

URGENT APPEAL – THE OBSERVATORY

EGY 001 / 0704 /OBS 061
Arbitrary Search / Risk of closure
Egypt
July 28, 2004

The Observatory for the Protection of Human Rights defenders, an FIDH and OMCT joint program, requests your urgent intervention in the following situation in Egypt.

Brief description of the facts:

The Observatory has been informed by the Hisham Mubarak Center that The Nadim Center for the Psychological Rehabilitation of Victims of Violence, based in Cairo, was subjected to an “abusive” inspection on July 11, 2004.

According to the information received, a committee of three persons came to the Center and presented an official document issued by the Private Medicine Department at the Health Affairs Office (Cairo Governorate). The document, warranted an inventory of the medical equipment of the clinic and a report on its conformity with sanitary laws.

However, instead of checking the equipment, the inspectors searched offices, confiscating doctors’ personal belongings, as well as documents related to the patients that are protected by medical confidentiality. They also took photos of the Center, computers and files. The members of the committee were very aggressive with the doctors, and showed no concern for the patients who were present at this time. Before leaving the office, the committee drafted a report on their inspection, which did not refer to the medical equipment, but stated that the Center had a fax machine, computers, and internet connections. The committee has refused to give a copy of this report to the lawyers of the Center.

On July 19, the Directorate of Health Affairs sent a letter to Dr Aida Esmat Seif El Dawla, the medical director, informing her that the Center was in violation of law 51 adopted in 1981, regarding the regulation of medical establishments. According to the Directorate, the violation was based on the following reasons: the Center was operating for objectives different from those for which it was registered; the Center lacked medical equipment and the appearance of a medical center; the Center lacked first aid equipment; the medical director was not present; there was a doctor present who was previously unreported; the Center was issuing prescriptions under the previous address in Dokki.

According to article 11 of law 51, “a medical establishment must be inspected once a year.... Should an inspection reveal any breach, the director of the establishment must be informed and rectify them within a maximum period of 30 days. In the case of major breaches, the concerned governor may, upon a request from the specialized health authority, order the administrative closure of the establishment for the period he sees suitable. The establishment may only be reopened after ensuring that the reasons for its closure have been corrected.”

The Observatory is deeply concerned by this situation and fears it could be a first step towards a possible closure of the Center.

Background Information:

The Nadim Center was founded in 1993. It is a member of the International Rehabilitation Council for Torture Victims, and of the Egyptian Committee Against Torture. It provides treatment and rehabilitative services to

torture victims. Its information and advocacy activities include publications, reports, media campaigns and national and international networking.

Action requested:

Please write the Egyptian authorities urging them to:

- i. Put an end to any kind of harassment against the Nadim Center for the Psychological rehabilitation Of Victims of Violence.
- ii. Return the doctors' belongings and the patient's files.
- iii. Carry out an independent investigation into this search, so as to identify those responsible, bring them to trial, and apply the penal, civil and/or administrative sanctions provided by law.
- iv. Conform with the provisions of the Declaration on Human Rights Defenders adopted by the UN General Assembly on December 9, 1998, in particular article 1 which states that "every person has the right, individually or collectively, to promote the protection and fulfilment of human rights and fundamental liberties at the national and international level," and article 6b which states that "everyone has the right, individually or in association with others[...]to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms."
- v. Conform with the provisions of the Universal Declaration on Human Rights and all international instruments relating to human rights that bind Egypt, in particular the International Covenant on Civil and Political Rights (CCPR) and the Convention against Torture and other cruel, inhuman or degrading treatment or punishment (CAT).

Addresses:

President of the Arab Republic of Egypt : Mr.Mohamed Hosni Mubarak
Midam Abdin, Cairo; Egypt

Prime Minister: Mr. Ahmed Mahmoud Mohamed Nazif
1 Magles El Shaab Kars El Aini, Cairo

Minister of Justice: Mr. Mahmoudf Abu El-leil Rached
Magless street El Shaab - Lazoghli square, Cairo

Minister of Interior: General Habib Ibrahim El Adly
El Sheikh Rihan street -Bab El Louk, Cairo

Minister of Insurance and Social Affairs: Dr. Amina Hmza Muhammad El Guindi
Cairo

Paris – Genève, July 28, 2004

Kindly inform the Observatory of any action undertaken quoting the code number of this appeal in your reply.

The Observatory, an FIDH and OMCT venture, is dedicated to the protection of Human Rights defenders and aims to offer them concrete support in their time of need.

To contact the Observatory, call the emergency line :
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