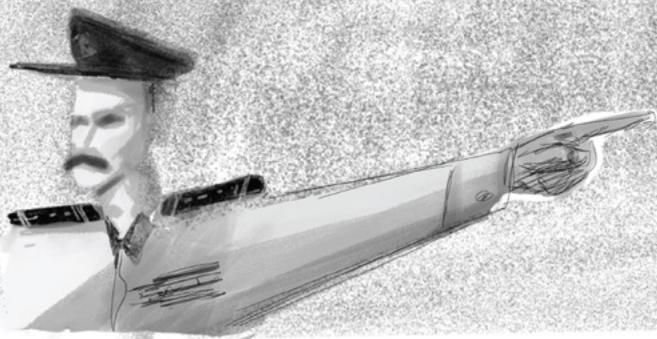




Egyptian Initiative
for Personal Rights



FOR SALE IN THE PRISON CANTEEN

DISPOSSESSION AND POVERTY
INDUCEMENT AT "AQRAB"
PRISON



For Sale in the Prison Canteen

Dispossession and Poverty Inducement at “Aqrab” Prison

First edition September 2018

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REPORT SUMMARY

Whether in “Aqrab” or Tora Farm, Qanater or Minya prison, there is a need to investigate and address the deepening marketization of prison life: how prisoners’ most basic needs—those that the prison authorities are required to provide by law—are instead sold at exorbitant prices for the sake of the canteen’s profit. The move towards the prison-for-profit mode, by providing prisoners’ basic needs for sale in Egyptian prisons, is the thematic umbrella of this research. This report specifically takes the case of the canteen in “Aqrab” as its focus. Bearing in mind:

- (1) on the one hand, that much of the existing literature and public discourse on the medical and torture abuses at “Aqrab” does not include and unpack the prison’s economic exploitation of inmates as one of these abuses;
- (2) and on the other hand, that as an exceptional facility –as a maximum-security prison—“Aqrab” is a site where several trends present in other prisons are most concentrated.

As such, this report continues to zoom in on how prisoners experience the canteen in “Aqrab” prison, as a way to understand the resonances of these practices to varying degrees across other prisons--and advocate for an end to the systematic abuses canteen and visit practices entail.

The report is structured as follows:

The first chapter gives a general background on the economic impact of the IMF loan within prisons by tracing the local and global history of prison austerity (and the marketization of prisoners’ basic needs for prison profit). It explores how the IMF loan within prison was experienced as an inflation of what were already inflated canteen prices to begin with; how this acute economic inflation was experienced by prisoners and their families; and how it is situated within the historical context of austerity measures dating back to the 80s and 90s—a time period during which services previously provided by the government- now became funded on the backs of patients, students, prisoners – for the profit of these very institutions.

The second chapter provides a general background on the history and existing violations at “Aqrab” prison. It situates the prison’s policies since its inception in 1993 within the larger trend of maximum security policies towards the beginning of the twenty-first century. The chapter proceeds to focus on violations around prisoners’ right to receive visits (and how it relates to their access to their basic needs): and includes a timeline of visit bans and violations at “Aqrab” within the past three years based on families’ testimonies and complaints to the National Council for Human Rights. The timeline traces the violations to the present moment where a “visit registration” system has been set in place specifically at “Aqrab,” thereby precluding prisoners from their right to receive regular visits and effectively limiting visits to a prison with over 1000 inmates to 15 visits per day.

Lastly, the third chapter, deviates from existing literature on “Aqrab” by asserting that the economic exploitation taking place at the prison is also a form of the many abuses inflicted by the prison authorities; and that it amounts to the intentional poverty-inducement by the Interior Ministry against the “Aqrab” prison population. By focusing on the case of the canteen in “Aqrab” prison, the report concludes with recommendations to end economic exploitation at “Aqrab” and introduce le-

gal safeguards to prevent the Interior ministry from carrying out similar practices of impoverishing and dispossessing inmates across other prisons.

METHODS

This report is based on desktop and field research, as well as a legal review and analysis of relevant national and international legislation. Beginning as a project to investigate how the current moment of economic inflation was affecting life behind bars, the research snowballed into a focus on the canteen at “Aqrab” prison. In the process EIPR conducted 15 in-depth interviews between May and October of 2017 including:

- (i) three relatives of prisoners detained at “Aqrab” at the time of writing this report
- (ii) three lawyers who have visited and/or represented detainees held at “Aqrab”
- (iii) four individuals who help coordinate e’ashas at several prisons in Cairo
- (iv) five relatives of current prisoners at Minya maximum Security and Damanhur General Prisons
- (v) two former prisoners who were incarcerated at Qanater women’s prison and Tora Farm between June 2015-September 2016 and February to December 2016 respectively;

and lastly for historical perspective:

- (vi) two former prisoners incarcerated in Liman Tora in 1975 and 1997 respectively
- (vii) as well as a lawyer who provided EIPR with complaints documented by the Human Rights Center for Prisoners Support detailing complaints about food and clothing and the canteen prices inside the “Five Star Prison” (Tora Farm Prison) in 1998 and Wadi el-Natroun in 1999 which are included in the report’s Appendix.

EIPR faced several challenges in conducting additional interviews than the aforementioned. Access to prisoners’ families, especially at “Aqrab” was exceptionally difficult due to contacted parties refusing to participate citing security concerns. This difficulty substantially drew out the timeline of the fieldwork interview periods. Another significant challenge was the lack of any publicly accessible information about canteen prices or expenditures inside the prison; the prison authorities and interior ministry do not disclose any information about the canteen’s operating budget and revenues to the public.

EIPR thus had to turn to other unofficial sources. It consulted copies of court rulings by the administrative court (the State Council) regarding cases that relatives of “Aqrab” prisoners filed against visit bans; as well as a complaint filed on behalf of the “Aqrab” Prisoner’s Network to the National Council for Human Rights in 2015.

The complaint to the council demanded that the council investigate the systematic banning of visits and collective punishment in “Aqrab” prison--especially after the canteen and cafeteria were simultaneously closed during the visit ban on June 29, 2015--and that the State Council Court orders a forensic inspection of the corpses of prisoners who died in custody. It includes the relatives’ personal archiving of “Aqrab” prison abuses from February 2014 to the summer of 2015 including visit bans, tagreedas, and canteen closures. The subsequent reports produced by the National Council for Human Rights, and commentary about them, in August 2015 and January 2016 were

also consulted. EIPR researchers referred to the administrative court rulings and “Aqrab” prisoner’s network archives in conjunction with a database provided by the Adalah Center for Rights and Freedom which archives prisoners’ complaints mentioned in 40 capital punishment court hearings records from 2014 to the present moment. The database organized the complaints into several categories including but not limited to complaints about poor food quality, canteen prices, and prisoners’ deteriorating medical conditions in custody. All of the aforementioned databases and archives are appended at the end of this report.

Lastly, this report builds on a review of the existing literature on “Aqrab” prison, including EIPR’s investigation into the visit ban at “Aqrab” that began in March 2015 via interviews with 11 relatives of “Aqrab” prisoners;¹ as well as other rights organizations.² EIPR’s criminal justice researchers also conducted a literature review on the history of prison economies in other countries as a source of contextualization and comparison. Researchers in EIPR’s social justice and economics unit provided comments and edits for the economic analysis presented by the criminal justice researcher in the first chapter.

This research largely relies on prisoners’ testimonies and legal archives about access to food, clothing, and staples within Egyptian prisons. Complementing this research with an economic analysis of the state’s spending on prisons was not possible due to the state’s lack of transparency around its budget spending.³ This research could have also included an in-depth contextualization of the prison canteen within the wider economy of prisons-- especially with regards to the exploitative wages of prisoners’ labor (for criminal prisoners who decide to work) within the prison and at outside entities like farms and welding shops. However, this report propels from the argument that the pervasiveness of the canteen within the lives of inmates across different prisons coupled with scarce documentation around its practices warrants an in-depth analysis of the canteen on its own.

LIMITATIONS

Focusing on the economy of prison canteens grew out of conversations about the current economic inflation’s impact behind bars. Prisoners’ relatives would repeatedly respond with complaints about the canteen. However, this course of the research path reveals an implicit bias in the report’s methodology: Though former prisoners or relatives interviewed relied on the canteen to widely varying degrees and budgets, none of them could not afford it altogether. Although many of the relatives interviewed recounted stories of encounters with other relatives who could not pay for canteens nor bring food during visits, the analysis from that perspective of varying economic class comes from these secondhand accounts—not primary interviews with the relatives themselves. Basing prison studies on interviews with inmates’ relatives also excludes first-hand experience of prisoners who do not have family members who try to visit them whether regularly or sporadically—which is another blind-spot for this report.

1 Egyptian Initiative for Personal Rights (April 2016). Segn el-Aqrab segn ‘qab jama’y: intihak haq el-zeyara yohadded salmet al-sogana.’ [retrieved online]

2 Both of the following reports were consulted in depth: Human Rights Watch (September 2016). We are in tombs: Abuses in Egypt’s Scorpion prison. Retrieved online; Human Rights Watch (February 1993). Prison Conditions in Egypt A Filthy system. Retrieved online.

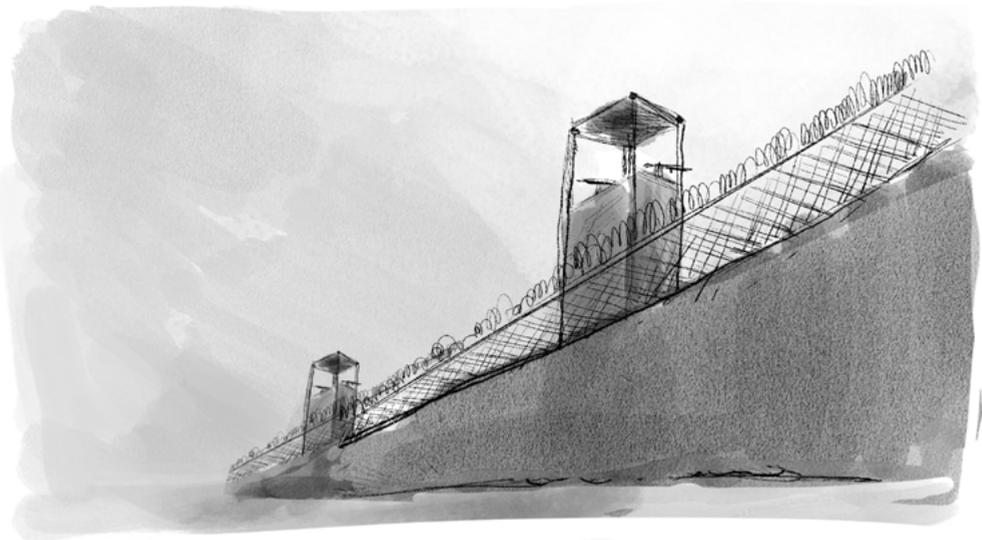
3 Egyptian Initiative for Personal Rights (December 2014). The absence of transparency: an economic cost and an Infringement on citizens’ constitutional rights. Retrieved online.

Lastly, everyone interviewed spoke of experiences of political (not criminal) imprisonment. The latter usually come from a more disadvantaged economic class, many of which opt to work in prison to support their families rather than vice versa. Thus, future studies that interrogate the experiences of economic exploitation of criminal prisoners is a necessary complement to this research.

GLOSSARY

- **Amanat:** Where prisoners’ relatives can deposit money for inmates (and receive receipts for them from the prison) to use to purchase items from the canteen or cooked meals from the cafeteria. Money is not allowed on prison premises.
- **Cafeteria:** Inmates in some prisons (like Qanater women’s prison and Tora Farm) refer to the cafeteria when discussing where they buy cooked meals (as opposed to the packaged groceries in the canteen). The cafeteria cooks the ta’yeen provided by the prison, as well as the better-quality food provided at inflated prices.
- **Canteen:** In some prisons like Wadi el-Natroun and Qanater women’s prison, the canteen is where prisoners buy basic groceries such as: sugar, tahini, halawa, biscuits, molasses, vinegar, oil, soap, plastic-ware, toothbrushes, toothpaste. In other prisons like “Aqrab” the canteen is also where pre-cooked packaged meals are sold.
- **Cleopatra:** cigarettes are another form of currency in prisons aside from on-the-book transactions via prisoners’ amanat accounts. Cleopatra is the cheapest and most common brand that prisoners exchange among themselves in exchange for services (laundry, cleaning, cooking, etc) from other prisoners who work for them, or for certain favors from the nabatshy of the cell (a fellow prisoner who is chosen to assist the prison administration in maintaining order).
- **E’asha:** a system developed by relatives of political prisoners consisting of meals and goods that family members are allowed to bring to prisoners during their visit. Over the decades, networks have developed among prisoners’ families and dedicated activists to create a rotating visit system – ensuring that the maximum number of family members visit inmates in a specific cell or section per week to provide cooked food for them all.
- **Nabatshy el-Canteen:** A certain prison employee—sometimes a prisoner—performs regular rounds (on a monthly, bi-monthly, or weekly basis depending on the prison) , passing by all the cells to mark off inmates’ orders . The prisoner then is asked to sign off on the resulting sum that will be deducted from their account. Later, inmates are either summoned to receive their order or they are delivered to them by the prison employee.
- **Ta’yeen:** The food that the prison is required to provide (according to the Egyptian Interior Ministry Decree 468/2017 which sets minimum standards for the prison administration’s provision of food, clothing, and bedding to prisoners) free of charge.
- **Tableya:** Some prison administrations allow prisoners’ families one tableya visit per week, where they cannot see their relatives but can drop off food, clothes, and medicine for prison guards to deliver to them.
- **Taghreeb:** the practice of imprisoning people in prisons far away from their family members. Due to this practice, some family members cannot afford to visit their incarcerated inmates physically nor economically.

- Tagreedat: Prison sweeps performed by prison guards with the purpose of confiscating contraband, but – in many cases documented in this report’s research—also entails taking away prisoners’ personal possessions that they are entitled to have such as clothing or blankets.
- Takaful: when inmates sharing the same cell share their cumulative canteen deposits equally to account for people whose family cannot afford to send money.



INTRODUCTION

“They’ve opened up a market out of this. . . The canteen is a business project in the prison. Yes, they boast about providing additional items to prisoners but that cloaks the reality of the prices which are downright exploitative . . . So, I could go get him 3 or 4 kilos of apples from outside, but no, that isn’t how things go . . . They’ll ban you from bringing certain items during visits and tell you it’s available in the canteen...But inside the prison- they’ll sell you one apple for five pounds or one orange for three pounds (the price of a kilo); during Ramadan, after they banned us from bringing dates, they would sell one piece of date that prisoners break their fast with for two pounds each. . . Meanwhile [on the outside], family members shoulder the burden. . .Instead of providing for one home, suddenly you are providing for two: 1) Your own kids and expenses at home, and 2) your husband or family member in prison And the latter is a black hole: money and expenses that you can never plan for. Never expect. And because he’s helpless in prison, you have no choice but to find a way to the money and pay.

--Sarah el-Alfy, a family member of a detainee in Tora Maximum Security Prison “Aqrab”, September 2017

Despite widely varying conditions that can separate inmates’ experience from one prison to another—the prison canteen is part of prisoners’ daily experience across the board. Standing at the main gate of Tora prison complex illustrates this point. Behind the main gate of the complex, though they are separated by some mere kilometers, the lives of prisoners in Tora 922 Maximum Security “Aqrab” versus Tora Farm prison are, in many regards, worlds apart. Tora Farm, as prisoners’ families would describe, is a more “laid back” detention facility. While “Aqrab” is infamous for its “tomb cells” where prisoners labeled as “the most dangerous political prisoners” are detained and subjected to inhumane practices of collective punishment. Prisoners in the former are able to store food their family members bring in refrigerators to reheat; can plan their meals ahead; rely on canteen to complement food brought in with family. Meanwhile, prisoners in “Aqrab” can go for months without receiving single family member visits, having to rely on canteen as a means of survival albeit its exorbitant prices, arbitrary closures, and fluctuating food quality.

Though even amidst the different intensities in the way the canteen operates and impacts inmates across different prisons, there is still something to be said about the underlying structural similarities. Whether in “Aqrab” or Tora Farm, Qanater or Minya prison, there is a need to investigate and address the deepening marketization of prison life: how prisoners’ most basic needs—those that the prison authorities are required to provide by law—are instead sold at exorbitant prices for the sake of the canteen’s profit. The move towards the prison-for-profit mode, by providing prisoners’ basic needs for sale in Egyptian prisons, is the thematic umbrella of this research.

However, while conducting fieldwork about the canteen across Egyptian prisons, the research continued to veer back to largely focus on the Canteen at “Aqrab”. Though the testimonies from “Aqrab”:

prison certainly reflect the exceptional case that the notorious maximum-security prison entails, the testimonies crystallized the resonances of the same practices around food, medicine, hygiene items, and clothing in other prisons as well. For instance, a family member of an inmate in Minya maximum security prison recalls how she was forced to deposit money for her brother to purchase certain items from the canteen that the prison authorities banned her to bring with her during visits: including oil and sugar. Three relatives of three different prisoners at Damanhur General prison, known as “al-Ab’adeya” complained about the prison’s practice of “refusing to let in items that I bring for cheap and then selling it inside for three or four times the price.” The three relatives of “al-Ab’adeya” prisoners especially complained about the canteen’s exorbitant prices of bottled water compared to the market price outside.

Other testimonies from e’asha organizers for both general and maximum security prisons in Cairo reiterated that banning certain visit items that are offered for sale in the canteen is almost a systematic practice- though the particular items for sale vary by prison. Prisoners’ families and former prisoners in Qanater, and Minya maximum security prisons also spoke of the practice of taghreeb (imprisoning people in prisons far away from their family members) as a factor that cornered families into depositing canteen funds; the physical and financial strain of making regular trips, for many families, was either too much to bear or unworkable due to their job schedules. Canteen deposits were therefore a necessary resort for those who could afford it—even if in measly and sporadic amounts.

Yet, all of these practices –of closing off access to all other means of attaining basic necessities—were crystallized so blatantly and systematically in “Aqrab” prison. For this reason, this report takes the case of the canteen in “Aqrab” as its focus. Bearing in mind:

- (1) on the one hand, that much of the existing literature and public discourse on the torture and medical abuse at “Aqrab” does not include and unpack the prison’s economic exploitation of inmates as one of these abuses;
- (2) and on the other hand, that as an exceptional facility –as a maximum-security prison—“Aqrab” is a site where several trends present in other prisons are most concentrated. As such, this report continues to zoom in on how prisoners experience the canteen in “Aqrab” prison, as a way to understand the resonances of these practices to varying degrees across other prisons. In this way, this report seeks to contribute to ongoing advocacy to shut down “Aqrab” prison while also making this effort a precedent for the state to refer to for all places of detention— to end the systematic abuses involving the canteen and visit bans/limits in every prison in Egypt.

For the purpose of the report, the word “canteen” is used as a shorthand reference to any financial transactions between prisoners and official prison provision—whether from the “canteen” or “cafeteria.” Though one must also note that prisoners also use the money their relatives deposit to conduct unofficial exchanges through the exchange of cigarettes (prison currency). Such unofficial exchanges usually involve one prisoner providing goods or help with chores or cleaning and cooking services to another prisoner; or differential treatment from prison guards.

According to EIPR’s collected testimonies, the differentiation between the “canteen” and the “cafeteria” varies by prison. Though, for the purpose of the report, EIPR approaches the two terms as a simple difference in nomenclature. Whether or not prisoners differentiate the “cafeteria” as the place where they buy cooked meals from the “canteen” where they buy packaged groceries -- they are both references to economic transactions. Thus for the purpose of this report, canteen is a shorthand reference for any financial transactions between prisoners and official prison provisions from the canteen or cafeteria.

It is important to note that financial transactions to purchase items from the prison canteen and the cafeteria are unregulated by Egyptian law. Nothing in the prison regulations even mention the canteen. All the while, the Egyptian Interior Ministry Decree 468/2017, declares the prison administration as responsible for providing food, clothing, and bedding to prisoners. Though the dietary breakdown is detailed, important basic needs --such as period pads for female inmates-- are omitted by the decree, thus forcing prisoners to look for alternative sources if they are able to whether through visit supplies or the canteen. A former prisoner at Tora Farm⁴, Ahmed Naji, explained the resulting expansion of the latter:

This is not just about someone manning a small kiosk. No. Everyday there are trucks entering and leaving [the prison] . . . We're talking about profit-making here. Especially in more relaxed prisons like Tora Farm. So, the canteen [and also the cafeteria where you can buy cooked meals in place of the prison food --which together I see as the same entity as the canteen in my eyes], this is an economic entity --a site where money enters the prison.

The report's release comes at a time when the economic burdening of prisoners and their families is sharply compounded by record inflation rates following the recent IMF loan. The new policies dictated by the loan and adopted by the government in November 2016 triggered a first inflationary wave during, during which inflation reached, peaked at the rate of 33.1% in February 2017 as opposed to 16% in September of the previous year; and a second inflationary wave that reached its peak in July 2017 when the inflation rate was recorded at 35.2%. Thus, the IMF loan within prison was experienced as an inflation of what was already inflated to begin with. "You were already selling one orange for the price of a kilo of oranges, so why are you raising the prices again?" a prisoner's relative articulated a variant of the same questions many families had, while crippling under the stress that had now cut across prison walls and across social class.



This research is an investigation into how the canteen has led to this moment of doubled inflation within prisons; how it is experienced by prisoners and their families; and how it is situated within the historical context of austerity measures dating back to the 80s and 90s. The report proceeds to analyze the ways in which the current usage of the canteen—as a substitute for the abysmal meals provided by the prison—not only reneges upon the legal responsibility of Egyptian prison authorities to provide healthy food and living conditions for all inmates without imposing relations of exploitation (see i and ii below). The canteen's exploitive prices also violate the states' obligation to respect, protect, and fulfill the fundamental right of everyone to have access to adequate food without discrimination of any kind towards vulnerable and marginalized groups including prisoners (see ii and iii below).

4 EIPR interview with Ahmed Naji, a former prisoner at Tora Farm Prison from February- December 2016, October 2017

- i. The Egyptian constitution: Prohibits all forms of slavery, oppression, and forced exploitation of human beings (Article 89) while also stipulating that the country's economic system must strive towards social justice to raise the standard of living and eliminate poverty (Article 27). It also specifies that any actions within prisons and places of detention that are inconsistent with human dignity or which endanger human health are prohibited (Article 56).

In addition to the safeguards of human rights and economic justice stipulated in the Egyptian constitution itself, Article 93 of the document binds the state to "international human rights agreements, covenants and conventions ratified by Egypt, and which shall have the force of law after publication in accordance with the prescribed conditions."

- ii. The UN's International Covenant on Economic, Social, and Cultural Rights, which Egypt ratified in 1989⁵ and is therefore bound by, includes several articles that relegates Egyptian Prison Authority's use of the Canteen as a violation of Egypt's duty to respect, protect, and fulfill the fundamental rights of everyone to be free from hunger:

Article 11, paragraph 1 states that: "The State Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international cooperation based on free consent.

The General Comment No. 12: The Right to Adequate Food (Art. 11 of the Covenant) issued by the designated committee for the ICESCR⁶ iterates the problem of hunger primarily as one of structural injustice: "Fundamentally, the roots of the problem of hunger and malnutrition are not lack of food but lack of access to available food, inter alia because of poverty, by large segments of the world's population" (Paragraph 5).

The general comment elaborates that accessibility encompasses both economic and physical accessibility: the latter requires that "personal or household financial costs associated with the acquisition of food for an adequate diet should be at a level such that the attainment and satisfaction of other basic needs are not threatened or compromised" (Paragraph 13). Moreover, the comment emphasizes (paragraph 15) that state's obligation to:

- o Respect (the right to adequate food) requires States parties not to take any measures that result in preventing such access
- o Protect requires measures by the State to ensure that enterprises or individuals do not deprive individuals of their access to adequate food.

5 International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, entered into force January 3, 1976, art. 12, ratified by Egypt in 1982.

6 UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 12: The Right to Adequate Food (Art. 11 of the Covenant), 12 May 1999, available at: <http://www.refworld.org/docid/4538838c11.html> [accessed 4 January 2018]

- o Fulfill (facilitate) means the State must proactively engage in activities intended to strengthen people’s access to and utilization of resources and means to ensure their livelihood, including food security.
- o Fulfill (provide) means that whenever an individual or group is unable, for reasons beyond their control, to enjoy the right to adequate food by the means at their disposal, States have the obligation to fulfill (provide) that right directly.

The general comment continue to highlight that realization of all human rights “including elimination of poverty and ensuring a satisfactory livelihood for all” is “essential to good governance” (paragraph 23); and that the failure to regulate activities of individuals or groups so as to prevent them from violating the right to food of others” constitutes a violation of the covenant (paragraph 19). It therefore concludes that “all victims of such violations are entitled to adequate reparations, which may take the form of restitution, compensation, satisfaction of guarantees of non-repetition” (paragraph 32).

The General Comment No. 12: The Right to Adequate Food (on Art. 11 of the Covenant) issued by the designated ICESR committee

The General Comment No. 20: Non-discrimination in economic, social, and cultural rights (on art.2, para. 2. of the ICESCR)⁷ details that the state parties agreeing to the covenant will exercise it without discrimination of any kind towards vulnerable and marginalized groups including prisoners (paragraph 27 of the general comment).

- iii. The UN’s International Covenant on Civil and Political Rights which Egypt ratified in 1982⁸ and is therefore bound by. The human rights committee’s General Comment no. 21 concerning human treatment of persons deprived from liberty on article 10, paragraph 1 of the covenant stipulates that: “Not only may persons deprived of their liberty not be subjected to treatment that is contrary to article 7, including medical or scientific experimentation, but neither may they be subjected to any hardship or constraint other than that resulting from the deprivation of liberty” (General Comment no. 21 on article 10, paragraph 1).⁹

The inflated prices of prison canteen items, in the absence of other sources of edible food and basic needs, pushes prisoners who resort to it into an economically exploitative relationship—one that violates the state’s constitutional duty to strive towards eliminating poverty (Article 27). Rather,

7 UN Committee on Economic, Social and Cultural Rights (CESCR), General comment No. 20: Non-discrimination in economic, social and cultural rights (art. 2, para. 2, of the International Covenant on Economic, Social and Cultural Rights), 2 July 2009, E/C.12/GC/20, available at: <http://www.refworld.org/docid/4a60961f2.html> [accessed 4 January 2018]

8 International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976, ratified by Egypt in 1982, art. 14(3)(b)

9 From general comment no.21 on the article: Adopted at the Forty-fourth Session of the Human Rights Committee [Replaces general comment 9 concerning humane treatment of persons deprived of liberty]. UN Human Rights Committee (HRC), CCPR General Comment No. 21: Article 10 (Humane Treatment of Persons Deprived of Their Liberty), 10 April 1992, available at: <http://www.refworld.org/docid/453883fb11.html> [accessed 4 January 2018]

the economic system of the prison canteen does the exact opposite: pushing the prisoners who struggle to afford the inflated canteen prices into poverty.

Moreover, the systematic visit bans and “tagreedat” (cell-strips during which most of the inmates’ possessions are confiscated and oftentimes never returned) which take place regularly at “Aqrab” prison is a form of collective punishment which is prohibited by the UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). Paragraph 43 of the latter states that “in no circumstances may restrictions or disciplinary sanctions amount to torture or other cruel, inhuman or degrading treatment or punishment” and prohibits practices that include “corporal punishment or the reduction of a prisoner’s diet or drinking water.”

The report is structured as follows: The first chapter gives a general background on the economic impact of the IMF loan within prisons by tracing the local and global history of prison austerity (and the marketizing of prisoners’ basic needs for prison profit).; whereas the second chapter provides a general background on the history and existing violations at “Aqrab” prison

Lastly, the third chapter, deviates from existing literature on “Aqrab” by asserting that the economic exploitation taking place at the prison is also a form of the many abuses inflicted by the prison authorities; and that it amounts to the intentional poverty-inducement by the Interior Ministry against the “Aqrab” prison population. By focusing on the case of the canteen in “Aqrab” prison, the report concludes with recommendations to end economic exploitation at “Aqrab” and introduce legal safeguards to prevent the Interior Ministry from carrying out similar practices of impoverishing and dispossessing inmates across other prisons.

CHAPTER 1

DOUBLED INFLATION: PRISON AUSTERITY AFTER THE IMF LOAN

There is a before and after “November 2016” in Egypt—such is the temporal abruptness through which people experienced official announcement of the IMF’s 12 billion-dollar loan to Egypt with all its stipulations including the devaluation of the Egyptian pound to half its value. The new policies dictated by the loan and adopted by the government in November 2016 triggered a first inflationary wave which reached 33.1% in February 2017 compared to almost 16% in September of the prior year; and a second wave which reached a 35.2% crest in July 2017.

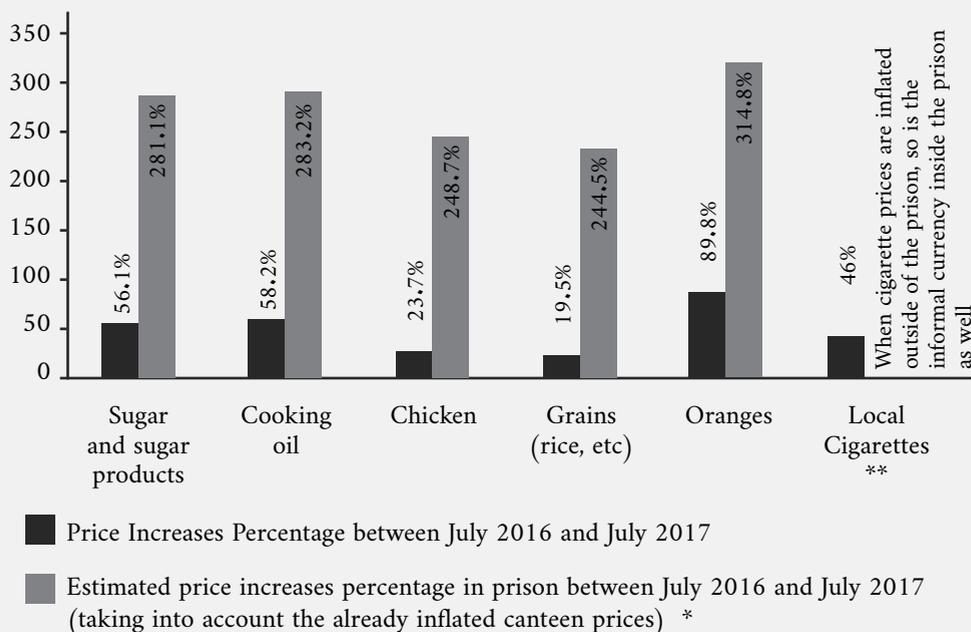
The numbers in the second column reflect the rate of price increases of certain basic goods between July 2016 and July 2017 (July 2017 marked the highest level of inflation in the second inflationary wave during the months that followed the implementation of the austerity measures)⁶The latter column is an estimated calculation of how the already inflated prices of prison canteens (which were already double or triple market prices outside prison long before November 2016) were compounded by the inflation of the IMF loan).

Item	Price Increases Percentage between July 2016 and July 2017	Estimated price increases percentage in prison between July 2016 and July 2017 (taking into account the already inflated canteen prices) *
Sugar and sugar products	56.1%	281.1%
Cooking oil	58.2%	283.2%
Chicken	23.7%	248.7%
Grains (rice, etc)	19.5%	244.5%
Oranges	89.8%	314.8%
Local Cigarettes **	46%	**

*These percentages are estimates in the absence of official canteen pricings—which are not publicly provided—based on prisoners’ testimonies that overall prices were at least double, sometimes triple the price of market prices long before the pound’s floatation. For instance, some of the exact price quotes given during interviews was that 1 orange was sold for the price of an entire kilo (3 pounds before floatation). If an entire kilo could buy you roughly 4 or 5 average sized oranges this makes the existing inflation of the canteen before floatation 350%. Another price quote was given for a lunch meal of a quarter of a chicken with a few spoons of rice and a bit of mixed vegetables costing 60 EGP at a time (between 2015

and 2016) when market prices at reasonable restaurants could get you such a meal for 30 EGP or less than half the price (a 100%inflation percentage); it would cost even less for families to cook this meal at home. Thus the numbers depicted were calculated using an average of 225% as the existing inflation rate in prison before floatation compounded with the resulting inflation after the IMF loan.

**When cigarette prices are inflated outside of the prison, so is the informal currency inside the prison as well .



Fieldwork testimonies confirmed that prisoners have long before been living in a state of economic inflation before the IMF loan; yet the latter worsened their state of economic uncertainty and precarity. But it was nothing new. They experienced November 2016 and its continuing aftermaths as an unfolding temporality of double-fold inflation-- whereas the sheer burden of financial exploitation of prisoners is crystallized in one family members' testimony that having a husband in prison meant "that instead of providing for one household, you are suddenly providing for two."¹⁰ These testimonies cannot be limited to before and after November 2016 but rather must be interrogated within the larger history prison economies—both in Egypt and globally

10 EIIPR interview with Sarah el-Alfy, married to Ahmed Soliman currently imprisoned at "Aqrab" Prison since May 2015, September 2017



A BRIEF HISTORY OF PRISON AUSTERITY

To talk about November 2016 as it was experienced within and beyond bars, one must trace its connection to the global shift towards austerity politics in the 80s and 90s. During this period, governments (sometimes forced by the IMF)¹¹ turned towards a neoliberal mode of budget allocating, based on implementing a series of austerity measures: decimating social services and turning their recipients into disposable subjects. Austerity measures were sutured to a newly prevailing attitude—towards health insurance, social security, education, and (as this research explores) prisons.

Talking about prison austerity, especially in the Egyptian context, is perhaps an exception to the economic restructuring of other sectors like healthcare and education. The prison is unique in the sense that one cannot really talk about the “downgrade” of food provisions and access to healthcare in the past few decades; prison conditions in Egypt were abysmal to begin with. The expansion of the canteen provisions paved access to somewhat better (read: basic) living conditions, only for those who could afford it; and at a great physical and emotional toll at that. And as prison authorities further reneged upon their already poor service provision (violating ministry decrees 691/1998 which was later replaced by decree 468/2017) it effectively treated the canteen as a substitute to improvement and bringing prison administration provisions up to par -- a substitute that becomes more and more costly each day.

Instead the onus for improving prison conditions was shrugged off onto individual prisoners. The prison administration conveniently dismisses that it is in fact required by law to provide these services instead. In other words, as state institutions decimate their budgets and reorient themselves to privatization and private profit, the burden of financing these now profit-gearred institutions is shrugged off onto individuals.

Since 2013, the prison industrial complex in Egypt has been expanding at a massive rate compared to the years before. Between 2013 and 2015 the Egyptian government built or made plans

¹¹ See: Klein, Naomi (2007). *The Shock Doctrine: The Rise of Disaster Capitalism*. Pp 10-11. On the “three trademark demands” usually attached as conditions of loans from the IMF: “privatization, government deregulation, and deep cuts to social spending.”

to at least 14 new prisons,¹² including a new maximum security prison in Tora Prison complex in 2014.¹³ “Aqrab” is now over-crowded with “security” prisoners deemed to be dangerous to the state. This expansion aligned with increasing incarceration rates of political prisoners amidst a wave of repression that has been targeted towards voices of dissent but also absorbing other members of society – especially younger people – at random, almost indiscriminately. All the while, in a state where human rights are neglected and prisoner’s legal complaints are oftentimes rendered meaningless– prisoners are cornered into becoming the financiers of the expanding prison industrial complex if they want to access to edible meals; and only, of course, they can afford it. Those who cannot are left to suffer malnutrition and hunger on their own, quietly, behind bars, without anyone to advocate for them.



NO OPTION BUT TO PAY: DISPOSSESSION AND INDUCED POVERTY

Interviews with current prisoners’ families confirm that the only way for prisoners to access decent food and clothes is if they financed their time in prison themselves. One of the most common ways in which this is done is through relatives bringing hot meals, clothing, or hygienic supplies for their imprisoned family member during allowed visits: once a week for pretrial detainees or once every 15 days for sentenced prisoners according to articles 60 and 38 of Egyptian prison regulations respectively. Some prison administrations allow prisoners’ families one tableya visit per week, where they cannot see their relatives but can drop off food, clothes, and medicine for prison guards to deliver to them.¹⁴

Yet it is impossible for one family member to physically carry everything a prisoner might need for up to one to two weeks in one visit. For this reason, over the decades, networks have developed among political prisoners’ relatives and dedicated activists to create a rotating “e’asha” visits system: ensuring that the maximum number of relatives visit inmates in a specific cell or section per week to provide cooked food for them all.

¹² Egyptian Initiative for Personal Rights (March 2017). Lemadha tabny ad-dawla segoon gadeeda? Retrieved online.

¹³ Interior Ministry Decree 4073 of 2014 for the Establishment of Tora Maximum Security 2.

¹⁴ Some prison administrations allow prisoners’ families one tableya visit per week, where they cannot see their relatives but can drop off food, clothes, and medicine for prison guards to deliver to them; though there is nothing in the prison regulations that systemizes tableya visits in the law.



Yet even with this system, prisoners still rely on the canteen for a variety of reasons:

- (1) When the food their family members bring runs out.
- (2) due to the practice of *taghreeb* and the fact that some family members cannot afford to visit their incarcerated inmates physically nor economically.¹⁵ Some inmates may not have any relatives at all. These people are forced to eat from whatever food is shared with them from other people’s visits and the canteen’s food when they can afford it—both in place of the insufficient (and according to many prisoners’ relatives testimonies about «Aqrab», Minya Maximum Security, “al-Ab’adeya,” often times soured and literally sickening) food provided free-of-charge from the prison. (2b) other families who cannot afford to leave work for example rely on the canteen in the case that they cannot commit to regular prison visits. Other cases that force prisoners into relying on the canteen include:
- (3) When the prison bans family members from bringing certain food items during visits, forcing inmates to buy them from the canteen instead.
- (4) When the prison bans visits to a certain inmate or all inmates of a particular prison altogether—all of which I will explore in detail in chapter three.

Archival complaints dating back at least to the late 1990s document complaints about this economic dependency and exploitation introduced by the canteen: how it acted as an indispensable resort for some prisoners to minimally improve their living conditions while prisons profited from it.

A report¹⁶ documenting complaints about poor food conditions in Wadi Natroun in 1999 described:

The amount of food provided by the prison administration [is] insufficient to fulfill the nutritional needs of detainees. Collected information reveals that the provided food is also unfit as it is not cooked enough in addition to being filled with impurities. It is presented in a disgusting way, distributed using an unclean bucket by a working criminal prisoner to the political cells. In addition, the water is cut off most hours of the day. And when it is available, there is nothing for it to be stored in for later.

15 (Note: This practice violates Rule 59 of the Nelson Mandela Rules stating that “Prisoners shall be allocated, to the extent possible, to prisons close to their homes or their places of social rehabilitation”)

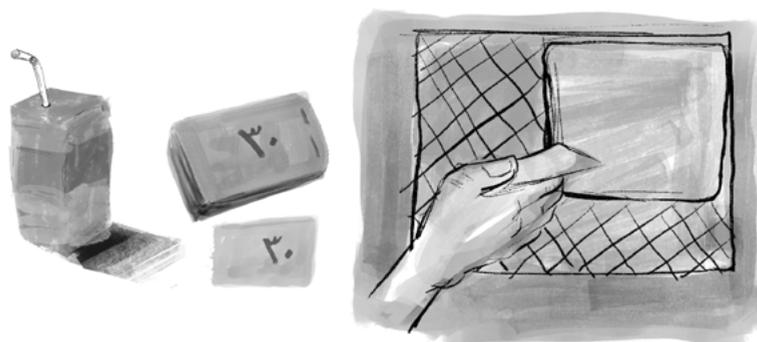
16 The Center for Human Rights (1999). *Dakhel segn wadi el natroun*. [Retrieved through an e-mail sent to EIPR from a former employee; See copy of report in the Appendix: item 5B]

Another report from Tora Farm in 1998¹⁷ reiterated that the prison food was inadequate and insufficient, detailing the resulting need to fund one's own diet in Prison:

The food the prison provides—inmates do not want to come near to this. This is due to the quality and condition of the food. The inmates in Tora farm live off of their own personal spending by eating and drinking what is brought to them from outside the prison. But for those who cannot buy food from outside the prison due to their poor economic status, they must resort to the prison food. Or he resorts to serving another prisoner who in turn provides him with food and drink.

Several prisoners' family members' complained that the canteen has an inevitable monopoly over prisoners. When prices for food staples are raised, prisoners' families – for the spectrum of reasons discussed above— often feel powerless with regards to any option but to simply pay them: “you can either pay or pay” as one “Aqrab” prisoner's relative, Aya Alaa Hosni, put it. Former prisoner Ahmed Naji spoke of one example from his time in Tora Farm prison, when other inmates attempted to legally challenge the price raises after the IMF loan¹⁸ – but to no avail. As the wife of Ahmed Amin Soliman imprisoned at “Aqrab”, Sarah el-Alfy, put it: “These are expenses that have no end, and you have no option but to pay.”¹⁹

Granted, the degree of dependency and helplessness in the face of the canteen certainly fluctuates from one prison to another—as reiterated earlier. Nonetheless, it is still an entity that impacts most prisoners in some capacity in their everyday lives—for many, at a severe economic burden to their families who try to afford the canteen's inflated costs. And for those who cannot- at the expense of normalizing their inability to afford what should be provided to them as a right.



17 The Center for Human Rights (1998). Dakhel segn el-khamaš nogoom: Taqreer markaz ḥoqooq el-insan l-mosa'det el-sogana' ḥawl so' el-re 'aya el-sa ḥeya w el ma'esehya dakhel segn mazra'a ṭora. [Retrieved through an e-mail sent to EIPR from a former employee; See an excerpt of report in the Appendix: Item 5A]

18 According to the interviewee, inmates at Tora Farm were drafting a complaint and referring to an internal prison regulation document—that is, one that is only made available to people inside the prison-- with sections pertaining to canteen prices. However, in the prison regulations that the public has access to, nothing about the laws pertain to financial transactions whether through the canteen purchases or cafeteria meals.

19 EIPR interview with Sarah el-Alfy, married to Ahmed Soliman currently imprisoned at “Aqrab” Prison since May 2015, September 2017

CHAPTER 2

“AQRAB” PRISON AS A CASE STUDY

“It was designed in a way so that those who go in don’t come out unless dead. It was designed for the most dangerous political prisoners.”

--Ibrahim Abd-al-Ghaffar, former “Aqrab” warden, from a television interview in 2012²⁰

SECURITY AS EXCEPTION, EXCEPTION AS DEATH-TOMBS

“Aqrab” was constructed by the order of Interior Ministry Decree 4291 in 1993 as a general maximum security prison. The decree (included below) specifies that the prison is meant to hold inmates classified as “dangerous prisoners.” Though there is nothing in the Egyptian prison regulations that specify differential treatment (different from that specified by the existing general prison regulations) for maximum security prisoners. Statements by Interior Ministry officials to the media approximated the capacity of “Aqrab” as between 1,000 – 1,500 inmates.²¹

The period within which “Aqrab” prison was built (authorized in 1991 and completed in 1993)²², bore several similarities to the contemporary moment, although the present context is different as far the magnitude of violence is concerned, as well as the large number of counter-terrorism related cases and other cases of a political nature that are being adjudicated today. Following the reactivated emergency law period in the wake of President Sadat’s assassination and the continuing violence linked to Islamic groups, the state administratively detained thousands of suspected militants as “security detainees” for years without trials under the premise of “preventive detention.”²³

20 Yahya Maarouf. (March 1, 2012). Mu’anat al-islamiyeen fi segoon mobarak wa leqa’ al-liwa Ibrahim Abd-el-ghaffar ma’moor segn el ‘aqrab ‘la qanat el- hayat. [video file]. Retrieved online.

21 For example: Abu-Sedeera, A and Badry, H. (2013, August, 4th). “al-lowa Mostafa Baz mosa’ed wazer el-dakhleya lqeta’ maslhet el-segoon yatahadath ‘n ‘masageen el-ekhwan w tahdeedat al eqteham.” Masry al-Yom. Retrieved Online

22 Interior Ministry Decree 4291 of 1993.

23 Human Rights Watch (September 2016). We are in tombs: Abuses in Egypt’s Scorpion prison. Retrieved online



The Tora Prison Complex is composed of at least six prisons: Tora Liman (1885);²⁴ Mazra'a or Tora Farm (1908);²⁵ Tora Reception (1989);²⁶ Tora Appendix (1989)²⁷; Maximum Security known as "Aqrab" (1993)²⁸; Maximum Security 2 (2014)²⁹.

The prison's architectural design consists of 4 H-shaped blocks, each with 80 cells (320 total) that measure 5.2 meters long 2 meters wide and 3 meters high. The windows in each cell are 90 by 80 cm and look out over a hallway with an iron ceiling. The cells receive no direct sunlight.³⁰ We do not have official documentation detailing the capacity of Scorpion--this information is only available through official documents about 20 prisons only, as a result of the Interior Ministry decree no, 12299/1999, though "Aqrab" is not one of them. However, based on statements by previous officials in the prison, "Aqrab" prison is meant to house no more than 1000 prisoners. Though Former Assistant to the Minister of Interior, Mostafa Baz was cited in interviews stating that it is meant to house 1,500.³¹ Mostafa Baz also described that "the divisions of the prison's interior prevent prisoners from meeting one another; even inmates within neighboring rooms—they do not meet."³²

24 Established by ministry of Khedive Tawfiq Pasha: Interior Ministry Decree for the Designation of the Tora Prison Authority for Persons Sentenced to Hard Labor, April 14, 1885. And Interior Ministry decree 1299/1999 for re-designation of existing Tora prison sites.

25 Established under the ministry of the last Khedive: Human Rights Watch (September 2016). We are in tombs: Abuses in Egypt's Scorpion prison. Retrieved online. And Interior Ministry decree 1299/1999 for re-designation of existing Tora prison sites.

26 Established under Mubarak's Ministry of Interior: Interior Ministry Decree 912 of 1989 for the Establishment of Tora Reception General Prison.

27 Established under Mubarak's Ministry of Interior: Interior Ministry Decree 914 of 1989 for the Establishment of Tora Appendix General Prison.

28 Established under Mubarak's Ministry of Interior: Interior Ministry Decree 3233 of 1991 for the Establishment of Tora Maximum Security.

29 Established under Mubarak's Ministry of Interior: Interior Ministry Decree 4073 of 2014 for the Establishment of Tora Maximum Security 2.

30 Egyptian Initiative for Personal Rights (April 2016). Segn el-Aqrab segn 'qab jama'y: intihak haq el-ze-yara yohadded salmet al-sogana.' [retrieved online].

31 Abu-Sedeera, A and Badry, H. (2013, August, 4th). "al-lowa Mostafa Baz mosa'ed wazer el-dakhleya lqeta' maslhet el-segoon yatahadath 'n 'masageen el-ekhwan w tahdeedat al eqteham." Masry al-Yom. Retrieved Online

32 *ibid*

In 2012, a former warden of Aqrab prison, Ibrahim Abd al-Ghaffar described the facility to be “designed so that those who go in don’t come out again unless dead.”³³

Articles 55 and 56 of the Egyptian constitution demarcate the objectives of the Egyptian prison system -- with the latter specifying it as a system for “correction and rehabilitation:

Article (55)

Every person who is either arrested, detained, or his freedom is restricted shall be treated in a manner that maintains his dignity. He/she may not be tortured, intimidated, coerced, or physically or morally harmed; and may not be seized or detained except in places designated for that purpose, which shall be adequate on human and health levels. The State shall cater for the needs of people with disability. Violating any of the aforementioned is a crime punished by Law. An accused has the right to remain silent. Every statement proved to be made by a detainee under any of the foregoing actions, or threat thereof, shall be disregarded and not be relied upon.

Article (56)

A prison is a place of correction and rehabilitation. Prisons and places of detention shall be subject to judiciary supervision, where actions inconsistent with human dignity or which endanger human health shall be prohibited. The Law shall regulate the provisions of reform and rehabilitation of convicted persons and facilitating decent lives after their release.

While article 56 prohibits practices that violate human dignity or endanger prisoners’ health and specifies that prison and detention centers are subject to judicial oversight. The General Comment (from 2009)³⁴ No. 20: Non-discrimination in economic, social, and cultural rights (art.2, para. 2. of the ICESCR) details that the state parties agreeing to the covenant will exercise it “without discrimination of any kind” towards vulnerable and marginalized groups including prisoners (paragraph 27 of the general comment on article 20). Paragraph No. 43 of the latter states that “in no circumstances may restrictions or disciplinary sanctions amount to torture or other cruel, inhuman or degrading treatment or punishment” and prohibits practices that include “corporal punishment or the reduction of a prisoner’s diet or drinking water”.

³³ Yahya Maarouf. (March 1, 2012). Mu’anat al-islamiyeen fi segoon mobarak wa leqa’ al-liwa Ibrahim Abd-el-ghaffar ma’moor segn el ‘aqrab ‘la qanat el- hayat. [video file]. Retrieved online.

³⁴ UN Committee on Economic, Social and Cultural Rights (CESCR), General comment No. 20: Non-discrimination in economic, social and cultural rights (art. 2, para. 2, of the International Covenant on Economic, Social and Cultural Rights), 2 July 2009, E/C.12/GC/20, available at: <http://www.refworld.org/docid/4a60961f2.html> [accessed 4 January 2018]



VISIT RESTRICTIONS

In early 2014 according to inmates’ families, prison authorities installed a glass barrier inside the visiting room.³⁵ Prisoners used to be able to sit with and touch their families in a regular visitation area.³⁶ But the new wall prevented inmates from having physical contact with their family members who came to see them. Instead, they can now only communicate through telephone headsets on either side of the barrier, unless a prison guard allows them an exception to see their relative in a room where they can touch one another. Several relatives noted that sometimes the prison guards cut the telephone line without warning. Sara el-Alfy noted that she hadn’t touched her detained husband, Ahmed Amin Soliman, for months during her visits to the prison until she saw him later in court. Manar Tantawy³⁷, wife of Hesham Ga’afar spoke of the pain of the glass barrier:

“You cannot even say salam, meaning everyone used to greet their relatives with open arms and that would alleviate things even if fractionally. Taking him in your arms, patting him on the back, him patting yours—it alleviates a bit. But even that is not allowed for us.”

VISIT BANS

Article 38 of the Egyptian prisons law states that convicted prisoners are entitled to two monthly visits by their relative —every 15 days—while pretrial detainees are entitled to one weekly visit. As for international standards, Rule 58 of the Nelson Mandela Rules entitles prisoners to “their right to communicating with their family members and friends at regular intervals “(a) By corresponding in writing and using, where available, telecommunication, electronic, digital and other means; and (b) By receiving visits.”³⁸

Yet, the “Aqrab” prison administrations has issued blanket visit bans

منوع الزيارات
حتى انتظار اخر



35 MBC Egypt (January 2, 2015). Al- i’lami sherif ‘amer yada’ nafsoh makan masageen segn al mazra’a w al- ‘aqrab. Retrieved online.

36 Adalah Center for Rights and Freedom (November 2017). Shababeek: kayf yo’ather al-taşmeem el me’mary lel-segoon ‘la al-awada’ al-ma’esheya w a-se heyä . Retrieved online.

37 EIPR interview with Manar Tantawy, married to Hesham Ga’afar imprisoned at “Aqrab” intermittently between hospital transfers since October 2015, September 2017.

38 Standard Minimum Rules, <http://www.ohchr.org/Documents/ProfessionalInterest/NelsonMandelaRules.pdf>, pg 20.

intermittently under the premise of security, since the prison’s establishment.³⁹

In December 1994, a year after the prison’s founding, four months after a failed assassination attempt against Interior Minister Hassan al-Alfi, the Interior Ministry instated a complete visit ban (whether from lawyers or families) at “Aqrab”.⁴⁰ Though an administrative court found the open-ended ban unjustifiable in April 1994⁴¹, the Interior Minister kept the ban in place and extended it to other prisons as well.⁴²

In recent years, the “Aqrab” prison administration has repeatedly shut down visits arbitrarily yet systematically. Following the visit ban that began in March 2015 and lasted until May 2015⁴³ (see timeline of visit bans in next section), visits were banned for political prisoners once again during Ramadan (June 17- July 16th) 2015 .



Food conditions were abysmal and on June 29th the prison closed the canteen and cafeteria. Six «Aqrab» prisoners died during this period.⁴⁴ Though prison conditions somewhat improved following the National Council for Human Rights visit in August⁴⁵ following the deaths of the summer of 2015, relatives unanimously concurred that prison conditions have since continually worsened in spurts; in Aya Alaa Hosni’s words⁴⁶:

“Things get bad, then we make noise, then maybe the National Council for Human Rights visits, then things get a bit better, then gradually but surely things slip back to the worse, and systematic violations are practiced yet again.”

39 According to a referenced administrative court ruling that found the open-ended ban on visits unjustifiable cited in: Human Rights Watch (September 2016). We are in tombs: Abuses in Egypt’s Scorpion prison. Retrieved online.

40 Human Rights Watch (September 2016). We are in tombs: Abuses in Egypt’s Scorpion prison. Retrieved online.

41 According to a referenced administrative court ruling that found the open-ended ban on visits unjustifiable cited in: Human Rights Watch (September 2016). We are in tombs: Abuses in Egypt’s Scorpion prison. Retrieved online.

42 *ibid*

43 Statements by Interior Ministry officials to the media approximated the capacity as between 1,000 – 1,500 inmates. For example: Abu-Sedeera, A and Badry, H. (2013, August, 4th). “al-lowa Mostafa Baz mosa’ed wazer el-dakhleya lqeta’ maslhet el-segoon yatahadath ‘n ‘masageen el-ekhwan w tahdeedat al eqteham.” Masry al-Yom. Retrieved Online

44 According to a complaint provided by the “Aqrab” prisoners network to the National Council for Human Rights included in Appendix: item 5C.

45 Zeyarat al-magles al-qawmy le- hoqooq el-insan l “al- ‘aqrab” . . el-dakhleya bare ‘a w al-‘tradat tadrob al-magles. al-masrawy. Retrieved online.

46 EIPR interview with Aya Alaa Hosni, married to Hassan al-Abbany formerly imprisoned at “Aqrab” between January 2015 and November 2017, August 2017.

At least 32 prisoners during February of 2016-March 2016⁴⁷ and more than 80% of «Aqrab» detainees in November 2017⁴⁸, went on hunger-strike to protest the prison administration's systematic practices of medical neglect, visit bans, and denigrating food and living conditions. Since the summer of 2015, the “Tombs of «Aqrab»” become a common reference among prisoners' relatives. According to Manar Tantawy, the wife of prisoner Hisham Ga'afar:⁴⁹

Hesham, when he was first taken to “Aqrab” told me that he always felt like there is a possibility of death in that place. Hesham is someone who has optic nerve atrophy which requires ongoing specialist care due to the risk of losing eyesight; and we have been trying to treat and take care of it for years. . . and then he's put in a place where it takes two years (October 2015 to July 2017) for him to be taken to a doctor. This medical neglect when he's in abysmal detention conditions that gave him horrible skin conditions and insufficient dietary provisions..this amounts to intentionally blinding him and neglecting his health condition.

Aya Alaa Hosni added “the medical neglect and starving that they put the prisoners through especially beginning in March 2015 and Ramadan of 2015 when they banned visits and closed the canteen and limited the prison's food—this is amounts to a systematic murder policy.”

The names of at least 8 prisoners who exited the facility as corpses in the short span of 2 years (since June 2015)⁵⁰ are as follows:

May 5th, 2015 | Farid Ismail

June 4th, 2015 | Nabil al-Maghraby

August 5th, 2015 | Morgan Salem

August 9th, 2015 | Essam Derbala

September 25th, 2015 | Emad Hassan

October 29th, 2015 | Mohamed al-Said

July 25th, 2016 | Ramadan Gomaa

August 27th, 2017 | Medhat Ali Abdul Hameed Kareem Abu Sheeta



47 See Egyptian Initiative for Personal Rights (April 2016). Segn el-Aqrab segn 'qab jama'y: intihak haq el-zeyara yohadded salmet al-sogana.' [retrieved online]. And Mass hunger strike at Egypt's infamous Scorpion prison (2016, March 5). Aljazeera. Retrieved online.

48 Egypt: 80% of Aqrab prisoners on hunger strike (2017, November 1). Middle East Monitor. Retrieved online.

49 EIPR interview with Manar Tantawy, married to Hesham Ga'afar imprisoned at “Aqrab” intermittently between hospital transfers since October 2015, September 2017.

50 Exact names and dates of death up to 2016 were copied from documentation provided by the Aqrab prisoners network to EIPR and cross-referenced through journalism coverage. The death of Medhat Abu Sheeta was confirmed through a phone-call from EIPR with his lawyer on August 29th.

Early March-late May 2015:

Visits were completely banned following the ministry's total inspection of the prison.⁵¹ The Aqrab prisoner's network described that prison authorities would take the visit permits that relatives had applied for and secured and record their names, implying they would be able to be visit, leaving them in the extreme heat and then ordering them to leave. Relatives recount this period as a turning point in terms of the prisons visit practices noting that shortly before the visit ban, the Assistant to the Minister of Interior came out to visiting relatives and announced "each prisoner is only allowed food enough for only one day: two spoons of rice and a quarter of a chicken." This marked a departure from families being able to bring in several meals for their relatives. Many families were forced to leave with most of the food they had brought which after a long day in lines had begun to sour. In late May 2015, visits were opened, to what relatives recounted as abysmal conditions: describing that their relatives looked like they had lost considerable weight and were in poor health. Relatives also discovered from the inmates that during the visit closure the prison, the prison had also performed an invasive *tagreeda* (cell-strip), and took away the prisoners' possessions that they had obtained through severely strict measure including blankets and clothing. *Tableya* visits were also banned as were the delivery of most medicines by relatives except for that which prison guards cherry-picked at random and took out of their boxes, mixing received medicines together⁵²

June -July 2015 (Ramadan):

visits were banned for political prisoners once again during the Islamic months of Sha'ban and Ramadan. Food conditions were abysmal and on June 29th the prison closed the canteen and cafeteria--while visits were closed. Families submitted a complaint to the National Council for Human Rights regarding these conditions (see Appendix Item 5C). 6 prisoners died during and directly following this period between May and October of 2015.

August 26, 2015:

First visit by the National Council for Human Rights to prisons to investigate the prisoners' families complaints about visit bans coinciding with the administration closing the canteen and the cafeteria. Members of the national council succeeded the inspection with a press release conference where they negated families' complaints⁵³ and claimed that the canteen was not closed nor were visits banned. However, on the same day of the press release, one council member, Mohamed Abdel-Koddous, (who refused to attend) issued a press disputing the veracity of the report and stating that it was based on visit conditions that did not reflect the prisoners' daily conditions; the prison was completely and artificially "prepped for the visit" Abdel-Koddous wrote.⁵⁴ Amidst the controversy, families recounted that the council's visit was followed by a few months of open visits* with fairly consistent and improved conditions compared to the months prior. Some relatives mentioned even

51 See a complaint by the Aqrab Prisoners Network to the National Council for Human Rights in the Appendix-Item 5C

52 See a complaint by the Aqrab Prisoners Network to the National Council for Human Rights in the Appendix-Item 5C

53 EGYNews (August 27, 2015). *Taqreer al-magles al-qawmy le-hoqooq el -insan ba'd zeyaret segn al- 'aqrab'*. Retrieved online.

54 Al-masrawy (September 3, 2015). *Zeyarat al-magles al-qawmy le- hoqooq el-insan l "al- 'aqrab" . . el-dakhleya bare 'a w al-i'tradat tadrob al-magles..* Retrieved online.

getting their rights to exceptional visits (allowed in addition to the legally afforded visits on holidays). Another relative mentioned being able to touch her husband for the first time after being allowed to visit him without a glass wall on New Year's Eve.

● **January 5th, 2016:**

Second visit by National Council for Human Rights, after which the council's written report called on prison authorities to abide by the regulations around visit durations as well as medicine and blanket/mattress provisions.⁵⁵

● **January 19th through mid-February 2016:**

Turning people away after making them wait. One relative who tried to visit recalled a security guard telling her "you know, the security of the country around this time of the year, you should know that around this date visits are not allowed." Another relative recounting visiting 6 times during this period, and each time having to wait through lines, check in for the visit, and go through the entire process of security clearances, until she is told to just go back home.

● **By Early March 2016:**

Prison officials had announced the changing of the visit-system to one requiring prior reservations. Each relative would have to come to the prison to make the reservation, and only 50 visit reservations would be allowed per day, and each prisoner's relative can only make a reservation every 15 days, even if they are entitled to more frequent visits (if their relatives are pretrial detainees). Relatives recounted that as time progressed, prison guards at the main entrance would announce that the allowed reservations had decreased to 30 then 20 and even reached 15 relative visits per day in a prison that was designed to hold 1,000 – 1,500 prisoners.⁵⁶

● **Late April 2016 until an unknown date:**

Visits were banned. Relatives recalled that this was probably due to the huge protests that happened outside the Journalist Syndicate on April 15 noting that "anything that happens outside –anything at all—they use as an excuse to denigrate the situation inside the prison.

● **April 2017- early July 2017:**

Visits were closed again following the twin church bombings that took place at St. George's Church in the northern Egyptian city of Tanta on the Nile delta, and the Saint Mark's Coptic Cathedral in Alexandria on April 9th. Aya Alaa Hosni recounted that during this period, according to her then-imprisoned husband, prison guards were telling inmates to "calm things down outside so we can calm things down inside for you... And they went in with search dogs and sprayed painful chemicals in the cells, and carried out a prison sweep."

55 Egyptian National Council for Human Rights (January 2, 2016). Bayan wafd "al-qawmy le-hoqooq el-insan" le segn al al- 'aqrab. Retrieved Online.

56 Statements by Interior Ministry officials to the media approximated the capacity as between 1,000 – 1,500 inmates. For example: Abu-Sedeera, A and Badry, H. (2013, August, 4th). "al-lowa Mostafa Baz mosa'ed wazer el-dakhleya lqeta' maslhet el-segoon yatahadath 'n 'masageen el-ekhwaw w tahdeedat al eqteham." Masry al-Yom. Retrieved Online

**Note, this list is not comprehensive nor all-encompassing. It is a compilation based on triangulating dates from a documentation of visit ban and violations presented to the National Council for Human Rights in 2015 by the “Aqrab” prisoners’ network; as well as visit timelines provided by the relatives of three «Aqrab» prisoners verbally during in-depth one-one-on interviews with EIPR .*

After the visit ban of March 2015, due to the systematic violations against prisoners’ right to receiving visits, many families took their case to administrative court. In many instances, the court ruled in relatives’ favor citing their right to visit detainees once a week and sentenced prisoners to once every 15 days by Egyptian law (See Appendix items #5D and 5E: for court rulings in favor of prisoners Bahgat Anadoly and Abdullah Shehata’s right to receive visits as examples). Despite similar rulings for other relatives however, in practice they were effectively meaningless. “In practice, there’s nothing I’ve gotten out of the court ruling to protect my right to visit,” said Aya Alaa Hosni who is in touch with many other prisoners’ families who she asserted could say the same.



RESERVATION SYSTEM FOR VISITS

Not only has prisoners’ right to receiving visits at “Aqrab” been compromised through the repeated visit bans and arbitrary visit regulations—all of which ignore previously won cases in administrative court mentioned above. In the first weeks of 2016, around by early March, the “Aqrab” prison had announced a new reservation system for visits to “Aqrab” that would only allow relatives to visit with a pre-made reservation Sarah el-Alfy explained:

“I encountered the reservation system in 2016, after the series of visit bans in 2015: March- May and again in June and again in August through part of September. This reservation system was such a burden. Supposedly it’s to ease the crowds that started forming once visits were opened after visit bans—on those days, everyone was trying to visit at once. And there are at least a thousand inmates there so yes, it would get pretty crowded. But the reservation system didn’t help either. This reservation could only be made in person at the prison – requiring a person to make the trip twice: once for the reservation and once for the visit. And while you’re making your visit, you can reserve for the next one. But, the catch is, only after 15 days. Even though a lot of our relatives are pretrial detainees so by law they are allowed a visit once a week.”

The reservation system, though proposed as a solution to ease the crowdedness of visit lines, violates Egyptian law which entitles pretrial detainees to one visit per week. Instead, as Aya Alaa Hosni explained:

“So what do we mean by reservation system? Well, before when visits would open after bans, 60 family members could visit per day. Without any problem. It was feasible for all of us to visit. But at the beginning of the reservations in mid-February of 2016, they wouldn’t necessarily say anything beforehand. We would just go and they would then announce, we’re only taking two taftafs to “Aqrab”. Once the second taftaf goes, that’s it. Everyone who is standing, has to go home. You would have prepared all the food, and for many, making a long long trip, but you are sent home. At the beginning the visits would amount to about 40 or 30 per visits-day. But after that, they would get less- until it got to 15! Can you imagine? So we would race for them. During this period, to get a chance to visit, some of us would go spend the night the day before outside the prison as early as 9 pm to make sure they were first in line in the morning.”

“This prison has at least 1000 inmates. How are you only going to let 15 visitors in per visit day?? When you allow 15 of those who have a right by law to visit pretrial detainees every week, when will that person be able to visit again in practice? If we do the math, not less than after 6 months. So that everyone else would have gotten a chance to visit. Look , the big prisons like Tora Reception and Wadi el-Natroun are like this. They have more than 1000 prisoners. But because you open up the big visits reception area, and allow more than 90 visits a time, for 3 visit periods per day, you can allow over 180 visits per day. But us in “Aqrab” to this day [August 2017], only 15 of us are visiting per day.”

The reservation system constitutes collective punishment which paragraph 1 of Rule 43 of the Nelson Mandela Rules explicitly prohibits. It also amounts to a systematic restriction upon prisoners’ rights to visits by Egyptian law mentioned earlier as well as article 10 of the ICCP which states that “persons deprived of their liberty [may] not. . . be subjected to any hardship or constraint other than that resulting from the deprivation of liberty.”⁵⁷

On January 2nd, 2018, the administrative court ruled in the reservation system’s favor thereby negating the plaintiff’s case that the instituted rule forcing all prisoners’ to visit once every 15 days, or sometimes once a month, (rather than once a week for pretrial detainees as article 38 of Egyptian prison regulations states) is illegal.

⁵⁷ From general comment no.21 on the article: Adopted at the Forty-fourth Session of the Human Rights Committee [Replaces general comment 9 concerning humane treatment of persons deprived of liberty]. UN Human Rights Committee (HRC), CCPR General Comment No. 21: Article 10 (Humane Treatment of Persons Deprived of Their Liberty), 10 April 1992, available at: <http://www.refworld.org/docid/453883fb11.html> [accessed 4 January 2018]

CHAPTER 3

ECONOMIC ABUSE & EXPLOITATION AT “AQRAB” PRISON

They would ban the food we brought from entering, but then say that they are available in the prison canteen. Hypothetically, we would not be opposed to deposit canteen funds instead of bringing food. But things are sold for double or triple the market price! When visits were completely banned, the honey and dates that we used to bring to them was what they would rely on for nourishment. Because it is filling and lasts long if, for example, every day you have a spoonful of honey and two or three dates. But after one period of visit bans around Ramadan in the summer of 2016, when they re-opened the visits, they told us that dates and honey were not allowed anymore. Why we asked? Because they would be available in the canteen now. For exorbitant prices. As a rule of thumb- multiply the 50 or 60 pounds we spend on a kilo of honey outside the prison by three or so to afford it inside. And then after the flotation they raised the prices even more. But why? It's not like you needed to—not like you weren't making a profit before. You are already selling this item at multiple times the rate of its market price. The prices were already inflated. So why are you raising the prices even more?? And where are people supposed to get all this money?

--Aya Alaa Hosni, a family member of a detainee in Tora Maximum Security Prison «Aqrab», August 2017

Egyptian Interior Minister's Decree 468/2017 sets minimum standards for the prison administration's provision of: three daily meals (breakfast, lunch, and dinner) for each prisoner with special dietary treatment for those suffering from chronic diseases including heart disease, arteriosclerosis, and high blood pressure, as well as for infants ages six months to one year; clothing for prisoners, with special-provisions prescribed for infants, prisoners in the prison infirmary, as well as female convicted prisoners and pretrial detainees. In other words, Egyptian law requires prison authorities to provide prisoners with their basic needs without exception and free of charge. Mohamed Naguib, a former head of prison services, reiterated that the prison administration provides food and clothing to prisoners but also allows them to buy other items like cigarettes or additional food, underwear and undergarments, shoes—all of which are available in the prison canteen.⁵⁸

Yet testimonies in “Aqrab” say the ta'yeen is constantly of low quality to the point of souring. As a result relatives turn to e'asha networks: “We know the prison isn't providing what they need to keep them healthy, so we try to come together to help them a bit, to nourish their health” Aya Alaa Hosni stated. She and other interviewed families reiterated that “Aqrab” prison, through its

⁵⁸ Quoted in: Abdel-Bary, Mohamed R. (2017, April 2). Kayf tadoor al-mo'amalat al-eqtesadeya fy el-segn. Mada Masr. Retrieved online.

blanket visit bans and failure to abide by minimal food standards for inmates granted by Egyptian law, force prisoners into heavily relying on canteen products as a lifeline for their basic needs. In doing so, the prison authorities stretch the entity of the canteen to measures beyond being a source of “complementary” items as former head of prison services stated. Instead at “Aqrab” the canteen becomes inmates last-resort for basic necessities after the prison administration cuts the life-lines of the *e>ashas* and prison *ta>yeen* (the latter protected by Egyptian and International human right standards on prison provisions and the right to food) to replace it with a commodified life-line for prison profit.

It’s worth reiterating (as mentioned in the Introduction) that nothing in the available prison regulations mentions or regulates the canteen (or any commercial transactions in the prison). However, EIPR’s interviews for this report –across different prisons—indicate that the canteen and purchased meals in the cafeteria are an essential aspect of many prisons. In “Aqrab” prison, when visits were banned in June (Ramadan) 2015, families described that inmates had no choice but to resort to the canteen for their basic needs including meals for the cafeteria, mineral water, juices, and soap.⁵⁹ Around that time, family members began noting the exploitatively abusive canteen prices and practices. Moreover, the visit bans severely limit the availability of medication.

“The *ta>yeen* food at the time was totally inedible- no one could eat from it without getting sick. So they resort to the canteen: They have been very strict about informing prisoners not to share meal prices these days, but at that time those were the prices I was hearing,” Aya Alaa Hosni, Hassan Abany’s wife recalled.

Eating three meals a day, as she proceeded to calculate with me, would cost more than one hundred pounds a day. “During those months of visit bans in 2015, 5000 Egyptian pounds a month was basic.”

Though for families who cannot afford these prices, their imprisoned relatives are left with no option but to starve:

“There are some people who would come to the visits, who we would see depositing 100 or 200 LE – can you imagine? That cannot even cover a day of expenses. Someone like that cannot even dream of eating cooked meals during visit bans- because they’re not even receiving the cooked meals that are shared when we deliver *e>ashas*. So someone like that probably just eats some biscuits with juice or tea—when tea is not banned. Because tea was banned at some point in Aqrab.”⁶⁰

This enforced starvation was evident in relatives recalling of the first visits after months-long visit bans (between March 2015 and May 2015 and then Ramadan in June of 2015) were lifted. “Their faces were hollow,” Aya Alaa Hosni recounted of a visit in August of 2015. “A woman next to me, upon seeing her husband, broke down screaming ‘there’s no way this is my husband. Where is my husband? Where is my husband?’

The starved state of prisoners was compounded by the fact that family members were unable to deposit needed medications for their imprisoned inmates. Families would repeat such descriptions

⁵⁹ According to a complaint provided by the “Aqrab” prisoners network to the National Council for Human Rights included in Appendix: item 5C.

⁶⁰ EIPR interview with Aya Alaa Hosni, married to Hassan al-Abbany formerly imprisoned at “Aqrab” between January 2015 and November 2017, August 2017.

after other visit closures including the period of turning visitors away between late January and February of 2016.⁶¹

Manar Tantawy, married to imprisoned journalist Hesham Ga’afar described the resulting medical neglect: “Hesham, who has optic nerve atrophy in both eyes, was doing okay, with our help as well as regular medications before he was imprisoned. He used optic tools for his eyes and special glasses. But because of the conditions of imprisonment at “Aqrab” and the way the prison administration made it so difficult for us to give him his medications, for him to go to the doctors when he needed to, just basic healthcare practices, his healthcare is now in dire condition, and at one point he had only 10 percent of vision remaining in his right eye.”⁶² Ga’afar proceeded to recount the horror of seeing her husband after effectively being prohibited from visits in the first few months of 2016:⁶³

“When I visited and saw Hesham on March 29th after not being allowed to visit, it was such a painful visitation, to the extent that at the time I returned from it hoping to die. I couldn’t handle seeing him the way that I did . He had lost lots of weight. He was so so much more skinnier. It was the first time for me to see him so sick. I remember him telling me this is ‘systematic murder’ happening in here. I returned home sick to my stomach, and with almost all the food I had brought for him. They only took two bananas out of the tons of fruit that I had brought. And of course just a few spoons of rice with meat that they smashed altogether in one bag. Everything else went in the trash. I tried to eat from it, not wanting to throw everything away, but it was spoiled.”



⁶¹ See visit and violations timeline in chapter two.

⁶² EIPR interview with Manar Tantawy, married to Hesham Ga’afar imprisoned at “Aqrab” intermittently between hospital transfers since October 2015, September 2017

⁶³ See visit and violations timeline in chapter two.

“AQRAB” CANTEEN AS A SPECIAL CASE IN THE CONTEXT OF WIDER PROFITING FROM PRISONERS’ BASIC NEEDS

They’ve opened up a market out of this. . . The canteen is a business project in the prison. Yes, they boast about providing additional items to prisoners but that cloaks the reality of the prices which are downright exploitive . . . Meanwhile [on the outside], family members shoulder the burden. . . Instead of providing for one home, suddenly you are providing for two: 1) Your own kids and expenses at home, and 2) your husband or family member in prison And the latter is a black hole: money and expenses that you can never plan for. Never expect. And because he’s helpless in prison, you have no choice but to find a way to the money and pay.

--Sarah el-Alfy, a family member of a detainee in Tora Maximum Security Prison «Aqrab», September 2017

Coming to terms with the burden of suddenly paying for multiple households instead of one when a family member is imprisoned is not unique to Sarah’s experience at “Aqrab.” Manar Tantawy, wife of «Aqrab» prisoner Hesham Ga’afar, weaved out the underlying economic exploitation in many prisoners’ experiences: “Whether you are in a prison like “Aqrab” where I have to pay both canteen deposits and visit expenses, or a prison where visits are more open and you bring most things yourself, the costs add up—you will be paying no matter what.”⁶⁴ Manar began contrasting her expenses with that of a friend’s who visits a family member in Tora Liman: “But the difference is what are you paying for?”

Though prison always adds an economic burden to inmates’ families—the burden is certainly differential in quantity and quality. Former prisoners at Qanater and Tora Farm recalled that their relatives would spend money on the meals and goods they bring to them knowing they are investing in the comfort and improved quality of their relatives. The same applies to relatives who participate in the e>asha system. Even with the e>asha system and items brought to individual prisoners, a former political prisoner at Qanater prison noted that they still relied on the canteen to purchase things families were not able to bring and the prison does not provide for free: “Because there’s no way they could carry everything with them. Things like dried foods, frozen meat, etc.”⁶⁵ Another former prisoner at Tora Farm prison, Ahmed Naji, affirmed that prisoners rely on the ta>yeen food provided by the prison, only if they absolutely had to due to its horrible quality. But those who had the option to would eat and wear what was brought to them during family visits or e>ashas in the case of political prisoners, and supplement those items with the canteen where “hundreds of transactions are carried out in one day.”⁶⁶ A relative of a prisoner at Damanhour general prison (known as Ab’adeya) mentioned the prison administration’s banning families from bringing certain staples while during visits that the prison didn’t provide—emphasizing clean mineral water—noting that they would have to deposit money for inmates to purchase water from the canteen instead. So, across the board from Qanater to Tora Farm to Damanhour general

64 EIPR interview with Manar Tantawy, married to Hesham Ga’afar imprisoned at “Aqrab” intermittently between hospital transfers since October 2015, September 2017.

65 EIPR interview with a former political prisoner at Qanater Women’s Prison between June 2014 and September 2015, April 2017

66 EIPR interview with Ahmed Naji, a former prisoner at Tora Farm Prison from February- December 2016, October 2017

prison, as well as other prisons, inmates do rely on the canteen to meet their basic needs alongside items brought during family visits or the prison ta'yeen.



STATE-INDUCED POVERTY & STARVATION: VISIT BANS & CANTEEN VIOLATIONS

It is important to compare the qualitative difference between meeting basic needs through items brought during family visits or the *e-shahas* for political prisoners versus the canteen. For the latter introduces a source of profit for the very institution incarcerating prisoners and detainees; and an unethically skewed one at that—given its inflated “tourist” prices, as one “Aqrab” prisoner’s relative put it.⁶⁷ Not only does this make access to basic needs prohibitively expensive for many prisoners; the canteen also becomes a site whereby the administration extracts further control it is not privy to: by manipulating this access to prisoner’s basic needs through shutting access to the canteen to certain individuals or as a form of collective punishment; or performing *tagreedas* and confiscating items inmates had already bought to force them to purchase them anew.

This is despite the fact that : i) the UN’s International Covenant on Civil and Political Rights stipulates that: prisoners may not be subjected to any hardship or constraint other than that resulting from the deprivation of liberty” (General Comment no. 21 on article 10, paragraph 1); ii) Article 1 of Paragraph 43 of the Nelson Mandela Rules that “ in no circumstances may restrictions or disciplinary sanctions amount to torture or other cruel, inhuman or degrading treatment or punishment” and prohibits practices that include “corporal punishment or the reduction of a prisoner’s diet or drinking water or collective punishment.”

When basic items like edible (non-rotten) meals and clean underwear are provided to prisoners

⁶⁷ EIPR interview with Sarah el-Alfy, married to Ahmed Soliman currently imprisoned at “Aqrab” Prison since May 2015, September 2017

as an economic privilege rather than a basic right, it becomes something that the prison administration can grant or revoke punitively. This is a blatant violation of Egyptian legal protections (Egyptian Interior Ministry Decree 468/2017 and Article 89 and 56 of the constitution) and UN Standards (Article 10 paragraph 1 of the UN ICCP as explained in general comment no. 21; Article 1 Paragraph 43 of the Nelson Mandela Rules). Yet EIPR documented testimonies and obtained copies of complaints that corroborate that this is a systematic practice in Egyptian prisons.

This was mentioned in initial conversations with “Aqrab” prisoners’ families and their lawyers who recalled examples of when the prison administration revoked inmates access not only to visits but also to the canteen itself. In addition to visits, access to the canteen was revoked on an individual or collective basis—sometimes the entire prison.

These moments created particularly critical situations due to the fact that the only other means of acquiring edible food (rather than the soured and spoiled food provided by the prison) were also repressed by the prison administration: (i) Visits to “Aqrab” were banned regularly⁶⁸ both for specific individual inmates and sometimes the entire prison; (ii) When visits are allowed the “Aqrab”, the prison administration has regularly and systematically limited the food allowed to “one meal for one person” and repeatedly spoiled the food that families bring in during the visits – all of which is documented in a previous report by EIPR and investigated further in this chapter. All of these factors combined create an exceptionally precarious dependency on the prison canteen in “Aqrab.”



PAYING THE PRICE OF UNCERTAINTY

Visit bans and arbitrary visit restrictions at “Aqrab” coupled with the collective punishment measures—including tagreedas, canteen closures, and poor canteen food—severely compound the economic exploitation burdening families’ lives by the canteen. “The bottom line is,” Aya Alaa Hosni concluded “If I was allowed to visit Hassan once a week [when he was in prison]⁶⁹ like the regulations say. If I was allowed a tableya visit, like many other prisons, to bring in food during the week. I would not need to rely on the canteen.” Though even if some inmates’ families who live too far away from the prison decide to use the canteen, the prices should not be prohibitively and exploitatively expensive. But for prisoners at “Aqrab,” there isn’t even that luxury of relying on either visits or the canteen as a primary source of meeting one’s basic needs. Since either the canteen or visit access could be banned or compromised at any moment, relatives are cornered into a position where they are doomed if they pay, and doomed if they don’t.

⁶⁸ Egyptian Initiative for Personal Rights (April 2016). Segn el-Aqrab segn ‘qab jama’y: intihak haq el-zeyara yohadded salmet al-sogana. ’ [retrieved online]

⁶⁹ Hassan was released on November 22nd, 2017.

I. TAGREEDAS (PRISON SWEEPS)

But the prison doubles the strain of prohibitively expensive canteen prices through several additional abusive practices including tagreedas—prison sweeps. Relatives whom EIPR spoke with recalled the “great tagreeda” that took place during the visit ban in March through May of 2015 (refer to the visit ban timeline in chapter one). In addition to banning visits—and preventing prisoners from the goods that families bring during them—“Aqrab” prison authorities also stripped the cells from items relatives had previously brought for prisoners. Aya Alaa Hosni recalled, while speaking of her formerly imprisoned husband Hassan al-Abbany:

“This was the first great tagreeda. After this period the prison entered a year-long period of being a tomb-site. They took everything from them; but in waves. First they took the blankets from them. I had just bought him a nice blanket for the winter a few weeks earlier. It was my second visit in February 2015, and I wanted to make him happy by showing him I cared and getting him something nice instead of something from the wekala (flea market). By the next visit, they had taken it away from him... and this would happen repeatedly after that.

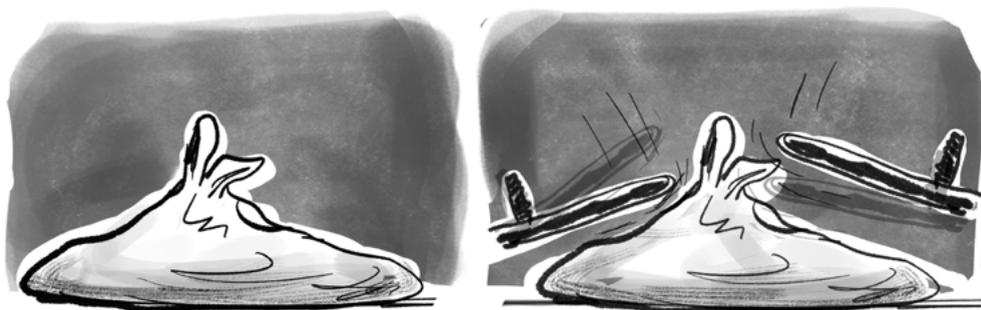
So after this March tagreeda they would sleep without blankets on the floor in the winter. Then in a subsequent tagreeda, they took their clothes from them and gave one outfit from the prison without even providing them undergarments. So now they’re wearing the light prison clothes and sleeping without blankets in the winter.”

Another relative, Sarah el-Alfy, added while speaking of her imprisoned husband, Ahmed Amin Soliman:

“I had gotten him a shaving machine once, and then he told me it was taken during a tagreeda. Some people would buy these things from the canteen inside too and it’s still taken away. A jar of honey we got them. Juice that they bought. Medicines. But you see we’re trapped in this cycle, even the stuff we spend money on, even if they buy it from the canteen, it can and often is taken away at any moment. They let them buy things from the canteen, and then they take it from them. Then they have to buy them again when they want the items that were taken from them -- they buy and pay for them again.”

Families are thus put in a bind where they are not only paying two or three times the market price for items from the canteen. But sometimes they end up paying this two or three times for the same item due to the tagreedas—multiplying the economic strain further.

Though tagreedas are usually performed under the premise of punishment or security, the confiscation of prisoner’s food items—especially during visit bans as was the case in May 2015 and other periods— oftentimes contributes to prisoners’ resulting lack of access to basic nutrients. This constitutes a clear violation of paragraph 1 of Rule 43 of the Nelson Mandela Rules pertaining to disciplinary practices. Moreover, the Rule 51 of the same rules stipulates that “for the purpose of accountability, the prison administration shall keep appropriate records of searches” including searches of cells “as well as the reasons for the searches, the identities of those who conducted them and any results of the searches.”



II. ARBITRARY VISIT REGULATIONS:

Families also cited this compounded economic strain when recounting the arbitrariness of visit regulations. Though there is a placard outside the prison that lists items visitors are forbidden from delivering – relatives repeatedly asserted that arbitrariness of the rules were the norm. Thus, families would oftentimes spend money on basic necessities, like underwear or food, only to be told that they cannot deliver them. Or that a beige undershirt must be white—therefore repeating the economic strain of the tagreedas and forcing families to buy them anew. Aya Alaa Hosni, wife of formerly imprisoned Hassan al-Abbany, reiterated:

“Sometimes they would randomly ban undergarments and under clothing. Then they would randomly allow them. If the color is not totally white- they would give it back to us. Buy white next time. In the winter, we would bring the thermal wear for them to wear under their prison uniform. Sometimes they would turn us back and say no, it has to be cotton. I know for other people they would say no it has to be wool. The rules are arbitrary and we keep paying for it. This is exploitation. There’s no other word for it.”

Relatives would try to coordinate and learn the latest visit trends from one another to avoid the financial loss of buying things that authorities would not allow to enter. But the rules were so arbitrarily enforced and would change from one day to the next. Aya Alaa Hosni continued recalled:

“One time, it was my turn to cook for the e>asha, so I asked my friend [whose husband] is in the same wing what the guards allowed and didn’t allow her to bring. She told me that most things went through. We usually cook for 24 people—enough to feed the whole wing—because only one or two inmates is able to receive a visit each time they opened. She was able to deliver 2 ducks, 3 chickens, and a good amount of fruit. So I cooked and prepared accordingly. But I came out from the visit, and found everything where it was. It wasn’t taken inside to the wing. And of course the food, from the intensely heated weather, began to spoil. I took it back with me all the way home, but by the time I was back, the stench was unbearable. I had to throw it out. SO that was at least 2000 Egyptian pounds. In the trash. And the next day, a different woman was able to take the exact same things. So people are always unsure should they cook or not. Should they pay or not. It’s always you and your luck. And imagine the people who add to all of this the expenses of traveling from Alexandria or any other governorate.”



III. POOR CANTEEN FOOD

Citing this irregularity in visit regulations, Manar Tantawy, wife of Hesham Ga’afar, spoke of how she began relying on the canteen instead, but due to the canteen food itself not always being clean, she resorted back to bringing food. In other words, using the canteen as a better alternative to the poor prison food is not always a reliable option, as Manar explains, because sometimes even the canteen food is of poor quality:

“I made a decision to just put money in the amanat instead of taking food with me to the visits. I did not want to cook and prepare and pay, only to be told all of that physical and financial toll was for nothing. And indeed the one time I did prepare and buy tons of food in March of 2016, only two pieces of bananas reached Hesham. So I decided I would just rely on the canteen in «Aqrab». But lately, Hesham is telling me to bring food. Because at the moment even the food in the canteen is horrible. So I have to take food with me.”

Sarah el-Alfy, wife of Ahmed Soliman, reiterated: “Yes, Ahmed tells me even the canteen food is sometimes bad, so I can’t go to visits empty-handed.” In other words, there was no way out of the arbitrariness of the visit regulations nor the economic burden it caused.

IV. CLOSING THE CANTEEN

In addition to the canteen food sometimes being unreliable, relatives cited moments when the canteen was closed altogether. “In June of 2015, when they banned visits for the second time, the canteen was open for a bit, then they closed it. So the inmates are not getting visits or e’asahas. Nor can they buy from the canteen. Nor can they eat the spoiled prison food.”⁷⁰ Closing the canteen off from all prisoners just like blanket visit bans and prison-wide tagreedas amounts to collective punishment which Paragraph 1 of Rule 43 of the Nelson Mandela Rules prohibits (see section on tagreedas).

⁷⁰ EIPR interview with Aya Alaa Hosni, married to Hassan al-Qabbany formerly imprisoned at “Aqrab” between January 2015 and November 2017, August 2017.

Like many aspects of the institution of the prison, in «Aqrab» the canteen transforms food and drink to a means of pressure and control—further stripping prisoners and families from autonomy over their every day and ability to plan for tomorrow. The only consistent rule is that families will shoulder the burden of the arbitrariness—financially, psychologically, and physically—as well as the burden of having to pay for both the canteen and visits if they can afford it; knowing that both could be banned regardless, and that the prisoners’ lives will continue to degenerate.

RECOMMENDATIONS

- The Interior Ministry to ensure that prison administrations in all facilities reporting to the Egyptian Prison Authorities should enforce the rights to prisoners’ basic needs as dictated by the Interior Ministry Decree 468 /2017 which thoroughly dictates the meal content and proportions that prisoners are entitled to from the prison—free of charge—to ensure healthy food and clean water provisions and conditions for prisoners
- The Interior Ministry to ensure that prison administrators provide all prisoners with the minimum set of bedding, clothes, and personal hygiene products mandated by law, including: a bed, a mattress, a pillow, a wool blanket (and two in winter), plastic plates and spoons, a comb, two pieces of soap, two changes of clothes, and underwear if the prisoner cannot purchase his own.
- The Interior Ministry to ensure that prison administrators implement doctors’ recommendations to change prisoners’ diets and to ensure the availability of treatment, and if there is disagreement, refer the case to the head of the prison’s medical department for the formation of a committee to consider it.
- The Interior Ministry to amend Decree 468/2017 to stipulate that prices of items sold in the prison canteen and/or cafeteria, where prisoners can resort to in order to complement the food provided by the prison, should not abusively and exploitatively exceed market prices; and to require that these prices be disclosed by the Interior Ministry on a monthly basis on their website, upon request, and at all inspection visits by prosecutors and the National Council for Human Rights
- The Parliament to amend prison organization laws to stipulate that prison administrations cannot ban relatives from delivering the food, clothing, or medical, items that may be available for sale in the canteen during visits ; and to stipulate what exactly can and cannot be allowed to be delivered during visits
- The Parliament to strike article 42 of Law 396 of 1956 for the Organization of Prisons, which allows visits to be “banned totally or restricted” for security reasons

OVERSIGHT

- The Public Prosecutor must perform its duty to inspect prisons at least once a month and to thoroughly and seriously investigate the resulting findings and report them to the general public
- The Egyptian Parliament to pass an amendment to Law 94 of 2003 regulating the National Council for Human Rights that will allow the council to conduct unannounced visits to detention sites, intervene in lawsuits, and file complaints to the public prosecution.
- The Interior Ministry provide detailed annual breakdowns of the prison authorities’ budget spending.

APPENDIX

5A. Human Rights Center for Prisoners' Support Report from 1998 on poor nutritional and living conditions inside the Tora Farm Prison

انتهاكات حقوق السجناء داخل سجن الخمسة نجوم 1998

تقرير مركز حقوق الإنسان لمساعدة السجناء حول سوء الرعاية الصحية والمعيشية داخل سجن مزرعة طرة

ج- الطعام داخل المزرعة

الغذاء المعتمد داخل السجن المصرية عامة هو الفول - العدس - الأرز - الخبز، والحصة المقررة بوجبة الإفطار لكل نزيل داخل سجن المزرعة هي عبارة عن ملعقة فول بها خمس حبات فول لكن منذ أن تولى اللواء/ حبيب العادلي وزارة الداخلية أمر بزيادة حصة الفول لكل نزيل بأن تصبح ملعقتين عبارة عن تسع حبات فول، وتلك الحصة ليست لوجبة واحدة بل طول اليوم ونصيب كل نزيل من الخبز يوميا خمسة أرغفة وحالة الرغيف سيئه جدا إذ يوجد به رمال، زجاج، قماش، فضلا عن أنه «معجن وصغير الحجم» وأحيانا يتوفر كل ثلاث أيام مكعب جبنه بيضاء وزنها 100 جرام وتسلم أحيانا علبة حلاوة وزنها نصف كيلو كل ثلاث أيام وتكون مخصصة لنزيلين. ومن ناحية أخرى وجبة الغذاء غير منتظمة يوميا وتتكون من: ملعقتين عدس وثلاث ملاعق أرز، وفي يوم الخميس يتم طبخ وجبة لحم ويتسلمها النزلاء وقت الغذاء، لكل ما تقدم فإن طعام السجن لا يجد رغبة من أي نزيل في أن يقترب إليه وذلك نظرا لطبيعة وشكل الطعام، ويعيش النزلاء داخل سجن المزرعة على نفقتهم الخاصة بأن يأكلوا ويشربوا من خارج السجن، ولكن من لا يقدر على شراء الأطعمة من الخارج نظرا لفقري إمكانياته فعليه أن يلجأ إلى طعام السجن، أو أن يتجه لخدمة ميسوري الحال داخل السجن فيعيش على نفقته ويخدمه نظير السجائر - الشاي - الأكل.

د- الكانتين:

يوجد داخل سجن المزرعة عدد 2 كانتين، أولهما يسمى كانتين الشيوخ والثاني يسمى الكانتين الرسمي.

أولا: كانتين الشيوخ: وهذا الكانتين خاص بالمعتقلين والمحكوم عليهم سياسيا والذي يقوم فيه المعتقلون بإدارته

والإشراف عليه ويتوفر فيه كل شيء من:

1 - معلبات (مرابي - فول - تونة - سالمون). 2 - عصائر.

3 - بعض أنواع الطعام التي يتم تجهيزها داخل السجن .

4 - بعض أنواع من الحلويات. 5 - الملابس.

6 - لعب الأطفال وذلك لشراء بعض النزلاء المودعين على ذمة الاعتقال أو لعقوبة السجن بعض اللعب لأطفالهم في الأعياد.

7 - صابون حلاقة + شفرات حلاقة. 8 - أدوات نظافة.

ثانيا- الكانتين الرسمي: هذا الكانتين خاص بالسجناء الجنائين ويعمل فيه السجناء الجنائون أيضا ويتوفر فيه كل شيء

عدا الملابس، والتعامل فيه يتم من خلال الحوالات التي يتم إيداعها أمانة بالسجن من قبل ذوي المعتقلين والمحكوم

عليهم.

5B. Human Rights Center for Prisoners' Support Report from 1999 on poor nutritional and living conditions inside Wadi Natroun Prison

انتهاكات حقوق السجناء داخل سجن وادي النطرون (1) 1999

يعانى السجناء والمعتقلون داخل سجن وادي النطرون (1) من مظاهر شتى من سوء المعاملة متمثلة في تدهور الأوضاع المعيشية وإهمال الرعاية الصحية والحرمان من مواصلة التعليم وصعوبة الزيارات العائلية وأساليب التعذيب والعقاب الجماعي وفيما يلي بيان لهذه المظاهر من سوء المعاملة:

أ - سوء الأوضاع المعيشية داخل السجن: بالخالف لما تنص عليه المادة الأولى من قرار وزير الداخلية رقم 503 لسنة 1974 في شأن كيفية معاملة المسجونين ومعيشتهم من أن يكون الحد الأدنى المقرر من الأثاث والملابس التي تخص لكل سجين يشمل: سرير - مرتبة - أغطية بطاين - أدوات الطعام فضلاً عن طقمين من الملابس الداخلية والخارجية كحد أدنى، نجد أن الأوضاع داخل سجن وادي النطرون (1) تجري على نحو مختلف تماماً وفقاً لما يلي:

- 1 - عدم كفاية وصلاحيه الطعام المقدم: من المفترض أن تكون المقررات التي تقدم للسجين من الطعام في الأسبوع أربع عشرة وجبة، سبع وجبات من الفول وثلاث وجبات من العدس ووجبتين من الخوم ووجبة من اللبن ووجبة من خضار ساخن وقطعة من العجوة حوالى 1250 جرام. ولكن المعلومات التي وردت للمركز عن سجن وادي النطرون (1) أكدت ما يلي: يتم صرف وجبتين اثنتين يومياً.
 - 2 - كميات الوجبات: وجبة الإفطار: تتكون من طبق كبير بلاستيكي به فول أو عدس للزنانة رغم أن عدد النزلاء داخلها نحو 30 معتقل، كما يتم توزيع خمسة أرغفة خبز لكل نزلي في اليوم. وجبة الغذاء: تتكون من طبق كبير من الأرز مع تقديم عدس أو فول بالتبادل مع وجبة الإفطار (إذا قدم عدس في الإفطار يكون الغذاء فول أو العكس) بالإضافة إلى طبق كبير يتكون من (بطاطس أو كرنب أو باذنجان مسلوقة). يتم صرف نصف علبة مربى للزنانة مرتين أسبوعياً يومي الأحد والأربعاء . يتم تقديم نصف كيلو جبن لكل زنانة مرتين أسبوعياً يومي الاثنين والخميس وأحياناً يتم صرف كيلو جبن لكل زنانة ويتوقف ذلك على رغبة الشاويش التوتجى. يتم صرف مقدار 50 جرام عجوة (ماركة قها) للزنانة أسبوعياً. يتم تقديم قطعة لحم وزنها 50 جرام لكل معتقل أسبوعياً وهي لا تقدم بشكل منتظم بل أحياناً كثيرة يتم إلغاؤها .
 - 3 - مواعيد الوجبات تقوم إدارة السجن بتقديم الخبز في التاسعة صباحاً ثم تقدم وجبة الإفطار في الحادية عشرة وتقدم وجبة الغذاء في الساعة الرابعة عصرًا.
- ويلاحظ المركز بالأسف عدم كفاية كمية الطعام التي تقدمها إدارة السجن لإشباع احتياجات المعتقلين. كما أوردت المعلومات ما يفيد عدم صلاحية الطعام المقدم حيث لا يتم إنضاجه بشكل كافٍ علاوة على أنه ملوئ بالشوائب والسوس، كما أنه يقدم بطريقة مقرزة حيث يوزع بدلو غير نظيف بواسطة أحد الجنائين، بالإضافة إلى انقطاع المياه أغلب ساعات النهار وإذا توافرت فلا توجد أوعية للاحتفاظ بها.

4 - الكانتين والكافيتريا

أ - الكانتين: هي نوع من الخدمة التي تقدمها إدارة السجن للنزلاء ويوجد به العديد من السلع الضرورية مثل (السكر، الخلاوة الطحينية، البسكويت، عسل أسود، طحينية، ملح، خل، زيت، صابون، بلاستيكات،

فرش أسنان، معجون) ويقوم المعتقل بشراء تلك السلع عن طريق الحوالات المالية التي ترسل إليه عن طريق ذويه وتصل تلك الحوالات إلى إدارة السجن لتقوم بوضعها في الأمانات الخاصة بكل معتقل ويحصل المعتقل على طلباته من الكانتين مرة كل شهر وأحياناً كل شهرين بعد مرور الموظف المختص على الزنازين حيث يوقع كل معتقل على المبلغ الذي يود شراء أي سلعة به وبعد عشرة أيام يحضر المختص طلبات المعتقلين من الكانتين ويقوم الشاويش بالنداء على كل معتقل ليتسلم حاجته، وعادة يتقدم المعتقل معصوب العينين ليختار أشياءه بناء على إرشادات الموظف والشاويش.

ب - الكافتيريا : تحتوي على العديد من المأكولات المطهية مثل (السمك المشوي والمقلي - الفراخ - البيض - البط - الأرز - المكرونة - الشاي) وتقدم الطلبات بها يومياً ويتم التعامل فيها عن طريق بونات، وتتراوح قيمة البون ما بين 25 قرشاً إلى 5 جنيهات، ويقوم الموظف المختص بالمرور على كل الزنازين ليوقع كل معتقل بنفس الطريقة السابقة في الكانتين على المبلغ الذي يود الشراء به والموجود في أمانات إدارة السجن، وبعد خمسة أيام يمر الموظف مرة أخرى ويعطي بونات ليستخدامها في شراء احتياجات من الكافتيريا، ويمر كل صباح جندي أو جنائي مسئول عن الكافتيريا لتحديد طلبات كل زنانه ويحضرها قبيل الظهر.

5D. A complaint filed to administrative court, regarding the prison authorities preventing family members of Bahgat Anadoly from their right to receiving weekly visits as a pretrial detainee during the visit ban in May 2015.

5E. A complaint filed to administrative court, regarding the prison authorities preventing family members of Abdullah Shehata from their right to receiving weekly visits as a pretrial detainee during the visit ban in May 2015.

5F. The full text of the Interior Ministry Decision No 42911993/ for the establishment of Scorpion prison

5G. The full text of the Interior Ministry Decision No 4682017/ which specifies in detail the required dietary provisions by the prison administration to inmates