

**NATIONS UNIES  
HAUT COMMISSARIAT DES NATIONS UNIES  
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**PROCEDURES SPECIALES DU  
CONSEIL DES DROITS DE L'HOMME**

**UNITED NATIONS  
OFFICE OF THE UNITED NATIONS  
HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE  
HUMAN RIGHTS COUNCIL**

**Mandates of the Working Group on Enforced or Involuntary Disappearances and the Special Rapporteur on  
torture and other cruel, inhuman or degrading treatment or punishment**

REFERENCE: UA G/SO 217/1 G/SO 214 (53-24)  
EGY 3/2011

28 January 2011

Excellency,

We have the honour to address you in our capacity as Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment pursuant to General Assembly resolution 60/251 and to Human Rights Council resolutions 7/12 and 8/8.

In this connection, we would like to draw the attention of your Excellency's Government to information we have received regarding Mr. **Mohamed Abdo**, born on 27 January 1984, holder of Egyptian ID card n°. 28401270200915 issued by the Registry Office of Mahrem region, Alexandria, and resident in Ibiss Al Ashara village, Ibiss, Mahrem Bek, Alexandria.

According to the information received:

Mr. Abdo was allegedly arrested on 5 January 2011 at his home and subsequently disappeared. According to witnesses, State Security Intelligence (SSI) agents in civilian clothes abducted Mr. Abdo from his home and transferred him to an unknown location. Witnesses also report that SSI agents searched the victim's house without presenting a judicial order and confiscated some personal items. It is alleged that Mr. Abdo's arrest and consequent disappearance may be linked to his alleged participation in a church bombing attack in Alexandria against the Coptic minority, on the night of 31 December 2010.

A complaint was filed at the public prosecutor's office of the Court of Appeals of Alexandria (complaint n°. 30), later transferred to the public prosecutor's office of Moharem Bek. The fate and whereabouts of Mr. Mohamed Abdo remain unknown.

In view of the allegation according to which the fate and whereabouts of Mr. Abdo remain unknown, concern is expressed about his physical and psychological integrity.

The Working Group would like to bring to the attention of your Excellency's Government that should the source submit the above mentioned allegations as a case, it will be considered during the following session of the Working Group in which event your Excellency's Government will be informed by separate correspondence.

The Working Group also wishes to bring to your Excellency's Government's attention the fundamental principles embodied in the Universal Declaration of Human Rights and other international instruments regarding the right to life and security of the person.

Furthermore, the Working Group would like to recall to your Excellency's Government the United Nations Declaration on the Protection of All Persons from Enforced Disappearances which sets out necessary protection by the state, including in:

- Article 2 (no State shall practice, permit or tolerate enforced disappearances);
- Article 3 (each State shall take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance in any territory under its jurisdiction);
- Article 6 (no order or instruction of any public authority, civilian, military or other, may be invoked to justify an enforced disappearance);
- Article 9 (right to a prompt and effective judicial remedy to determine the whereabouts of persons deprived of their liberty);
- Article 10 (right to access of competent national authorities to all places of detention; to be held in an officially recognized place of detention, in conformity with national law and to be brought before a judicial authority promptly after detention; to accurate information on the detention of persons and their place of detention being made available to their family, counsel or other persons with a legitimate interest);

The Working Group wishes to request that appropriate investigations be carried out to clarify the fate and whereabouts of Mr. Mohamed Abdo to protect his rights. The Working Group would appreciate receiving, with the utmost urgency, any information your Excellency's Government may provide on this alleged disappearance and the results of the investigations.

With regard to the allegations according to which Mr. Abdo remains detained in an unknown location, we would also like to draw the attention of your Excellency's Government to paragraph 7.c of Human Rights Council Resolution 8/8 of 18 June 2008, which reminds all States that "[...] detention in secret places may facilitate the perpetration of torture and other cruel, inhuman or degrading treatment or punishment

and can in itself constitute a form of such treatment, and urges all States to respect the safeguards concerning the liberty, security and the dignity of the person”.

We urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of the above mentioned person are respected and, in the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. We also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned person in compliance with the above international instruments.

Moreover, it is our responsibility under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention. Since we are expected to report on these cases to the Human Rights Council, we would be grateful for your cooperation and your observations on the following matters, when relevant to the case under consideration:

1. Are the facts alleged in the above summary of the case accurate?
2. Has a complaint been lodged by or on behalf of the alleged victim?
3. Please provide the details, and where available the results, of any investigation, medical examinations, and judicial or other inquiries carried out in relation to this case. If no inquiries have taken place, or if they have been inconclusive, please explain why.
4. Please provide the full details of any prosecutions which have been undertaken. Have penal, disciplinary or administrative sanctions been imposed on the alleged perpetrators?
5. Please indicate whether compensation has been provided to the victim or the family of the victim.

We undertake to ensure that your Excellency's Government's response to each of these questions is accurately reflected in the report we will submit to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

Jeremy Sarkin  
Chair-Rapporteur of the Working Group on Enforced or Involuntary  
Disappearances

Juan E. Méndez  
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or  
punishment