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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Cairo Institute for Human Rights Studies, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 February 2012]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Torture with impunity in the context of the Arab uprisings

The mounting human rights violations committed with the purpose of quelling the ongoing wave of mass pro-democracy protests around the Arab region are the outcome of years of a deeply rooted culture of impunity. Torture has been systematically used by authoritarian governments in almost all countries of the Middle East for years, and it was the systematic lack of accountability that brought forth the grotesque patterns of torture currently being practiced against thousands of pro-democracy advocates across the Arab region.

For decades, human rights organizations have documented the use of torture in Syria, Bahrain, and Egypt, particularly against political opposition and Islamic extremists. The government in Egypt, and its notorious State Security Apparatus, systematically used torture against Islamists in prisons, particularly in the 1990s, and later became a strong ally in the US rendition program as part of its “war against terror.” Similarly in Bahrain, the practice of torture was frequent in 1980s and 1990s with notorious torturers getting the green light to torture with immunity, which was later enshrined in Royal Decree 56/2002.¹ In Syria, arguably the most established police state in the region, prisons and detention centers have been notorious for systematic torture for the past 40 years of the Al-Assad family rule.

1. In Syria, following the mass protests, novel and more brutal torture techniques are being used to quell the popular uprising. With an estimate of over 7,000 people killed since March 2011, hundreds of deaths are believed to have been a result of torture. According to local human rights groups, cases of death under torture have reached 480.² In addition, thousands of detainees have been tortured.

Old documented torture practices such as slapping; beating with batons, wooden sticks, cables, and rifle butts; electrocution; burning with cigarettes; hanging; and other infamous techniques such as the “German Chair,” “Flying Carpet,” “Electric Coffin,” and “The Ghost,” are extensively used against detainees. Torture techniques also stretch to include stabbing; rape using hard objects; mutilation of body parts, including sexual organs, both before and after death; pulling out hair and nails; and removing some organs of the body, believed to later be smuggled out of Syria and sold. Footage of the corpse of 26 year old activist Gheyth Mattar show severe burn marks on his neck and chest and a huge scar in his abdomen, where it was believed that his stomach was cut open to steal some of his organs. Another testimony details that following days of severe beatings on the feet, the victim was forced to walk on rocks of salt explaining that “when you are bleeding and the salt comes into your flesh, it hurts a lot more than the beating.”³

2. In Egypt, new and degrading torture methods have been used since the Supreme Council of the Armed Forces (SCAF) took control of the country’s affairs on February 11, 2011. Throughout the last year the Military Police has systematically used electric and wooden batons to disperse peaceful protest or to gain testimonies from both political and criminal detainees. Rubber bullets and pellets were also used extensively in November 2011 and February 2012, resulting in dozens of deaths and thousands of injuries. Furthermore, at least three Egyptians died as a result of torture in detention facilities. In

¹ Royal Decree 56/2002 grants impunity from prosecution to state and security officials for violations committed prior to 2001.

² According to numbers documented by the Syrian Revolution Martyr Database <http://www.syriansshuhada.com/default.asp?lang=en&a=st&st=9>.

³ Miller, Jonathan, “Syria Torture Machine,” the Guardian, http://www.guardian.co.uk/world/2011/dec/13/syria-torture-evidence?CMP=tw_t_gu

addition, 17 Female protesters arrested from Tahrir Square on March 9 received so-called “virginity tests” while in military prison. Violence practiced by the military against female protesters in December 2011 also included an appalling attempt by a military officer to carve the letter “T” – standing for Field Marshall Mohamed Hussein Tantawi, President of the SCAF – on the head of one of the protesters for demonstrating against military rule. There has been no real accountability for these torture crimes or for those committed under the Mubarak government.

3. As authoritarian governments attempt to silence the calls for democracy, torture sites and government or government affiliated entities responsible for overseeing torture have increased considerably. In Bahrain, torture has been practiced against protesters or sectors that supported the February 2011 mass protests in detention centers, at checkpoints, in homes prior to arrest, and in hospitals. A shocking case is that of prominent human rights defender Abdulhadi Al Khawaja who has remained in prison since April 9, 2011 serving a life sentence on trumped up charges. He was severely tortured, denied adequate medical care, threatened with rape during detention, and currently sustains a broken jaw.

Similarly, since the revolution in Egypt, torture is not only practiced in legal detention facilities and police stations, but also in military prisons⁴ and some areas close to Tahrir square where protesters are held and tortured, such as the Egyptian museum (used as a torture site for several months in 2011), the halls of the Ministry of Interior (used most notably in November 2011), and the building of the Egyptian Parliament, the Shura Council, and the Cabinet (in December 2011). This is in addition to the beating and kicking of protesters in the street. Furthermore, an alarming practice escalated from December 2011 onwards, whereby activists are abducted by unidentified civilians, tortured, then released.

In Syria, torture is carried out by members of the Military Intelligence, Air Force Intelligence, Army, Criminal Security and State Security departments, the Republican Guard, in addition to government affiliated militias (known as “Shabeeha”). Each of these security apparatuses have their own detention facilities across Syria where they torture and keep detainees prior to moving them to prisons, which have come to include sports stadiums, schools, and even market places, and where torture is widely practiced as well. Of grave concern is also the use of torture in some Syrian hospitals, sometimes by medical staff, as documented in several reports. According to the testimony of a Syrian doctor, he saw a nurse beating a 14 year old boy with bullet wounds in a hospital in Homs.⁵ Additionally, torture against children is widely elaborated on in the report of the UN Independent Commission of Inquiry on Syria, mandated by the Human Rights Council. The age of torture victims in Syria ranges from 13 to 72.

4. The use of torture as a tool for intimidation and punishment has also considerably increased and has at times surpassed the purpose of extracting information or confessions. Torture has even been used for no particular reason, which was described by Nadim Hourny of Human Rights Watch as “meaningless” torture.⁶ In one such incident an army officer allegedly gave the reason behind shooting a 2 year old girl that he wanted to prevent her from growing into a protester. Torture has also been used against relatives of certain activists to either pressure them to turn in their children to the authorities or as collective punishment to the family. The family of Zeinab el Hassni, 18 years old, collected her body,

⁴ Around 12,000 civilians were referred to Military trials in Egypt. Most of the detainees spent time in Military Prisons and Prosecution where torture is a common practice.

⁵ Based on a testimony obtained by BBC news, <http://www.bbc.co.uk/news/mobile/world-middle-east-15433916>

⁶ Miller, Jonathan, “Syria Torture Machine,” the Guardian, http://www.guardian.co.uk/world/2011/dec/13/syria-torture-evidence?CMP=tw_t_gu

which carried torture marks, from the morgue, as they were searching for her brother's corpse. Zainab was tortured and killed because of her brother's involvement in protests.

Similarly, in Bahrain, doctors have been tortured, as punishment for treating injured protesters, and patients were tortured inside hospitals and arrested. To date, the main hospital in Manama, Salmaniya, is still under the control of government and security forces, and it is impossible for those injured at the hands of the police to go there for treatment for fear of being arrested. According to Doctors without Borders, hospitals in Bahrain have become places to be "feared."⁷

In this context of widespread torture, accountability has been entirely lacking. Perhaps most blatant has been the failure to refer the situation in Syria to the International Criminal Court.

Even in Bahrain and Egypt, where cosmetic steps have been taken towards accountability, impunity prevails. In Bahrain, the king vowed to implement all recommendations of the Bahrain Independent Commission of Inquiry, which stated that torture had become systematic in the Kingdom. Yet, human rights groups have documented at least two cases of deaths under torture in January 2012 alone. Also during January, there were numerous reports of security forces detaining and torturing protesters in a number of public spaces, such as the yard behind Sitra police station, the Karzakan municipality building, the Sanabis youth hostel, as well as on construction sites. The Cairo Institute for Human Rights Studies (CIHRS) urges the UN Special Rapporteur on Torture to conduct his visit to Bahrain as soon as possible.

In Egypt, the situation does not differ much. The military council continues to open investigations into the killing of over 100 civilians and the abuse of several others since it came to power, but these investigations do not yield any outcomes. Instead, the SCAF is systematically prosecuting NGOs who dare to criticize it for its now notorious human rights record and who call for accountability for crimes of torture.

⁷ Health Services Paralyzed: Bahrain's Military Crackdown on Patients, MSF, http://www.doctorswithoutborders.org/publications/reports/2011/Bahrain_BP_Final_06042011_2106_FR-EN%20LOGO.pdf