

are being made by the executive and legislative branches to contain extremism and intolerance. Following on this, the report drew attention to Act No. 3 of 29 January 1996, which entitles only the public prosecutor's office to institute hisba *proceedings*, such as those brought by the plaintiffs, who claimed to be acting in the name of Islam, against Professor Abu Zeid, and Act No. 68 of 21 May 1996, which specifies the conditions for taking legal action. The report further notes that, that based on a judgement of the Court of Cassation, action has been brought against the judges in Professor Abu Zeid's case for serious breaches of the rules concerning the competence and functioning of the Court of Cassation and for neglect of the duties incumbent upon judges. The action seeks, in particular, to have the Court's judgement declared null and void.

The Special Rapporteur's interim report to the General Assembly (A/52/477, paras. 21, 25, 28, 33, 38) notes that communications were transmitted to the government related to violations of religious freedom against Christians, including the case of a Muslim who had converted to Christianity and was arrested and interrogated about the activities of converts.

**Torture, Special Rapporteur on:** (E/CN.4/1997/7, Section III; E/CN.4/1997/7/Add.1, paras. 118–143)

The report notes that 11 individual cases and one urgent appeal on behalf of five people were transmitted to the government and that the authorities had replied to 150 cases that had been transmitted in previous years.

The Special Rapporteur (SR) acknowledged the effort made by the government to respond to cases; however, it also referred to the length of investigations into the allegations and the fact that it is rare that such investigations conclude in prosecutions, especially where the Security Services Investigation is concerned. The SR refers to the conclusion of the Committee against Torture "that torture is systematically practised by the security forces in Egypt, in particular by State Security Intelligence, since in spite of the denials of the Government, the allegations of torture submitted by reliable non-governmental organizations consistently indicate that reported cases of torture are seen to be habitual, widespread and deliberate in at least a considerable part of the country" (A/51/44, para. 220).

The cases detailed in the addendum to the main report list various methods of torture and ill-treatment encountered in Egypt including assault resulting in head injury, coma and partial paralysis, indiscriminate beatings with rubber and wooden truncheons, assaults with tear gas and electric batons, hanging upside down from the ceiling and use of electric shocks.

The government's response to the 150 cases previously transmitted variously indicated: the persons alleged to have been tortured had failed to present themselves at the Office of the Assistant Attorney-General, even though they had been invited to do so in order to complete the investigations and, thus, investigations into these cases were being completed on the basis of the findings of technical reports; the court had found evidence obtained through their torture to be inadmissible; neither the persons involved nor their families had instituted legal proceedings to claim compensation; the public

prosecutor had decided to close the case; investigations were continuing; those alleged to have been tortured did not appear for medical examinations that had been ordered or pursue their complaints in order to complete the legally prescribed procedures needed for a final decision, despite repeated requests and summonses in that connection; the court had not been convinced of the truth of the allegations of torture; inspectors who had noted the absence of evident injuries on prisoners' bodies, had nonetheless ordered a medical examination and decided to close the cases in view of the spurious nature of the allegations; criminal proceedings against some of those accused of torture had been initiated and others had been referred to disciplinary tribunals, depending on the nature and the gravity of the acts; the person alleging torture had assaulted the arresting officer and had deliberately injured himself so as to claim that he was tortured; and, administrative sanctions were imposed on those accused of torture and ill-treatment for having violated instructions concerning confinements in hospitals.

**Toxic wastes and products, Special Rapporteur on:** (E/CN.4/1997/19, para. 49)

The report refers to events in 1992 in which the Egyptian authorities refused to permit the unloading of a cargo of 950 tonnes of plastic wastes originating in Germany; this waste was to have been delivered to Egyptian cement kilns as fuel for their ovens. The report notes that the waste was combined with 1.7 per cent lead, other heavy metals and polycyclic aromatic hydrocarbons which, if burnt in cement kilns, would have produced toxic fumes endangering the health of the local population. According to the German government, the waste was returned to Germany where it was disposed of in an environmentally sound manner.

#### *Mechanisms and Reports of the Sub-Commission*

**States of emergency, Special Rapporteur on:** (E/CN.4/Sub.2/1997/19/Add.1, Section I)

The report notes that a state of emergency was declared in Egypt in October 1981, has been periodically extended since then, and is still in force.

**Traditional practices affecting the health of women and children, Special Rapporteur on:** (E/CN.4/Sub.2/1997/10, para. 10, 40, 98–106)

The report notes that a 1995 demographics and health study, conducted by the National Population Council of the Egyptian Ministry of Health, showed that 82 per cent of women are in favour of excision and consider it a "good" tradition. The study also showed that among women who completed secondary school, support for excision falls to 56.5 per cent as against 93.1 per cent among those with no schooling. Women opposed to excision justified their position on the bases that it is a "harmful tradition" that flies in the face of religion or detracts from the dignity of womanhood.

The report refers to the Canadian International Development Agency and assistance provided to the Adolescent and Gender Programme in Egypt which focuses on minimum marriage age.

Reference is also made in the report to the campaign launched by the non-governmental Egyptian Organization for Human Rights (EOHR) in October 1996 against female