation Centers did not provide for any mechanism to challenge the penal decision imposed on the inmate.

Recommendations

The legislator must provide guarantees to the inmate before imposing a penalty on him:

- It must be stipulated that the inmate has the right to the presence of a defender during the investigation;
- Writing a record of the statements of the inmate and the testimony of witnesses, regarding the violation attributed to him;
- Recording the violation committed, the date of the violation and the penalty imposed on the violator, and the person who imposed the penalty, in the register prepared for that so that the review of those penalties and violations committed by the inspectors of the reform center can be carried out;
- Issuing a written and reasoned sanction, indicating the violation committed and the disciplinary sanction imposed on the hostel, provided that it indicates, if the sanction imposed is solitary confinement or placement in a high-security room, the date of commencement of the execution of the sanction and the date of its end;
- Setting up a mechanism to file a grievance against the penal decisions imposed on the inmate, before another authority independent of the management of the correction center, such as the Public Prosecution.

Chapter Eleven: Inspection of Correctional Centers and the Inmate's Right to Complaint

Preamble

In order to clarify the right of the inmate to complain, we must first address the inspection procedures at the community correction and rehabilitation centers, and then we present the second right of the inmate to complain.

The first topic: Inspection of reform centers

First: Within the framework of Egyptian law

The purpose of the inspection is to ensure that the management of the prison is consistent with existing laws, regulations, policies and procedures in order to achieve the objectives of penal and correctional facilities, and to ensure that the rights of prisoners are protected.

Prison inspections are divided into two types: an internal or administrative inspection carried out by the central prison administration, and an external inspection carried out by a body independent of the prison administration, including competent international or regional bodies.

As for the situation in Egypt, internal inspections are carried out by the Assistant Minister of Interior for the Prisons Service Sector, who is competent to supervise and inspect the prison at any time.

As for external inspections of prisons, the law regulating community reform and rehabilitation centers limited their conduct to the Public Prosecution, and members of the National Council for Human Rights, without the rest of the competent international or regional bodies⁽⁸²⁶⁾.

1. Internal inspection

The Assistant Minister of Interior for the Community Protection Sector supervises the reform centers and has the right to inspect them at any time. Each inmate has the right to meet with the inspector and submit any complaint freely and confidentially. The Assistant Minister or whoever he authorizes shall investigate the complaint submitted to him and take measures to prevent its serious

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causes, provided that he submits a report on important cases to the Minister of Interior and the competent public prosecution⁽⁸²⁷⁾.

Inspectors of the reform and community rehabilitation centers sector inspect the reform and community rehabilitation centers to verify that the conditions of hygiene, health and security are met within the center, and that all systems set for the center are implemented, provided that they submit reports of the results of the inspections to the Assistant Minister of the Community Protection Sector⁽⁸²⁸⁾.

Governors and managers also have the right to enter reform centers located in their areas of competence at all times, and the management of the reform center reports the observations they made to the Assistant Minister for the Community Protection Sector⁽⁸²⁹⁾.

The geographical reform and rehabilitation centers in the geographical scope of the security directorates are also subject to the supervision of the Deputy Director of Security personally, who has: Reviewing all security procedures for the geographical reform and rehabilitation centers in the geographical scope and approving plans for securing those centers and supervising their implementation; Passing over all central reform centers in the geographical scope periodically to ensure that all necessary insurance methods are followed and submitting reports on what he deems necessary to the Director of Security to take appropriate measures; Supervising the directors of the geographical reform and rehabilitation centers and following up the case first-hand to ensure the proper application of security measures and laws and regulations governing work⁽⁸³⁰⁾.

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The Governor and the Director of Security shall have the right to enter the military reform and community rehabilitation centers located in their areas of competence at any time⁽⁸³¹⁾.

2. External inspection

All prisons and places of detention are subject to judicial supervision, and all that is contrary to human dignity or endangers human health is prohibited in them⁽⁸³²⁾.

A- Judicial supervision of correction and rehabilitation centers

Inspector

The Public Prosecution shall supervise the correction and community rehabilitation centers and other places where criminal judgments are executed, provided that the Public Prosecutor informs the Minister of Justice of the observations that appear to the Public Prosecution in this regard⁽⁸³³⁾.

The Public Prosecutor and his agents in their jurisdictions shall have the right to enter all the places of the reform center at any time to verify that the orders of the prosecution and the investigating judge in the cases he is assigned to investigate and the decisions of the courts are being implemented in the manner indicated therein, and that there is no illegal inmate, and to verify that an inmate whose sentence has not been imposed is not employed except in the cases specified by law, and to isolate each category of inmates from the other category and treat them as prescribed for their category, and that the records imposed in accordance with the law are used in a regular manner. In all cases, the reform center shall take into account the requirements of the laws and regulations and take what they deem necessary regarding the violations that occur.

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[Article 56 of the Constitution.](#)

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They may accept complaints from inmates and examine judicial records and papers to verify their conformity with the prescribed forms.

The director of the Correction and Rehabilitation Center shall provide them with all the data they request regarding the task they are entrusted with ⁽⁸³⁴⁾.

The presidents and undersecretaries of the courts of appeal, the courts of first instance, and the investigating judges have the right to enter at all times the community correction and rehabilitation centers located in the jurisdictions of the courts in which they work. The president and undersecretary of the Court of Cassation have the right to enter all community correction and rehabilitation centers, and the management of the correction center must report the observations they make to the Director General ⁽⁸³⁵⁾.

The Public Defenders of the Public Prosecutions or their substitutes must inspect the public reform centers that fall within their respective spheres of competence;

The heads or directors of subordinate procuratorates must inspect their geographical correctional centres at least once a month on an unannounced basis;

As for the places designated for the detention of detainees specified by a decision of the Minister of Interior, [Article 1 bis of the Law Regulating Correctionand Community Rehabilitation Centers](#) limited the right to enter places of detention specified by a decision of the Minister of Interior to the Attorney General or his deputy from among the chief prosecutors. Article 85 of the same law stipulates the right of the Attorney General and his agents in their jurisdictions to enter all places of the correction center at any time. It is not permissible to enter it except for those assigned by the Attorney General from among the public attorneys, the heads of the sub-prosecutions or the director thereof to notify the Attorney General through the public attorneys or the heads of the macro-prosecutions of what is in their departments from these places;

Each of them may examine the records in the center and review the arrest and detention orders to verify their conformity with the prescribed forms;

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They must also accept guest complaints;

The director of the correction center and his staff must provide them with the data they request in this regard ⁽⁸³⁶⁾.

The president of the Children's Court or any of the judges of the court or an expert in it shall visit observation houses, training and rehabilitation centers, social welfare institutions, specialized hospitals, penal institutions and other bodies that cooperate with the Children's Court and are within its jurisdiction at least once every three months to verify that it is fulfilling its duties in rehabilitating the child and helping him to reintegrate into society. The president of the Children's Court may send a report of his observations to the General Committee for the Protection of Children competent to implement his requirement ⁽⁸³⁷⁾.

The Military Prosecution shall supervise the military reform and rehabilitation centers ⁽⁸³⁸⁾.

The judges of the military courts and the heads of the military court units representing the Military Prosecution shall have the right to enter the military reform and rehabilitation centers located in their jurisdictions at any time ⁽⁸³⁹⁾.

Inspection Procedures

In the procedures for inspecting reform centers, whether general or geographical, the following shall be taken into account:

1. The orders of the prosecution and the investigating judge in the cases assigned to be investigated and the decisions of the courts shall be executed in the manner set forth therein.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B7%D9%81%D9%84#h.wvoz0bwlj2yd> 134 of the Children's Code.

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[Article 32 of the Military Justice Law](#).

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.6b1ene4n7n0r> 55 of the [Internal Regulations of Military Prisons](#).

2. There is no illegal inmate.

3. Not to employ an inmate who has not been sentenced to employment, except in the cases specified in the law.

4- Isolate each category of inmates from the other category and treat them as prescribed for their category.

5- That the records imposed in accordance with the law are used in a regular manner and in general take into account the requirements of the laws and regulations and take what it deems necessary regarding the violations that occur ⁽⁸⁴⁰⁾.

The oldest members of the prosecution shall inspect the reform centers and places of detention, and this shall be done by reviewing the detention or arrest orders or written orders of deposit for the detainee or the execution forms, confirming that there is a summary of them in the records of the center and requesting a copy of the detention order if it is found that he is not present. If the member of the prosecution is found detained or detained without a right, he shall order his release immediately after writing a record in which the incident is recorded and the record shows the hour and date of the procedure and the person and signature of the recipient of the order for release. If the member of the prosecution is found detained or detained in a place other than the place designated for him, he shall immediately write a record of the incident and order his deposit in the place designated for him with proof of this in the record indicating the hour and date of the procedure and the person and signature of the recipient of the order for the deposit.

The member of the prosecution may complete the drafting of the inspection report upon his return to the headquarters of the prosecution and include the crimes and violations he has observed, provided that he takes the initiative to notify the Attorney General of the Public Prosecution of these violations and crimes and sends the inspection report to him. The Attorney General entrusts one of the members of the Public Prosecution to conduct an investigation into the crimes and violations contained in the inspection report, and sends the case with the opinion to the Assistant Attorney General through the First Attorney General of the Appeals Prosecution.

It is sufficient for the member of the prosecution to sign the books of the correction center or the place of detention indicating that the inspection was carried out, in the event that the inspection he carried out did not result in any observations ⁽⁸⁴¹⁾.

B- Visit of members of the National Council for Human Rights to reform and community rehabilitation centers

⁸⁴⁰ Article 1748 of the Judicial Instructions of the Public Prosecution.

⁸⁴¹ Articles 1749, 1749 bis of the Judicial Instructions of the Public Prosecution.

The National Council for Human Rights is competent to visit correctional and community rehabilitation centers and other places of detention and treatment and correctional institutions, and to listen to inmates of places and treatment and correctional institutions to verify their good treatment and the extent to which they enjoy their rights ⁽⁸⁴²⁾.

Members of the National Council for Human Rights may, without prejudice to cases in which a visit is prohibited for health or security reasons, visit the correctional centre, inspect its facilities, and receive complaints from inmates, after obtaining a prior permit from the Attorney General specifying the centre authorized to visit and the names of the visiting members, with the provision of the necessary facilities to carry out these visits, at the dates specified by the administration of the correctional centre and during official working periods.

The visit of the inmates shall be with the prior approval of the Public Prosecution, specifying the names of the inmates to be visited, and after the inmate agrees to complete the visit and determines the purpose of the visit, provided that the visitors comply with the insurance procedures followed within the reform center ⁽⁸⁴³⁾.

The National Council for Human Rights prepares a report on each visit it makes, including the most important observations and recommendations to improve the conditions of inmates in places of detention and treatment and correctional institutions. The Council submits its report to both the Attorney General and the House of Representatives.

The National Council for Human Rights shall inform the Public Prosecution of any violation of the personal freedoms or the inviolability of the private life of citizens and other public rights and

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%82%D9%88%D9%85%D9%8A-%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D8%A5%D9%86%D8%B3%D8%A7%D9%86#h.r1jwvggst2zh> 3 of the Law on the Establishment of the National Council for Human Rights, as amended by Law No. 197 of 2017.

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Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.i8xrg0pdu9h> 76 bis of the bylaws of the reform and community rehabilitation centers.

freedoms guaranteed by the constitution, law, conventions, covenants, and international human rights instruments ratified by Egypt, based on the serious information available to the Council on the occurrence of the violation or the person of the perpetrator, while notifying the competent authorities. The Council may intervene in the civil lawsuit, joining the injured party at his request.⁽⁸⁴⁴⁾

The Council is also obligated to submit an annual report to the President of the Republic, the House of Representatives and the Council of Ministers on the state of human rights, the efforts and activity of the Council, and the proposals it deems within the scope of its competences⁽⁸⁴⁵⁾.

Second: Within the framework of international conventions

The Standard Minimum Rules for the Treatment of Prisoners required that there be regular inspection of prison institutions and services, by qualified and experienced inspectors appointed by a competent authority.

These inspectors must ensure that penal institutions are managed in accordance with laws and regulations and in order to achieve the objectives of disciplinary and correctional services⁽⁸⁴⁶⁾.

The [Nelson Mandela Rules](#) also regulate the inspection of prisons and penal institutions and set a specific framework for it, provided that inspections in accordance with those rules are divided into internal or administrative inspections and external inspections carried out by a body independent of the prison administration, including competent international or regional bodies. The aim of inspections, whether internal or external, is to ensure that the method of prison administration is consistent with existing laws, regulations, policies, and procedures in order to achieve the objectives of penal and correctional facilities, and to ensure the protection of the rights of prisoners. It also requires that external prison inspection teams be composed of qualified and experienced inspectors appointed by a competent authority, and include health care professionals. Due consideration shall be given to gender balanced representation⁽⁸⁴⁷⁾.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%82%D9%88%D9%85%D9%8A-%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D8%A5%D9%86%D8%B3%D8%A7%D9%86#h.r1jwyggst2zh> 3 of the Law on the Establishment of the National Council for Human Rights, as amended by Law No. 197 of 2017.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%82%D9%88%D9%85%D9%8A-%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D8%A5%D9%86%D8%B3%D8%A7%D9%86#h.xreeqz5cu0ow> 13 of the Law on the Establishment of the National Council for Human Rights, as amended by Law No. 197 of 2017.

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Rule 55 of the Standard Minimum Rules for the Treatment of Prisoners.

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[Rule No. 83 of the Nelson Mandela Rules](#).

According to the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, places of detention must be regularly inspected by qualified and experienced persons appointed and questioned by a competent authority fully independent of the authority directly responsible for the management of the place of detention or imprisonment, in order to monitor the strict observance of the relevant laws and regulations. The detainee or prisoner shall also have the right to communicate freely and in full confidentiality with the inspectors, taking into account the guarantee of security and good order⁽⁸⁴⁸⁾.

For juvenile detention institutions, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty mandated the authorization of qualified inspectors, or a duly established equivalent body not affiliated with the institution's management, in conjunction with qualified medical officials attached to the inspection body or the Public Health Department, to carry out inspections on a regular basis, initiate unannounced inspections, assess compliance with the rules related to the physical environment, health, housing, food, exercise and medical services, as well as any other aspect of life or conditions in the institution that affects the physical and mental health of juveniles, provided that these inspectors enjoy full guarantees of their independence in the exercise of that task, and provide them with unrestricted access to all employees or workers of any juvenile detention institution, and to all juveniles detained in it, and to all records of those institutions, and to ensure the right of the juvenile to be pleased with any inspector, including his intruder⁽⁸⁴⁹⁾.

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Principle No. 29 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment

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for the Protection of All Persons under Any Form of Detention or Imprisonment

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The [Nelson Mandela Rules](#) gave inspectors a range of powers, namely:

- (a) To have access to all information concerning the numbers of prisoners and places and locations of detention, together with all information relevant to the treatment of prisoners, including their records and conditions of detention;
- (b) The freedom to choose which prisoners they want to visit, including unannounced visits, on their own initiative, and which prisoners they want to interview;
- (c) Conduct private and confidential interviews with prisoners and prison staff during visits;
- (d) Make recommendations to the prison administration and other competent authorities ⁽⁸⁵⁰⁾.

The Bangkok Rules required inspection, visiting, monitoring or oversight bodies to include women members, in order to monitor conditions relating to the detention and treatment of women prisoners.

For female prisoners who report ill-treatment, their allegations must be investigated by an independent competent authority, and female prisoners who are subjected to sexual abuse must receive appropriate medical guidance and guidance, and be provided with the necessary physical and mental health care, support, and legal assistance ⁽⁸⁵¹⁾.

The [Nelson Mandela Rules](#) required the submission of a written report to the competent authority after each inspection. Reports of external inspections must be made publicly available without mentioning any personal data relating to prisoners unless they expressly consented to do so. They also required the prison administration and other competent authorities, as appropriate, to indicate whether they would implement the recommendations recommended by the external inspection team within a reasonable time ⁽⁸⁵²⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A7%D9%84%D8%A3%D9%85%D9%85-%D8%A7%D9%84%D9%85%D8%AA%D8%AD%D8%AF%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%A7%D9%84%D8%A3%D8%AD%D8%AF%D8%A7%D8%AB-%D8%A7%D9%84%D9%85%D8%AC%D8%B1%D8%AF%D9%8A%D9%86-%D9%85%D9%86-%D8%AD%D8%B1%D9%8A%D8%AA%D9%87%D9%85#h.1j4u47n66mzj> Protection of Juveniles Deprived of their Liberty.

850 [Rule No. 84 of the Nelson Mandela Rules.](#)

851 [Rule No. 25 of the Bangkok Rules.](#)

852 [Rule No. 85 of the Nelson Mandela Rules.](#)

For juveniles, the inspection body's report should include an assessment of the detention institution's compliance with the relevant rules and provisions of national law, and recommendations regarding any steps deemed necessary to ensure compliance. Provided that the competent authorities are informed of any facts discovered by any inspector that they believe indicate a violation of the legal provisions related to the rights of juveniles or the work of the detention institution to investigate and prosecute⁽⁸⁵³⁾.

Criticism

The above makes it evident that the Egyptian legislator has created a distinction in internal inspection procedures between public reform centers, geographical reform centers, and other locations designated by the Minister of Interior. Article 1 (bis) of the Law regulating reform centers restricts the right to access detention facilities specified by the Minister's decision exclusively to the Attorney General or a deputy from the heads of prosecution. Access is granted only to those appointed by the Attorney General, including heads or directors of local prosecutions. The Attorney General must inform the public attorneys or heads of the general prosecution of such facilities within their jurisdictions while the Attorney General and his deputies are authorized to access all reform centers at any time within their respective jurisdictions. This distinction is unwarranted and fails to provide any assurance for detainees in locations designated by the Minister of Interior.

The law regulating reform centers or internal regulations did not require internal inspectors in reform centers to conduct periodic inspections of those centers. The legislator merely "passed over all reform centers..." "periodically...". The law regulating reform centers also did not indicate any results of that visit, the extent to which the inspector was obliged to submit a report on the results of the inspection he carried out, and the recommendations or decisions he took to address the violations revealed by that inspection, in particular, the case of the presence of an inmate inside the reform center after serving his sentence, or cases of injury, torture or inhuman treatment.

On the other hand, as for the external inspection procedures carried out by the National Council for Human Rights, they are not considered an inspection in the strict sense. The legislator has called it a "visit" and has surrounded it with several controls that make that visit a mere formality that does not achieve any purpose and does not carry any meaning of the inspection. The legislator has authorized the management of the reform center to refuse that visit due to security or health reasons. The members of the National Council for Human Rights must obtain prior permission for the visit from the Attorney General, specifying the center authorized to visit and the names of the visiting members, and that the visit takes place on the dates specified by the management of the reform center and during

⁸⁵³ Rule No. 74 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

the official working periods. Members of the National Council for Human Rights meet with the inmates whose names are identified by the Public Prosecution, and the inmate agrees to complete the visit.

Of course, all these controls hollowed out the visit of members of the National Council for Human Rights to reform centers.

Recommendations

The legislator must intervene to provide in the Correction and Rehabilitation Centers Law or its bylaws for:

- Obliging the specialists of the internal inspection of the reform centers to inspect the reform centers at periodic dates, without prejudice to their right to conduct the inspection at any time they see fit;
- Obliging the internal inspector to prepare a report on the condition of inmates in correctional centers, on any complaint received from an inmate on the occasion of passing through the correctional center, and on the measures taken to respond to those complaints;
- All members of the Public Prosecution of the rank of public prosecutor above it in their jurisdictions must be granted the right to enter all correctional centers and places of detention;
- The role of the National Council for Human Rights must be activated, and the recommendations it made in its reports on the situation of inmates and inmates of places of detention, treatment and correctional institutions, and the mechanisms for their implementation must be followed up;

The second topic: Inmate's right to complain

The first requirement: Within the framework of Egyptian law

The director of the reform center shall accept any serious complaint from the inmate, whether oral or written, and shall report it to the Public Prosecution or the competent authority after recording it in the register prepared for complaints, provided that the concerned departments, in coordination with the Human Rights Department in the Community Protection Sector, receive and examine the complaints of inmates and notify the complainant of the result of the examination ⁽⁸⁵⁴⁾.

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[Article](#)

[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.sartdbullatb 80 of the Law on the Organization](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.sartdbullatb%20of%20the%20Law%20on%20the%20Organization)

The competent employee of the Public Prosecution shall implement what is ordered by the Director or Chairman of the Public Prosecution to send the grievances submitted by the convict to the Public Prosecution because of their placement in a reform center instead of another to the Assistant Attorney General's Office to take the necessary action in this regard ⁽⁸⁵⁵⁾.

The second requirement: within the framework of international conventions

First: The right of the detainee or arrested person to complain within the framework of international conventions

Every detained or arrested person may file a grievance against the exercise of the powers of arrest or detention before a judicial authority or any other authority ⁽⁸⁵⁶⁾.

A detained person accused of a criminal charge may make a statement about the treatment he received during his detention before the authority investigating him ⁽⁸⁵⁷⁾.

of Reform and Community Rehabilitation Centers, as amended by Law No. 106 of 2015, and Article No. 85 bis 1 of the Internal Regulations of Reform and Community Rehabilitation Centers, added by the Minister of Interior Resolution No. 3320 of 2014.
855 Article 1049 of the written, financial and administrative instructions of the Public Prosecution.

856 Principle No. 9 of the Body of [857 Principle No. 37 of the Body of \[-403-\]\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.2wztwoqnbqof Detention or Imprisonment.</p></div><div data-bbox=\)](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D9%88%D8%A7%D8%AB%D9%8A%D9%82-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A%D8%A9/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.2wztwoqnbqof Detention or Imprisonment.</p></div><div data-bbox=)

Any detained or imprisoned person or his or her counsel, or any family member of the detained or imprisoned person or any other person with knowledge of the case if the detainee or his or her counsel is unable to do so, shall have the right to make a request or complaint concerning his or her treatment to the authority responsible for the administration of the place of detention and to higher authorities, in particular in the case of torture or other cruel, inhuman or degrading treatment, and, where appropriate, to the appropriate authorities vested with powers of review or redress.

Provided that the request or complaint shall be kept confidential if the complainant requests it, and each request or complaint shall be decided upon expeditiously and responded to without undue delay. In the event that the request or complaint is rejected or an excessive delay occurs, the complainant shall have the right to submit this to a judicial or other authority.

It is prohibited for a detainee, prisoner, or any plaintiff to suffer harm as a result of submitting a request or complaint ⁽⁸⁵⁸⁾.

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858 Principle No. 3 of the Body of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.axk6r3daaoon> of All Persons under Any Form of Detention or Imprisonment.

Every prisoner or his lawyer must be given the opportunity to submit on any day a request or complaint to the prison director or his authorized representative, as well as to allow prisoners to submit requests or complaints to the prison inspector during his inspection tour of the prison, and the possibility of talking to the inspector freely and in full confidentiality without the presence of the prison director or any of his staff.

Each prisoner or his lawyer may submit a request or complaint regarding his treatment to the Central Prison Administration, the judicial authority, or other competent authorities, including those authorized to review or correct, and a member of the prisoner's family or any other person familiar with the case may submit requests and complaints in cases where the prisoner or his lawyer is unable to do so ⁽⁸⁵⁹⁾.

Any detained person shall be compensated for the damage resulting from any acts of a public official that contradict his rights, or any inaction that contradicts his rights ⁽⁸⁶⁰⁾.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.io7830t98zde> for the Protection of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%85%D8%A8%D8%A7%D8%AF%D8%A6-%D8%A7%D9%84%D9%85%D8%AA%D8%B9%D9%84%D9%82%D8%A9-%D8%A8%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D8%A7%D9%84%D8%B0%D9%8A%D9%86-%D9%8A%D8%AA%D8%B9%D8%B1%D8%B6%D9%88%D9%86-%D9%84%D8%A3%D9%8A-%D8%B4%D9%83%D9%84-%D9%85%D9%86-%D8%A3%D8%B4%D9%83%D8%A7%D9%84#h.io7830t98zde> Detention or Imprisonment, Rule 36 of the Standard Minimum Rules for the Treatment of Prisoners, and Rules [56, 57](#) of the Nelson Mandela Rules.

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Second: The juvenile's right to complain within the framework of international conventions

Each juvenile must be given the opportunity to submit requests or complaints to the director of the custodial institution or his authorized representative⁽⁸⁶¹⁾.

Every juvenile should also have the right to submit a request or complaint to the central administration, the judicial authority or other competent authorities through the approved channels, and to be notified of what has been done in their regard without delay⁽⁸⁶²⁾.

Efforts must be made to establish an independent office (ombudsman) to receive and examine complaints submitted by juveniles deprived of their liberty and to help reach fair settlements for them⁽⁸⁶³⁾.

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861 [Rule No. 75 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

862 [Rule No. 76 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

863 https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A7%D9%84%D8%A3%D9%85%D9%85-%D8%A7%D9%84%D9%85%D8%AA%D8%AD%D8%AF%D8%A9-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%A7%D9%84%D8%A3%D8%AD%D8%AF%D8%A7%D8%AB-%D8%A7%D9%84%D9%85%D8%AC%D8%B1%D8%AF%D9%8A%D9%86-%D9%85%D9%86-%D8%AD%D8%B1%D9%8A%D8%AA%D9%87%D9%85#h.1j4u47n66mzj_77 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

Every juvenile shall have the right to seek assistance, where possible, from family members, legal advisors, charitable or other groups in order to file a complaint. Assistance is provided to illiterate juveniles if they need the services of public or private bodies and organizations that provide legal advice or are competent to receive complaints⁸⁶⁴.

Criticism

The Egyptian legislator had required the director of the reform center to report the inmate's complaint to the Public Prosecution or the competent authorities, but he stipulated that these complaints must be serious, and it is up to the director of the reform center himself to assess the seriousness of the complaint according to the circumstances of each complaint.

On the other hand, the inmate cannot submit his complaint to the Public Prosecution except in cases where the competent member of the Public Prosecution passes through the reform centers for inspection. Thus, the legislator has restricted the inmate's right to complain while the Public Prosecution passes through the reform centers for inspection.

The law also did not retain the right of the inmate to the confidentiality of the complaint or request submitted by him, nor did it establish any mechanism for the expeditious adjudication of the inmate's requests or complaints. Or his right to file a grievance against the rejection of his request or complaint, and this entails the repetition of the inmate's submission of the same complaint or request and the repetition of the response of the Director of the Reform Center to that complaint without real effectiveness of that complaint.

The law also did not grant the inmate the right to speak with the inspectors of correctional centers freely and confidentially without the presence of the director of the correctional center or any of its employees.

Recommendations

The legislator must intervene to provide for the following:

1-The right of the inmate to speak with the inspectors of the reform centers freely and in full confidentiality without the presence of the director of the reform center or any of its employees;

2-The director of the reform center must be obliged to present the complaints submitted to him and what has been done in them to the Public Prosecution;

⁸⁶⁴ [Rule No. 78 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty](#).

3-The director of the correctional center must be obliged to decide on the requests or complaints of prisoners promptly, and if they are rejected, he must justify the decision issued to do so;

4. The Director of the Correctional Centre must be obliged to immediately refer complaints containing allegations of torture or other cruel, inhuman or degrading treatment or punishment to the Public Prosecution Service;

5- Establishing a mechanism to file a grievance against the decisions of the Director of the Reform Center to reject the complaint or request of the inmate, as well as cases of non-response to those complaints or requests.

Chapter Twelve: Release of Inmates

The first topic: The right of the inmate to be released after serving the sentence

The first requirement: Within the framework of Egyptian law

The Egyptian legislator in the Law on the Organization of Correction and Community Rehabilitation Centers set the date for the release of the inmate on the day following the expiry of the sentence ⁽⁸⁶⁵⁾.

As for the detainee in the institution of recidivists, he shall be released within the day following the issuance of the decision to release him or the day following the expiry of the period stipulated in Articles [52 and 53](#) of the Penal Code ⁽⁸⁶⁶⁾.

As for the inmate in the military reform and rehabilitation centers, the inmate shall be released at noon the day after the end of his sentence and shall be sent after his release in the company of the guards to the body where he works ⁽⁸⁶⁷⁾.

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https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9_1/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.2jkpuz2m2xoh_49 of the Law on the Organization of Correction and Community Rehabilitation Centers.

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[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.mqws6pww24jjof_1984](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.mqws6pww24jj_23) regarding <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.mqws6pww24jj> the establishment of a labor institution in which repeat offenders are placed.

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https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.whmsr8d661ir_47 of the Internal Regulations of Military Prisons.

The director of the military reform center or his deputy from among the officers shall supervise the procedures for the release of the inmate in the military reform and rehabilitation centers and the handover of his secretariats deposited in the center ⁽⁸⁶⁸⁾.

The instructions of the Public Prosecution have prohibited keeping any person in the reform center after the period specified by the detention order, and if this is an application of the principle that no person may be placed in a reform center except by a written order signed by the competent authorities ⁽⁸⁶⁹⁾.

The refusal to release the inmate after the end of the sentence is an administrative decision that the courts of the Council of State have the competence to consider the appeal against, and it is not considered one of the implementation problems regulated by the Criminal Procedure Law or the Military Justice Law. In this regard, the Administrative Court ruled that: [The Constitution has preserved the right of all citizens to resort to the judiciary without obstacles or barriers, and places an original obligation on the state to ensure this right and work to facilitate the enjoyment of it by citizens, and explicitly prohibited the immunization of any work or administrative decision from judicial control. There is no doubt that the legal state is the one that adheres in all aspects of its activity to rules that exceed it and is the officer of its work and the goal of its actions, and the right to litigation is one of the absolute rights, and it is carried out by the citizen's right to resort to his natural judge, and since the Constitution confers on the Council of State the jurisdiction to adjudicate administrative disputes, including administrative decisions, the plea made by the administration that the court does not have jurisdiction to consider the dispute is coupled with the absence of this capacity from it - if the lawsuit is filed - and in light of its circumstances and the documents it contained, it is under the consideration of the court to adjudicate its jurisdiction initially and within the framework of principles The constitutional and legal rules governing and regulating the rules of jurisdiction, which preserve for each of the judicial bodies their prescribed jurisdiction.

Whereas, since the subject of the present lawsuit is an administrative dispute revolving around the legitimacy of the decision of the administration authority to refuse to release the plaintiff after serving his sentence - a legal status that he has established - after the end of this period, and therefore this dispute does not fall under the concept of implementation problems regulated in Articles (524, 525) of the Code of Criminal Procedure or the Military Justice Law promulgated by Law No. 25/1966, the plaintiff does not dispute the judgments issued or question them - It also does not dispute the orders

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https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.u0kpct134srj_48 of the Internal Regulations of Military Prisons.

869 Article 1044 of the written, financial and administrative instructions of the Public Prosecution.

for the implementation of these judgments, but takes from the entirety of them and the procedures issued in support of its claim in the dispute over the legitimacy of the administration's decision to refuse to release him, which does not go beyond being an administrative decision. This court has exclusive jurisdiction to impose legal control on it in the implementation of the correct provision of Article (172) of the Constitution. This judiciary is not deprived of the constitutional jurisdiction prescribed for it to place before it the judgments issued against the plaintiff, whether from the criminal judiciary or the military judiciary, as long as this does not extend to prejudice the authority of these judgments revealing the validity of the rule of law in the crimes attributed to the plaintiff. The Ministry of Interior is The authority entrusted with the implementation of these criminal provisions, and all its administrative decisions regarding the convicts, whether they are released to serve their sentence or conditional release within the framework of the provisions of the Prisons Law and its executive regulations - administrative decisions that are competent to the administrative judiciary, monitor them and impose the rule of law on them - the court also submits that the subject of the dispute is the execution orders issued by the Public Prosecution and the Military Prosecution on the basis that they are judicial acts that the legislator has determined the way to file a grievance against them In addition to the fact that the subject of the dispute - as mentioned above is the contested decision of the administrative authority - which includes the refusal to release the plaintiff - in light of the judicial rulings and executive orders for these provisions and the measures taken by the competent authorities - the limitation of the plaintiff's and others' right to file a grievance against the orders of execution of the judgments before the prosecution, the source of the order represents a departure from the constitutional principle that prohibited the immunization of any work from judicial control, and this control is only by the conduct of the judicial process - which is indispensable for submitting a grievance to the authority whose source is the decision, the aspects of which are above - The lawsuit is a litigation in which the person concerned refers to the competent judge to take down the rule of law, and the Constitution has surrounded it with guarantees and privileges that are not achieved with the grievance, and the judiciary has settled that the grievance in most of its cases does not represent an obstacle to resorting to the judiciary] ⁽⁸⁷⁰⁾.

Upon release, the inmate shall be disbursed clothes, if he does not have clothes or the ability to obtain them. Men shall be disbursed underwear, outerwear and shoes, and women shall be disbursed underwear, outerwear, head coverings and shoes ⁽⁸⁷¹⁾.

870 Administrative Court, Case No. 31724 of 57 S issued at the session of May 18, 2004.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.hoijetqkx19v> 51 of the Law Regulating Reform and Community Rehabilitation Centers, and Article 88 of the Internal Regulations of Reform and Community Rehabilitation Centers.

If the inmate is a foreigner, the administration of the correction center may, upon his final release, grant him a travel form to his home country or any other party he chooses within the country that is closer to his country if he is unable to do so, unless he is sentenced to be placed under police surveillance in his home country or is required for another reason ⁽⁸⁷²⁾.

The second requirement: within the framework of international conventions

Any person deprived of liberty must be released in a manner that allows reliable verification that he has actually been released, and that, moreover, he has been released under conditions that ensure respect for his physical integrity and his ability to fully exercise his rights ⁽⁸⁷³⁾.

Criticism

It is clear from the above that the Egyptian legislator did not require an explicit decision to release the inmate after serving the sentence, and there is no control over the implementation of the release of the inmate at the end of that period, except in the case of inspection of the reform center, for which the legislator did not specify any date and only took action in his statement of the dates of inspection of the reform center by the competent inspector to "pass over all reform centers..." "periodically...".

Recommendations

The legislator shall provide in the laws regulating correction and rehabilitation centers for activating the role of the Public Prosecution in following up the implementation of the sentence imposed on the inmate, and ensuring the release of the convicted person, after serving the sentence, by preparing records of the names of inmates, their places of imprisonment, the date of their entry to the correction center, and the date scheduled for the end of the sentence imposed.

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Article

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.w85t3k5x240a> 50 of the Law on the Organization of Correction and Community Rehabilitation Centers.

873

Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D8%A5%D8%B9%D9%84%D8%A7%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%AC%D9%85%D9%8A%D8%B9-%D8%A7%D9%84%D8%A3%D8%B4%D8%AE%D8%A7%D8%B5-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%AE%D8%AA%D9%81%D8%A7%D8%A1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A#h.481y9ly26jtu> 11 of the Declaration on the Protection of All Persons from Enforced Disappearance and Article 21 of the International Convention for the Protection of All Persons from Enforced Disappearance.

The second topic: The right of the inmate to conditional release if his conditions are met

The first requirement: Conditions of conditional release within the framework of Egyptian law

Conditional release is a system based on the release of convicts before the deadline set for the expiry of the sentence with their being subject to supervision during a later period, an idea that arose in the middle of the eighteenth century to reform the convict by rehabilitating him for social life and developed with the development of the punitive policy, which is no longer limited to deterrence and requiring the right of society from the perpetrator of the criminal dismissal with a physical penalty signed on him, but its goal extended to the rehabilitation and reform of the convict⁽⁸⁷⁴⁾.

In order to motivate the convict to correct his behavior during the period of his imprisonment, the Law Regulating Correctional Centers permitted the release of every convict definitively sentenced to a custodial sentence if he served half of the sentence imposed.

Conditional release of the convict is conditional on:

1-The judgment issued against him shall be a final judgment with a penalty restricting freedom⁽⁸⁷⁵⁾.

2-The judgment shall not be issued against him for committing any of the crimes of gathering, or drugs (except for the crime of possessing or possessing a drug with the intention of personal use), money laundering, or terrorism⁽⁸⁷⁶⁾.

In this regard, the Administrative Court ruled that: [Article (86) of the Prison Regulations explicitly stipulates that those convicted of crimes harmful to the security of the government at home and abroad and those sentenced to hard labor or imprisonment for certain crimes specified in the text, including drug crimes, except for crimes of abuse and unintentional seizure of trafficking]⁽⁸⁷⁷⁾.

⁸⁷⁴ See the judgment of the Administrative Court in Case No. 51292 of 62 K issued at the session of January 27, 2009.

⁸⁷⁵ [Article \[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.warm32cm0eet_52_of_the_Law_on_the_Organization_of_Correctionand_Community_Rehabilitation_Centers,_as_amended_by_Law_No.6_of_2018.\]\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.warm32cm0eet_52_of_the_Law_on_the_Organization_of_Correctionand_Community_Rehabilitation_Centers,_as_amended_by_Law_No.6_of_2018.\) the](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.warm32cm0eet_52_of_the_Law_on_the_Organization_of_Correctionand_Community_Rehabilitation_Centers,_as_amended_by_Law_No.6_of_2018.)

⁸⁷⁶ [Article \[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.odts9x2f9x4k_52_bis_of_the_Law_on_the_Organization_of_Correctionand_Community_Rehabilitation_Centers,_added_by_Law_No.19_of_2020.\]\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.odts9x2f9x4k_52_bis_of_the_Law_on_the_Organization_of_Correctionand_Community_Rehabilitation_Centers,_added_by_Law_No.19_of_2020.\) the](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.odts9x2f9x4k_52_bis_of_the_Law_on_the_Organization_of_Correctionand_Community_Rehabilitation_Centers,_added_by_Law_No.19_of_2020.)

⁸⁷⁷ Administrative Court, Case No. 54510 of 62S issued in the session of May 12, 2009.

3-It is permissible, after taking the opinion of the competent security authorities, to release conditionally:

(a) Convicted of crimes harmful to the security of the government from home and abroad stipulated in Parts [One and Two](#) of Book Two of the Penal Code;

(b) sentenced to life imprisonment, aggravated imprisonment or imprisonment for the crimes of murder provided for in [Article 234 \(second paragraph\)](#) of the Penal Code, crimes of counterfeiting, wrongful arrest of people, theft, smuggling of cash and drug offences;

(C) Convicted of drug crimes - with the penalty of imprisonment if they have previously been convicted of similar crimes ⁽⁸⁷⁸⁾.

The Administrative Court ruled that the refusal of the administration to release the convicted person for the crime of drug trafficking, which is one of the crimes in which it is not permissible to release the police, is a decision based on a valid basis of reality and law: [The Prisons Law has specified the conditions for conditional release, which are that the convicted person must have served three quarters of the sentence and that he must have fulfilled his financial obligations - if he can do so - and that the convicted person must be of good conduct within the penal institution.

If Article (52) of the Prisons Law stipulates that it is permissible to release every convict permanently with a penalty restricting freedom, it stipulated in its inability that the release of the convict should not be a danger to public security.

Article (86) of the Prisons Regulations explicitly stipulates that those convicted of crimes harmful to the security of the government at home and abroad and those sentenced to hard labor or imprisonment for certain crimes specified in the text, including drug crimes, except for crimes of abuse and unintentional seizure of trafficking, may not be released under condition.

Whereas, when this was the case, it was clear from the papers that the administration had refused to release the plaintiff's mother because it had been sentenced in Case No.... For the year... First Tanta, registered under number... He was sentenced to three years in prison and a fine of (50,000 pounds) for the charge of drug trafficking, which is one of the crimes in which it is not permissible to release

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.scaciirdb7qf](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.scaciirdb7qf) 86 of the [Internal Regulations](#) of the [Reform and Community Rehabilitation Centers](#), as amended by Minister of Interior Decree No. 16630 of 2003, Minister of Interior Decree No. 578 of 1978, and Minister of Interior Decree No. 835 of 1968.

the policeman - in accordance with the text of Article (86) of the executive regulations of the aforementioned prisons.

Whenever this is so, the contested decision shall have been issued on the face of the papers on a valid basis of fact and law, and thus the pillar of seriousness in the request for a stay of execution lags behind, which requires a ruling to reject this request without the need to invoke the pillar of urgency for its futility] ⁽⁸⁷⁹⁾.

4. The prisoner must have served half of the sentence in the reform center, provided that this period is not less than six months. For the convict sentenced to life imprisonment, the period spent by the convict must not be less than twenty years, provided that the period spent by the inmate in the reform center in the case of multiple sentences is calculated on the basis of the total periods of those penalties. If the convict committed a crime while in the reform center, the release shall be on the basis of the remaining period at the time of committing this crime, in addition to the period of the sentence imposed on him for committing it.

As for the inmate in the military reform centers, it is required that the inmate - sentenced to a custodial sentence for a period exceeding nine months - has spent in the reform center three-quarters of the sentence, provided that this period is not less than nine months, provided that the period spent by the inmate in the reform center in the case of multiple sentences is based on the total duration of those penalties;

If the convict has spent a period in pretrial detention, it must be deducted from the term of the sentence, so that his release is conditional based on the entire period of the sentence;

The period that has been reduced from the sentence based on a decision issued to pardon the convict shall not be included in the calculation of the period to be spent in prison for release ⁽⁸⁸⁰⁾.

The wisdom of the convict serving a certain period of his sentence in the reform center is that that period is sufficient to achieve rehabilitation programs for him inside his prison ⁽⁸⁸¹⁾.

5- His behavior while he is in the reform center calls for confidence in his self-evaluation, which is a condition that is benefited and deduced from the serious observation of the convict, his commitment

879 Administrative Court, Case No. 54510 of the year 62 issued in the session of May 12, 2009.
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[Articleshttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.warm32cm0eet](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.warm32cm0eet) 52 of the Law on the Organization of Correction and Community Rehabilitation Centers as amended by Law No. 6 of 2018, articles 54 and 55 of the Law on the Organization of Correction and Community Rehabilitation Centers, and articles 49 and 51 of the Internal Regulations of Military Prisons.

881 Administrative Court, Case No. 32584 of 63 S issued at the session of December 29, 2009.

to rehabilitation programs, and his good relationship with his colleagues and supervisors of the penal institution⁽⁸⁸²⁾.

It also benefited from the absence of any disciplinary sanctions during the period of his placement in the reform center, which indicates his good behavior and his response to rehabilitation programs⁽⁸⁸³⁾.

6- His release shall not be a danger to public security, after taking the opinion of the competent security authorities to indicate whether the release of the convict is a danger to public security or not, and this danger may be the source of the convict himself, which can only be achieved if the administration does not respond to the punitive treatment, and may also be the source of external factors that require the non-release of the convict for maintenance of the public interest, and one of these factors is the crime committed by the prisoner and its danger to public security⁽⁸⁸⁴⁾.

In this regard, the Administrative Court ruled that: [The right prescribed for citizens to equality before the law represents a basis for justice, freedom and social peace, and it is a means of determining the legal protection of the rights established by the Constitution and ordinary law. One of the last rights is the right prescribed for convicts to conditional release, which is a system based on the release of convicts before the deadline set for the expiry of the sentence with their subjection to supervision during a later period, an idea that arose in the middle of the eighteenth century to reform the convict by rehabilitating him for social life and evolved with the development of punitive policy, which is no longer limited to deterrence and requiring the right of society from the perpetrator of the sinful act with a signed physical penalty, but its goal extended to the rehabilitation and reform of the convict.

In terms of the Prisons Law, it has specified the conditions for conditional release, which are that the convict has served a certain period of his sentence of three-quarters of the period - a sufficient period to achieve rehabilitation programs for him inside his prison and that the convict has fulfilled his financial obligations if he can, and this fulfillment discloses the convict's remorse, and that the convict has good behavior within the penal institution, which is a condition that is benefited and

882 Administrative Court, Case No. 51292 of 62 BC previously referred to, Case No. 25356 of 58 issued at the session of 19 December 2006.

883 [Article No. 52 of the Law on the Organization of Correction and Community Rehabilitation Centers](#), as amended by [Law No. 6 of 2018](#), and [Article No. 49 of the Internal Regulations of Military Prisons](#), see: Administrative Court, Case No. 35608 of 63 S issued at the session of July 12, 2009.

884 [Article \[52 of the Law on the Organization of Correction and Community Rehabilitation Centers\]\(https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.warm32cm0eet_52_of_the_Law_on_the_Organization_of_Correction_and_Community_Rehabilitation_Centers,_as_amended_by_Law_No.6_of_2018\), as amended by \[Law No. 6 of 2018\]\(#\), see: Judgement of the Administrative Court in Case No. 20839 of 67 S issued at the session of January 20, 2015.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.warm32cm0eet_52_of_the_Law_on_the_Organization_of_Correction_and_Community_Rehabilitation_Centers,_as_amended_by_Law_No.6_of_2018)

deduced from the observation and seriousness of the convict and his commitment to rehabilitation programs and good relationship with his colleagues and supervisors of the penal institution.

If the provisions of Article (52) of the Prisons Law stipulate that it is permissible to release every convict permanently sentenced to a penalty restricting freedom, it stipulated in its inability that the convict's release should not be a threat to public security, and this danger may come from the convict himself, which can only be achieved if the administration does not respond to the punitive treatment. It may also come from external factors that require the non-release of the convict for the maintenance of the public interest. One of these factors is the danger to public security posed by the crime committed by the prisoner.

In terms of the lawsuit papers, it is established that the plaintiff's son has spent fifteen years in prison in case No. 60 of 1997 on charges of joining a group established contrary to the rule of law. His prison term began on 9/11/1995 and ended on 29/11/2010. The administrative authority refused to release him - after serving three quarters of the period, on the basis that he was convicted of a crime against state security.

In terms of the fact that the lawsuit papers have created a danger to public security from the convict (the son of the plaintiff), but the plaintiff provided evidence that he received during the period of his imprisonment a Bachelor of Laws, and it is not sufficient reason for him to refuse conditional release that the charge of the plaintiff's son to join a group established in violation of the law without any accompanying criminal manifestations was punished, and therefore the decision of the administration to refuse to release him is not based on a valid reason that justifies it, and the court then decides to cancel it with the consequent effects] ⁽⁸⁸⁵⁾.

The Administrative Court ruled that the exaggeration in relying on the idea of danger to public security must be mitigated when applying the conditional release system because the terms and conditions of conditional release make it not a termination of the sentence, and the legislator has entrusted the police officers with supervising the conduct of the conditional release, and the party entrusted with the conditional release has the right to cancel this release and return the convict to complete the term of his sentence: [If the provisions of Article (52) of the Prisons Law stipulate that it is permissible to release the conditional on each convict being finally sentenced to a penalty restricting freedom, it stipulated in its in its inability that the release of the convict shall not be a danger to public security, and this danger may come from the convict himself, which can only be achieved if the administration interrupts his non-responsiveness to punitive treatment, and the source of this danger is external factors that require the convict not to be released for the maintenance of the public interest.

⁸⁸⁵ Administrative Court, Case No. 18766 of 61 S issued in the session of January 8, 2008.

It must alleviate the reliance on the idea of the danger to security when applying the conditional release system, since the special provisions that distinguish it under Egyptian legislation, which are that it is not a termination of the sentence, and the periods specified by law that determine the rights of the convict do not begin to take effect from the date of release, but rather by the expiry of the remaining period of the sentence and the event of his conversion to a final release. This is in addition to the fact that Egyptian legislation has entrusted the police officers with supervising the conduct of the released conditional release, and the party entrusted with the conditional release has the right to cancel this release and the return of the convict to complete the term of his membership.

In terms of the fact that the administrative authority has clearly stated the reason for its decision, which includes refusing the conditional release of the plaintiff, that the legislator has set conditions that must be met by them, and one of these conditions is that these people should not be a threat to public security as a result of the application of this release, which the administration considered that it was not achieved in the plaintiff, and therefore it refused to release him.

Whereas, in light of the stability of the judicial rulings, the administration is not obliged in some cases to justify its decisions, but its mention of a specific reason subject to judicial control and the danger of the person to security and public order requires the existence of serious facts established in his right and productive in signifying this meaning, and it is indispensable that this statement be achieved by the mere danger of a group in itself or a certain thought, the court - in the present case - It does not prosecute a criminal act in which the competent judiciary has adjudicated and set a criminal penalty for it, nor does it establish a specific thought based on the fact that dealing with thought is not only based on the Ministry of Interior and its security agencies, but also shared by all political and media agencies and opinion institutions aimed at preserving the civilized face of the Egyptian legal system, which upholds legitimacy and the rule of law and which protects the public interest and the private interests of individuals in a way that achieves the individual's loyalty to his homeland and his sense of legal security, which in their entirety represent a motive to return to the right path, especially since the police release system has carried all the means that protect the public interest by deciding to cancel the release if The released person violated the conditions set for release and did not carry out the duties imposed, and the cancellation is supported by the fact that it is a method of punitive treatment aimed at rehabilitating the convict.

Whereas, the Egyptian legislation has defined the scope of conditional release by including all convicts with custodial penalties of any nature, and the Internal Regulations of Prisons have suspended the application of conditional release in some crimes to take the opinion of the security authorities in the crimes mentioned in Article (86) of the Internal Regulations of Prisons, but this

opinion is binding on the authority entrusted with conditional release without comment on its part, and this is due to two considerations: -.

First: The legislative trend in the Law on the Organization of Prisons (the Law on the Organization of Correction and Community Rehabilitation Centers) to determine the right of convicts to conditional release, with its conditions unequivocally specified, as there is no room for an additional condition in the executive regulations entrusted with determining the conditions and procedures of conditional release and the stable rule that the restrictions on rights must be interpreted in the narrowest scope.

Second: The internal regulations did not require the approval of the security authorities for the conditional release, and the text of the regulations was limited to merely taking the opinion of these parties without requiring their approval. The legally competent department - the Prisons Authority - must examine this opinion as it is the legal guardianship over the rehabilitation of the convict during the period of his imprisonment.

In addition to the above, the assumption of the continued danger of the convict to public security and public order undermines the credibility of the penal system imposed on the convicts and assumes that they must continue in their detention indefinitely, which is contrary to their natural right to return after punishment to society and to start their public and social lives] ⁽⁸⁸⁶⁾.

Whereas the condition for taking the opinion of the security authorities was added by the internal regulations of the reform and rehabilitation centers in some crimes, however, any of the law regulating reform and rehabilitation centers, and the internal regulations did not require the approval of the security authorities to release the police, but only to take the opinion of those authorities, so the legally competent department, which is the community protection sector, must scrutinize the opinion of the security authorities, considering that this department is the legal guardianship of the rehabilitation of the convict during the period of his imprisonment, and in that the Administrative Court ruled that: [The right of citizens to equality before the law represents a basis for justice, freedom and social peace, and it is the means of determining the legal protection of the rights established by the Constitution and the law. One of these rights is the right of the convict to conditional release, which is a system based on the release of the convict before the deadline specified for the absence of punishment with subjection to supervision during a later period. It is an idea that arose to reform the convict by rehabilitating him for social life, and it has evolved with the development of punitive policy that is no longer limited to deterrence and requiring the right of society from the perpetrator of the crime, but its goal has extended to the rehabilitation and reform of the convict. The Prison Law has defined the conditions Conditional release, which is that the convict has served a period of three quarters of his sentence, which is sufficient to achieve rehabilitation programs for him inside his

⁸⁸⁶ Administrative Court, Case No. 33956 of 63 in the session of 29 December 2009, Case No. 30999 of 63 S issued in the session of 29 December 2009, Case No. 34171 of 63 S issued in the session of 24 November 2009, Case No. 23052 of 59 S issued in the session of 6 December 2005.

prison, and that the convict has fulfilled his financial obligations if he is able to do so, and this fulfillment discloses the remorse of the convict, and that the convict has good behavior during the period of his stay in the penal institution, which is a condition derived from the observation and seriousness of the convict and his commitment to rehabilitation programs and his good relationship with his colleagues and supervisors of the penal institution, It is also stipulated that the release of the convict should not be a danger to public security, and this danger may be the source of the convict, and it is achieved if the administration does not respond to the punitive treatment, and it is also the source of external factors that require the non-release of the convict for maintenance of the public interest, and it must reduce the reliance on the idea of danger to security when applying the conditional release system because the special provisions that distinguish it, which are that it is not a termination of the sentence, and the periods specified by law to determine the rights of the convict do not begin to take effect from the date of release, but by the lapse of the period This is in addition to the fact that the legislator has entrusted the police officers with supervising the conduct of those released on conditional release and has given the party entrusted with conditional release the order to cancel this release and return the convict to complete his sentence.

In light of the above, and since the beginning of the papers, the administrative authority has disclosed the reason for its decision to refuse to release the plaintiff, which is to join an armed clandestine group that embraces extremist ideology, imposes its hegemony and carries out terrorist operations, and the concerned security authorities have decided not to approve the conditional release because there is a danger to public security, and the rulings of the administrative judiciary have established that although in some cases the administration is not obliged to justify its decisions, but if it mentions a specific reason, this is subject to judicial control. And that the danger of the person to security and public order requires the existence of serious facts established in his right and productive in signifying this meaning, and it is not indispensable to say the danger of a particular group, the court does not try a criminal act in which the competent judiciary has decided and determined a criminal penalty, nor does it establish a specific thought, based on the fact that dealing with thought is based not only on the Ministry of Interior and its technical bodies, but also on political and media bodies and opinion institutions that aim to preserve the civilized face of the Egyptian legal system, which raises the importance of legitimacy and the rule of law, which It protects the public interest and the private interests of individuals in a way that achieves the loyalty of the individual to his homeland and his sense of legal security, which in their entirety represent an incentive to return to the right path, especially since the police release system has carried all the means that protect the public interest by deciding to cancel the release if the released person violates the conditions set for release and does not perform the duties imposed on him.

Since the Law on the Organization of Prisons (the Law on the Organization of Correction and Community Rehabilitation Centers) has defined the scope of conditional release by including all convicts with penalties for depriving freedoms of any nature, however, the internal regulations of prisons have suspended the application of conditional release in some crimes (mentioned in Article 86 of the regulation) on taking the opinion of the security authorities, which means adding a condition in the regulation for the release of the convict, but it mitigates that the regulation did not require the approval of the security authorities for conditional release and the text of the regulation was limited to Just taking the opinion of these authorities, so the legally competent administration, which is the Prisons Authority, must scrutinize the opinion of the security authorities, as this administration is the legal guardianship of the rehabilitation of the convict during the period of his imprisonment. This is in addition to the fact that the assumption that the convict is dangerous to public security and public order is a matter that undermines the credibility of the punitive system applied to the convict, and leads to the convict continuing to be imprisoned indefinitely, which is contrary to his natural right to return to society to start his normal life, and since it is established that the administrative authority has relied on Its contested decision is based on the opinion of the security authorities. This stigmatizes the decision to violate the law and abuse of power because it includes an advance ruling against the plaintiff that is not related to his seriousness but to his membership in one of the prohibited groups. The risk must be assessed when the contested decision is issued without its estimation being based on the date of the criminal judgment. This is also contrary to the considerations of justice. Assumption of risk in the convict in the future, especially since it is a system in which the convict is subject to the control The police during the period of his conditional release until the date of the end of the sentence and this is the best guarantee to maintain security and public order, which requests to stop the implementation of the contested decision consistent with the correctness of the rule of law, invoking the constitutional principles based on equality and the protection of human rights in social life within his family and collectively, which provides the cornerstone of seriousness in the request to stop the implementation of the contested decision, and the cornerstone of urgency in this request as the continued implementation of the contested decision restricts the freedom of the plaintiff and his natural right to life within his family and collectively and would deprive the plaintiff of This is the occurrence of irreversible results.

In terms of the fact that the request to suspend the implementation of the contested decision has settled on its pillars, it is necessary to suspend the implementation of the contested decision, with the consequences of this, especially his release and his release from prison in which he is located]⁽⁸⁸⁷⁾.

Accordingly, the idea of the danger to security when applying the conditional release system should not be exaggerated because this system is not a reason for the expiry of the sentence, but

⁸⁸⁷ Administrative Judiciary Court, Case No. 13624 of 59 S issued at the session of July 19, 2005, and see also: Judgement of the Administrative Judiciary Court in Case No. 14469 of 59S issued at the session of April 12, 2005.

rather to modify the method of its implementation. The penalty does not expire unless the remaining period of it has been canceled. This means that the conditional release does not put the convict in a stable final position during the period of the conditional release, as he is subject to being canceled. During the period of the conditional release, he is subject to being canceled. The conditional release does not turn into a final release unless it expires without being⁸⁸⁸ canceled.

It is not permissible for the administration to invoke the public interest or the crime for which the convict has already been punished as a reason for refusing his conditional release, without being supported by subsequent criminal manifestations that he may have committed during the execution of the sentence: [... Whereas, the lawsuit papers were completed from any evidence of the plaintiff's danger to public security, on the contrary, the plaintiff submitted what foretells the integrity of his conduct during the execution of the penalty by obtaining a high school diploma in the academic year 2005/2006 and successfully passing the examinations of the Third Division of the Faculty of Law - Cairo University for the academic year 2007-2008. In this regard, it is not enough for the administration to invoke the "public interest" or the crime for which the plaintiff was previously punished as a reason for refusing his conditional release, and without being supported by subsequent criminal manifestations that he may have committed during the execution of the penalty. Accordingly, the decision of the administration to refuse the conditional release of the plaintiff is incorrect and - according to the appearance of the papers - is not based on a valid reason justified by reality or law]

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⁸⁸⁸ Administrative Court Case No. 33956 of 63 s Issued at the hearing of December 29, 2009 Unpublished-, Case No. 30999 of 63 s Issued at the hearing of December 29, 2009 Unpublished-, Case No. 34171 of 63 s Issued at the hearing of November 24, 2009 Unpublished-, and Cases No. 35608, 35428, 35611, 35610, 35609, 35614, 35612, 35613, 35427, 35425, 35424, 35423 of 62 s, 35426 of 53 s Issued at the hearing of July 12, 2009 Unpublished-, Case No. 23052 of 59 S issued at the hearing of 6 December 2005 Unpublished -, Case No. 13624 of 59 S issued at the hearing of 19 July 2005 Unpublished -, Case No. 14469 of 59 S issued at the hearing of 12 April 2005 Unpublished -, Case No. 4852 of 58 S issued at the hearing of 7 December 2004 Unpublished -, Case No. 12647 of 58 S issued at the hearing of 6 July 2004 Unpublished -, Case No. 503 of 58 S issued at the hearing of 9 March 2004 Unpublished -, Case No. 504 For the year 58 S issued at the session of February 24, 2004 Unpublished-, Case No. 24846 for the year 57 S issued at the session of December 30, 2003.

⁸⁸⁹ Administrative Court Case No. 41691 of 63 S issued at the session of December 29, 2009, see in the same sense: the judgment of the Administrative Court in Case No. 28359 of 58 issued at the session of February 8, 2005

See the opposite: its judgment in Case No. 13625 of 59 S issued at the session of July 12, 2005, in which the court ruled the validity of the administration's decision to refuse the conditional release of the convict due to the administration's view that the convict had previously been charged with several charges, including making shots from what was used in the defender without a license with the intention of using them in an activity that violates security and public order, and the issuance of a judgment that sentenced him to five years' rigorous imprisonment under a judgment issued by the Supreme Military Court, as a source of danger. The source of the danger may be external factors that require the non-release of the convict in order to maintain the public interest. One of these factors is what the crime committed by the prisoner and its danger to public security represents: [In terms of the prison law has specified the conditions for conditional release, which is that the convict has served a certain period of his sentence of three quarters of the period - a sufficient period to achieve rehabilitation programs for him inside his prison and that the convict has fulfilled his financial obligations if he can, and this fulfillment discloses the remorse of the convict, and that The convict shall be of good conduct within the penal institution, which is a condition that is benefited and deduced from the observation and seriousness of the convict, his commitment to rehabilitation programs, and his good relationship with his colleagues and supervisors of the penal institution.

If the provisions of Article 52 of the Prisons Law stipulate that it is permissible to release every convict permanently with a penalty restricting freedom, it stipulated in its inability that the convict's release should not be a threat to public security. This danger may come from the convict himself, which is only achieved if the administration does not respond to punitive treatment. The source of this danger is external factors that require the convict not to be released for maintenance of the public interest. One of these factors is what the crime committed by the prisoner and its danger to public security represents.

The inference of the danger of the inmate to security and public order, as a justification for not agreeing to his conditional release, requires the existence of serious facts established in his right and productive in signifying that meaning. It is not enough just to say that he is a member of a dangerous

In terms of applying the foregoing, and it was apparent from the lawsuit papers without infringing on its subject, that the plaintiff was accused of several charges, including obtaining a 23 mm bullet from what was used in the guns without a license, which he received from one of the defendants, and with the intention of using it in an activity that violates security and public order, and he was sentenced to hard labor for a period of five years, according to the judgment issued by the Supreme Military Court in Case No....../... Military felonies in session.../.../..... Hence, there is a danger that has been achieved on his part, justifying the non-release of the conditional, which is what the contested decision - according to the papers - is based on its reason, unlikely to be canceled, which negates the corner of seriousness, and then the court decides to reject the request for a stay of execution, without the need to discuss the corner of urgency]

As well as the judgment of the Administrative Court in Case No. 4852 of 58 S issued at the hearing of 7 December 2004: [In terms of that the Prisons Law has determined the conditions of conditional release, which is that the convict has served a certain period of his sentence of three quarters of the period - which is sufficient to achieve rehabilitation programs for him inside his prison and that the convict has fulfilled his financial obligations sentenced to him if he can, and this fulfillment discloses the remorse of the convict, and that the convict has good behavior within the penal institution, which is a condition that is benefited and deduced from the observation and seriousness of the convict and his ability to rehabilitate programs and good relationship with his colleagues and supervisors of the penal institution

If the provisions of Article 52 of the Prisons Law stipulate that it is permissible to release every convict permanently sentenced to a penalty restricting freedom, it stipulated in its inability that the convict's release should not be a threat to public security, and this danger may originate from the convict himself, which can only be achieved if the administration does not respond to the punitive treatment, and the source of this danger is external factors that require the non-release of the convict for maintenance of the public interest.

The reliance must be reduced to the idea of the danger to security when applying the conditional release system, given that the special provisions that distinguish it under Egyptian legislation, which are that it is not a termination of the sentence, and the periods specified by law that determine the rights of the convict do not start from the date of release, but the expiry of the remaining period of the sentence and the event of his conversion to a final release, in addition to the fact that Egyptian legislation has entrusted the police officers with supervising the conduct of the released conditional release, and the party entrusted with the conditional release shall have the right to cancel this release and the return of the convict to complete his membership period

Whereas, it is established from the response of the administration to the lawsuit that the plaintiff is serving a sentence of hard labor for a period of 10- years in Case No. 863 of the year 95, Al Zahir Felonies, registered under No.... For the year.... Kalla Gharb on charges of disrupting the provisions of the Constitution, and the administration has disclosed the reason for its decision to refuse conditional release of the plaintiff in accordance with Article 52 of Law No. 396 of 1956 that he is one of the elements belonging to an armed secret group that uses force and violence to spread its extremist ideology and impose its authority, which was supported by the blogs of the judgment issued in Case No.... For the year..... Reference is made to the fact that the plaintiff and others used weapons and violence in setting fire and proceeding to set fire to the shops referred to in the judgment and acquired and obtained without a license two uncut firearms and ammunition on the detail mentioned in the reasons for the aforementioned judgment. If the foregoing, the plaintiff and the situation as such sacrifices a threat to public security, and then the decision of the administration authority in the refusal of conditional release of the plaintiff came in accordance with the provision of Article 52- the aforementioned, which makes it based on a justifiable reason for the order that the court rejects the lawsuit]

Case No. 8846 of 58 S issued at the session of 18 September 2004: [In that the Prisons Law has specified the conditions for conditional release, which is that the convict has served a certain period of his sentence of three quarters of the period - which is sufficient to achieve rehabilitation programs for him inside his prison and that the convict has fulfilled his financial obligations if he can, and this fulfillment discloses the remorse of the convict, and that the convict has good behavior within the penal institution, which is a condition that is benefited and deduced from the observation and seriousness of the convict and his commitment to rehabilitation programs and good relationship with his colleagues and supervisors of the penal institution

If the provisions of Article 52 of the Prisons Law stipulate that it is permissible to release every convict permanently sentenced to a penalty restricting freedom, it stipulated in its inability that the convict's release should not be a threat to public security, and this danger may originate from the convict himself, which can only be achieved if the administration does not respond to the punitive treatment, and the source of this danger is external factors that require the non-release of the convict for maintenance of the public interest.

Whereas, by applying the foregoing, it was apparent from the lawsuit papers without infringing on its subject matter - that the plaintiff had participated with others in the killing of the citizen /..... On 5/7/1990, he was sentenced to death in case No.... For the year..... Felonies..... Based on his appeal, he was retried in 1993 and at the hearing of 9/12/1993, a judgment was issued in the Cairo Criminal Court to punish the plaintiff and others with hard labor for fifteen years

Whereas the appearance of the lawsuit papers and their documents did not reveal the good behavior of the plaintiff inside the prison and his response to the punitive treatment, as well as the seriousness and gravity of what he committed in taking a human life, which is something that the heavens and the earth almost break from the misery of what his hands have done, which in turn undoubtedly reflects the plaintiff's criminal danger to public security, and if the contested decision was issued to refuse to release him, this decision is apparently based on its justified reason, fact, law and coincidence with the rule of law, and it is unlikely to cancel, which negates the pillar of seriousness, which requires the judiciary to reject the request to stop the implementation of the contested decision.]

group. The court does not prosecute a criminal act that has already been adjudicated by the competent judiciary and assigned a criminal penalty. The court also does not establish a specific thought, and dealing with thought is not based on the Ministry of Interior and its technical bodies only, but is shared by political and media bodies and opinion institutions. Therefore, the risk must be assessed at the time of the decision not to approve the conditional release, without its assessment being based on the date of the criminal judgment, because this is contrary to the considerations of justice, assuming the risk in the convict in the future: [It is clear from the papers that the administrative authority has disclosed the reason for its decision to refuse to release the plaintiff, which is to join a religious organization, which is one of the crimes harmful to the security of the government, and that the relevant security authorities did not agree to his conditional release, and the administrative judiciary rulings have been established that, although the administration in some cases is not obligated to cause its decisions except It is that if it mentions a certain reason, this is subject to judicial control, and that the person's danger to security and public order requires the existence of serious facts that are fixed in his right and productive in signifying this meaning, and it is not indispensable to say the danger of a certain group. The court does not prosecute a criminal act in which the competent judiciary has decided and determined a criminal penalty, nor does it establish a specific thought, based on the fact that dealing with thought is not based on the Ministry of Interior and its technical bodies only, but rather shared by political and media bodies and opinion institutions that aim to preserve the civilized face of the Egyptian legal system, which raises the importance of legitimacy and the rule of law and which protects between its motives the public interest and the interests of private individuals in a way that achieves the individual's loyalty to his homeland and his sense of legal security, all of which represent an incentive to return to the right seriousness, especially since the police release system has carried among its folds all the means that protect the public interest by deciding to cancel the release if the released violates the conditions that were set for release and did not perform the duties imposed on him.

Since the Law on the Organization of Prisons (the Law on the Organization of Correction and Community Rehabilitation Centers) has defined the scope of conditional release by including all convicts with penalties for depriving freedoms of any nature, but the internal regulations of prisons have suspended the application of conditional release in some crimes (mentioned in Article 86 of the regulation) to take the opinion of the security authorities, which means adding a condition in the regulation to release the convict, but it mitigates this because the regulation did not require the approval of the security authorities for conditional release and the text of the regulation was limited to Just taking the opinion of these authorities, so the legally competent administration, which is the Prisons Authority, must scrutinize the opinion of the security authorities, as this administration is the legal guardianship of the rehabilitation of the convict during the period of his imprisonment. This is in

addition to the fact that the assumption that the convict is dangerous to public security and public order is a matter that undermines the credibility of the penal system applied to the convict, and leads to the convict continuing to be imprisoned indefinitely, which is contrary to his natural right to return to society to start his normal life, and since it is established that the administrative authority has relied on its contested decision is based on the opinion of the security authorities. This stigmatizes the decision to violate the law and abuse of power because it includes an advance ruling against the defendant that is not related to his danger, but to his membership in one of the prohibited groups. The risk must be assessed when the contested decision is issued without its estimation being based on the date of the criminal judgment. This is also contrary to the considerations of justice. Assumption of danger in the convict in the future, especially since it is a system in which the convict is subject to control by the police during the period of his conditional release until the date of the end of the sentence, and this is the best guarantee to maintain security and public order, and since the administrative authority did not argue that the plaintiff has met the legally specified conditions for conditional release, which makes the request to stop the implementation of the contested decision consistent with the correct rule of law, taking into account the constitutional principles that are based on equality and the protection of human rights in social life within his family and collectively, which is the cornerstone of seriousness in the request to stop the implementation of the contested decision, and the cornerstone of urgency in this request is available as the continued implementation of the contested decision is a restriction on the freedom of the plaintiff and his natural right to life within his family and community, and depriving the plaintiff of this would lead to irreversible results.

Whereas, since the request to suspend the implementation of the contested decision has settled on its pillars, it is necessary to suspend the implementation of the contested decision, with the consequences of this, especially his release and his release from the prison in which he is located] (890).

7- That the convict has fulfilled the financial obligations imposed on him unless it is impossible for him to fulfill them (891).

The fulfillment of financial obligations as a condition for conditional release is limited to the financial obligations contained in the criminal judgment in which the inmate implements the punishment covered by its operative part. This does not include any other financial obligations decided upon by the inmate by agreement or judiciary: [The right prescribed for citizens to equality

890 Administrative Court, Case No. 12647 of 58 issued in the session of July 6, 2004.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9-1/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.t4hmq1vbygva> 56 of the Law on the Organization of Correction and Community Rehabilitation Centers.

before the law represents a basis for justice, freedom and social peace, and it is a means of determining the legal protection of the rights established by the Constitution and ordinary law. One of the last rights is the right prescribed for convicts to conditional release, which is a system based on the release of convicts before the deadline specified for the expiry of the sentence while they are subject to supervision during a later period, an idea that originated in the mid-eighteenth century to reform the convict by qualifying him for social life and developed with the development of punitive policy, which is no longer limited to deterrence and requires the right of society from the perpetrator of the sinful act with minimal signed parts, but its goal extends to the rehabilitation and reform of the convict.

In terms of the Prisons Law, it has specified the conditions for conditional release, which are that the convict has served a certain period of his sentence of three-quarters of the period - a period sufficient to achieve rehabilitation programs for him inside his prison and that the convict has fulfilled his financial obligations if he can, and this fulfillment discloses the convict's remorse, and that the convict has good behavior within the penal institution, which is a condition that is benefited and deduced from the observation and seriousness of the convict and his commitment to rehabilitation programs and his good relationship with his colleagues and supervisors of the penal institution.

If the provisions of Article (52) of the Prisons Law stipulate that it is permissible to release every convict permanently with a penalty restricting freedom, it stipulated in its inability that the convict's release should not be a threat to public security, and this danger may be the source of the convict himself, which is only achieved if the administration does not respond to the punitive treatment. The source of this danger is external factors that require the non-release of the convict for the maintenance of the public interest, and one of these factors is what the crime committed by the prisoner and its danger to public security represents.

Whereas, the evidence on the face of the papers - and within the limits of the adjudication of the urgent part of the lawsuit - that he has ruled in Case No..../... Financial misdemeanors by imprisoning the plaintiff for five years with work and enforcement and a fine of one hundred thousand pounds and a ban on practicing the activity in which the crime occurred for a period of three years and obliging him to pay criminal expenses and obliging him to compensate the plaintiff with the civil right....».

This judgment was upheld on appeal - the plaintiff submitted a request to install the amount of the fine and paid, as stated in his defense memoranda and documents, eight installments of them - after the approval of the competent authorities - and the case papers were completed for his commission. There were disciplinary violations during his imprisonment. The defendant attributed the refusal of his conditional release to his return of the rights of the company's customers, amounting to (27 million

pounds) - as stated in the criminal investigation letter attached to the governorate of the administrative authority's documents submitted at the session of 22/8/2005.

In terms of fulfilling financial obligations as a condition for conditional release is limited to those obligations contained in the criminal judgment in which the prisoner implements the punishment covered by its operative part, which is other than what is regulated by the provisions of the Prisons Law regarding the fulfillment of financial obligations and the declaration that this fulfillment is limited to those that are not impossible for him to fulfill. This legislative direction discloses that the legislator seeks the prisoner's conditional release in order to implement the good performance of the punitive policy and achieve its desired results, and it does not prevent the administrative authority from releasing the prisoner - with the availability of his conditions - the existence of financial obligations on the prisoner that are subject to fulfillment by agreement or judiciary and by legal means and means, including what is stated in the plaintiff's defense.

Whereas, since this is the case, the contested decision has been issued - ostensibly - contrary to the law, and it has been based on a valid reason that justifies it, and the plaintiff's request to suspend its implementation is based on a serious basis.

In terms of the element of urgency, it is available and the consequences of the continued implementation of the contested decision on the freedom of the plaintiff and his right to conditional release, especially with proof of his commitment to conduct and his desire to meet the financial obligation (fine)]⁽⁸⁹²⁾.

The decision of the administration to refuse the conditional release of the convict for non-payment of the sentenced financial obligations is based on the right reason for it, given the fact that this conditional release without payment of those financial obligations is dangerous to the national economy and has a harmful impact on it because it leads to the prevalence of corruption and the increase in its rates: [The right prescribed for citizens to equality before the law represents a basis for justice, freedom and social peace, and it is a means of determining the legal protection of the rights established by the Constitution and the law. One of the last rights prescribed for convicts is the right to conditional release, which is a system based on the release of convicts before the deadline specified for the expiry of the sentence and subjecting them to supervision during a later period. It is an idea that originated to reform the convict by qualifying him for social life and developed with the development of punitive policy, which is no longer limited to deterrence and requires the right of society from the perpetrator of physical parts signed on him, but its goal extends to the rehabilitation and reform of the convict.

In terms of the Prisons Law, has specified the conditions for conditional release, which are that the convict has served a certain period of his sentence of three-quarters of the period - a period sufficient

⁸⁹² Administrative Court, Case No. 35720 of 59S issued at the session of January 24, 2005.

to achieve rehabilitation programs for him inside his prison and that the convict has fulfilled his financial obligations if he can, and this fulfillment discloses the convict's remorse, and that the convict has good behavior within the penal institution, which is a condition that is benefited and deduced from the observation and seriousness of the convict and his commitment to rehabilitation programs and his good relationship with his colleagues and supervisors of the penal institution.

If the provisions of [Article \(52\) of the Prisons Law](#) stipulate that it is permissible to release every convict permanently sentenced to a penalty restricting freedom, it stipulated in its inability that the convict's release should not be a threat to public security, and this danger may be the source of the convict himself, which is only achieved if the administration does not respond to the punitive treatment. The source of this danger is external factors that require the non-release of the convict for the maintenance of the public interest, and one of these factors is what the crime committed by the prisoner and its danger to public security represents.

Thus, the Law on the Organization of Prisons (the Law on the Organization of Correction and Community Rehabilitation Centers) defined the scope of conditional release by including all convicts deprived of freedoms of any nature. The executive regulations suspended the application of conditional release in some of the crimes specifically addressed in Article (86) on taking the opinion of the security authorities.

Whereas, it is established in the papers that the plaintiff was punished with hard labor for a period of ten years in case No. 897/97 for the charge of seizing public money and a fine in solidarity with another amount of (48060292.534) Egyptian pounds and obliging her to refund an amount equal to that fine, and the administrative authority refrained from releasing her conditionally due to the existence of a serious risk that could not be remedied upon her release, and due to her failure to pay the financial obligations imposed on her, and then her contested decision - and this is the case - is based on its justified valid reason due to the fact that this conditional release in the current case is dangerous to the national economy and its harmful impact in light of the plaintiff's failure to pay the financial obligations imposed on her, which leads to the prevalence of corruption and the increasing rates of its commission, and therefore the completion of the sentence is necessary and necessary to achieve the public and private deterrence hoped for by the penal system.

Accordingly, the court has established that the contested decision is based on its correct reason, and therefore the appeal against it in the present lawsuit is not based on a sound basis for rejection, and it is not important because the plaintiff raised in this lawsuit its inability to meet the financial obligations imposed on it, as the papers and documents it submitted do not lead with certainty to the impossibility of fulfilling those obligations]⁽⁸⁹³⁾.

⁸⁹³ Administrative Court, Case No. 26444 of 58 issued in the session of July 19, 2005.

The administration of the reform center shall notify the Ministry of Social Affairs and Labor of the names of the convicts before their release for a sufficient period of at least two months so that during this period they can be socially rehabilitated and prepared for the external environment with all the necessary care and guidance ⁽⁸⁹⁴⁾.

As for inmates in military reform and rehabilitation centers and those released under condition, a monthly report shall be submitted by the Criminal Investigation Division of the Security Directorate in which his work is located to the Information Department of the Police Department, during the period starting from the date of his release until the date specified for the end of the sentence ⁽⁸⁹⁵⁾.

The conditional release shall be issued by order of the Assistant Minister for the Community Protection Sector, provided that this order specifies the duties imposed on the released person in terms of his place of residence, way of living, and ensuring his good conduct, which shall be decided by the Minister of Justice ⁽⁸⁹⁶⁾.

As for inmates in military reform and rehabilitation centers, a release order is issued under the condition of the Director of the Community Protection Sector for the centers under his administration and by order of the competent security director for the centers of the security directorates ⁽⁸⁹⁷⁾.

After the issuance of the release order, the inmate delivers the order to the administration authority, and delivers it a ticket indicating his name, the sentence imposed on him, its duration, the date scheduled for its expiry, and the date of conditional release, in which he states the conditions set for his release and the duties imposed on him, and warns him that if he violates the aforementioned

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Article No. 53, as amended by Law No. 106 of 2015, and Article No. 57 of the Law Regulating Correction and Community Rehabilitation Centers.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.yb3bwb3c2moh> 50 of the Internal Regulations of Military Prisons.

conditions and duties or if there is evidence of his misconduct, his release is canceled and he is returned to the reform center⁽⁸⁹⁸⁾.

The release under a condition is subject to the discretionary authority of the administration. It is not an absolute right for everyone who meets the conditions for release, in light of its assessment of the availability of the conditions for release or not. However, the authority of the administration in this regard is not absolute or arbitrary but subject to the controls and limits established by the administrative judiciary. Its decision must not be tainted with the defect of deviation in the use of power and must not prejudice the principle of equality between those who are identical in legal status: [Release of the convict under a condition... It is not an absolute right for anyone who meets the conditions for release so that the administrative authority must respond to it as soon as he requests it from the person concerned, but it is subject to the discretionary authority of the administration in the light of its assessment of the extent to which the conditions for release are met or not. However, the authority of the administration in this regard is not absolute or arbitrary, but rather it is entrusted with the controls and limits established by the administrative judiciary, which are not arbitrariness or deviation, and the administration itself puts this authority into practice in the best circumstances and conditions, and conducts it in an objective spirit away from personal motives. Therefore, the administrative judiciary does not review the assessment of the administration body in itself, but the way it is conducted and the extent to which it is extracted reasonably from the assets it produces physically and legally. From this standpoint, the administration body should, if it refuses the conditional release, be based on valid and valid reasons and justifications, such as the failure of the person concerned to meet one or more of the conditions of release stipulated in the law or the fact that his release is a danger to public security. The validity of the decision issued by it in this regard is not presumed merely because it is based on discretion, because it contradicts this with The general principle is that the state is subject to the law, otherwise the administration may refrain from releasing every time its conditions are met, hidden behind its discretion, which is contrary to the lofty wisdom that the legislator has received from deciding on the conditional release system, which is to give the prisoner the opportunity to reform his will and rectify himself with all the advantages and benefits that accrue to him and to all society]⁽⁸⁹⁹⁾.

Single Branch: Conditional Release Cancellation

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https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9_1/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.4z2mynh980qd 58 of the Law on the Organization of Correction and Community Rehabilitation Centers.

⁸⁹⁹ Supreme Administrative Court, Appeal No. 6108 of 50 S, issued at the session of June 24, 2006, unpublished.

The head of the prosecution may, on his own initiative or at the request of the director or governor, submit a reasoned request to the Assistant Minister of Interior for the Community Protection Sector to cancel the release order, in the event that the released person violates the conditions of release or fails to perform the duties imposed on him. The temporary release shall also be canceled if, at any time, the released person is sentenced to a felony or a misdemeanor of the same type of crime for which he was previously sentenced, committed either before the scheduled date for the expiry of the sentence imposed, or within five years from the date of his temporary release if the sentence imposed was life imprisonment.

The head of prosecution shall order the arrest of the released person until an order to cancel the release is issued by the Assistant Minister of Interior for the Community Protection Sector. The period of imprisonment may not exceed fifteen days except with the permission of the Attorney General.

If the release is canceled, the period spent in detention shall be deducted from the period applicable after the release is canceled.⁽⁹⁰⁰⁾.

The release becomes final, if the conditional release is not canceled until the date on which the sentence was scheduled to expire, and the release becomes final for the person sentenced to life imprisonment, after the lapse of five years from the date of the provisional release⁽⁹⁰¹⁾.

If the conditions for temporary release are met by the inmate again after canceling the release order issued to him, he may be released again, provided that the remaining period of the sentence after canceling the release is considered as if it were the period of a sentenced sentence, and it is not permissible to release the convicted person from life imprisonment again before the lapse of five years⁽⁹⁰²⁾.

⁹⁰⁰ Articles [59](#) and [60](#) of the Law on the Organization of Correction and Community Rehabilitation Centers, as [amended by Law No. 106 of 2015](#).

⁹⁰¹ https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.wdv0qztmwo5d_61 of the Law on the Organization of Correction and Community Rehabilitation Centers.

⁹⁰² https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.braakw48ckul_62 of the Law on the Organization of Correction and Community Rehabilitation Centers.

The Attorney General shall have the competence to consider and examine complaints submitted regarding conditional release and to take whatever he deems necessary to lift their reasons⁽⁹⁰³⁾.

The convict has the right to resort to the judiciary directly to challenge the negative or positive decision issued regarding the conditional release, without the requirement of previously submitting a complaint to the Attorney General. In this regard, the Administrative Court ruled that: [Since the penal legislation in the countries of the world has differed in determining the competent authority for conditional release, either by assigning it to the administration or the judicial authority or a committee formed to consider the conditional release, and he has embraced The Egyptian legislator, the first trend, based on the fact that the conditional release system is only one of the stages of the punitive treatment on which the administration is based. The need for its decisions to be subject to judicial control is consistent with the aforementioned constitutional principles, which refuse with its provisions to immunize any work from judicial control. There is no dispute that the way to achieve this control is the judicial lawsuit and does not dispense with filing a grievance to a party. The lawsuit is a dispute in which the individual or individuals appeal to the competent judge to take down the rule of law, and the legislator has informed it of guarantees and privileges that are not achieved with the grievance, whether it is submitted to the issuing authority or another party. The grievance by launching the statement does not represent an objection to the person concerned from the dispute of the decision that Affects his legal status before the competent judiciary.

Whereas it is established in jurisprudence and jurisprudence that the administration, in the event of exercising the competences entrusted to it, either exercises it with a restricted jurisdiction - that is, the law determines in advance the conditions for exercising this authority - or exercises it with discretionary jurisdiction and thus has the appropriateness of issuing the decision, and the administration in both cases is subject to judicial control, even if the extent of this control varies, and the jurisprudence and the judiciary have abandoned an opinion that the administration, in the event of exercising its discretionary jurisdiction, is not subject to judicial control, It is not justified for the will to exercise this jurisdiction in the cases specified by the legislator to circumvent the cloak of absolute authority to be free from the control of the judiciary, which does not prevent it from controlling the work of the administration by its lack of legislative commitment to cause it. Exemption from causation - in its cases - does not in any way obviate the fact that the authority of the administration becomes absolute, and the extension of the administrative judiciary's control over the decisions of the administration, whether in terms of their legitimacy or appropriateness, does not mean replacing the

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administration in the exercise of the competencies entrusted to it or an attack on the principle of separation of powers. The jurisdiction of the judge is limited to conducting control over what the administrative authority issues or refrains from issuing. The subject matter of the annulment lawsuit and the subject matter of the litigation shall be the decision issued by the administration and the judgment issued therein shall include the annulment of the decision that is inconsistent with the legality or the acquittal of the decision. The administration shall implement the provisions issued to uphold the provisions of the Constitution.

Whereas, since this is the case, the plea made by the administrative authority that the court does not have jurisdiction to hear the lawsuit is not based on fact and the law, and the court decides to reject it] ⁽⁹⁰⁴⁾.

The Supreme Administrative Court also ruled that: [The person who is entrusted with conditional release is the Director General of Prisons and not the Attorney General, whose jurisdiction is limited to considering complaints or grievances submitted by convicts and taking the necessary measures in this regard, and it is not necessary for the convict to resort to the Attorney General in the event that the Director General of Prisons does not respond to a request for conditional release, but he has the right to resort to the judiciary directly to challenge the negative or positive decision issued by the Director General of Prisons in this regard, pursuant to Article (68) of the Constitution, which stipulates that "litigation is a protected right and guaranteed for all people and every citizen has the right to resort to his natural judge..", and considering that the grievance to the Attorney General is an optional grievance and not obligatory, and there is no doubt that what is issued by the Director General of Prisons in this case is, of course, an administrative decision subject to the legitimacy control exercised by the courts of the Council of State over administrative decisions, which makes the plea from the appellant administrative body of the lack of jurisdiction of administrative jurisdiction and does not consider the dispute irrelevant ⁽⁹⁰⁵⁾.

As for those released under the condition from military prisons, the police release order may be canceled by order of the Director of the Community Protection Sector for individuals and soldiers affiliated with it and by order of the Director of the Police Department for the rest of the release, if their behavior is bad during the period starting from the date of their release until the date specified for the end of the sentence ⁽⁹⁰⁶⁾.

⁹⁰⁴ Administrative Court, Case No. 51292 of 62S issued at the session of January 27, 2009.

⁹⁰⁵ Supreme Administrative Court, Appeal No. 6108 of 50 S, issued on June 24, 2006. It is noted that the judgment was issued before the issuance of [Law No. 106 of 2015](#), which made the competence to issue a conditional release order is the Assistant Minister of Interior for the Prisons Service Sector instead of the Director General of Prisons.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-)

The second requirement: Conditions for the conditional release of juveniles within the framework of international conventions

International covenants obligated to resort to the maximum extent possible to the conditional release of juveniles placed in a correctional institution provided that an appropriate authority assists juveniles who are conditionally released by supervising them and providing them with full support (907).

Criticism

It is clear that the Egyptian legislator in the bylaws of the reform centers suspended the application of conditional release in some crimes on taking the opinion of the security authorities. Thus, the bylaw added a new condition for the release of the convicted person without the law, which stigmatizes that condition as unconstitutional. If the constitution has recognized the right of the executive authority to issue regulations as an exception, within narrow limits, and the purpose of issuing the bylaws must be limited to the completion of the law, that is, the establishment of the rules and details necessary for its implementation without involving amendment or cancellation of its provisions. Or to add to it provisions that remove it from the spirit of the legislation, otherwise, it is considered that the executive branch exceeds the constitutional jurisdiction vested in it, thus encroaching on the jurisdiction of the legislative branch. In this regard, the Supreme Constitutional Court ruled that: [The Constitution has recognized the right of the executive branch to issue regulations as an exception, and within the narrow limits set by the provisions of the Constitution exclusively, and includes the issuance of the necessary regulations for the implementation of laws, which does not include within its concept of taking over, starting with the regulation of matters other than the law from the statement of the general framework that governs them, as the regulation then does not detail the provisions mentioned by the legislator in general, but rather It was initiated through new texts that cannot be attributed to the law, as the purpose of issuing the regulation must be limited to the completion of the law, that is, the establishment of the rules and details necessary for its implementation, while keeping its original borders intact. Without modifying or repealing its provisions, or adding provisions that take it away from the spirit of legislation, its source exceeds the constitutional jurisdiction vested in it, encroaching on the legislative authority] (908).

[%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.edgleicvgz9_53 of the Internal Regulations of Military Prisons.](#)

⁹⁰⁷ [Rule No. 28 of the Beijing Rules.](#)

⁹⁰⁸ Judgment of the Supreme Constitutional Court in Case No. 146 of 25 S issued at the session of January 4, 2009 and published in the second part of the book of the Technical Office No. 12, rule No. 127, page No. 1250, see also: Judgment of the Supreme Constitutional Court in Case No. 68 of 25 S issued at the session of June 10, 2007 and published in the first part of the book of the Technical Office No. 12, rule No. 47, page No. 496.

Thus, in the requirement of the regulation for the approval of the security authorities of the conditional release, a new condition was introduced that was not mentioned in the Law Regulating Correction and Rehabilitation Centers, making this a departure from the executive authority from the competence vested in it, by issuing executive regulations of the laws in a manner that does not disrupt, amend, or exempt from the implementation of the laws, in a manner that stigmatizes the regulation in violation of the Constitution.

It is also not permissible for the administration, when examining the availability of the conditions for the conditional release of the convict, to invoke the crime for which the convict was previously punished as a reason for refusing conditional release. The basic rule of conditional release is the extent of the validity of the condition of the convict after serving a legally prescribed period and the extent of his response to the treatment he received in the reform center. On the other hand, adhering to the danger of the convict against the public interest by invoking the crime he committed as a reason for refusing his conditional release after the availability of his duties is an implicit penalty imposed on the convict in a way that makes the convict punish twice for the act he committed, once by the sentence he is imprisoned, and again by completing each sentence despite the availability of the conditions of the conditional release in it, in violation of the principle of the rule of law, contrary to the Constitution: [The principle that a person may not be punished twice for one act, is one of the principles reiterated by the different legal systems, and is considered part of the basic rights guaranteed by the international conventions for every human being, and it is wasted with personal freedom, which it is considered a guarantee of humanity and the right to life] ⁽⁹⁰⁹⁾.

The Supreme Constitutional Court also ruled that: [The principle of the submission of the state to the law means that its legislation does not prejudice the rights that are recognized in democratic countries as a primary presumption for the establishment of the legal state, and a basic guarantee for the preservation of human rights and dignity, and falls under the range of rights related to personal freedom, including that the punishment shall not include punishing a person more than once for a single act, and that the penalty shall not be excessive, whether civil or criminal, but it must be commensurate with the sinful act and graduated as serious as it is] ⁽⁹¹⁰⁾.

⁹⁰⁹ Supreme Constitutional Court, Case No. 55 of 27 S. Issued at the session of December 10, 2006, and published in the first part of the book of the Technical Office No. 12, rule No. 18, page No. 168.

⁹¹⁰ Supreme Constitutional Court, Case No. 9 of 28 S, issued at the session of November 4, 2007, the date of publication November 13, 2007, published in the first part of the book of the Technical Office No. 12, page No. 719, rule No. 71, Case No. 55 of 27 S, issued at the session of December 10, 2006, the date of publication December 24, 2006, published in the first part of the book of the Technical Office No. 12, page No. 168, rule No. 18, Case No. 35 of 20 s, issued at the 6th session of May 2000, the date of publication 18th of May 2000, published in the first part of the book of the Technical Office No. 9, page No. 567, rule No. 68, Case No. 49 of 17 s, issued at the 15th session of June 1996, the date of publication 27th of June 1996, published in the first part of the book of the Technical Office No. 7, page No. 739, rule No. 48, Case No. 8 of 16 s, issued at the 5th session of August 1995, the date of publication 31st of August 1995, published in the first part of the book of the Technical Office No. 7 Page No. 139 Rule No. 8, Case No. 3 of 10 s Issued at the session of January 2, 1993, date of publication January 14, 1993, published in the second part of the book of the Technical Office No. 5 Page No. 103 Rule No. 10, Case No. 22 of 8 s Issued at the session of January 4, 1992, date of publication January 23, 1992, published in the first part of the book of the Technical Office No. 5 Page No. 89 Rule No. 14.

It ruled that: [The principle of the subjection of the state to the law is defined in the light of a democratic concept, which means that its legislation does not prejudice the rights whose preservation is a primary assumption for the establishment of the legal state, and a basic guarantee that secures for every human being those rights by which his personality is integrated, and under which legal texts do not reveal their content or impact by punishing a person more than once for a single act, as the criminal accusation may not be successive, waiting for opportunities in which it is favorable, ending in a more likely conviction, so that the accused remains anxious and disturbed, threatened by the accusation authority with its power and whims, extending to him its oppression and through its renewable resources when it wants, thus enduring forms of suffering with which his fate is unknown, so it is not safe to return him to its accusation circle in confirmation of its authority, even if retribution has exhausted him for the purposes he envisioned⁽⁹¹¹⁾.

Recommendations

The text of Article 86 of the Internal Regulations of the Correction and Rehabilitation Centers, which suspended the conditional release of convicts for the crimes specified in that article, must be repealed by taking the opinion of the competent security authorities. The legislator must also explicitly stipulate that the crime for which the convict is punished may not be a reason for refusing his conditional release if his legally prescribed conditions are met.

The third topic: The right of the convict to health release if his conditions are met

Single requirement: within the framework of Egyptian law

The healthy release of an inmate during the execution of a sentence undeniably represents a profound demonstration of the legislator's respect for the human right to life while upholding society's right to ensure the behavioral rehabilitation of the convicted individual.

The Egyptian legislator has structured the health-based release of a convict in a way that balances the human right to life with the demands of the public interest. This approach ensures that the convict does not evade the execution of the judicial sentence, serving as a punishment for the crimes committed and as a deterrent for both general and specific audiences. This system operates on the basis that, if a convict is found by the reform center's doctor to have a life-threatening illness or complete disability, the case is referred to the director of the medical department at the reform centers for examination, in coordination with a forensic doctor, to assess the possibility of release.

⁹¹¹ Supreme Constitutional Court, Case No. 24 of 18 S. Issued at the session of July 5, 1997 and published in the first part of the book of the Technical Office No. 8, rule No. 47, page No. 709.

The release decision is executed after receiving approval from the director general of reform centers and the public prosecutor, with the relevant administrative and prosecution authorities duly notified.

The authority of the administration authority to assess whether the illness of the convict threatens his life or incapacitates him completely is not an absolute authority of each restriction but finds its limit in the health condition of the inmate, and the judiciary verifies the legitimacy and appropriateness of the decisions taken by the administration authority in this regard. The Administrative Court ruled that: [The authority of the administration authority to assess whether the illness of the convict threatens his life or incapacitates him completely according to the conclusion of the forensic medical report on the medical condition of the convict - is not an absolute authority of each restriction, but is limited by the health condition of the prisoner, and the judiciary may verify the legitimacy and appropriateness of the decisions taken by the administration authority in this regard] (912).

The health release system is not based on the principle that the convict is free from the rest of the criminal penalty. The legislator obliges the administration in whose jurisdiction the released person requests to reside to present him to the health doctor to sign a medical examination every six months, with a report on his condition to be presented to the Department of Correction and Rehabilitation Centers, which has the right to cancel the release order if it is proven that the patient's health has improved or that the threat to his life has disappeared. The Director General of the Community Protection Sector authorizes the Director General of the Correctional Centers Medical Department and the forensic doctor to examine the released person to determine his health condition whenever he deems that. The released person may also be returned to the correction center by order of the Public Prosecutor if he changes his place of residence without notifying the administrative authority in whose department he resides. In all cases, the period spent by the released person outside the correction center shall be deducted from the sentence period.

The doctor of the correctional center shall present to the Director of the Medical Services Department of the correctional centers the matter of each convict who is found by the prison doctor to have a life-threatening disease or to be totally incapacitated, for examination in conjunction with the forensic doctor to consider his release.

The management of the reform center shall take the initiative to inform the administration body in whose jurisdiction his family resides to notify them immediately, and they shall be authorized to visit him. If the result of the examination shows that he is infected with what threatens the life of the convict or completely incapacitates him, a decision shall be issued to release him. The release decision shall be implemented after its approval by the Assistant Minister for the Community Protection Sector and the approval of the Attorney General, and the competent administration and prosecution authority

⁹¹² Administrative Court, First Circuit, Case No. 54511 of 62 S, issued at the hearing of May 12, 2005.

shall be notified of this, in which the Administrative Court ruled that: [The legislator has organized the state of health release of the convict in a manner that combines the human right to life with the requirements of the public interest, which requires that the convict does not escape from the implementation of the judicial sentence as a punishment for the crimes he committed to deter his public and private faces. This system is based on the fact that every convict who is found by the prison doctor to have an illness that threatens his life or disability is totally incapacitated may submit his order to the Director of the Medical Department of Prisons to be examined in conjunction with the forensic doctor to consider his release, provided that the release decision is implemented after its approval by the Director General of Prisons and the approval of the Attorney General with the notification of the competent administration and prosecution authority. The health release system is based on the principle that the convict is free from the rest of the criminal penalty, but the legislator obliges the administration in whose jurisdiction the released person requests to reside to present him to the health doctor to sign a medical examination every six months, with a report on his condition to be presented to the Prisons Authority, which has the right to cancel the release order if it is proven that the patient's health has improved or the danger that threatened his life has disappeared. The Director General of Prisons is authorized to delegate the director of the Prison Medical Department and the forensic doctor to examine the released person to determine his health condition whenever he deems it necessary. The released person may also be returned to prison by order of the Attorney General if he changes his place of residence without notifying the administrative authority in whose jurisdiction he resides. In all cases, the period spent by the released person outside prison shall be deducted from the sentence period.

Whereas Article (36) of the aforementioned Law No. 396 of 1956 specified the condition for the health release of the convict, which is that the prison doctor finds that he has an illness that threatens his life or causes him total disability.

In terms of that there is no dispute about the legality of the administration's exercise of its jurisdiction to release the health of the convict from prison when it finds that he has a disease that threatens his life or causes him a total disability, regardless of the type of crime committed by the prisoner, his political affiliation or social status, so that he is not its leader at the time of issuing its decision, whether to release the health or reject it, except for the health status of the convict, guided by the humanitarian principles estimated by the legislator for lofty religious and moral considerations, invoking the authority of the professional conscience of the doctors entrusted with determining the health status, and the administrative authorities entrusted with the health release of the sick prisoner whose life is at risk while serving the sentence]⁽⁹¹³⁾.

⁹¹³ Administrative Court, Case No. 54835 of 65S issued at the hearing of 16 February 2016, and see also: Case No. 21164 of 63 S issued at the hearing of 16 June 2009, Case No. 26194 of 62S issued at the hearing of 2 December 2008, page 165.

The Administrative Court also ruled that: [The health release system does not represent a reward for the sick prisoner, but it is one of the ways that preserve the life of the convict if his life is endangered by his imprisonment and the means of preserving it are absent within its walls as a victory for the principle of the legality of punishment, equality and justice among prisoners, and so that the health release is not a way to escape serving the sentence inside the prison, and there is no doubt that the disease justifying the health release is conditional on it being a threat to the life of the convict completely or causes him a total disability, The objective assessment of the reason for the health release is correct only by evaluating the disease coupled with the condition of the sentenced patient himself. In all cases, there is no doubt that the treatment of the prisoner is a duty to be carried out by the body responsible for managing the prison in which he is serving his sentence. This responsibility does not stop at the limit of treatment, but rather by taking medical precautions that prevent the prisoner from the risk of life-threatening disease by death or total disability in the conditions of the prison in which he is serving his sentence, including transferring them to medically prescribed treatment outside the walls of the prison, which the state is keen to do under the modern judicial systems it applies.]⁽⁹¹⁴⁾.

The leader of the administration in issuing a decision whether to release or reject the health condition of the convict must be guided by the humanitarian principles estimated by the Egyptian legislator for lofty religious and moral considerations, under the authority of the professional conscience of the doctors entrusted with determining the health status, regardless of the type of crime he committed, his political affiliation, or his social status. In this regard, the Administrative Court ruled that: [The Constitution, which is the vessel within the framework of its principles and provisions, has rights for Individuals, their freedoms and duties under the legal state and the supremacy of the Constitution and respect for the principle of legality in the event that the executive authorities exercise their constitutional role specified for the implementation of laws and regulations and the maintenance of the system with its various elements. The human right to life is one of the natural rights inherent to the human person. The Constitution also does not overlook this right for citizens, even if their freedoms are restricted by judicial rulings. Therefore, they must be treated in a manner that preserves their dignity and the payment of material and moral harm to them. There is no doubt that these constitutional guarantees are consistent with the high goal of international conventions and penal legislation that is based on the philosophy of rehabilitation of the prisoner with the aim of reform. His behavior and maintaining the integrity of his body in a manner that preserves the individual, even if he violates the law by committing a crime of loyalty to the homeland and a comprehensive sense of legal security over his rights and freedom. There is no doubt that the healthy release of the prisoner during the execution of the sentence represents the highest manifestation of

⁹¹⁴ Administrative Court, Case No. 13677 of 62 S issued at the hearing of 24 November 2009, and see Case No. 16241 of 61S issued at the hearing of 31 July 2007, page 958.

the legislator's respect for the human right to life while preserving the right of society to ensure the behavioral rehabilitation of the convicted person.

Whereas the legislator has organized the state of health release of the convict in a manner that combines the human right to life with the requirements of the public interest, which requires that the convict does not escape the execution of the judicial sentence as a punishment for the crimes he has committed to deter his public and private faces, and this system is based on the fact that each convict finds out to the prison doctor that he has a disease that threatens his life or disability completely, he submits his matter to the Director of the Medical Department of Prisons to be examined jointly with the doctor. The health release system is not based on the principle of liberating the convict from the rest of the criminal penalty, but the legislator obliges the administration in which the released person requests to reside to present him to the health doctor to sign a medical examination every six months, with a report on his condition to be submitted to the Prison Authority, which has the right to cancel the release order if the case requires, proving the improvement of the patient's health or the removal of the danger that threatened his life, and the Director General of Prisons is authorized. The director of the prison medical department and the forensic doctor are assigned to examine the released person to determine his health condition whenever he deems it appropriate. Article (36) of the aforementioned article specifies the cases of returning the released person to prison regardless of the improvement in his health condition if the convicted person changes his place of residence without notifying the administrative authority in whose jurisdiction he resides. In all cases, the period spent by the released patient outside prison shall be deducted from the term of the sentence. There is no dispute about the legitimacy of the administration's exercise of its jurisdiction to release the health of the convict from prison regardless of the type of crime committed by the prisoner, his political affiliation or social status, so that its leader, upon issuing its decision whether to release the health or reject it, is only the health condition of the convict, guided by the humanitarian principles estimated by the Egyptian legislator for lofty religious and moral considerations, using the authority of the professional conscience of the doctors entrusted with determining the health status, and the administrative authorities entrusted with the health release of the sick prisoner whose life is at risk while serving the sentence, which ends with his eligibility (health release) by the disappearance of the danger decided by the specialists under the control of the Public Prosecution and the consequent upon his return to complete the The duration of the punishment in his confinement.

Whereas, while the Egyptian judicial system has also included rules for health amnesties and the release of prisoners on public occasions, as well as the conditional release system, which is based on rewarding the prisoner with good conduct during the period of his imprisonment, especially if the judicial system results in refining his character and paving the way for his return to society as a useful

member, the health release system does not represent a reward for the sick prisoner, but is one of the ways that preserve the life of the convict if his life is endangered by his imprisonment and the means of preserving it within its walls are neglected as a victory for the principle of the legality of punishment, equality and justice between Prisoners, and so that the health release is not a way to escape from serving the sentence inside the prison, there is no doubt that the disease that justifies the health release is conditional on it being a threat to the life of the convict completely or causes him a total disability, and an objective assessment of the reason for the health release is only correct by evaluating the disease coupled with the condition of the convict patient himself. In all cases, there is no doubt that the treatment of the prisoner is a duty to be carried out by the body responsible for managing the prison in which he is serving his sentence. This responsibility does not stop at the limit of treatment, but rather by taking medical precautions that prevent For the prisoner, there is a risk of life-threatening illness by death or total disability in the circumstances of the prison in which he is serving his sentence.

Whereas, the provisions of the Prisons Law have included judicial supervision of prisons, represented by the Public Prosecution, the presidents and agents of the courts of appeal, the courts of first instance and the investigating judges, with the right to enter prisons and monitor the implementation of the provisions of the Prisons Law, foremost of which is due care, which is consistent with the medical rules in force for sick prisoners, in order to preserve their lives, in addition to the legal and professional duty of doctors and the prison administration, examining the complaints of imprisoned patients and following up their condition, including transferring them to medically prescribed treatment outside the walls of the prison, which is something that the State is keen to do under the modern judicial systems it applies] ⁽⁹¹⁵⁾.

The administration authority in the department in which the released person resides shall present him to the health doctor to sign the medical examination every six months and submit a report on his condition to be sent to the prison authority to ascertain his health condition in preparation for revoking the order for his release if the case so requires.

The Assistant Minister of Community Protection may also delegate the Director of the Medical Services Department of the Correction Centers and the forensic doctor to examine the released person to report his health condition whenever he sees that.

In all cases, the period spent by the released patient outside the correctional center shall be deducted from the term of the sentence.

The health release system is not based on the liberation of the convict from the rest of the criminal penalty, but the legislator obligated the administration in whose jurisdiction the released person

⁹¹⁵ Administrative Court, Case No. 26578 of 62 S issued at the session of 31 March 2009, and see also: Case No. 7725 of 61 S issued at the session of 13 May 2008.

requests to reside to present him to the health doctor to sign a medical examination every six months, with a report on his condition to be presented to the community protection sector, which has the right to cancel the release order if the case requires, to prove the improvement of the patient's condition or the removal of the threat to his life.

It is permitted, by order of the Attorney General, if the re-examination of the released convict shows an improvement in his condition and the disappearance of the health reasons that led to his release, based on the re-examination carried out by the Director of the Medical Services Department and the forensic doctor, he shall be sent back to prison to complete the sentence.

It is permitted, by order of the Public Prosecutor, to return the released person to prison again if it is found that the released person has changed his place of residence without notifying the administrative authority in whose jurisdiction he resides⁽⁹¹⁶⁾.

The legislator stipulated for the health release of the inmate that the disease threatens his life or incapacitates him completely, provided that this is proven through the medical authority specified by the legislator, which relies on its medical opinion in the statement of the health condition of the inmate, without any other reports submitted by the prisoner through his doctor. The Supreme Administrative Court ruled that: [It is decided that the health release system is not based on the liberation of the convict from the rest of the criminal penalty, but the legislator obligated the administration in whose jurisdiction the released person requests to reside to present him to the health doctor to sign a medical examination every six months, with a report on his condition submitted to the Prison Service, which has the right to cancel the release order if necessary, to prove the improvement of the patient's condition or the removal of the threat to his life....

Whereas, based on the foregoing, and since the legislator has assigned to the Forensic Medical Committee consisting of the Director of the Medical Department of Prisons and the forensic doctor the competence to examine the prisoner to indicate his disease, and whether the disease threatens his life with danger or incapacitates him completely or not, based on the presentation of the case by the prison doctor. Whereas it is established that the forensic medical report No. 51/2010 referred to has concluded that the appellant's current medical condition is clinically stable and does not threaten his life by itself or because of the implementation, and therefore the condition for the health release of

⁹¹⁶ <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-106-%D9%84%D8%B3%D9%86%D8%A9-2015#h.bm0j8z816tk9of> 2015
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.rmdwdb3nr6ak> and Article No. 18 of Presidential Decree No. 82 of 1984.

the appellant (which is that the disease threatens his life with danger or incapacitates him completely) has failed him, and therefore the seriousness of the request to stop the implementation of the contested decision is negated. This is confirmed and supported by the medical report written by Dr.... The first doctor of Al-Marj prison indicated that the appellant suffers from a state of fatigue, but he is vigilant and distinguishes people, places and time.

This is not affected by the appellant's argument that the diagnosis of his condition depends on laboratory analysis and not clinical examination. It is established that the forensic medical committee as well as the doctor of the first prison of Al-Marj have each relied on clinical examination and virtual examination and on the medical papers and laboratory analysis submitted by the appellant, and therefore this payment is⁹¹⁷ misplaced.

The failure of the administration authority to respond to the inmate's request to present to the medical committee to consider his health condition, and the availability of health release conditions in his case, is a negative decision, with which the inmate may appeal to the courts of the Council of State. The Administrative Court ruled that: [The legislator, according to the text of Article (36) of the Prisons Law, to the prison doctor, if he finds that a convict has a life-threatening illness or a total disability, to present his order to the Director of the Medical Department of Prisons for examination in conjunction with the forensic doctor to consider his release.

In terms of the fact that there is no dispute over the authority of the prison doctor and its administration in assessing whether the illness of the convict threatens his life or incapacitates him completely, so that he presents his order to the Director of the Medical Department of Prisons for examination in conjunction with the forensic doctor or not, but the administration in its exercise of this jurisdiction is not immune from the control of the judiciary, which has the right to verify the legitimacy and appropriateness of its decisions to ensure that its leader is in that health condition of the prisoner.

In terms of applying the foregoing, it was apparent from the lawsuit papers - without going too far on its subject - that the medical examination had been signed on the plaintiff based on the decision of the South Cairo Prosecution on 23/9/2006 by a tripartite committee consisting of the head of the forensic medicine sector (the chief forensic physician), the assistant chief forensic physician and the dean of a doctor in the medical administration of the Prisons Authority. The committee concluded in its report that the plaintiff's medical condition did not constitute at the time of his examination any complication that could threaten his life.

Whereas, although this is the case since a long time has passed since the medical examination was signed on the plaintiff by the aforementioned committee and in view of the satisfactory condition of the aforementioned, which oscillates - according to the appearance of papers and documents -

⁹¹⁷ Supreme Administrative Court, Appeal No. 3779 of 58S, issued at the hearing of March 17, 2012, Technical Office 57 Part No. 1, page 700, rule No. 84.

between simple improvement and bad, it is necessary to re-present the defendant to a similar medical committee to determine whether his condition requires his health release or not, and if the administration refrains from issuing a decision to that effect, its behavior will be contrary to the provisions of the law, which provides the corner of seriousness in the request for suspension of execution. In this case, the corner of urgency is also available in view of the consequences of the continued refusal of the administration to present the defendant to the competent medical committee of damages that may be irreparable if the plaintiff's life is at risk or total disability] ⁽⁹¹⁸⁾.

Whereas the legislator, in [Article 36](#) <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.2j9v1bcly600of> the Law on the Organization of Correction and Rehabilitation Centers, stipulated the application of the health release system to the convict, which means that the health release system does not apply to pre-trial detainees or detainees, but the Court of Administrative Justice concluded in its provisions to apply the health release system as well to everyone whose freedom has been restricted, and any of them - if the conditions for health release are met - has the right to request to submit to the medical committee formed by the Director of the Medical Department of Prisons and the forensic doctor to determine the reality of his health condition and the extent to which he meets the conditions for health release. In this regard, the Court of Administrative Justice ruled: [Article 36 of Law No. 396/1956 regarding the organization of prisons stipulates that "Every convict who is found by the prison doctor to have a life-threatening illness or total disability shall submit his order to the Director of the Medical Department of Prisons for examination in conjunction with the forensic doctor to consider his release.....".

Whereas the court considers that the provision of the foregoing provision applies to the detainee a fortiori, and therefore in order for the detainee to enjoy the privilege of health release, his order must first be presented to the aforementioned committee formed by the Director of the Medical Department of Prisons and the forensic doctor to determine the reality of his health condition and the extent to which he meets the conditions for health release.

Whereas, the plaintiff suffers from several diseases that may pose a danger to his life or cause him a total disability if what he claimed is proven, and therefore he must be presented to the aforementioned committee initially to determine his health condition, and therefore the refusal of the

⁹¹⁸ Administrative Court, Case No. 4884 of 62, issued at the session of January 13, 2009, page 316.

administration to do so represents a negative decision contrary to the law that is likely to be canceled, and thus the cornerstone of seriousness is available in this application for suspension of execution.

Since it is about the element of urgency, it is available due to the consequences of the implementation of the decision, which may not be remedied afterwards due to the plaintiff's poor health condition. Hence, the court decides to suspend the implementation of the contested decision]

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⁹¹⁹ Administrative Court, Case No. 57170 of 62 S, issued at the hearing of March 24, 2009, p. 478.

Criticism

It is clear to us from the above that the legislator, in the <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.2j9v1bcly600> text of **Article 36 of the Law on the Organization of Correction and Rehabilitation Centers**, has singled out the application of the health release system to convicts only, and not to others whose freedom has been restricted, whether they are detained or remanded in custody, in violation of the principle of equality between all those whose freedom has been restricted, despite the union of their legal status, in terms of restricting freedom, without any justification for that.

The Law Regulating Correction and Rehabilitation Centers also singled out the doctor of the correction center in conjunction with the forensic doctor only to determine the extent of the threat to his life or disability, which prevents the convict from his right to take a second medical opinion on the extent of the impact of that disease on his life, or to estimate the degree of disability he suffered. On the other hand, the law did not oblige the doctor to prepare a report on that case, allowing the convict to request reconsideration of the opinion of the doctor who wrote it in his report, or to appeal against it.

Recommendations

The legislator must intervene to amend the health release system by taking the following measures:

- Amending the text of the first paragraph of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.2j9v1bcly600> **Article 36 of the Law Regulating Correction and Rehabilitation Centers** to extend the validity of the health release system to all those whose freedom has been restricted, not only convicts;

- Obliging the prison doctor to write a written report on the condition of the person whose freedom is restricted, and the availability of health release conditions;
- Granting everyone whose freedom has been restricted the right to reconsider, appeal or challenge the doctor's report;
- Granting everyone whose freedom has been restricted the right to request a second medical opinion in his case, through a doctor who is not under the control of the prison administration;
- Granting everyone whose freedom has been restricted the right to request a review or a grievance and to appeal the decision to refuse his health release.

Chapter Thirteen: Treatment of Women in Correction and Rehabilitation Centers

The first topic: The right of the inmate to be placed in correctional centers near her usual place of residence or places of social rehabilitation

The first requirement: Within the framework of Egyptian law

We explained above that the legislator, in the Egyptian Law on the Organization of Community Reform and Rehabilitation Centers, took the type of punishment sentenced as a basis for determining the type of each reform center. It also granted the administration full discretion in determining the place of placement of anyone who is detained, detained, detained, or deprived of his freedom in any way, by placing him in one of the reform centers set forth in the Law on the Organization of Community Reform and Rehabilitation Centers, or one of the places determined by a decision issued by the President of the Republic, without commenting on the administration in this regard. The legislator divided reform centers in Egypt into three types: public reform and rehabilitation centers, geographical reform centers, and private reform and rehabilitation centers⁽⁹²⁰⁾.

Egyptian law did not stipulate special provisions for the placement of women inmates in places close to their place of residence.

The second requirement: within the framework of international conventions

The United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)⁽⁹²¹⁾ recognized the right of women to maintain contact with their families, especially when it comes to children. [Rule No. 4 of the Bangkok Rules](#) stipulated that: "Wherever possible, women prisoners shall be placed in prisons close to their homes or social rehabilitation centers, taking into account the responsibility for the care of their children, their personal choices and the availability of appropriate programs and services for them."

It is clear from this that the Bangkok Rules oblige women prisoners, whenever possible, to be placed in prisons close to their homes or social rehabilitation centers. Often, women prisoners may be placed in prisons far from their homes due to the small number of women prisoners, and thus the lack of prisons for women in reform and discipline systems around the world. Consequently, many women prisoners may receive fewer visits than their male counterparts due to the difficulties faced by families and the costs they bear due to the length of travel to visit. However, the Bangkok Rules emphasize the importance of consulting with women about determining the prison and placing them in it, recognizing that women may wish to be referred to a facility far from their place of residence in

⁹²⁰ [Article No. 1 of the Law on the Organization of Correction and Rehabilitation Centers](#), as amended by [Law No. 106 of 2015](#), and [Article No. 1 bis of the Law on the Organization of Correction and Rehabilitation Centers](#), added by [Law No. 57 of 1968](#).

⁹²¹ On March 16, 2011, the United Nations General Assembly adopted the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, called the Bangkok Rules.

order to protect their safety, if they are victims of violence committed by their husband or a member of their family⁽⁹²²⁾.

Their responsibility for the care of their children, their personal choices, and the appropriate programs and services available to them must be taken into account⁽⁹²³⁾.

Criticism

The Egyptian legislator did not pay any attention to the places of detention of female prisoners or inmates, and as we have seen with regard to male inmates, the legislator gave full discretion to the administration to place every detainee, detainee, detained or deprived of his freedom in one of the reform centers set forth in the Law Regulating Correction and Community Rehabilitation Centers, or one of the places specified by a decision of the Minister of Interior, without commenting on it.

Recommendations

The Egyptian legislator should pay attention, as much as possible, to the placement of female inmates in correctional centers close to their usual place of residence.

The second topic: The right of the inmate to keep her child with her

The first requirement: Within the framework of Egyptian law

The Egyptian legislator allowed the inmate to keep her child with her in the custody of the reform center until he reaches the age of four years, provided that she accompanies him during the first two years. If she does not want him to stay with her or reaches this age, he shall be handed over to whoever has the right to legally have custody of him. If he refuses, he shall be handed over to whoever follows him. If all those who have the right to have legal custody of him refuse, the director of the reform center shall place him in one of the competent care homes, notify the inmate mother of his place, and facilitate her seeing him at periodic times⁽⁹²⁴⁾.

The Children's Law required the establishment of a nursery in every women's reform center that meets the conditions prescribed for nurseries, in which it is allowed to place the children of inmates until the child reaches the age of four years, provided that the mother stays with her child during the first year of his life, provided that the mother is not allowed to take her child to her prison, and it is

⁹²² Thailand Institute of justice, Training Modules For correctional Staff on The management of Woman Prisoners in the ASEAN Region Bangkok, 2015-.

⁹²³ [Rule No. 4 of the Bangkok Rules.](#)

⁹²⁴ [Article No. 20 of the Law Regulating Correction and Rehabilitation Centers](#), as amended by [Law No. 14 of 2022](#) and Article No. 83 bis of the Internal Regulations of Correction Centers, added by the Minister of Interior Resolution No. 345 of 2017.

also prohibited to deprive the inmate mother of seeing her child or caring for him as a punishment for a violation she commits⁽⁹²⁵⁾.

The second requirement: within the framework of international conventions

The United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) require the registration of a number of information about women prisoners. In addition to what is stipulated in the Nelson Mandela⁹²⁶ Rules, the number of children of women who enter prison and their personal data upon entering prison must be recorded. These records must include - without prejudice to the rights of the mother - the names of the children, their ages, place of residence and status in terms of custody or guardianship if they are not accompanied by their mothers, provided that all information related to the identity of the children remains confidential, and that such information is used only in the interest of the child⁽⁹²⁷⁾.

On the other hand, international conventions have obligated to rely on the best interest of the child when allowing the child to stay with one of his parents in prison, provided that arrangements are made to ensure the existence of internal or external childcare facilities for qualified persons who place children in them when they are not under the care of their parents, as well as health care services for children, including health screening upon entry and continuous monitoring of their development by specialists, and it is prohibited to treat children accompanying one of their parents in prison as prisoners⁽⁹²⁸⁾.

Measures must also be taken to provide a nursery equipped with qualified staff, in which infants are placed during periods when they are not in the care of their imprisoned mothers⁽⁹²⁹⁾.

Pregnant or breastfeeding prisoners should receive guidance on their health and diet under a program prepared and monitored by a qualified health professional. Adequate food shall be provided

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B7%D9%81%D9%84#h.gswq2s0v7ip> 31 bis of the Child Law No. 12 of 1996 added by Law No. 126 of 2008.

926 [Rule 7 of the Mandela Rules](#) states: “No one shall be admitted to prison without a valid detention order. The following information is entered into the prisoner file management system when each prisoner enters the prison:

- (a) Accurate information that allows for the identification of his/her distinctive identity, taking into account the gender identity he/she sees for himself/herself;
- (b) the reasons for his imprisonment and the authority responsible, and the date, time and place of his arrest;
- (c) the day and time of his admission and release, as well as the day and time of any transfer;
- (d) any apparent injuries or complaints of past abuse;
- (e) a list of his personal property;
- (f) the names of his family members, including, as appropriate, the names, ages, place and custody or guardianship status of his children;
- (g) Emergency contact details and information about the prisoner's next of kin.”

927 [Rule No. 3 of the Bangkok Rules](#).

928 [Rule No. 29 of the Nelson Mandela Rules](#).

929 Rule 23 of the Standard Minimum Rules for the Treatment of Prisoners.

according to an appropriate schedule, and a healthy environment and opportunities for regular exercise shall be provided to pregnant women, infants, children and nursing mothers free of charge. Women prisoners may not be discouraged from breastfeeding their children unless there are special health reasons that require this, provided that the medical and nutritional needs of women prisoners who have recently given birth are included in treatment programs, without their children accompanying them in prison⁽⁹³⁰⁾.

Decisions regarding allowing children to stay with their mothers in prison are made with the child's best interest in mind, and children who accompany their mothers in prison are never treated as prisoners⁽⁹³¹⁾.

Decisions regarding the separation of a child from his or her mother shall be made based on case-by-case assessments and shall have the best interests of the child as a primary consideration, within the framework of the relevant national laws, with the question of the child's departure from prison being dealt with in a child-sensitive manner and permitted only when alternative care arrangements have been identified and, in the case of foreign national prisoners, after consultation with consular officials.

After separating children from their mothers and joining them with their families or relatives or providing them with other alternative care, female prisoners are provided with the maximum possible opportunities and facilities to meet their children, when this is in the interest of the child and does not affect public safety⁽⁹³²⁾.

Female prisoners accompanied by their children in prison must be given the maximum possible opportunities to spend time with their children⁽⁹³³⁾.

If the child remains with his imprisoned mother, health care services shall be provided continuously to children living with their mothers in prison and their development shall be monitored by specialists, in cooperation with the services concerned with providing community health services, and children shall be raised in an environment as close as possible to the environment in which the children grow up outside the prison⁽⁹³⁴⁾.

Comment

⁹³⁰ [Rule 48 of the Bangkok Rules.](#)

⁹³¹ [Rule No. 49 of the Bangkok Rules.](#)

⁹³² [Rule 52 of the Bangkok Rules.](#)

⁹³³ [Rule No. 50 of the Bangkok Rules.](#)

⁹³⁴ [Rule No. 51 of the Bangkok Rules.](#)

The Egyptian legislator agreed on the issue of allowing the child to stay with his inmate mother in accordance with international conventions. The legislator did well by stipulating the establishment of a nursery in which the children of inmates are placed.

The Egyptian legislator also did well by explicitly stipulating that it is prohibited to deprive the inmate mother of seeing or caring for her child as a punishment for a violation she commits, because in that case, the punishment here does not fall on the mother, but rather on the child who has the full right to care for his mother.

Criticism

On the other hand, the law regulating reform and community rehabilitation centers and the regulations of reform centers are devoid of any provision requiring the registration of the number of children of women who enter prison and their personal data when they enter the reform center.

Recommendations

The law regulating community correction and rehabilitation centers shall stipulate that the children of women prisoners must be registered in records designated for this purpose, and that the concerned relatives and lawyers of the inmate shall be granted the right to access these records.

The third topic: The right of the inmate to be treated in a manner that preserves her dignity

The first requirement: Regulating the relationship between the director of the reform center and the inmate

First: Within the framework of Egyptian law

We explained in the above that within the framework of Egyptian law, the Director of the Reform Center shall manage the Reform Center and shall be responsible for guarding the inmates inside it. He shall also implement the Law regulating the Reform and Community Rehabilitation Centers and all laws and regulations of the Reform and Rehabilitation Centers within the Reform Center. He shall also comply with the orders issued to him by the Assistant Minister for the Community Protection Sector. All employees and employees of the Reform Center shall be subject to the supervision of the Director of the Reform Center and shall work in accordance with his orders⁽⁹³⁵⁾.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.j2bsb91m5jxm> 74 of the Law Regulating Community Correction and Rehabilitation Centers and Article 55 of the Internal Regulations of Geographical Correction and Rehabilitation Centers.

The Director of the Military Correction and Rehabilitation Center shall be responsible for guarding inmates in the Correction Center, as well as for implementing the regulations of the Correction and Rehabilitation Centers, and all employees in the Correction and Rehabilitation Center shall be subject to his supervision⁽⁹³⁶⁾.

Second: Within the framework of international conventions

The women's section of the prison building shall be headed by a female officer who shall have the keys to all the doors of the section, and no male prison officer shall enter the women's section unless accompanied by a female officer.

Female prison staff are exclusively responsible for the care and supervision of female prisoners, provided that this does not prevent male staff, especially doctors and teachers, from exercising their duties in the sections designated for women.⁽⁹³⁷⁾ Rule No. 81 stipulates that: «1- In prisons that house both males and females, the section designated for women from the prison building shall be placed under the chairmanship of a responsible female officer who shall be entrusted with the keys to all doors of this section of the prison.

2. No male prison staff may enter the women's section unless accompanied by a female staff member.

3- The task of guarding and supervising female prisoners shall be the exclusive competence of female prison staff. However, this does not prevent male employees, especially doctors and teachers, from exercising their professional duties in prisons or prison sections designated for women. "

Managers of prison administrations must clearly and consistently commit to preventing and addressing gender-based discrimination against female employees⁹³⁸. [Rule 30 of the Bangkok Rules](#) stipulates that: "Managers of prison administrations must clearly and consistently commit to preventing and addressing gender-based discrimination against female employees."

Criticism

The Egyptian Law on the Organization of Correction and Community Rehabilitation Centers did not stipulate that a female officer responsible for the sections designated for women in the reform centers must be headed.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.7n7ks1650i9z> 54 of the Internal Regulations of [Military Prisons](#).

937 [Rule No. 81 of the Nelson Mandela Rules](#).

938 [Rule No. 30 of the Bangkok Rules](#).

The law also did not prohibit any male prison staff from entering the women's section unless accompanied by a female staff member.

Recommendations

The law regulating community correction and rehabilitation centers shall stipulate that a female employee must head correction and rehabilitation centers designated for women, or for women's sections in the buildings of correction centers, provided that she has in her custody the keys to all the doors of the department.

It shall be stipulated that male supervision of female inmates shall be prohibited in all places of detention, including places of detention specified by a decision of the Minister of Interior. It shall also be stipulated that any male prison staff shall be prohibited from entering the women's section unless accompanied by a female employee.

The second requirement: Regulating the relationship between the staff of the Correction and Rehabilitation Center and the inmate

First: Within the framework of Egyptian law

The Law on the Organization of Correction and Community Rehabilitation Centers or any of the bylaws did not stipulate any rules governing the relationship between employees of correction centers and female inmates within the correction center.

Second: Within the framework of international conventions

International covenants required that staff in women's prisons be able, through capacity-building, to meet the requirements for the reintegration of women prisoners into society and to manage safe facilities for their rehabilitation. Measures must also be made available to build the capacity of female prison staff and ways to ensure that they reach senior positions and assume primary responsibility for developing policies and strategies related to the treatment and⁹³⁹ care of women prisoners. [Rule No. 29 of the Bangkok Rules](#) stipulates that: "By building their capacity, staff in women's prisons must be able to meet the requirements for the reintegration of women prisoners into society and the management of safe facilities that ensure their rehabilitation. Measures taken to build the capacity of female prison staff and ways to ensure that they reach senior positions and have primary responsibility for the development of policies and strategies relating to the treatment and care of women prisoners must also be made available. "

It must develop and implement clear policies and regulations on the conduct of prison staff aimed at providing maximum protection for women prisoners from physical or verbal gender-based

⁹³⁹ [Rule No. 29 of the Bangkok Rules](#).

violence, abuse and sexual harassment.⁽⁹⁴⁰⁾ In this regard, [Rule No. 31 of the Bangkok Rules](#) stipulates that: "Clear policies and regulations on the conduct of prison staff aimed at providing maximum protection for women prisoners from physical or verbal gender-based violence, abuse and harassment shall be developed and implemented."

Female prison staff must have the same training opportunities as male staff, and all staff involved in the management of women's prisons receive training on gender sensitivity and the prohibition of discrimination and sexual harassment⁽⁹⁴¹⁾.

They must:

1. All staff dealing with women prisoners receive training on the special needs of women and the human rights of women prisoners;

2. Provides staff working in women's prisons with basic training on key women's health issues, as well as training in first aid and first medicine;

3- Where children are allowed to stay with their mothers in prison, prison staff are also sensitized on child development and provided with basic training on child health care so that they can respond appropriately when necessary and in emergency situations⁽⁹⁴²⁾.

HIV capacity-building programmes are included in regular training curricula for prison staff. In addition to HIV/AIDS prevention, treatment, care and support, issues such as gender and human rights issues are also included in these curricula, with a particular focus on their relevance to HIV and stigma and discrimination⁹⁴³.

Prison staff shall receive training in detecting the mental health care needs of women prisoners and their likelihood of self-harm and suicide and in providing them with assistance by providing them with support and referring such cases to⁹⁴⁴ specialists.

Relevant authorities should recognize that women are particularly vulnerable to abuse during their pre-trial detention and take appropriate measures within their policies and practices to ensure the safety of these women during this period⁽⁹⁴⁵⁾.

⁹⁴⁰ [Rule No. 31 of the Bangkok Rules.](#)

⁹⁴¹ [Rule No. 32 of the Bangkok Rules.](#)

⁹⁴² [Rule No. 33 of the Bangkok Rules.](#)

⁹⁴³ [Rule 34 of the Bangkok Rules.](#)

⁹⁴⁴ [Rule 35 of the Bangkok Rules.](#)

⁹⁴⁵ [Rule No. 56 of the Bangkok Rules.](#)

Criticism

We explained above that the Egyptian law does not contain any regulation of the relationship between the employees of the reform centers and the inmates, as well as the law or the regulations of the internal reform centers to provide any kind of training for the employees of the reform centers.

Recommendations

The law should provide for the development and implementation of clear policies and regulations on the conduct of prison staff aimed at providing maximum protection for women prisoners from physical or verbal gender-based violence, abuse and sexual harassment

Provision should also be made for the training of female prison staff in dealing with female inmates in detecting their mental health care needs and the possibility of self-harm and suicide and in providing them with assistance by providing them with support, as well as raising their awareness about child development and providing them with basic training on child health care so that they can respond appropriately when necessary and in emergency situations.

The third requirement: The use of instruments of restriction of liberty with the inmate

First: Within the framework of Egyptian law

(1) Handcuffing the Inmate's hands:

We explained in the above that the Director of the Correction and Rehabilitation Center may order the handcuffing of the inmate/ inmate with iron if he/she is severely agitated or assaulted, and he/she must immediately raise the matter to the Assistant Minister for Community Protection Sector, and the period of handcuffing may not exceed 72 hours⁽⁹⁴⁶⁾.

In military reform centers, the director of the reform center may order the handcuffing of the inmate with iron for a period not exceeding 72 hours, with proof of this in the daily record of the incidents of the reform center, stating the reasons and notifying the director of the Correction and Rehabilitation Centers Authority for the centers under his administration and the competent security director for the centers of the security directorates⁽⁹⁴⁷⁾.

946 [Article No. 89 of the Law Regulating Correction and Rehabilitation Centers](#), as amended by [Law No. 106 of 2015](#), and [Article No. 53 of the Internal Regulations of Geographical Correction and Rehabilitation Centers](#).

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-)

(2) Handcuffing the inmate's legs:

The Egyptian legislator authorized the director of the correctional center to order the shackling of the pretrial detainee and the inmate/inmate with iron feet in the event of an attempt to escape or if his escape is feared and this fear has reasonable reasons. He must immediately report this to the Public Prosecution or the investigating judge, as the case may be, if he is a pretrial detainee, and inform the Assistant Minister of Interior of the Prison Service Sector if he is an inmate, provided that each order to shackle with iron is recorded in the daily record of the incidents of the correctional center with a statement of its reasons, and the security director is notified immediately of this to obtain his approval of this procedure.

The Public Prosecution or the investigating judge may order the lifting of the iron shackle if he does not deem it necessary⁽⁹⁴⁸⁾.

It is not permitted to place the iron restriction on the feet of the convict detained in the reform center inside or outside the reform centers except in the event that he is feared to escape on reasonable grounds by an order issued by the Assistant Minister for the Community Protection Sector or the competent Director of Security, as the case may be, or whoever is authorized to do so⁽⁹⁴⁹⁾.

Second: Within the framework of international conventions

The [Nelson Mandela Rules](#) and the Bangkok Rules prohibited the use of instruments of restraint with women during labor, during childbirth and immediately after childbirth⁽⁹⁵⁰⁾, the second paragraph of Rule No. 48 of the Nelson Mandela Rules stated that: «... 2. Instruments of restraint shall never be used with women during labour, during childbirth and immediately after childbirth. [Rule No. 24 of the Bangkok Rules](#) also stipulates that: "Instruments of restraint shall never be used with women during labour, during childbirth and immediately after childbirth."

Criticism

The Law Regulating Correction and Rehabilitation Centers did not exempt pregnant inmates from the permissibility of using restraints with them. The law still allows the use of restraints such as handcuffs with pregnant inmates, and this is prohibited by international standards.

[%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.45j4w19z8que](#) 43 of the Internal Regulations of [Military Prisons](#).

948 Articles [90 and 91](#) of the Law Regulating Correction and Rehabilitation Centers, [and Article 54 of the Internal Regulations of Geographical Correction and Rehabilitation Centers](#).

949 [Article https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.jmanlmki22w5](#) 2 of the Law on the [Organization of Correction and Community Rehabilitation Centers](#).

950 [The second paragraph of Rule No. 48 of the Nelson Mandela Rules, and Rule No. 24 of the Bangkok Rules.](#)

Recommendations

The use of instruments of restraint with women during labour, during childbirth and immediately after childbirth should be explicitly prohibited.

The fourth requirement: The right of the inmate to be treated in a manner that preserves her dignity during inspections

First: Within the framework of Egyptian law

We have previously seen that the Egyptian legislator has obligated every inmate to be searched when he is placed in the reform center and to take what is with him of contraband, money or things of value, and all that is taken from him at the time of his deposit in the reform center of money, clothes, and other things shall be recorded in the register of luggage and trusts of inmates with sufficient descriptions, and if the inmate has financial obligations to the government under the ruling issued Upon the penalty, these obligations shall be fulfilled from the money available to the inmate. If they are not sufficient to meet these obligations and the inmate does not fulfill these obligations after being assigned to do so, the things of value shall be sold by the Public Prosecution to meet the government's demand from the proceeds of the sale, and the non-progress of the sale shall be taken into account if it results in a sufficient amount to meet the required amount from the inmate. If the money collected from the inmate and what was obtained from the sale is less than the amount of the financial obligations of the government, an amount of not less than pounds shall be kept for him to be credited to his account in the trusts and the rest shall be added to the account of the government, but if he has something left after fulfilling these obligations, the rest shall be credited to his account in the trusts to spend on him when needed, unless he is delivered at his request to whomever he chooses or to the trustee. upon him⁽⁹⁵¹⁾.

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[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.qi1e6jtn3tedof_1984](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.qi1e6jtn3ted_5), Articles 5, 6, 8 and 9 of the Internal

It is permitted to confiscate what the inmate hides, refrains from handing it over, or others secretly try to deliver it to him in the reform center⁽⁹⁵²⁾.

The inmate may keep items of value that are with him upon entering the reform center and that are not sold in fulfillment of the government's requirements unless they are delivered at his request to the person of his choice or to the custodian. The ownership of these items shall be transferred to the state if their owner or heirs do not submit to receive them within three years from the date of his release or death at the reform center. In the event that the inmate escapes and is not arrested within six months from the date of his escape, his deposits shall be sent to the competent prosecution to dispose of them⁽⁹⁵³⁾.

Second: Within the framework of international conventions

The Bangkok Rules required that effective measures be taken to ensure that the dignity of female prisoners is protected and respected during body searches, and that it is conducted only by female staff who have received appropriate training in the use of appropriate inspection methods in accordance with established procedures, provided that alternative screening methods are developed, such as the use of scanning devices to replace strip searches and inviolable body searches, in order to avoid harmful psychological and potential physical effects of body searches⁽⁹⁵⁴⁾.

[Rule 19 of the Bangkok Rules](#) states: "Effective measures shall be taken to ensure that the dignity of and respect for women prisoners are protected during body searches conducted only by female personnel who have received appropriate training in the use of appropriate search methods and in accordance with established search procedures."

Rule 20 also stipulates that: "Alternative screening methods shall be developed, such as the use of scanning devices to replace searches in which clothing is removed and body searches that exceed the limits of sanctity, in order to avoid the harmful psychological effects and possible physical effects of body searches that exceed the limits of sanctity."

952 Regulations of Geographical Correction and Rehabilitation Centers, Articles [5](#), [6](#) and [7](#) of the Internal Regulations of Military Prisons, and Article 1045 of the written, financial and administrative instructions of the Public Prosecution.

[Article](#)
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.g1lmijv0ot71> 12 of the Law on the Organization of Correction and Community Rehabilitation Centers.

953 [Article](#)
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.nz90ya2omlsf> 10 of the Law on the Organization of Correction and Community Rehabilitation Centers.

954 [Rules Nos. 19, 20 of the Bangkok Rules.](#)

Prison staff who inspect children, whether accompanying or visiting their imprisoned mothers, must be competent, professional and courteous and ensure respect and dignity⁹⁵⁵. [Rule 21 of the Bangkok Rules](#) stipulates that: “Prison staff shall demonstrate competence, professionalism and courtesy when inspecting children who accompany their mothers in prison and children who visit prisoners and ensure their respect and dignity.”

Criticism

We note that the Law on the Organization of Correction and Rehabilitation Centers or any of its bylaws does not stipulate any requirements in conducting searches of female inmates.

Recommendations

Several controls must be stipulated when conducting searches of female inmates:

- Female staff conducting inmate searches should be trained to carry out searches in such a way as to protect the dignity of and respect for female prisoners during body searches;
- Inmates shall be inspected by staff who have received appropriate training in the use of appropriate inspection methods in accordance with established procedures;
- Taking into account proportionality, legality and necessity in the inspection process, so that they are not all carried out in the same procedures for all those subject to the inspection;
- Establishing controls for the process of searching the naked body and inspecting the body cavities as follows:

- This type of inspection can only be carried out in cases of extreme necessity;

- The inspection is carried out in a place where privacy is taken into account;

- carried out by appropriately trained staff of the same sex as the prisoner subject to inspection;

- Recording the procedures for inspecting the naked body and inspecting the body cavities in the prison records, the reasons for conducting that inspection, the identity of those in charge of it, and the results of the inspection.

⁹⁵⁵ [Rule No. 21 of the Bangkok Rules](#).

The fourth topic: Inmate's right to culture

First: Within the framework of Egyptian law

We mentioned earlier that according to the law regulating community reform and rehabilitation centers, a library is established in each reform center for inmates containing religious, scientific and ethical books that encourage inmates to use them in their free time. However, the practical reality is that libraries are in reform and rehabilitation centers only (public prisons) and are not located in geographical reform and rehabilitation centers (central prisons) and there is no encouragement for prisoners to go to them and benefit from the books they contain⁽⁹⁵⁶⁾.

Inmates may, at their own expense, bring books, newspapers, and magazines authorized to be circulated to view them in their free time. The management of the reform center shall review the books, newspapers, and magazines brought by inmates and shall not deliver them to them except after verifying that they are free from anything that violates the system, arouses feelings or senses, or violates security and doctrine, and signing them to this effect and stamping them with the seal of the reform center, provided that they are withdrawn from them in the military reform centers after completing their reading. The competent authorities and the reform centers shall be notified if these books, newspapers, or magazines are prohibited from printing and publishing⁽⁹⁵⁷⁾.

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In military reform and rehabilitation centers, inmates may be allowed to practice their hobbies such as painting, music, etc., provided that they bring the necessary tools at their own expense, provided that this does not conflict with the security of the reform center or the comfort of inmates (958)

Second: Within the framework of international conventions

For women prisoners, prison authorities must realize that women prisoners with different religious and cultural backgrounds have different needs and may face multiple forms of discrimination if they want to benefit from programs and services that are sensitive to gender and cultural dimensions. Therefore, prison authorities must provide comprehensive programs and

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services to meet these needs, in consultation with women prisoners themselves and the concerned groups.⁽⁹⁵⁹⁾ [Rule No. 54 of the Bangkok Rules](#) stipulates that: "Prison authorities must realize that women prisoners with different religious and cultural backgrounds have different needs and that they may face multiple forms of discrimination if they want to benefit from programs and services that are sensitive to gender and cultural dimensions. Therefore, prison authorities must provide comprehensive programs and services to meet these needs, in consultation with women prisoners themselves and the concerned groups."

Criticism

Egyptian law had allowed the inmate to bring at his expense the books, newspapers, and magazines he was authorized to circulate, after the management of the reform center had reviewed them and ensured that they were free of anything that contravened the system, aroused feelings or senses, or disturbed security and belief. However, the internal regulations should have specified the criteria or method based on the extent to which books, newspapers, and magazines brought from abroad violated the system, aroused feelings or senses, or disturbed security and belief, to prevent the right to bring inmates to books, newspapers, and magazines from being stolen or suspended from the extent to which the management of the reform center wished to grant them to inmates or not.

The inmate must also be allowed to possess the books of rituals and religious education taken by his sect, and the confiscation of them by the administration must be prohibited.

Recommendations

The legislator must intervene to:

- Determining the criteria for the extent of violation of books, newspapers and magazines that the inmate brings from abroad to the system, and that this does not depend on the management of the reform center;
- Providing for the prohibition of the confiscation by the administration of the inmate's books of rituals and religious education.

⁹⁵⁹ [Rule No. 54 of the Bangkok Rules](#).

The fifth topic: The right of the female inmate and her family to social and psychological care

First: Within the framework of Egyptian law

Social assistance provided to the inmate and her family

First: Exemption from the fees of applications submitted in accordance with the Civil Status Law

With the help of the state for inmates, the legislator exempted inmates in correctional centers who are required by the Department of Correction and Rehabilitation Centers to be exempted from what has been proven of their insolvency, from paying the fees prescribed for applications to obtain personal and family cards and the allowance for lost and damaged ones, as well as applications to register the birth of those who have fallen from registration⁽⁹⁶⁰⁾.

Second: Inmate's Family Social Security Pension

State care for the inmate's family. The legislator considered that the inmate's wife and/or son and/or daughter are in a state of poverty in the application of the provisions of the Social Security Law, if her breadwinner is imprisoned for a period of at least six months, and they have no income, and they have the right to receive social security assistance, which is financial assistance, monthly or exceptional, received by the entitled individual or family⁽⁹⁶¹⁾.

The Prime Minister estimated the monthly security assistance paid in application of the provisions of the Social Security Law at 323 pounds for a family of one member, 360 pounds for a family of two

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Article 4 of Law No. 137 of 2010 regarding the issuance of the Social Security Law, and Articles No. 2 and 4 as amended by the decision of the Minister of Social Solidarity No. 186 of 2015, 34 and 40 of the decision of the Minister of Social Solidarity No. 451 of 2010 regarding the executive regulations of the Social Security Law.

members, 413 pounds for a family of three members, and 450 pounds for a family of four members (962).

Exceptional cash assistance may also be disbursed when it is proven from field social research that the individual or family deserves it (963).

The children of a legally detained person, an inmate, a female inmate who is the breadwinner, a male inmate, or a female inmate who is the breadwinner, for a period of not less than one month, are entitled to a monthly pension from the competent ministry of social security of not less than sixty pounds (964).

Third: The system of alternative families for the children of inmates

State care for the children of inmates. The legislator has decided to have the right to benefit from the system of alternative families stipulated in the Children's Law. This system aims to provide integrated social, psychological, health and professional care for children over the age of three months and their circumstances prevented them from growing up in their natural families, by creating an alternative environment to receive children, providing them with the necessary expertise to help them ensure a normal life suitable for children and follow up the safety of their upbringing properly, and working to provide all the reasons for psychological and social balance. The most important of these reasons is to entertain children on various occasions by various means and methods, such as taking trips and preparing appropriate camps accompanied by their alternative foster families (965).

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963 Articles 46 and 47 of the Minister of Social Solidarity Resolution No. 451 of 2010 regarding the executive regulations of the Social Security Law promulgated by Law No. 137 of 2010.

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Article No. 46 of the Child Law amended by Law No. 6 of 2015, Article No. 85 of the Prime Minister's Decision [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-375-%D9%84%D8%B3%D9%86%D8%A9-2014#h.jnsphw3zx3uc](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AA%D9%86%D9%81%D9%8A%D8%B0%D9%8A%D8%A9-%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B7%D9%81%D9%84#h.mn2sw9v6lwy5) No. 2075 of 2010 regarding the issuance of the executive regulations of the Child Law amended by the Prime Minister's Decision <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-375-%D9%84%D8%B3%D9%86%D8%A9-2014#h.jnsphw3zx3uc>

The system of alternative foster families serves: children over the age of three months whose care is with alternative families or within the shelters of the Ministry of Social Solidarity, and up to the age of settling for work or marriage for females⁽⁹⁶⁶⁾.

The conditions for handing over the child to an alternative family are stipulated in the [executive regulations of the Child Law](#), which are as follows:

1-The religion of the family must be the religion of the child, and the spouses must be Egyptian.

As an exception to the above, the Supreme Committee for Alternative Families may approve the sponsorship of a child for an alternative family consisting of one Egyptian spouse.

[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-178-%D9%84%D8%B3%D9%86%D8%A9-2016#h.l4oe1ho569ub](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1143-%D9%84%D8%B3%D9%86%D8%A9-2020#h.9brrbibd5ics) Minister's Decision No. 178 of 2016 and the Prime Minister's Decision No. 1143 of 2020, the <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-208-%D9%84%D8%B3%D9%86%D8%A9-2014#h.g6i73c43sc49> Minister's Decision No. 208 of 2014, and Article No. 86 of the Executive Regulations of the Child Law amended by the <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1143-%D9%84%D8%B3%D9%86%D8%A9-2020#h.9brrbibd5ics> Prime Minister's Decision No. 1143 of 2020.

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2. The family shall consist of a couple who have the elements of moral and social maturity based on social research carried out by the competent social administration and the competent civil association or institution, and that each of them shall not be less than twenty-one years of age and not more than sixty years of age.

The Kafalah Alternative Families Committee may exempt that the age of each of the spouses in the Kafalah alternative family may not exceed sixty years, according to the results of social research.

As an exception to the above, widows, divorced women, and those who have never been married and have reached the age of not less than thirty years may sponsor children if the committee deems them fit to do so.

3-The family must have the social, economic, psychological, health and material capacity to care, and be aware of the needs of the child in care.

4- Obtaining the approval of the Alternative Families Committee in the competent Social Solidarity Directorate, in the event that the family wishes to care for more than one child.

5-The family headquarters shall be in a suitable environment in which educational, religious, medical and sports institutions are available, and the health conditions of the housing and the acceptable level of health of the family members shall be met, based on social research carried out by the competent social administration.

6-The family undertakes to provide the child - the place of care - with all his needs, like the rest of its members.

7. The foster foster foster family shall facilitate the task of representatives of the Ministry of Social Solidarity, the Supreme Committee for foster foster families, the Department of Family and Childhood in the directorates of social solidarity, the association or the civil institution competent in supervision and field visits of the foster foster foster family and the child and follow up on it in a manner that does not prejudice the principle of confidentiality and professionalism.

8-The foster family undertakes, if the child is of known parentage, that the contact in his affairs shall be through the Department of Family and Childhood, and it is prohibited for it to hand him over, even temporarily, to his parents, one of them, or to any other person except through this Department.

9. The substitute family accepts to cooperate with the Department of Family and Childhood in drawing up plans for the benefit of the child in care, including his return to his family or his transfer to another house or social institution.

10-The family undertakes in writing to preserve the child's lineage.

11-The foster family shall submit the criminal record periodically as determined by the competent department.

12. The spouses must have at least a high school diploma or its equivalent.

13- Families wishing to sponsor must pass the training course organized by the Ministry of Social Solidarity.

The committee may exempt from some of the conditions set out in clauses (2, 4, 12) according to the results of social research ⁽⁹⁶⁷⁾.

The substitute family shall immediately notify the competent Family and Childhood Department of any change in its marital status or place of residence and any change in the circumstances of the child in care, such as employment, enrolment in a school, escape, death, or marriage of the girl.

It is prohibited for the substitute family to travel abroad, with or without the child in care, without the prior written consent of the Family and Childhood Department of the competent Social Solidarity Directorate, provided that the substitute family goes within a month from the date of its arrival to the country to which it traveled to the nearest diplomatic mission from its place of residence to register its data, the data of the child and the means of communication with it, and that the substitute family is obligated to facilitate the task of the representatives of the diplomatic mission in supervising and field visits to the substitute family and the child and following it up in a manner that does not violate the principle of confidentiality and professionalism, and that it notifies the nearest diplomatic mission of any changes to the family data or to the data of the child, and the substitute family is also obligated to

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notify the Family and Childhood Department of the competent Social Solidarity Directorate immediately upon its arrival in the country⁽⁹⁶⁸⁾.

Upon receiving the child in care, the substitute family shall open an account in Nasser Social Bank or open a savings book in an amount of not less than three thousand pounds or deposit this amount in the child's account if there is an account or a savings book for him. The family shall receive a photocopy of the deposit receipt to the Department of Family and Childhood in the directorate to which the place of residence belongs.

The substitute family shall carry out the duties of caring for the child in care free of charge, and it has the right to bequeath to him or give him from its property the amount it deems appropriate in accordance with the law. It is not permitted to disburse from the amounts deposited in the child's account at Nasser Social Bank or in his savings book under any name except with the approval of the Supreme Committee for Kafalah Substitute Families.

The foster substitute father or the foster substitute mother, as the case may be, "holder of the foster substitute family card" shall have educational guardianship over the foster child, provided that the family shall notify the Social Administration annually of a certificate of proof of enrollment from the school in which the child is enrolled⁽⁹⁶⁹⁾.

968 [Article No. 91 of the Executive Regulations of the Child Law, and Article No. 91 bis of the Executive Regulations of the Child Law](#)

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969 [Article](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AA%D9%86%D9%81%D9%8A%D8%B0%D9%8A%D8%A9-%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B7%D9%81%D9%84#h.oibitamriu1t> 99 of the [Executive Regulations of the Child Law](#), as amended by the <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-178-%D9%84%D8%B3%D9%86%D8%A9-2016#h.l4oe1ho569ub> [Prime Minister's Decision No. 178 of 2016](#), the <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1783-%D9%84%D8%B3%D9%86%D8%A9-2018#h.gwvli4ejpsyq> [Minister's Decision No. 1783 of 2018](#), and the <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1783-%D9%84%D8%B3%D9%86%D8%A9-2018#h.gwvli4ejpsyq>

The social worker shall manage the family and childhood in the directorate, the social administration, or the social unit, as the case may be, by supervising the cases within the scope of his work. He shall visit children in foster families every three months and whenever necessary, while following up the child at every stage of his age until he reaches the age of majority. He shall send the reports in full confidentiality to the directorate to take the necessary action and submit them to the committee of foster families if necessary, provided that the files of the children are kept in the competent social solidarity directorate ⁽⁹⁷⁰⁾.

Second: Within the framework of international conventions

Social Welfare for Women Prisoners

Prison managers shall develop and implement classification methods that take into account the special needs of women and the conditions of female prisoners to ensure the preparation and implementation of appropriate and individualized plans aimed at their early rehabilitation, treatment and reintegration into society ⁽⁹⁷¹⁾.

Gender-sensitive risk assessment and categorization of prisoners should include:

(a) To take into account the fact that women prisoners pose a lesser risk to others and the highly detrimental effects that security measures and heightened levels of isolation can have on women prisoners;

(b) Provide background information on women's backgrounds, such as violence they may have experienced, mental disability and drug use, as well as their responsibility to care for their children and others, all of which must be taken into account in their detention and the preparation of appropriate plans for the duration of their sentences;

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1143-%D9%84%D8%B3%D9%86%D8%A9-2020#h.9brbibd5ics> PrimeMinister's Decision No. 1143 of 2020.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AA%D9%86%D9%81%D9%8A%D8%B0%D9%8A%D8%A9-%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B7%D9%81%D9%84#h.cxh4n3w7e3mc102> of the Executive Regulations of the Child Law, as amended <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-178-%D9%84%D8%B3%D9%86%D8%A9-2016#h.l4oe1ho569ub> by PrimeMinister Decision No. 178 of 2016 and <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%B1%D8%A7%D8%B1-%D8%B1%D8%A6%D9%8A%D8%B3-%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1-%D8%B1%D9%82%D9%85-1143-%D9%84%D8%B3%D9%86%D8%A9-2020#h.9brbibd5ics> Minister Decision No. 1143 of 2020.

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[Rule No. 40 of the Bangkok Rules.](#)

(c) Ensure that sentencing plans for women prisoners include rehabilitation programmes and services tailored to their specific needs;

(d) Ensuring that women in need of mental health care are placed in shelters where their movement is not restricted, where the level of security measures is minimal and where they receive appropriate treatment, and not in facilities where high security measures are imposed on them simply because they suffer from mental health problems⁽⁹⁷²⁾.

Provided that women prisoners are able to enroll in a balanced and comprehensive program of activities that takes into account gender-appropriate needs.

The prison system must be flexible enough to meet the needs of pregnant women, nursing mothers and women with children in prison. Facilities or arrangements for the care of children in prisons are provided in order to enable women prisoners to participate in activities organized in prison.

Special efforts should be made to provide programs suitable for pregnant women, breastfeeding mothers and women with their children in prison, and special efforts should be made to provide services suitable for women prisoners who need psychological support, especially women prisoners who have been subjected to physical, psychological or sexual abuse⁽⁹⁷³⁾.

Prison authorities, in cooperation with probation and/or social welfare services, community groups and NGOs, should develop and implement comprehensive pre- and post-release reintegration programmes for women prisoners, ensuring that the special needs of women are taken into⁹⁷⁴ account.

Additional support is provided to released women prisoners who require psychological, medical, legal and practical assistance to ensure their successful reintegration into society, in cooperation with community service providers⁹⁷⁵.

The services provided to women prisoners before and after their release shall be reviewed to ensure that they are appropriate for and accessible to indigenous women prisoners and women prisoners belonging to particular ethnic and racial groups, in consultation with the⁹⁷⁶ groups concerned.

Provided that the provisions of the Tokyo Rules shall guide the development and application of appropriate methods to deal with cases of female offenders. Within the legal systems of Member States, gender-sensitive options are developed on measures to refer female offenders to reform

⁹⁷² [Rule 41 of the Bangkok Rules.](#)

⁹⁷³ [Rule No. 42 of the Bangkok Rules.](#)

⁹⁷⁴ [Rule No. 46 of the Bangkok Rules.](#)

⁹⁷⁵ [Rule No. 47 of the Bangkok Rules.](#)

⁹⁷⁶ <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A8%D8%A7%D9%86%D9%83%D9%88%D9%83#h.r7i1vw2lzeim> 55 of the Bangkok Rules.

programs outside the criminal justice system and alternatives to pretrial detention and sentencing, taking into account the past victimization of many female offenders and their responsibility to provide⁹⁷⁷ care.

Female offenders shall not be separated from their families and communities without due regard to their family backgrounds and ties. Alternative methods are applied to deal with women who commit crimes, such as measures to refer female offenders to reform programs outside the criminal justice system and alternatives to pretrial detention and sentencing, where appropriate and⁹⁷⁸ possible.

Non-custodial means of protection are generally used, for example in shelters run by independent bodies, NGOs or other community services, to protect women in need of such protection. Temporary measures involving the detention of a woman for the purpose of her protection shall be applied only when necessary and at the express request of the woman concerned, and in all cases under the supervision of judicial or other competent authorities. These preventive measures do not continue to be applied against the will of the woman concerned⁽⁹⁷⁹⁾.

Adequate resources must be made available to find alternatives appropriate to the situation of women offenders in order to integrate non-custodial measures with actions taken to address the most common problems that place women in the criminal justice system. These may include therapeutic sessions, counselling for women victims of domestic violence and sexual abuse, appropriate treatment for women with mental disabilities, and education and training programmes to improve their employment opportunities. These programs take into account the need to provide care for children and services exclusively for women⁽⁹⁸⁰⁾.

In sentencing female offenders, courts must also have powers to consider mitigating factors such as the absence of a criminal record and the relatively insignificant nature of the criminal conduct, in light of the caring responsibilities of the women concerned and the usual backgrounds⁽⁹⁸¹⁾.

In order to prevent women from committing crimes and for the purposes of referring them to reform programs outside the criminal justice system and issuing alternative sentences, the possibility of providing women in the community with gender- and trauma-sensitive drug treatment programs and women's access to such treatment must be⁹⁸² improved.

977 [Rule 57 of the Bangkok Rules.](#)

978 [Rule No. 58 of the Bangkok Rules.](#)

979 [Rule No. 59 of the Bangkok Rules.](#)

980 <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A8%D8%A7%D9%86%D9%83%D9%88%D9%83#h.53jwvpaexka> 60 of the Bangkok Rules.

981 [Rule No. 61 of the Bangkok Rules.](#)

982 [Rule No. 62 of the Bangkok Rules.](#)

The responsibility of women prisoners to provide care and their specific needs with regard to reintegration into society shall be taken into account in decisions regarding early parole⁹⁸³.

Efforts must be made to organize and promote comprehensive, results-oriented research on crimes committed by women, the reasons that lead them to fall under criminal justice, the impact of being in a criminal environment and imprisonment on women, and on the characteristics of female offenders and programs designed to reduce the possibility of women reoffending, as a basis for effectively preparing plans and developing programs and policies to meet the needs related to the reintegration of female offenders into society⁽⁹⁸⁴⁾.

Efforts should also be made to organize and promote research on the number of children affected by their mothers' subordination to the criminal justice system, their incarceration in particular and the consequent impact on children, in order to contribute to the development of policies and programmes taking into account the best interests of the⁹⁸⁵ child.

Efforts should be made to periodically review, assess and disseminate information on trends, problems and factors associated with women's criminal behaviour and the effectiveness of addressing the reintegration needs of women offenders and their children into society, in order to reduce their stigmatization and the stigmatization of their children and the negative impact on them of being subject to the criminal justice⁹⁸⁶ system.

It should also:

1. Raise awareness among the media and the public on why women are subject to the criminal justice system and how best to address this, in order to allow for the reintegration of women into society, taking into account the best interests of the child;

2. Include policies aimed at improving the results of the criminal justice system's responses to women offenders, increasing equity for women and their children, and disseminating and disseminating research and examples of good practices in this area;

3. To provide the media, the public and those with professional responsibility in matters relating to women prisoners and offenders on a regular basis with factual information on matters covered by these Rules and on their implementation;

⁹⁸³ [Rule No. 63 of the Bangkok Rules.](#)

⁹⁸⁴ [Rule No. 67 of the Bangkok Rules.](#)

⁹⁸⁵ [Rule 68 of the Bangkok Rules.](#)

⁹⁸⁶ [Rule 69 of the Bangkok Rules.](#)

4- Preparing and implementing training programs for relevant officials in the criminal justice system on these rules and on the results of research in order to raise their awareness of the provisions contained therein and encourage them to work with them⁽⁹⁸⁷⁾.

Social Care for Female Juvenile Prisoners

The Beijing Rules made it clear that the aim of training and treating juveniles placed in correctional institutions is to provide them with care, protection, education and professional skills in order to help them play constructive and productive social roles in society. Therefore, care, protection and all necessary assistance - social, educational, professional, psychological, medical and physical - that they may need must be provided by virtue of their age, gender or personality in order to help them develop properly.

Young female offenders placed in an institution deserve special attention to their personal needs and problems, are guaranteed fair treatment, and are prohibited from discriminating against young offenders in their care, protection, assistance, treatment and training.

Parents and guardians of juvenile offenders have the right to enter penal institutions⁽⁹⁸⁸⁾.

Criticism

The Egyptian law regulating reform and rehabilitation centers or the regulations of internal reform centers are free of any regulation of psychological care for female inmates, but the Egyptian legislator limited them, like other male inmates, to exempt them from the fees of applications submitted in accordance with the Civil Status Law. It also stipulated that their families shall be granted a social security pension if they are entitled to it. It also stipulated the system of alternative families for the children of inmates to take care of their children.

Therefore, we see that the legislator has failed to provide them with social and psychological protection and care.

Recommendations

Provision should be made for women prisoners to have access to a balanced and comprehensive programme of activities that takes into account gender-appropriate needs.

Programmes suitable for pregnant women, nursing mothers and women with children in prison should also be provided;

Services must be provided that are appropriate for female prisoners in need of psychological support, especially female prisoners who have been physically, psychologically or sexually abused.

⁹⁸⁷ [Rule No. 70 of the Bangkok Rules.](#)

⁹⁸⁸ Rules Nos. 26, 29 of the Beijing Rules.

Provision should also be made for correctional centre departments to collaborate with probation services and/or social welfare services, community groups and NGOs to develop and implement comprehensive pre- and post-release reintegration programmes for women prisoners, ensuring that the special needs of women are taken into account.

Additional support should be provided to released women prisoners who require psychological, medical, legal and practical assistance to ensure their successful reintegration into society, in cooperation with community service providers.

In order to prevent women from committing crimes and for the purposes of referring them to reform programmes outside the criminal justice system and issuing alternative sentences, the possibility of providing women in the community with gender- and trauma-sensitive drug treatment programmes and women's access to such treatment must be improved.

As for the social welfare of juvenile female prisoners, provision must be made for programmes to train and treat juveniles placed in correctional institutions and to provide them with care, protection, education and vocational skills in order to help them play constructive and productive social roles in society.

The right of parents and guardians of juvenile offenders to enter penal institutions shall also be provided.

The sixth topic: Inmate's right to health care

First: Within the framework of Egyptian law

We explained in the above that the legislator in the Law Regulating Correction and Rehabilitation Centers required that each reform and rehabilitation center has one or more doctors assigned to health work, provided that one of them is a resident. In geographical reform and rehabilitation centers, it is permissible to assign one of the government doctors to perform the work assigned to the doctor of the reform center⁽⁹⁸⁹⁾.

Treatment of Pregnant Inmate

Article 19 of the Law on the Organization of Correction and Rehabilitation Centers stipulates that pregnant inmates shall be treated with special medical treatment in terms of food, employment and

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https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.t030yhg0ypm1_33 of the Law Regulating Correction and Rehabilitation Centers, and Articles 21 and 23 of the Internal Regulations of Geographical Correction and Rehabilitation Centers.

sleep from the time it is proven that they are pregnant with a medical report, until they give birth and forty days after delivery.

It also decided that the mother and her child must be given the necessary health care, including food, appropriate clothing, and comfort. The pregnant inmate or the mother may not be deprived of the food prescribed for her for any reason whatsoever.

Article 20 of the law added that the prisoner shall keep her child in custody until he reaches the age of four years, provided that she accompanies him during the first two years. If she does not want him to stay with her or he reaches this age, he shall be handed over to those who have the right to legally have custody of him. If he refuses to hand over to those who have the right to legally have custody of him, the prison warden shall place him in one of the competent care homes, notify the inmate mother of his place, and facilitate her seeing him at periodic times in the manner specified by the internal regulations.

The regulation of correction and rehabilitation centers determines that it is permissible to bring the child to prison twice a month at most when the inmate requests it and there is no health impediment. The visit takes place in a place other than the place prepared for the regular visit in the presence of one of the employees of the correction center and for a period not exceeding half an hour. This visit is not prevented for any reason related to the behavior of the mother inside the prison. The visit takes place at the regular visit and its dates after the child completes twelve years.

The Egyptian legislator took into account the text of the first paragraph of Article 19 of the law, after it was amended by Law No. 6 of 2009, that a pregnant convict needs special health care commensurate with her circumstances, and the need to provide all means of comfort, and to provide diets commensurate with the state of pregnancy.

Second: Within the framework of international conventions

Rules [28](#) and [29](#) of the Nelson Mandela Rules state that women's prisons shall be provided with the special facilities necessary to provide prenatal and postnatal care and treatment and that, where possible, arrangements shall be made for the birth of children in a hospital outside the prison. In the event of the birth of a child in prison, this shall not be recorded on the birth certificate.

In women's prisons, special facilities necessary to provide prenatal and postnatal care and treatment shall be available and, where possible, arrangements shall be made for children to be born in a civilian hospital. If a child is born in prison, this should not be mentioned on his birth certificate, and necessary measures shall be taken to provide a nursery equipped with qualified staff, in which

infants shall be placed during periods during which they are not in the care of their mothers when it is permissible for infants to remain with their mothers in prison. ⁽⁹⁹⁰⁾

The Bangkok Rules also require the provision of health care services for women prisoners that are at least equivalent to those available in the local community. A female doctor or nurse must also be provided if the female prisoner requests to be examined or treated by a female doctor or nurse, except in cases that require urgent medical intervention. One of the female employees must be present for examination in the event that a doctor performs an examination contrary to the desire of the female prisoner ⁽⁹⁹¹⁾.

The Bangkok Rules also oblige women prisoners to identify their health status by conducting a comprehensive examination to determine their needs for primary health care and to identify sexually transmitted diseases or blood-borne diseases. Women prisoners may be allowed to conduct HIV testing, based on the risk factors involved, with the provision of necessary medical consultations before and after this examination, as well as to identify their mental health care needs, including post-traumatic stress disorders, risks of suicide and self-harm, and to prepare a reproductive health record for the prisoner, including recent or incarcerated pregnancies, births and any reproductive health issues, and to detect the presence of drug addiction.

As well as what the prisoner may have been subjected to from sexual abuse and other forms of violence before entering prison. If the diagnosis results in a sexual violation or other forms of violence that the prisoner was subjected to before or during detention, the prisoner shall be informed of her right to seek asylum to the judicial authorities.

The prisoner shall be fully informed of the procedures and steps followed in this regard. If the prisoner agrees to proceed with the legal procedures, the relevant officials shall be notified of this and the case shall be immediately referred to the competent authority for investigation. Prison authorities assist these women in obtaining legal assistance.

The prison authorities also seek to ensure that they have direct access to specialized psychological support and specialized psychological counseling, whether women choose to proceed with legal

990 Rules Nos. [28.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.tgcbcuc78ae629)
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D9%86%D9%8A%D9%84%D8%B3%D9%88%D9%86-%D9%85%D8%A7%D9%86%D8%AF%D9%8A%D9%84%D8%A7#h.tgcbcuc78ae629> of the Nelson Mandela Rules.

991 [Rule No. 10 of the Bangkok Rules.](#)

proceedings or not, provided that they take specific measures to avoid any form of reprisals against female detainees who submit such reports or proceed with legal proceedings⁽⁹⁹²⁾.

The right of female prisoners at all times to maintain the confidentiality of their medical information must be respected, specifically the right not to provide information related to their reproductive health and not to undergo a related examination⁽⁹⁹³⁾.

If the prisoner is accompanied by a child, he is also subject to a medical examination, preferably by a pediatrician to determine the methods of treatment and medical care required, and to provide appropriate health care equivalent to at least the health care available in his community⁽⁹⁹⁴⁾.

Medical examinations on female prisoners must only be attended by medical personnel, unless the doctor considers that there are exceptional circumstances for security reasons in the presence of a prison staff member, or unless the prisoner requests the presence of a staff member for such examinations, provided that the staff member is a woman, and that the examinations are conducted in a manner that ensures privacy, dignity and confidentiality⁽⁹⁹⁵⁾.

Criticism

Egyptian law did not ensure the presence of a female doctor or nurse for female inmates, there is nothing that legally prevents the appointment of a doctor or nurse to detect female inmates, without the assistance of a female doctor or nurse.

Also, the law did not require one of the employees to be present for the examination in the event that a doctor performed the examination in accordance with the desire of the inmate.

The law also did not provide for informing the inmate of the procedures and steps followed in the event that she was subjected to sexual abuse and other forms of violence before entering the correctional center, and her right to take legal action.

The law also did not provide for the confidentiality of the medical information of the inmate and her right not to provide information related to their reproductive health, as well as her right not to undergo an examination related to this.

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Rules

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A8%D8%A7%D9%86%D9%83%D9%88%D9%83#h.vvrdmnn6tqj37> of the Bangkok Rules.

993 [Rule No. 8 of the Bangkok Rules.](#)

994 [Rule No. 9 of the Bangkok Rules.](#)

995 [Rule 11 of the Bangkok Rules.](#)

Despite the provision for the treatment of pregnant prisoners with special medical treatment in terms of food, employment and sleep since it was proven that they were pregnant with a medical report, the decision of the Minister of Interior No. 468 of 2017 regarding how to treat prisoners and their livelihood has decided dietary decisions for pregnant prisoners since the third month and not since pregnancy was proven and decided dietary decisions for nursing mothers.

Whereas the Egyptian legislator has taken into account that the convicted pregnant woman needs special health care commensurate with her circumstances, and the need to provide all means of comfort, and to provide diets commensurate with the state of pregnancy. On the other hand, it omitted to provide these privileges to pregnant women in pretrial detention, and did not explicitly stipulate the need for women's institutions to have special places equipped with everything necessary for their care, before and after childbirth, including the presence of obstetricians and gynecologists. It also omitted the need to take the necessary measures to complete the delivery process in a hospital outside the correctional center.

The legislator also omitted the need not to mention the birth of the child in the reform center - if this happens – with a birth certificate, and the legislator did not care to stipulate that the necessary measures must be taken to establish a nursery with qualified staff, where children are placed when they are not in the care of their mothers.

There are no provisions in Egyptian laws to ensure that all non-custodial punitive measures are exhausted before pregnant women and mothers are placed in reform centers. There is no legislation prohibiting pretrial detention for pregnant women, as stipulated in the [Child Law](#), that children under the age of fifteen years may not be held in pretrial detention, and it is necessary to provide for this and take measures other than pretrial detention for pregnant women.

Recommendations

The Egyptian legislator must stipulate:

- At least one female doctor or nurse must be present in the places designated for the detention of female inmates, or at least one of the female employees must be present for the examination in the event that a doctor conducts the examination;
- Educating female inmates about sexual abuse and other forms of violence they may face before entering prison, and their right to seek asylum from the judicial authorities, provided that they are fully informed of the procedures and steps taken in this regard;
- It must be stipulated that the right of female inmates to maintain the confidentiality of their medical information must be respected at all times;

- Provide for the inmate's right not to provide information related to their reproductive health and not to undergo an examination related to this;
- Ensure the provision of special health care for women and children including reproductive and mental health;
- Measures must be taken to complete the delivery of the pregnant inmate at a hospital outside the correctional center;
- Prevent the use of restraints against a pregnant Inmate;
- Provide that the place of birth of the child is not to be mentioned as the repair centre if this occurs;
- It is stipulated that pregnant women may not be remanded in custody in the same manner as stipulated in the [Child Law](#) that children under the age of fifteen may not be detained.

The seventh topic: The right of the inmate to the safety of her body

The first requirement: Within the framework of Egyptian law

The law regulating correction and rehabilitation centers or the internal regulations of correction and rehabilitation centers shall exclude any rules governing the relationship between the doctor of the correctional center and female inmates.

The second requirement: within the framework of international conventions

The relationship between the doctor and the inmate must be governed by the same ethical and professional principles that apply to patients in society. The doctor is committed to protecting the physical and mental health of prisoners, preventing them from diseases and treating them on clinical medical grounds only. The doctor is also committed to the independence of prisoners and informed consent with regard to their health. The doctor is also committed to respecting the confidentiality of the medical information he has collected about the patient, unless this leads to a real and imminent risk of harm to the patient or others.

Prison authorities must also take measures to meet the protection needs of minor female prisoners⁹⁹⁶.

Age- and gender-sensitive programmes and services, such as counselling on sexual abuse or violence, should be made available to underage female prisoners. They must be educated about women's health care, and have the possibility to visit gynecologists on a regular basis similar to adult prisoners⁽⁹⁹⁷⁾.

Pregnant minor prisoners must also receive support and medical care equivalent to that of adult prisoners, and a medical professional monitors their health, taking into account that they may be more exposed to health complications during pregnancy due to their young age⁽⁹⁹⁸⁾.

Criticism

As we have seen, the law regulating correction and rehabilitation centers or the internal regulations of correction and rehabilitation centers are devoid of any rules governing the relationship between the doctor of the correction center and female inmates, which represents a legislative failure to protect the inmate or detainee from torture, any form of cruel, inhuman or degrading treatment or punishment, or sexual abuse and other forms of violence.

Recommendations

⁹⁹⁶ [Rule No. 36 of the Bangkok Rules.](#)

⁹⁹⁷ [Rule No. 38 of the Bangkok Rules.](#)

⁹⁹⁸ <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A8%D8%A7%D9%86%D9%83%D9%88%D9%83#h.vj52vh2o8yk6> 39 of the Bangkok Rules.

The legislator must intervene to provide rules to regulate the relationship between the doctor of the correctional center and the inmates, provided that they include at least the following:

- Provide for measures to meet the protection needs of minor female prisoners
- Develop mechanisms to prevent, address and punish all forms of violence against female inmates.
- Provide for the right of minor female prisoners to participate in and have access to age- and gender-sensitive programs and services, such as counselling on sexual abuse or violence.
- Provide that minor inmates should be educated about women's health care and have the possibility to visit gynecologists on a regular basis similar to adult female prisoners.
- Provide that pregnant minor prisoners shall receive medical support and care equivalent to that received by adult prisoners, and a medical professional shall monitor their health status.

The eighth topic: The right of the inmate to prevent epidemic diseases within the reform center

Within the framework of Egyptian law, the prison doctor shall be responsible for health procedures that ensure the health of prisoners, prevent them from epidemic diseases, monitor the validity and adequacy of food, clothing and furnishings intended for prisoners, and observe the cleanliness of workshops, sleeping quarters and all prison places⁽⁹⁹⁹⁾.

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The Egyptian legislator equated female inmates with other male inmates in the matter of medical care, by providing for a medical examination of female inmates immediately after their placement in the reform center⁽¹⁰⁰⁰⁾, as well as conducting tests for virus C⁽¹⁰⁰¹⁾, examining the inmate before

[D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.ooflvx2hyfc](#) of the [Military Prisons](#).

¹⁰⁰⁰ See: [Article No. 27 of the Internal Regulations of the Community Correction and Rehabilitation Centers](#), [Article No. 24 of the Internal Regulations of the Geographical Correction and Rehabilitation Centers](#), [Article No. 6 of Presidential Decree No. 228 of 1990 regarding the Establishment and Organization of Community Correction and Rehabilitation Centers for Persons Convicted of Drug Crimes](#), and [Article No. 16 of the Internal Regulations of Military Prisons](#).

¹⁰⁰¹ Articles [2 and 3](#) of the Prime Minister's Decision No. 2105 of 2016 regarding the implementation of the National Comprehensive Medical Survey Plan for Virus C.

transferring her to another reform center ⁽¹⁰⁰²⁾, placing the inmate upon admission to the reform center under a health test for ten days ⁽¹⁰⁰³⁾, and examining the inmate before her release ⁽¹⁰⁰⁴⁾.

1002

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1003

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Within the framework of international covenants

First: Medical examination of the prisoner immediately after her imprisonment

A comprehensive examination should be conducted to identify the health status of female prisoners, to determine the needs of primary health care, and to identify the following:

(a) Have sexually transmitted diseases or blood-borne diseases, and women prisoners may also have access to HIV testing, based on the risk factors involved, with the provision of necessary medical consultations before and after such testing;

(b) Mental health care needs, including post-traumatic stress disorder and risk of suicide and self-harm;

(c) The prisoner's reproductive health record, including recent or incarcerated pregnancies, births and any reproductive health issues;

(d) The existence of a drug addiction;

(e) Sexual abuse and other forms of violence that women prisoners may have suffered before entering prison⁽¹⁰⁰⁵⁾.

If the diagnosis results in the existence of sexual abuse or other forms of violence suffered by the prisoner prior to or during detention, the prisoner shall be informed of her right to seek asylum from the judicial authorities. The prisoner shall be fully informed of the procedures and steps followed in this regard. If the prisoner agrees to proceed with the legal procedures, the relevant officials shall be notified of this and the case shall be immediately referred to the competent authority for investigation. Prison authorities assist these women in obtaining legal assistance.

Whether or not a woman chooses to proceed with legal proceedings, the prison authorities seek to ensure that she has direct access to specialized psychological support or counselling.

Provided that specific measures shall be taken to avoid any form of reprisals against female detainees who submit such reports or proceed with legal proceedings¹⁰⁰⁶.

The doctor also examines the juvenile immediately after his placement in the detention institution, to identify any physical or mental condition that requires medical attention, as well as to record any evidence of ill-treatment prior to his admission to the institution⁽¹⁰⁰⁷⁾.

¹⁰⁰⁵ [Rule No. 6 of the Bangkok Rules.](#)

¹⁰⁰⁶ [Rule No. 7 of the Bangkok Rules.](#)

¹⁰⁰⁷ [Rule No. 50 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.](#)

Second: Medical examination of female prisoners

Preventive health care measures for women prisoners, such as screening for vaginal infections, breast cancer, and gynecological cancers, should be provided on an equal basis with women of the same age in the community⁽¹⁰⁰⁸⁾.

Recommendations

The legislator must intervene to stipulate in the law regulating reform and community rehabilitation centers or in the regulations of internal reform centers that:

- Conducting a comprehensive examination to identify the health status of female prisoners, to determine the needs of primary health care, and to identify the following:
 - infection with sexually transmitted diseases or blood-borne diseases, and women prisoners may also have access to HIV testing, based on the risk factors involved, with the provision of necessary medical consultations before and after such testing;
 - Mental health care needs, including post-traumatic stress disorder and risk of suicide and self-harm;
 - the inmate's reproductive health record, including recent or incarcerated pregnancies, births, and any reproductive health issues;
 - Presence of drug addiction;
 - Sexual abuse and other forms of violence that women prisoners may have experienced prior to their admission to prison.
 - Inform female prisoners of the procedures and steps in case of sexual abuse or other forms of violence, and assist them in obtaining legal assistance.
- Preventive health care measures for women prisoners, such as screening for vaginal infections, breast cancer and gynecological cancers, should be provided.

1008

[Rulehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A8%D8%A7%D9%86%D9%83%D9%88%D9%83#h.z7uzkbydkt37_18](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D9%8A/%D9%82%D9%88%D8%A7%D8%B9%D8%AF-%D8%A8%D8%A7%D9%86%D9%83%D9%88%D9%83#h.z7uzkbydkt37_18) of the Bangkok Rules.

The ninth topic: Inmate's right to get vaccinated from epidemic diseases

First: Within the framework of Egyptian law

The Egyptian legislator obliges the doctor to vaccinate inmates when they are placed in correction and rehabilitation centers against smallpox and typhoid, and he also vaccinates inmates from time to time against smallpox⁽¹⁰⁰⁹⁾.

Second: Within the framework of international conventions

Programmes and services to address the specific needs of women must be developed to address HIV cases in prisons, including the prevention of mother-to-child transmission.

Prison authorities encourage and support initiatives in HIV prevention, treatment and care¹⁰¹⁰.

Women prisoners must be educated and provided with information on preventive health care measures, including HIV, sexually transmitted diseases and other blood-borne diseases, and on women's specific health conditions¹⁰¹¹.

Criticism

Egyptian law did not stipulate that female prisoners must be educated and provided with information on measures related to preventive health care, including HIV, sexually transmitted diseases and other blood-borne diseases, and on the special health conditions of women.

Recommendations

Provision shall be made for the provision of information to inmates relating to their preventive health care and health conditions specific to women.

1009

[Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.d3biksrljryr> 30 of the Bylaws of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.d3biksrljryr> the Reform and Community Rehabilitation Centers and Article 26 of the Bylaws of the Geographical Reform and Rehabilitation Centers.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.d3biksrljryr_30_of_the_Bylaws_of_https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.d3biksrljryr)

1010 [Rule No. 14 of the Bangkok Rules.](#)

1011 [Rule 17 of the Bangkok Rules.](#)

The tenth topic: The right of the inmate to transfer to a mental hospital in the event of a defect in her mental powers

First: Within the framework of Egyptian law

If the doctor of the correctional center finds that a permanently sentenced inmate has a mental disorder, he shall submit her order to the Director of the Medical Services Department of Prisons for examination. If he sees that he is sent to a mental hospital to verify his condition, he shall do so immediately.

If, after examining her, it becomes clear that she is of unsound mind, she remains in the hospital, and the Attorney General is notified to issue an order to place her in it until he is acquitted, provided that the period she spent in the hospital is deducted from her sentence.

The hospital administration shall inform the Attorney General when the inmate has recovered to order her return to the correctional center, provided that after her return to the correctional center after her recovery from mental illness, she shall be treated in an appropriate manner for her condition (1012).

The competent prosecution shall be notified in the event that one of the remand prisoners or one of the convicts who decided to appeal the judgments issued against them suffers from a defect in her mental powers or is suspected of having a mental illness (1013).

1012

[Article](#)

https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9_1/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.kbsbiiaz5ub_35 of the [Law](#) on the [Organization of Correction and Rehabilitation Centers](#), as amended by Law No. 106 of 2015, [Articles 29](#) and [52](#) of the Internal Regulations of Correction and Rehabilitation Centers, and [Community Rehabilitation Centers](#), [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.bm4rklpto38e](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.bm4rklpto38e) and [Article 17](#) of [Presidential Decree](#) <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.bm4rklpto38e> No. 82 of 1984 regarding the establishment of a labor institution in which repeat offenders are placed.

1013

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84>

If the inmate is placed in a mental hospital, her child is not sent with her and handed over to his father or one of his relatives, or handed over to one of the shelters by the governor of the entity in the event that it is not possible to hand him over to one of his relatives⁽¹⁰¹⁴⁾.

Second: Within the framework of international conventions

According to the Bangkok Rules, comprehensive programs must be provided to women prisoners who need mental health care inside prison or in non-custodial facilities to ensure mental health care and rehabilitation, provided that they are appropriate for each individual case and that these programs take into account the gender differences and traumas that women prisoners are exposed to⁽¹⁰¹⁵⁾.

Specialized treatment programs should also be provided in prison health departments for women who use psychoactive substances, taking into account the abuse they have experienced in the past, the special needs of pregnant women and women accompanied by their children, and their different cultural¹⁰¹⁶ backgrounds.

Strategies must be developed and implemented in order to prevent female prisoners from committing suicide and self-harm as part of a comprehensive policy in the field of mental health care in women's prisons and to provide appropriate, specialized and sensitive support to the needs of women who are likely to do so. Prison staff must be made aware of times when women may feel

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1015 [Rule No. 12 of the Bangkok Rules.](#)

1016 [Rule No. 15 of the Bangkok Rules.](#)

psychological distress to take into account their situation and ensure that appropriate support is provided to them⁽¹⁰¹⁷⁾.

The eleventh topic: The right of the inmate to make telephone calls and the inviolability of her postal, telegraphic and electronic correspondence, telephone conversations and confidentiality

The first requirement: Within the framework of Egyptian law

The convicted person and the pre-trial detainee may, unless prevented by the Public Prosecution or the investigating judge in accordance with the Code of Criminal Procedure, call by telephone for a period not exceeding three minutes twice a month, starting from the date of her entitlement to the visit, in exchange for the dates of the visit. The telephone call may be exceptionally authorized in cases of necessity and with the approval of the Minister of Interior, under the following conditions:

- (i) there is no danger to public security;
- (2) Be of good conduct within the correctional centre.

Telephone contact may be prevented depending on the circumstances at certain times, if required for security reasons⁽¹⁰¹⁸⁾.

The second requirement: within the framework of international conventions

Second: The right of the prisoner to contact her family members

The Bangkok Rules mandated that women prisoners be encouraged to communicate with their family members, including their children and their children's parents and legal representatives, and that the prison administration facilitate such communication by all reasonable means. Measures must

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also be taken to ensure compensation for the harms suffered by women detained in prisons far from their homes ⁽¹⁰¹⁹⁾.

Criticism

We note from the above, that the Egyptian legislator has imposed a financial fee for the inmate's telephone contact, which restricts and disrupts the inmate's right to communicate with her family and relatives.

Recommendations

The Egyptian legislator shall provide the inmate with the right to communicate by telephone with her family free of charge.

The twelfth topic: The right of the female inmate to visit her family

The prisoner's contact with the outside world is an important measure to prevent the practice of torture against the prisoner by allowing him to meet with relatives, lawyers and doctors without delay after his deprivation of liberty and regularly thereafter. Contact with the outside world is necessary not only as a guarantee against the practice of torture, but also in order to respect the right of prisoners to family and private life.

The first requirement: Visits within the Correction and Rehabilitation Center

First: Within the framework of Egyptian law

1-Visits inside the correctional center

The relatives of the convict may visit him twice a month, under the supervision and supervision of the management of the correction center. The management of the correction center is committed to treating the visitors of the inmates humanely, and ensures them the appropriate places to wait and visit ⁽¹⁰²⁰⁾.

¹⁰¹⁹ [Rule No. 26 of the Bangkok Rules.](#)

¹⁰²⁰

[Article](#)

https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.mfqxmatbrwcp_38_of_the_Law_on_the_Organization_of_Correctionand_Community_Rehabilitation_Centers,as_amended_by_Law_No.106_of_2015.

Guest visits are restricted by the guest's pedal, or his file ⁽¹⁰²¹⁾.

The family of the convicted person shall be authorized to visit him after the lapse of one month from the date of commencement of the sentence, once every fifteen days ⁽¹⁰²²⁾.

As for the visit of those convicted of drug crimes, it is not permissible to visit them before the lapse of six months from the start of implementation or the lapse of half of the sentence, whichever is less, except with the approval of the Management Committee of the Correction and Rehabilitation Center ⁽¹⁰²³⁾.

1021 Article No. 65 of the Bylaws
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.1aj1pv28adcc> the Reform and Community Rehabilitation Centers, and Article No. 42 of the Bylaws
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D8%A7%D9%84%D8%AC%D8%BA%D8%B1%D8%A7%D9%81%D9%8A%D8%A9#h.y2mvuf346ixr> of the Geographical Reform and Rehabilitation Centers.

1022 Article
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.7h9wrfb5jk8h> 64 of the bylaws
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.7h9wrfb5jk8h> the reform and community rehabilitation centers, as amended by Minister of Interior Decree No. 1058 of 2008, Minister of Interior Decree No. 2270 of 1973, and Minister of Interior Decree No. 1582 of 1973.

1023 Article
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%88%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%B3%D8%AC%D9%88%D9%86-%D8%AE%D8%A7%D8%B5%D8%A9-%D8%A8%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%88%D9%85-%D8%B9%D9%84%D9%8A%D9%87%D9%85-%D9%81%D9%8A-%D8%AC%D8%B1%D8%A7%D8%A6%D9%85-%D8%A7%D9%84%D9%85%D8%AE%D8%AF%D8%B1%D8%A7%D8%AA#h.lcjt0o5df0fv> 5 of Presidential Decree No. 228
<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%88%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%B3%D8%AC%D9%88%D9%86-%D8%AE%D8%A7%D8%B5%D8%A9-%D8%A8%D8%A7%D9%84%D9%85%D8%AD%D9%83%D9%88%D9%85-%D8%B9%D9%84%D9%8A%D9%87%D9%85-%D9%81%D9%8A-%D8%AC%D8%B1%D8%A7%D8%A6%D9%85-%D8%A7%D9%84%D9%85%D8%AE%D8%AF%D8%B1%D8%A7%D8%AA#h.lcjt0o5df0fv>

As for the detainee in the institution of recidivists, his family has the right to visit him one month after being placed in the institution once a month, and the next visit is not permissible until one month after the previous visit ⁽¹⁰²⁴⁾.

In military reform and rehabilitation centers, the inmate's families have the right to visit him after the lapse of ten days from the date of their placement in the reform center, and the visit is once every two weeks as long as the inmate's behavior is good ⁽¹⁰²⁵⁾.

Families of those sentenced to imprisonment with work have the right to visit them once every two weeks ⁽¹⁰²⁶⁾.

In military reform and rehabilitation centers, the inmate's families have the right to visit him after the lapse of ten days from the date of their placement in the reform center, and the visit is once every two weeks as long as the inmate's behavior is good ⁽¹⁰²⁷⁾.

¹⁰²⁴ [Article 21 of Presidential Decree No. 82 regarding the establishment and organization of rehabilitation centers and reform of those convicted of drug crimes.](#)

¹⁰²⁵ <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%AE%D8%AF%D8%B1%D8%A7%D8%AA#h.lcjt0o5df0fvof> ¹⁹⁹⁰ on the establishment and organization of rehabilitation centers and reform of those convicted of drug crimes.

¹⁰²⁶ [https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.cvcglq3449zsof](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A5%D9%86%D8%B4%D8%A7%D8%A1-%D9%85%D8%A4%D8%B3%D8%B3%D8%A9-%D9%84%D9%84%D8%B9%D9%85%D9%84-%D9%8A%D9%88%D8%AF%D8%B9-%D9%81%D9%8A%D9%87%D8%A7-%D9%85%D8%B9%D8%AA%D8%A7%D8%AF%D9%88-%D8%A7%D9%84%D8%A5%D8%AC%D8%B1%D8%A7%D9%85#h.cvcglq3449zs) ¹⁹⁸⁴ regarding the establishment of a labor institution in which repeat offenders are placed.

¹⁰²⁵ <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.rcxr0tpiduou> ²⁵ of the Internal Regulations of Military Prisons.

¹⁰²⁶ Article 36 of the Bylaws of the Geographical Reform and Rehabilitation Centers.

¹⁰²⁷ <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%B3%D8%AC%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9#h.rcxr0tpiduou> ²⁵ of the Internal Regulations of Military Prisons.

The visit of the child placed in a shelter to his inmate mother shall be once a week upon her request, unless there is a health impediment to the visit ⁽¹⁰²⁸⁾.

It is permitted for the families of the inmate to visit him once before his transfer or after his transfer, even if the date of the regular visit due to him does not fall due, in the event that he is transferred to a reform center in another country, provided that such visit is not counted from the visits scheduled for him, and unless it is transferred in favor of the seizure, or approved for transfer to a public reform center ⁽¹⁰²⁹⁾.

The custodian appointed to manage the business of the convict - in application of [Article No. 25 of the Penal Code](#)- or his official agent, may visit the inmate for a special visit to account once every six months, and he may be authorized to make an exceptional visit for the same period if necessary and with the approval of the Director General of the Community Protection Sector ⁽¹⁰³⁰⁾.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.liognf98cz6a](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.liognf98cz6a) 80 of the Bylaws of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.liognf98cz6a> the [Reform and Community Rehabilitation Centers](#).

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.qvf3hfexk03](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.qvf3hfexk03) 66 of the Bylaws of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.qvf3hfexk03> the [Reform and Community Rehabilitation Centers](#).

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.qvf3hfexk03](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.qvf3hfexk03) the [Reform and Community Rehabilitation Centers](#).

The special visit does not delay the date of the regular visit scheduled for the inmate⁽¹⁰³¹⁾.

2. Visiting rights for foreign inmates

The Assistant Minister of Interior for the Community Protection Sector authorizes the visit of foreign inmates to representatives of embassies and consuls belonging to the nationalities of the countries they represent or whose interests are sponsored by those embassies, and to provide them with the necessary facilities, provided that reciprocity is granted⁽¹⁰³²⁾.

3. Restriction of the right to visit

The right of the relatives of the convicted detainee, whether in public reform and rehabilitation centers or in military reform centers, to visit is limited by the good behavior of the inmate inside the reform center⁽¹⁰³³⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.qvf3hfexk03> 78 of the Internal Regulations of the Reform and Community Rehabilitation Centers, as amended by Minister of Interior Decision No. 1058 of 2008.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.8qfyb9myn08l> 77 of the Bylaws of the Reform and Community Rehabilitation Centers.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9> 1/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.9tf1vwwno0r 38 bis of the Law on the Organization of Correction and Community Rehabilitation Centers, added by Law No. 106 of 2015, and Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.6fl1df25mozo> 74 bis of the Internal Regulations of Correction and Community Rehabilitation Centers.

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<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.6fl1df25mozo> 74 bis of the Internal Regulations of Correction and Community Rehabilitation Centers.

Second: Within the framework of international conventions

Visiting rights for female prisoners

Prison authorities encourage, and where possible also facilitate, visits to women prisoners as an important prerequisite for their mental wellbeing and reintegration into society¹⁰³⁴.

Given that women prisoners are disproportionately exposed to domestic violence, they should be appropriately consulted about who, including their family members, they are allowed to visit¹⁰³⁵.

Prison authorities provide women prisoners with options, such as home leave, open prisons, rehabilitation homes, and community programs and services, to the maximum extent possible to facilitate their transition from prison to freedom, reduce the possibility of stigmatization, and reconnect with their families at the earliest¹⁰³⁶ possible stage.

Visiting rights for foreign women prisoners

When there are relevant bilateral or multilateral agreements, the transfer of foreign women prisoners who are not resident in the state in which they are imprisoned to their homelands, especially if they have children in their homelands, shall be considered as soon as possible during their imprisonment, after the woman concerned submits a request for transfer or her informed and informed consent to it. When a child living with a foreign woman prisoner who is not resident in the state in which she is imprisoned is to be released from prison, the repatriation of the child shall be considered, taking into account the interest of the child and in consultation with his mother⁽¹⁰³⁷⁾.

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.7h9wrfb5jk8h> 64 of the bylaws of the reform and community rehabilitation centers, as amended by Minister of Interior Decree No. 1058 of 2008, Minister of Interior Decree No. 2270 of 1973, and Minister of Interior Decree No. 1582 of 1973.

¹⁰³⁴ [Rule No. 43 of the Bangkok Rules.](#)

¹⁰³⁵ [Rule 44 of the Bangkok Rules.](#)

¹⁰³⁶ [Rule No. 45 of the Bangkok Rules.](#)

¹⁰³⁷ [Rule No. 53 of the Bangkok Rules.](#)

The second requirement: Procedures and controls for visiting reform and community rehabilitation centers

First: Within the framework of Egyptian law

1- Place of visit

The inmate is visited in the place designated for this in the reform center in the presence of one of the users of the reform center during the visit of the inmates and one of the users during the visit of the inmates. As for the special visit, it takes place in the offices of one of the officers of the reform center and in his presence ⁽¹⁰³⁸⁾.

The visitor has the right to visit the detainee directly without any wires between them.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.jjtfmwjgi3de](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.jjtfmwjgi3de) 70 of the Bylaws of

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.jjtfmwjgi3de> the Reform and Community Rehabilitation Centers,

[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.daorbeg6qg4o](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.daorbeg6qg4o) 40 of the Bylaws of

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.jh7k5rxqh2in> of the Military Prisons.

Provided that the child placed in one of the shelters for his inmate mother shall be visited in a place other than the place prepared for the regular visit and in the presence of one of the staff of the reform center⁽¹⁰³⁹⁾.

2. Duration of the visit

The child placed in one of the shelters shall be visited by his inmate mother, who is under the age of fourteen years, for a period of two hours at most⁽¹⁰⁴⁰⁾.

3. Maximum number of inmate visitors

The number of visitors to the inmate must not exceed two persons at a time except with the approval of the Director of the Correction and Rehabilitation Center within the limits of four visitors, while exceeding the children accompanying them⁽¹⁰⁴¹⁾.

Second: Within the framework of international conventions

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.1iognf98cz6a](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.1iognf98cz6a) 80 of the Internal Regulations of the Reform and Community Rehabilitation Centers, as amended by Minister of Interior Decision No. 1058 of 2008.

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Article 41 of the Bylaws of the Geographical Reform and Rehabilitation Centers and Article <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.shejr7lutgvm> 72 of the Bylaws of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.shejr7lutgvm> the Community Reform and Rehabilitation Centers, as amended by Minister of Interior Decree No. 1675 of 2011 and Minister of Interior Decree No. 989 of 1977.

The prisoner's consent to the visit

Given that women prisoners are disproportionately exposed to domestic violence, they should be appropriately consulted about who, including their family members, they are allowed to visit¹⁰⁴².

Criticism

Egyptian law paid no attention to the extent to which the prisoner agreed to the visit, so there was no provision for the inmate to be consulted about the persons she was allowed to visit.

Recommendations

Provide that the inmate must agree with the people who are allowed to visit her.

The thirteenth topic: Inmate's right to a private visit or conjugal visit

The first requirement: In Egyptian law

The legislator authorized the inmate's families to visit him outside the regular visit dates if necessary, based on the permission of the Attorney General, the Attorney General, the Assistant Minister of Interior for the Community Protection Sector, or his representative⁽¹⁰⁴³⁾.

The custodian appointed to manage the business of the convict - in application of [Article No. 25 of the PenalCode](#)- or his official agent may also visit the inmate for a special accounting visit of forty-five minutes once every six months, and he may be authorized to make an exceptional visit for the same period if necessary and with the approval of the Director General of Correction and Rehabilitation Centers⁽¹⁰⁴⁴⁾.

The special visit does not delay the date of the regular visit scheduled for the inmate⁽¹⁰⁴⁵⁾.

1042 [Rule 44 of the Bangkok Rules](#).

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[Article](#)

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.i18jfurkj45m> 40 of the Law on the Organization of [Correction and Community Rehabilitation Centers](#), as amended by [Law No. 106 of 2015](#).

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.aqlip3c8hcnv](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.aqlip3c8hcnv) 78 of the Internal Regulations of the [Reform and Community Rehabilitation Centers](#), as amended by Minister of Interior Decision No. 1058 of 2008.

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[Articlehttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.aqlip3c8hcnv](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.aqlip3c8hcnv)

The second requirement: within the framework of international conventions

The right to conjugal visits shall be applied within the framework of international covenants when permitted without discrimination, and within the framework of the principle of equality between male and female prisoners, provided that procedures are established and places are provided to ensure a fair and equal opportunity to benefit from this right, with due care to preserve safety and dignity⁽¹⁰⁴⁶⁾.

Criticism

The Egyptian Law on the Organization of Correction and Rehabilitation Centers or any of the internal regulations of reform centers does not contain any text that allows or prevents the right of conjugal visit, but since it is one of the basic rules in organizing private visits that they take place in the offices of an officer of the reform center in his presence or his representative⁽¹⁰⁴⁷⁾.

Therefore, it is practically impossible to have such kind of visits in Egyptian reform centers, given the large number of prisoners and the limited possibilities of overcrowded prisons.

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¹⁰⁴⁶ [Paragraph No. 2 of Rule No. 58 of the Nelson Mandela Rules, and Rule No. 27 of the Bangkok Rules.](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.8qfyb9myn08l)

¹⁰⁴⁷

[https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.jjtfmwjgi3de](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.jjtfmwjgi3de_70_of_the_Bylaws_ofhttps://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.jjtfmwjgi3de) the [Reform and Community Rehabilitation Centers](https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D8%A7%D9%84%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%A7%D9%84%D8%AF%D8%A7%D8%AE%D9%84%D9%8A%D8%A9-%D9%84%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A5%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9%D9%8A#h.jjtfmwjgi3de).

Recommendations

It is preferable for the legislator to establish controls to grant the inmate the right to conjugal visitation and legal privacy, as we have previously indicated.

Fourteenth Research: Guarantees of imposing a disciplinary penalty on female inmates

First: Within the framework of Egyptian law

Women shall be subject to the same disciplinary penalties prescribed for men ⁽¹⁰⁴⁸⁾.

Second: Within the framework of international conventions

The Bangkok Rules prohibit the use of solitary confinement or disciplinary isolation as a form of punishment for pregnant women, women with infants, and nursing mothers in prison. ⁽¹⁰⁴⁹⁾

The Bangkok Rules also prohibit disciplinary sanctions on female prisoners that prevent them from contacting their families, particularly their children. ⁽¹⁰⁵⁰⁾

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Article

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of

<https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D8%B1%D8%A7%D9%83%D8%B2-%D8%A7%D9%84%D8%A7%D8%B5%D9%84%D8%A7%D8%AD-%D9%88%D8%A7%D9%84%D8%AA%D8%A3%D9%87%D9%8A%D9%84#h.o0w0osvy561> at the Law on the Organization of Correction and Community Rehabilitation Centers, as amended by Law No. 106 of 2015, stipulates that: "The disciplinary penalties that may be imposed on an inmate in accordance with the Law on the Organization of Correction and Community Rehabilitation Centers are:

1. Warning;
- 2- Deprivation of all or some of the privileges prescribed for the inmate's degree or category for a period not exceeding thirty days;
- 3- Delaying the transfer of the inmate to a higher degree than his grade in the correctional center for a period not exceeding six months if he is sentenced to imprisonment or the correctional center, and for a period not exceeding one year if he is sentenced to life imprisonment or rigorous imprisonment;
- 4- Reducing the inmate to a lesser degree than his grade in the correctional center for a period not exceeding six months, if he is sentenced to imprisonment or imprisonment, and for a period not exceeding one year if he is sentenced to life imprisonment or rigorous imprisonment;
- 5- solitary confinement for a period not exceeding thirty days;
- 6- Placing the convict - provided that he is not less than eighteen years old and not more than sixty years old - in a special high-security room for a period not exceeding six months, while depriving him of all or some of the privileges prescribed for him under the law or internal regulations.

Article 43 of the Law on the Organization of Correction and Community Rehabilitation Centers provided for the punishment of flogging by flogging the inmate with no more than 36 lashes. If the inmate is less than seventeen years old, the flogging shall be replaced by flogging with a thin stick with no more than ten sticks, in the event of an attack on the employees entrusted with maintaining order in the correctional center or collective rebellion, or any other case of necessity decided by the Minister of Interior. The punishment of flogging shall not be imposed on female inmates, but the penalty of flogging has been <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-152-%D9%84%D8%B3%D9%86%D8%A9-2001#h.aowldtdksdmocanceled> under Article 1 of Law No. 152 of 2001.

1049 Rule No. 22 of the Bangkok Rules.

1050 Rule 23 of the Bangkok Rules.

Criticism

Egyptian law as well as the regulations of the internal reform centers are exempt from any special treatment in the application of disciplinary sanctions to women who are pregnant or accompanied by infants, or breastfeeding mothers.

Recommendations

The Egyptian legislator should intervene to prohibit the imposition of solitary confinement or disciplinary isolation on pregnant women, women with infants and breastfeeding mothers in prison, and should explicitly prohibit disciplinary penalties for female prisoners from contacting their families, especially their children

The fifteenth topic: Inspection of reform centers

First: Within the framework of Egyptian law

We have previously indicated that Egyptian law did not require the inclusion of female members in the bodies that inspect reform centers, whether inspection by the Public Prosecution or by the National Council for Human Rights⁽¹⁰⁵¹⁾.

Second: Within the framework of international conventions

The Bangkok Rules required inspection, visiting, monitoring or oversight bodies to include women members, in order to monitor conditions relating to the detention and treatment of women prisoners.

For female prisoners who report ill-treatment, their allegations must be investigated by an independent competent authority, and female prisoners who are subjected to sexual abuse must

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Article 3 of <https://sites.google.com/view/rpdelic/%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D8%A7%D8%A-%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D9%82%D9%88%D9%85%D9%8A-%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D8%A5%D9%86%D8%B3%D8%A7%D9%86#h.rljwyggst2zh> the Law on the Establishment of the National Council for Human Rights, as amended by Law No. 197 of 2017, stipulates that: "Without prejudice to the provisions of the laws in force, the Council shall, in order to achieve its objectives, be competent to:

1- ...

16. Visiting prisons and other places of detention, treatment and correctional institutions, and listening to prisoners and inmates of the aforementioned places and institutions to verify their good treatment and the extent to which they enjoy their rights. The Council shall prepare a report on each visit it makes, including the most important observations and recommendations with the aim of improving the conditions of prisoners and inmates of the aforementioned places and institutions. The Council shall submit its report to both the Attorney General and the House of Representatives.

17- Informing the Public Prosecution of any violation of the personal freedoms or the inviolability of the private life of citizens and other public rights and freedoms guaranteed by the Constitution, the law, and the international human rights conventions, covenants, and instruments ratified by Egypt, based on the serious information available to the Council on the occurrence of the violation or the person of the perpetrator, while notifying the competent authorities. The Council may intervene in the civil lawsuit, joining the injured party at his request in accordance with the provisions of the laws regulating this.

receive appropriate medical guidance and guidance, and be provided with the necessary physical and mental health care, support, and legal assistance ⁽¹⁰⁵²⁾.

Criticism

It is clear from the above that the law did not require the inclusion of women members in the committee formed by the National Council for Human Rights, which inspects reform centers.

Recommendations

The legislator must intervene to stipulate in the National Council for Human Rights Law that female members must be included in the formation of the committee that visits places of detention and correction and rehabilitation centers designated for women.

¹⁰⁵² [Rule No. 25 of the Bangkok Rules.](#)

Conclusion

In this research, we examined the rights of individuals whose freedom is restricted under the Egyptian Reform and Community Rehabilitation Centers Law (Prison Law) and the internal prison regulations. Using a comparative approach, we analyzed the rights granted to inmates within the framework of Egyptian legislation regulating reform centers, contrasting them with the rights outlined in international charters, and highlighting the deficiencies in Egyptian legislation.

We concluded that the legislation governing prisoners' rights in Egypt falls significantly short of the standards outlined in the international covenants to which Egypt is a signatory. The rights afforded to prisoners—when they are available—are considerably below the levels stipulated in international covenants. Furthermore, even where such rights exist, they are heavily restricted by numerous controls, conditions, and caveats, all of which lie within the authority and discretion of the warden and prison staff, without any substantial oversight in this regard.

The message and goal of the punishment, as we have explained, is special deterrence in the sense of rehabilitating and reforming the convict because he is a good member of society. However, living of the inmate in prisons in Egypt is a bitter experience, which leads to an increase in the deviation of the inmate and an increase in his criminal tendencies, instead of reforming and rehabilitating him.

One of the main problems inherent in Egyptian reform and rehabilitation centers stems from their subordination to the social protection sector of the Ministry of Interior. In many penal systems around the world, prisons are under the authority of the Ministry of Justice instead of the Interior.

We hope that you will find the criticisms made in our study for those who listen to them, and for them to look at the recommendations we have concluded (or others), so that their goal is to grant the inmate of reform and rehabilitation centers the minimum rights stipulated in all international conventions and conventions concerned with human rights and the minimum standard treatment of prisoners, hoping that this will contribute to reforming the condition of the convict, so that he may start his life again - after serving his sentence - away from all forms of delinquency and criminality, in a healthy society that helps him to work and earn.