

Mandates of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; the Working Group on Arbitrary Detention; the Special Rapporteur in the field of cultural rights; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the right to education; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the Special Rapporteur on the human rights of internally displaced persons and the Working Group on the rights of peasants and other people working in rural areas

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15 April 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; Working Group on Arbitrary Detention; Special Rapporteur in the field of cultural rights; Working Group on Enforced or Involuntary Disappearances; Special Rapporteur on the right to education; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; Special Rapporteur on the human rights of internally displaced persons and Working Group on the rights of peasants and other people working in rural areas, pursuant to Human Rights Council resolutions 58/14, 60/8, 55/5, 54/14, 53/7, 52/9, 52/10, 59/12 and 54/9.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the acts reportedly committed during counter-terrorism operations and armed conflict in North Sinai Governorate since 2012. These include, *inter alia*, the recent uncovering of a mass grave in North Sinai containing the remains of an estimated 300 individuals; unlawful killings; mass arrests and arbitrary detention; enforced disappearances and secret and incommunicado detention; torture and other ill-treatment; widespread destruction of civilian property and infrastructure; the clearance or destruction of agricultural land; mass displacement; and severe restrictions on movement and access. Bedouin communities are reported to have been disproportionately affected. The allegations implicate Egyptian security forces as well as Government-supported tribal militias. We are concerned that these allegations may amount to serious violations of international human rights law and international humanitarian law, including the possible commission of war crimes and crimes against humanity.

We note that concerns relating to the forced displacement of Bedouin communities were the subject of communication [EGY 4/2024](#), and we regret that no reply was received. We further recall that in [EGY 4/2020](#), Special Procedures mandate holders acknowledged the security challenges posed by armed groups in North Sinai, but expressed deep concern that the prolonged state of emergency, broad counter-terrorism powers, and resulting human rights violations, including unlawful civilian harm, arbitrary forced displacement, unjustified restrictions on movement and other rights, and lack of judicial safeguards, appeared incompatible with Egypt's

international human rights law obligations. In its [reply](#) dated 10 March 2021, the Government stated that its security operations were necessary counter-terrorism measures aimed at protecting public order and were conducted in accordance with national law. However, it did not address any of the human rights allegations raised.

We acknowledge that the long-standing conflict in North Sinai and attacks by armed terrorist groups have had a serious impact on Egyptian security forces, State institutions, and civilians. We recognise the pressures that this has placed on the Government and its duty to prevent and suppress terrorist threats in order to protect the right to life. We also recognise the efforts of Egypt to assist the victims of terrorism. However, we reiterate that effective counter-terrorism measures and the protection of human rights are complementary and mutually reinforcing.¹ Respect for international human rights law is an essential component of any effective counter-terrorism strategy, including by building public trust and cooperation with the authorities, and in assisting victims of terrorism. We also draw attention to the commitment of States under Pillar I of the United Nations Global Counter-Terrorism Strategy to address the conditions conducive to terrorism, which may include prolonged unresolved conflicts, dehumanisation of victims, lack of the rule of law, violations of human rights, ethnic, national and religious discrimination, political exclusion, socio-economic marginalisation, and lack of good governance.

According to the information received:

Starting in February 2011, militant groups launched attacks on Egyptian security forces and infrastructure in the North Sinai Governorate during the political turmoil that led to President Hosni Mubarak's overthrow. Violence escalated with Egyptian military operations from August 2012 and an increase in militant attacks after the military's removal of President Mohamed Morsi in July 2013. During this period, various armed groups operated in Sinai. In November 2014, Ansar Bayt al-Maqdis, the main Sinai-based armed group, formally pledged allegiance to the Islamic State in Iraq and the Levant and rebranded itself as "Sinai Province" ("Walayat Sinai"). After this pledge, they intensified their activities through many hundreds of attacks against the Egyptian military, the police and civilians. In July 2015, Walayat Sinai attempted to seize the city of Sheikh Zuweid. In 2017, an attack on the al-Rawda Mosque in North Sinai killed more than 300 worshippers. North Sinai became the site of a protracted non-international armed conflict between Egyptian security forces and Wilayat Sinai, a group listed under Security Council counter-terrorism sanctions, a situation governed by both international human rights law and international humanitarian law. Walayat Sinai reportedly occupied villages near Bir al-Abd in July 2020, displacing residents. According to official sources, from 2013 to April 2022, the conflict in Sinai resulted in the killing of 3,277 army and police personnel and injuries to 12,280 others.

It is alleged that your Excellency's Government enacted and repeatedly renewed a series of exceptional measures, including under the state of emergency procedure in article 154 of the Egyptian Constitution, Presidential decrees under

¹ See Security Council resolutions 1535(2004), 1456(2003) and 1624(2005). See also A/HRC/16/51, paragraph 8 and the resolutions of the General Assembly, in particular A/RES/60/158, paragraphs 1, 7, 13 and Global Counter-Terrorism Strategy, A/RES/60/288, Pillar IV.

Emergency Law No. 162 of 1958, Law No. 94 of 2015 on Combating Terrorism, Law No. 136 of 2014 on the Protection and Security of Public and Vital Facilities, and military powers. Part of North Sinai reportedly remained under near-continuous emergency conditions from 2014, including expanded security measures, curfews, restrictions on movement, and exceptional policing and military powers.

The intensity and geographic scope of military operations increased significantly in 2018 with “Comprehensive Operation Sinai 2018”, a campaign aimed at dismantling armed groups and restoring security in North Sinai and, to a lesser extent, parts of the Nile Delta and Western Desert. Military control and security measures persisted and intensified across North Sinai, including through curfews, road closures and access restrictions, with limited entry permitted for civilians, journalists, independent observers and civil society organisations. As a result, the region increasingly operated as a closed and securitised zone, with minimal external oversight or transparency regarding the conduct of operations and their impact on the civilian population.

The legal framework governing security operations was further reinforced through the adoption of Counterterrorism Law No. 94 of 2015, which broadened the authority of security forces through expansive definitions of terrorism-related conduct, exceptional arrest and detention powers, and immunity provisions shielding members of the security forces from criminal responsibility for actions taken in the performance of their duties. Regulations issued under this law reportedly designated extensive areas of North Sinai as military operational zones or “areas of counterterrorism operations,” within which additional security measures could be applied.

Over this period, North Sinai also reportedly saw a significant expansion of military infrastructure, including bases, fortified checkpoints and surveillance installations, accompanied by severe restrictions on civilian movement and access to certain areas. Information received further indicates that law enforcement and military forces seized and repurposed numerous civilian facilities, including schools, health centres, youth clubs and sports facilities, converting them into military camps, barracks or checkpoints.

During the conflict, residents of North Sinai, numbering approximately half a million people, are said to have experienced persistent shortages and disruptions in access to basic services, including electricity, food supplies, fuel, healthcare, education and internet connectivity. The cumulative effect of these measures has profoundly constrained civilian life, mobility and economic activity, while disproportionately impacting vulnerable groups, including women and children, and further limiting access to independent information regarding arrests, detentions, enforced disappearances, deaths and other incidents involving civilians.

The Bedouin communities in North Sinai, who comprise perhaps two-thirds of the total population, have reportedly experienced intimidation, collective punishment and discrimination related to their identity. Bedouin have been victims of abuses and violations by non-State armed groups and State forces.

Some have also reportedly participated in the conflict on behalf of non-State armed groups or State forces.

The Egyptian President claimed in January 2023 that terrorism in the Sinai had ended, and relative calm has prevailed since. However, North Sinai largely remains a military zone under military control and jurisdiction and subject to heavy restrictions.

Discovery of a mass grave

A large burial site containing the remains of numerous individuals was allegedly identified in September 2025 in a desert area approximately 20 kilometres south of al-Arish, North Sinai. The site is located within a heavily militarised zone that has been subject to strict curfews, road closures and movement restrictions for many years, with civilian access reportedly prohibited or severely limited since at least 2014.

The burial site allegedly comprises two adjacent pits into which human remains appear to have been deposited over an extended period. At the surface, at least 36 human skulls and numerous other partially exposed bones are reportedly visible. Based on the visible remains and the depth and layering observed within the pits, it is estimated that the total number of individuals may exceed 300.

Several of the visible bodies were reportedly found in civilian clothing, with some showing signs of having been blindfolded or restrained. The condition of the remains, the absence of indicators of formal burial procedures, and the irregular and layered manner of deposition suggest that the site may reflect repeated episodes of burial over time rather than a single mass interment.

Information received further indicates that the area surrounding the grave displays signs of repeated vehicle activity over a number of years, including tyre tracks consistent with heavy four-wheel-drive or military vehicles. Satellite imagery reportedly shows recurrent vehicular access to the site between approximately 2015 and 2023, including approach routes from nearby military facilities.

The grave lies within a sector of desert bordered by several security installations, including military camps, observation towers and fortified checkpoints. Two watchtowers constructed south of the site in 2014 reportedly provide an unobstructed vantage point over the surrounding terrain, while a third tower erected further north in 2022 is also said to overlook the area. The positioning and visibility of these installations suggest that the site may have been within the regular observation range of military personnel.

Local residents have reportedly been unable to access the vicinity of the grave for several years due to curfews, military roadblocks and an armed presence along main transport routes. Witness accounts indicate that the land surrounding the site was progressively depopulated through home demolitions, forced evacuations and expanding security perimeters, resulting in the area becoming

effectively uninhabited and under exclusive control of Egyptian security forces for a prolonged period.

It is alleged that some of the individuals buried at the site may include persons who were previously arrested or who disappeared following detention in North Sinai. Families searching for missing relatives have reportedly received conflicting or incomplete information regarding their fate or the whereabouts of their loved ones, while in some cases, bodies previously returned to families were said to display signs inconsistent with official accounts of death.

The scale of the burial site, the proximity to military infrastructure, the restricted nature of the surrounding area, and the reported links to prior detention have raised serious concerns that the grave may contain the remains of individuals who were unlawfully killed, including persons who were forcibly disappeared and who may have been in custody at the time of their death. The apparent repeated use of the site suggests that such practices may have occurred over an extended period.

Additional evidence indicates that this site may be one of at least two locations in North Sinai used as mass burial sites over the past decade, though access restrictions have thus far prevented their verification. Individuals forcibly disappeared and held in unofficial detention facilities were allegedly removed from such facilities, executed in field operations, and subsequently buried in unmarked graves. It is further alleged that some of the detainees were blindfolded and handcuffed at the time they were taken from detention prior to their killing and burial. These allegations raise the possibility of a broader pattern of concealed or undocumented deaths occurring in the context of counter-terrorism operations in the region.

Unlawful killings, including extrajudicial executions

Since at least 2013, numerous individuals in North Sinai have been reported to have been killed in circumstances suggesting unlawful killings by security forces or their affiliates during counter-terrorism operations. Persons arrested at checkpoints, taken from their homes, or apprehended during raids were later found dead and publicly identified as having been killed in armed clashes, including in official statements issued by the security forces.

In multiple cases, witnesses stated that the deceased had been seen alive in the custody of security forces shortly before their deaths. Several bodies reportedly bore injuries consistent with close-range gunshot wounds, restraint, or signs of ill-treatment. In some instances, scenes were publicly presented as the aftermath of firefights despite indications that the individuals killed may have been unarmed, incapacitated, or otherwise under the control of security forces at the time of death.

These incidents are alleged to have occurred repeatedly over a number of years. Deaths attributed to armed confrontations may, in some cases, have involved persons who had already been detained and were no longer participating in

hostilities. Among those reportedly killed in such circumstances were children and older adults.

Public announcements of these deaths do not appear to have been accompanied by prompt, independent, impartial, thorough or transparent investigations, in compliance with international standards. Families of the deceased reportedly received limited or inconsistent information regarding the circumstances of death, and there is little indication that judicial accountability mechanisms were activated in response to allegations of unlawful killings.

There are no official statistics on the total number of persons killed or injured during the conflict and the proportions of civilian and military casualties. Reportedly, Egyptian authorities have denied harming civilians, although in some cases, victims' families have been compensated following military operations. The closure of North Sinai has prevented independent monitoring. The Egyptian Armed Forces has cumulatively indicated that between 2013 and 2022, it killed 5,053 people it described as "terrorist elements" and arrested 14,837 people suspected of belonging to armed groups. These figures highly exceed the estimated total strength of armed groups in North Sinai during the conflict (1,000 to 1,500 individuals), suggesting that large numbers of civilians may have been victims. In addition, the Egyptian Ministry of Interior has indicated that police also detained and "screened" many tens of thousands of people.

Mass arrests, enforced disappearances and secret or unofficial detention sites

Over the past decade, Egyptian authorities have reportedly carried out large-scale arrest operations across North Sinai, resulting in the detention of thousands of individuals. These arrests allegedly occurred during security sweeps, raids on homes, and at military checkpoints, often without warrants or subsequent acknowledgement of detention. Families frequently received no official information regarding the fate or whereabouts of those apprehended.

A significant number of detainees are reported to have been held in unofficial or undisclosed detention locations, including military sites. Several facilities have been identified as being used for secret detention, including Al-Saha Camp in Rafah, Al-Zohour Camp in Sheikh Zuweid, and Battalion 101 in Al-Arish. Individuals held in these locations were allegedly denied access to legal counsel, family contact, and any form of judicial oversight, in some cases for extended periods.

Numerous accounts indicate that enforced disappearance has been used systematically in the context of counter-terrorism operations in North Sinai. Some detainees, including children or persons believed to be under the age of 18, were reportedly forcibly disappeared before later being publicly identified as having been killed. In several such cases, official statements asserted that the deaths occurred during armed clashes, despite indications that the individuals had previously been detained and were no longer taking part in hostilities.

Further allegations describe a recurring pattern in which individuals forcibly disappeared following arrest were later reported killed and presented as members of armed groups, based on unsubstantiated allegations of affiliation. Witness testimony and other information received raise questions regarding the credibility of official accounts of these deaths.

Torture and ill-treatment of detainees

Hundreds of individuals detained in the context of counter-terrorism operations in North Sinai, including children, have allegedly been subjected to torture and other forms of ill-treatment. Reported methods include severe beatings, electric shocks, suspension in stress positions, mock execution, and threats against detainees and their family members.

Conditions in unofficial detention sites were described as harsh, including severe overcrowding, prolonged incommunicado confinement, denial of medical care, exposure to extreme temperatures, and insufficient access to food and drinking water. Some victims reportedly exhibited injuries consistent with physical abuse when their bodies were returned to relatives or when they were later found dead.

Use of tribal militias and armed auxiliaries

Security forces have reportedly recruited, armed and deployed tribal militias or local auxiliaries, commonly referred to as *manadeeb*, to support counter-insurgency operations in North Sinai. These groups are said to have operated alongside, or in coordination with, State forces and to have participated in activities such as manning checkpoints, conducting searches, identifying suspected militants, and assisting in arrests and raids.

Some militia members have allegedly engaged in detentions, ill-treatment, extortion and reprisals against civilians, including the identification or denunciation of individuals who were later killed or forcibly disappeared. In some cases, the reliance on local intermediaries embedded within tribal and community structures exposed civilians to heightened risks of abuse linked to personal disputes, tribal rivalries or economic grievances, including false or malicious accusations.

The involvement of such groups is reported to have contributed to intra-community tensions, mistrust and patterns of selective targeting, particularly where individuals were identified as suspects based on informal intelligence rather than verifiable evidence. These groups are reportedly operating without a clear legal status, defined mandate, or effective oversight and accountability mechanisms.

Recruitment of children

Children have reportedly been recruited by armed groups, auxiliaries, and State forces. There appear to be contradictions in Egyptian law and practice on the age of recruitment. Egyptian law specifies 18 years as the minimum age for

compulsory recruitment. Under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, Egypt issued a declaration in 2007 stating that the minimum age for voluntary recruitment is 16 years. However, other official Egyptian sources have indicated that voluntary recruitment is permitted at 15 years. According to reports, even children under 15 years old have been used for espionage, logistical activities, and even direct participation in hostilities.

Forced evictions, home demolitions, and destruction of civilian property

Large-scale demolitions of civilian homes and commercial buildings, and clearance or destruction of agricultural land, have taken place in North Sinai since 2013, particularly in areas designated as security perimeters or operational zones. The authorities have stated that these measures were undertaken to establish buffer zones, especially along the Gaza border; disrupt smuggling tunnels; clear areas allegedly used by armed groups; and facilitate counterterrorism operations and future development projects.

At least 12,000 homes and other civilian structures were reportedly destroyed between 2013 and 2020, alongside the clearance or destruction of several thousand hectares of farmland and orchards. Many residents were reportedly given little or no advance notice, and compensation mechanisms were described as inconsistent, delayed, or inaccessible, and numerous displaced families reported receiving little or no redress.

Entire neighbourhoods and villages have been depopulated, with families unable to return to their land or property after demolition. Some areas affected were reportedly outside zones of active hostilities or where tunnel activity was substantiated, raising concerns about the necessity and proportionality of the measures.

The cumulative effect of these demolitions has contributed to widespread displacement, loss of housing and livelihoods, and long-term disruption to the social, cultural and economic fabric of affected communities. These measures have significantly altered the physical and social landscape of North Sinai, transforming once-populated neighbourhoods into depopulated or restricted zones and exacerbating humanitarian needs.

It is further reported that at least 73 schools were destroyed and a further 49 schools were used for military purposes by the parties, significantly disrupting access to education and other essential services, particularly for children. Armed groups reportedly destroyed schools to prevent the Egyptian military from using them. At least 186 students and 21 teachers were reportedly killed in the conflict, most by State forces.

Although the nationwide state of emergency was formally lifted in October 2021, many exceptional security measures under counterterrorism and other legislation remain in force. Residents reportedly continue to be unable to return to demolished areas due to ongoing security restrictions, the presence of military

infrastructure, and the designation of former residential zones as restricted or controlled areas.

Displacement and impact on Bedouin communities

It is estimated that more than 150,000 residents, a substantial part of the population of North Sinai, have been forcibly displaced over the past decade due to military operations, evictions, demolitions, and movement restrictions. Bedouin communities, whose cultural identity is closely tied to the land, are reported to have been disproportionately affected.

Displacement, loss of property, and restricted access to grazing lands, farms, and coastal areas have disrupted traditional livelihoods and community structures. Allegations also include discriminatory practices in the provision of compensation and broader patterns of marginalisation linked to the implementation of counterterrorism measures.

Bedouin communities in North Sinai have self-identified as Indigenous Peoples in accordance with the definition under the United Nations Declaration on the Rights of Indigenous Peoples, and have claimed rights under the Declaration, without prejudice to Egypt's territorial integrity or political unity.

Restrictions on movement, access and information

North Sinai has reportedly remained subject to prolonged and severe restrictions on movement, including curfews, checkpoints and closures of major roads, which have significantly impeded residents' access to essential goods and services, education, healthcare and livelihoods. These measures are alleged to have compounded the humanitarian impact of military operations, particularly for displaced communities and those living in areas designated as security or operational zones.

In addition, the region has reportedly been largely closed for extended periods to journalists, humanitarian actors, independent researchers and civil society organisations. This has severely limited independent monitoring of security operations and restricted the ability of residents to report violations safely. Individuals and groups attempting to document abuses or communicate information from the region are alleged to have faced harassment, intimidation or public smear campaigns.

These restrictions are reported to have contributed to a climate of isolation and opacity, in which allegations of arrests, detentions, deaths and other incidents affecting civilians are difficult to verify, and in which avenues for accountability and redress remain severely constrained.

Without prejudging the accuracy of the allegations received, we express serious concern that these facts may involve serious violations of Egypt's obligations under the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), both acceded to by your Excellency's Government on 14 January 1982, as well as the Convention against

Torture, acceded to on 25 June 1986 and the Convention on the Rights of the Child, ratified on 6 July 1990. In addition, the allegations raise concerns under treaty and customary international humanitarian law and international standards on enforced disappearances, and internally displaced persons and Indigenous Peoples.

Right to life and unlawful killings

We are deeply concerned that, if confirmed, the alleged unlawful killings, including of persons who had previously been detained or forcibly disappeared, the presence of bodies in civilian clothing, some blindfolded or restrained, and the staging of deaths as armed clashes, unexplained deaths in custody, and the concealment of bodies in a mass grave, would amount to serious violations of the right to life guaranteed by article 6 of the ICCPR read alone and in conjunction with article 2(3). Under article 6, every human being has the inherent right to life, which must be protected by law, and no one shall be arbitrarily deprived of life. The Human Rights Committee has underlined that this right is non-derogable, including in situations of armed conflict, and that States must strictly control and limit the use of lethal force by their agents, ensuring that it is no more than absolutely necessary to protect life. The allegations above suggest that lethal force may have been used against persons who were not, or were no longer, directly participating in hostilities and who otherwise posed no imminent threat to life. Such conduct, if substantiated, would constitute arbitrary deprivation of life and extra-legal, summary or arbitrary executions, contrary to article 6 of the ICCPR and, in the case of children, the CRC.

Further, in a non-international armed conflict, common article 3 to the Geneva Conventions and customary international humanitarian law absolutely prohibit the murder of persons taking no active part in hostilities, including civilians and persons placed hors de combat by detention, injury or surrender, and such murders are war crimes (see Annex to this letter). Where such killings form part of a pattern of widespread or systematic attacks directed against a civilian population, they may meet the elements of the crime against humanity of murder or extermination.

The location of a large mass grave within a restricted, militarised zone, its apparent repeated use over several years, and indications that some individuals buried may have been previously detained or disappeared raise serious concerns about a possible systematic practice of unlawful killings and concealment of bodies. Under article 6 of the ICCPR, read together with article 2(3), Egypt is required to ensure an effective, prompt, thorough, independent and impartial investigation into all potentially unlawful deaths involving State agents or those acting with their acquiescence (see Annex).

These duties are reinforced by international standards on the investigation of potentially unlawful deaths, including the Minnesota Protocol, which require that mass graves and other burial sites be promptly secured and preserved, that remains be exhumed and subjected to appropriate forensic examination, that the identities of victims be established wherever possible, and that families be informed of the fate and whereabouts of their relatives. A failure to secure the site, to investigate the deaths, and to identify, respect and return the remains to families would itself amount to a continuing violation of the right to life and of the right of families to know the truth about the fate of their relatives.

To the extent that tribal militias or armed auxiliaries may have participated in arrests, killings or the disposal of bodies, we recall that Egypt is internationally responsible for any violations of international law committed by any private actors (such as tribal militias) who are acting on the instructions of or under the direction or control of the State (International Law Commission, Draft Articles on the Responsibility of States for Internationally Wrongful Acts, articles 5 and 8). Further, under international humanitarian law, political and military leaders are criminally responsible for war crimes committed by their subordinates if they knew, or had reason to know, that the subordinates were about to commit or were committing such crimes and did not take all necessary and reasonable measures in their power to prevent their commission, or if such crimes had been committed, to punish the persons responsible (ICRC Customary International Humanitarian Law, rule 153).

Arbitrary detention and enforced disappearance

The allegations of widespread arrests without warrants, prolonged incommunicado detention, and the holding of individuals in unacknowledged or secret military facilities, and subsequent reports of forcibly disappeared persons among those killed in North Sinai would breach multiple rights under the ICCPR, including the rights to life (art. 6), liberty and security of person (art. 9), recognition before the law (art. 16), freedom from torture and other ill-treatment (art. 7 and CAT) and the right to humane treatment in detention (art. 10), read alone and in conjunction with article 2(3) of the ICCPR with regard to the relatives of the disappeared person. Article 9 of the ICCPR prohibits arbitrary arrest or detention and requires that anyone deprived of liberty be informed of the reasons, brought promptly before a judge, and able to challenge the legality of their detention. The Human Rights Committee has clarified that detaining individuals without access to legal counsel or judicial oversight, or in facilities not officially recognised or regulated, is incompatible with the guarantees of article 9. Arbitrary detention is also prohibited by international humanitarian law.

We are concerned about the allegations of secret or incommunicado detention, and the refusal by authorities to disclose a detainee's fate or whereabouts. We recall that these practices remove detainees from the protection of the law and significantly increase the risk of torture and other grave violations. The absolute prohibition of enforced disappearance is jus cogens and is also prohibited under international humanitarian law. Where disappeared persons are later found dead in circumstances suggesting unlawful killing, this also violates the right to life.

We are further concerned that the detention of children without prompt access to judicial review or contact with their families raises serious issues under the Convention on the Rights of the Child (CRC), which requires that detention of children be used only as a measure of last resort, for the shortest appropriate period, and subject to immediate access to legal and family assistance. The CRC further requires States to take all appropriate measures to trace and reunite children separated from their families and to ensure the child's right to maintain contact with family members.

Torture and other cruel, inhuman or degrading treatment

We are concerned that the allegations of severe beatings, electric shocks, suspension in stress positions, threats, mock executions and denial of medical care to detainees in North Sinai indicate conduct prohibited under article 7 of the ICCPR and the CAT and international humanitarian law (including as war crimes). The prohibition of torture and other cruel, inhuman or degrading treatment is absolute and non-derogable. The Human Rights Committee has clarified that prolonged incommunicado detention, denial of access to legal counsel or family members, and coercive interrogation methods are factors that strongly suggest the occurrence of ill-treatment. The ill-treatment of children additionally violates the Convention on the Rights of the Child, which further obliges States to ensure special protection for children deprived of liberty.

The reported use of unregistered or secret detention facilities, including within military compounds, and the holding of detainees incommunicado for extended periods without judicial oversight, creates conditions in which the risk of torture is acute. These practices are inconsistent with international standards governing the treatment of persons deprived of their liberty, including the Body of Principles and the Mandela Rules, which require that detainees be held in recognised places of detention and afforded essential legal and medical safeguards, as well as international humanitarian law.

Recruitment of children

We are concerned by the allegations regarding the recruitment of children by armed groups, militias and State forces. further recall the Committee on the Rights of the Child's concluding observations on Egypt, which expressed serious concern at reports of the recruitment and use of children by non-State armed groups in North Sinai and urged the State to prevent, detect and eradicate child recruitment; ensure the prompt release, disarmament, rehabilitation, reintegration and family reunification of child victims; prohibit the involvement of children under 18 in Egypt's armed forces and consider raising the minimum age for voluntary recruitment to 18; and provide monitoring institutions, including international organizations, with access to North Sinai to investigate and pursue accountability for child recruitment, torture and enforced disappearance (CRC/C/EGY/CO/5-6).

Forced evictions, destruction of property and displacement

We are concerned about reports of large-scale home demolitions, loss of property, destruction of farmland and civilian infrastructure, restricted access to grazing lands, farms, and coastal areas and the resulting displacement of residents in North Sinai. These reports appear to be in violation of article 17 of the ICCPR, which protects individuals against arbitrary or unlawful interference with their privacy, family and home. Allegations that evictions and demolitions were carried out without legitimate grounds, adequate notice, due process safeguards, meaningful consultation, or effective remedies indicate that such interference may have been arbitrary and incompatible with Egypt's obligations under the Covenant.

In addition, the destruction of homes, farmland and livelihoods engages Egypt's obligations under the ICESCR, including the rights to adequate housing, food, water and an adequate standard of living (all under article 11), especially where displaced persons have reportedly been unable to return or access effective compensation or alternative housing.

International humanitarian law prohibits the destruction of civilian objects unless such destruction is rendered absolutely necessary by imperative military necessity. The demolition of homes, farms, and civilian infrastructure in areas not the site of active hostilities, or without a demonstrated and concrete military necessity, would not meet this threshold. International humanitarian law further prohibits the forced displacement of civilians unless required for their security or for imperative military reasons. Large-scale removals of the population or the depopulation of entire neighbourhoods, carried out in the absence of these narrow justifications, would be inconsistent with these protections.

Where property destruction and forced displacement are carried out in a widespread or systematic manner, or as part of an attack against a civilian population, such acts may also engage international criminal law, including the war crimes of unlawful destruction of property and forcible transfer, and, in certain circumstances, the crime against humanity of deportation or forcible displacement.

We are further concerned that the manner and conditions of forced displacement were not consistent with international standards, including the prohibition on arbitrary displacement and the obligation to protect and assist persons before, during and after displacement, as reflected in the Guiding Principles on Internal Displacement and the Guiding Principles on Resettlement

Closure and military use of schools

The military use of educational institutions potentially triggers loss of protection of schools as civilian objects, it thereby potentially violates international humanitarian law obligations, such as the obligations to ensure the continued functioning of institutions essential to children's well-being in situations of occupation, including schools; to facilitate access to education during armed conflict; and to take feasible precautions to avoid harming civilians and civilian objects. It also potentially violates the international human rights law obligations to protect children in armed conflict (CRC, art. 38) and to provide education (ICESCR, art. 13, and CRC, art. 28).

We are concerned that allegations concerning the military destruction, closure or military use of a large number of schools may not be consistent with the right to education under article 13 of the ICCPR and the rights of children under the CRC. We echo the 2024 concluding observations of the Committee on the Rights of Child, which urged Egypt to ensure that schools in North Sinai are not used for military purposes and to uphold children's right to education, including by repairing and rebuilding schools damaged or destroyed during the armed violence, and to consider endorsing the Safe Schools Declaration. (CRC/C/EGY/CO/5-6). The right to education is non-derogable even in a time of public emergency, and schools must be available and accessible to everyone. A State party which closes an educational institution on grounds such as national security has the burden of justifying it under the limitations clause in article 4

(Committee on Economic, Social and Cultural Rights, general comment No. 13, para. 42). Under international humanitarian law, schools are civilian objects and the parties should avoid locating military objectives there and children must be afforded special respect and protection. States should comply with Security Council resolution 2601 (2021) and other resolutions on the protection of education during conflict.

Restrictions on Movement, Access and Information

The allegations of prolonged curfews, checkpoints, road closures, and severe limitations on civilian movement in North Sinai raise concerns under article 12 of the ICCPR, which protects the right of everyone lawfully within a State's territory to liberty of movement and freedom to choose their residence. Restrictions on movement must comply with the principles of legality, necessity and proportionality, and must be consistent with other rights protected under the Covenant. Measures that prevent access to essential goods and services, impede livelihoods, or effectively confine communities to restricted areas may constitute arbitrary restrictions under this provision. Where children are affected, such restrictions may also interfere with rights protected under article 24 of the ICCPR and relevant provisions of the CRC. Severe restrictions on movement can also impede ICESCR rights, including access to education, healthcare, work and an adequate standard of living.

The reported designation of large areas of North Sinai as closed military zones and the exclusion of journalists, independent observers, and humanitarian actors raise further concerns under articles 19 and 21 of the ICCPR, which protect the rights to freedom of expression and access to information, and require States to enable monitoring of the human rights situation. The Human Rights Committee has stressed that States may not rely on broad or indeterminate security grounds to impose blanket restrictions that prevent scrutiny of official conduct or impede access to humanitarian assistance (general comment No. 34, paras. 21–23; see also general comment No. 27, paras. 11–14).

In a non-international armed conflict, common article 3 to the Geneva Conventions and customary international humanitarian law requires the parties to allow and facilitate the rapid and unimpeded passage of impartial humanitarian relief for civilians in need and prohibits measures that arbitrarily deprive civilians of access to objects indispensable to their survival. Restrictions that hinder the delivery of humanitarian assistance, impede evacuation or movement necessary for civilian safety, or isolate communities in ways that expose them to harm would be inconsistent with these obligations. Where access restrictions are imposed to conceal unlawful conduct or prevent the documentation of violations, such measures may further contribute to the commission of other serious violations and impede the State's duty to investigate and ensure accountability.

Rights of Bedouin communities

Reports that Bedouin communities in North Sinai have been heavily affected by home demolitions, destruction of farmland, displacement and restrictions on access to their traditional lands raise concerns under articles 17, 26 and 27 of the ICCPR, which protect against arbitrary interference with home and family life, prohibit discrimination and safeguard the ability of minority groups to enjoy their culture, in addition to the

right to take part in cultural life under article 15 of the ICESCR. The Human Rights Committee has recognised that cultural practices linked to land, pastoralism and traditional resource use fall within the scope of article 27 (general comment No. 23, paras. 3.2 and 7). Measures that substantially hinder these practices, including destruction of homes and grazing lands or restrictions on access to ancestral territories, may therefore breach these protections.

To the extent that Bedouin communities are Indigenous Peoples, allegations of forced evictions and long-term exclusion of Bedouin communities from their lands also raise concerns under the United Nations Declaration on the Rights of Indigenous Peoples, which affirms the rights of communities with longstanding ties to their lands to maintain their relationship with their territories, to practise their culture and livelihoods, and not to be forcibly removed without their free, prior and informed consent and without just and fair compensation.

We are additionally concerned that measures which impose distinct or disproportionate burdens on Bedouin communities—including destruction of property and housing, denial of access to traditional lands, restrictions on movement and severe disruptions to traditional livelihoods—could breach the prohibition of non-discrimination under international human rights law and international humanitarian law.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights and humanitarian law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As 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, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.

Legal and operational frameworks

2. Please provide information on any procedures in place to ensure that security operations in North Sinai comply with international human rights and humanitarian law on the use of force, including those governing arrest, detention and the use of lethal force.
3. Please clarify whether Egypt has declared a public emergency and derogated from the ICCPR under article 4 in relation to the situation in North Sinai and, if so, whether notification requirements were fulfilled.
4. Please provide information on the safeguards in place to ensure that counterterrorism legislation, including Law No. 94 of 2015, is not used to permit or shield violations of human rights or humanitarian law.

Mass graves

5. Please provide any information available about the mass grave south of al-Arish, including the dates on which the authorities became aware of the site and any measures taken to secure and investigate it.
6. Please clarify whether any forensic, criminal or administrative investigations have been opened in relation to the human remains found at the site, and provide information on the mandate, independence, methodology and current status of such investigations.
7. Please explain the steps taken to identify the individuals buried at the site, notify their families, and ensure the dignified handling, preservation and exhumation of human remains.
8. Please indicate whether the Government has documented or is aware of any other unmarked burial sites or mass graves in North Sinai, and provide details on their location, the circumstances of their discovery and any related investigations. Please explain how access to all sites by independent forensic experts, human rights bodies and relevant UN mechanisms will be facilitated.

Enforced disappearances and unexplained deaths

9. Please provide information on the measures taken to search for those reported disappeared in North Sinai since 2013, and to determine their fate and whereabouts and inform the families accordingly. If no such measure has been undertaken, please explain why.
10. Please provide details of any investigations into allegations that individuals previously detained or forcibly disappeared were later reported as having been killed in armed clashes. Please explain what accountability measures have been taken concerning members of the armed forces or security services alleged to have committed unlawful killings.
11. Please provide information on all official and unofficial places of detention in North Sinai and clarify whether any facilities exist within or adjacent to military bases.
12. Please clarify whether persons detained in North Sinai are systematically registered, allowed prompt access to legal counsel and family, and brought promptly before a judicial authority.

Torture and ill-treatment

13. Please provide information on any investigations into allegations of torture or ill-treatment of persons detained in North Sinai, including children, and the outcomes of such investigations.

14. Please explain what safeguards exist to prevent torture in detention facilities under military or intelligence control, including access to lawyers, medical examinations and confidential complaints mechanisms.

Militias or auxiliaries

15. Please clarify the legal basis, command structure and rules governing any State recruitment, arming and deployment of tribal militias or auxiliary groups operating in North Sinai.
16. Please explain the mechanisms for oversight, accountability and discipline applicable to these groups, and whether any members have been investigated or prosecuted for alleged abuses.

Home demolitions, property damage and forced displacement

17. Please provide the legal and operational justification for the large-scale demolition of homes and civilian structures and destruction of farmland in North Sinai since 2013, including any assessments of military necessity where applicable. Please explain whether the rights of Bedouin communities were taken into account.
18. Please clarify what procedures were used to notify residents, consult affected communities and provide compensation, relocation support and avenues for appeal.
19. Please clarify what measures have been taken or are envisaged to ensure durable solutions for those affected, including access to effective remedies and justice.
20. Please clarify what measures were taken to identify feasible alternatives to the displacement of the affected communities, why such displacement was considered unavoidable, and what measures were taken to ensure displacement was carried out in a manner that upheld the rights to life, dignity, liberty, security, family life and cultural rights of those affected and in satisfactory conditions of safety, nutrition, health, and hygiene.
21. If displacement was in fact avoidable, please explain to what extent your Excellency's Government has discussed the possibility of allowing the displaced, or a part of them, to return. Please indicate whether residents whose homes were demolished have been permitted to return and, if not, what legal or security grounds justify the continued restrictions. Please explain what measures your Excellency's Government has undertaken to ensure that no one is evicted into homelessness and that everyone received an adequate compensation for any property which was affected.
22. Please explain the legal frameworks and operational measures taken or envisaged to protect the right of internally displaced persons in North

Sinai, including adequate housing, water, essential food and medical services, and other forms of humanitarian and/or legal assistance.

Right to education

23. Please explain how the destruction, closure and military use of schools is consistent with international human rights law and international humanitarian law, and what measures have been taken to ensure the right to education in North Sinai.

Movement and access restrictions

24. Please provide information on the legal basis and grounds of curfews, checkpoints, road closures and other movement restrictions implemented in North Sinai. Please clarify how the Government ensures that such measures comply with international human rights and humanitarian law, and how access to essential goods, services and humanitarian assistance, and socio-economic rights, are safeguarded.
25. Please explain why access to North Sinai by journalists, human rights organisations and independent observers has been restricted, and whether the Government intends to permit such access in future.

Children's rights

26. Please provide information on measures taken to protect the rights of children affected by the conflict, particularly those detained, injured, displaced or separated from their families. Please explain how laws and practices on the recruitment of children respect international law.

This communication, and any response received from your Excellency's Government, will be made public via the communications reporting [website](#) at the 60 days mark. Should Your Excellency's Government respond within 60 days, both the communication and the response, may be published before the 60 days mark. The communications and responses will also be made available in the subsequent periodic report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We would like to bring to the attention of your Excellency's Government that should sources submit the allegations concerning individual cases of enforced disappearances for the consideration of the Working Group on Enforced or Involuntary Disappearances under its humanitarian procedure, the case will be examined by the Working Group according to its methods of work, in which case your Excellency's Government will be informed by separate correspondence. Further, we would like to inform your Excellency's Government that after having transmitted the information contained in the present communication to the Government, the Working Group on

Arbitrary Detention may also transmit a case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. The present communication in no way prejudices any opinion the Working Group may render. The Government is required to respond separately to the letter of allegation and the Working Group's regular procedure.

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

Ben Saul

Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

Ganna Yudkivska

Vice-Chair on communications of the Working Group on Arbitrary Detention

Alexandra Xanthaki

Special Rapporteur in the field of cultural rights

Gabriella Citroni

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

Farida Shaheed

Special Rapporteur on the right to education

Irene Khan

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Balakrishnan Rajagopal

Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

Paula Gaviria

Special Rapporteur on the human rights of internally displaced persons

Carlos Arturo Duarte Torres

Chair-Rapporteur of the Working Group on the rights of peasants and other people working in rural areas

Annex

Reference to international human rights and humanitarian law

In connection with the above alleged facts and concerns, I would like to refer your Excellency's Government to the following provisions of international human rights and humanitarian law.

Right to life

Under article 6 of the ICCPR, read together with article 2(3), Egypt is under an obligation to ensure an effective, prompt, thorough, independent and impartial investigation into all potentially unlawful deaths involving State agents or persons acting with their acquiescence, to establish the truth, identify and locate the victims, determine responsibility, and ensure accountability and reparation. Similar obligations arise under international humanitarian law. Loss of life occurring in custody, in unnatural circumstances, creates a presumption of arbitrary deprivation of life by State authorities, which can only be rebutted by a proper investigation (general comment No. 36, para. 29).

Article 6 of the ICCPR guarantees the right to life and provides that "every human being has the inherent right to life [which] shall be protected by law. No one shall be arbitrarily deprived of his [or her] life." In its general comment No. 36, the Human Rights Committee noted that States must take all necessary measures to prevent arbitrary deprivation of life by their law enforcement officials. This includes procedures to ensure that law enforcement actions are properly planned, consistent with the need to minimize the risk they pose to human life, mandatory reporting review and investigation of lethal and other life-threatening incidents (para. 13). The State also has a responsibility to take "all appropriate measures to deter, prevent and punish the perpetrators as well as to address any attitudes or conditions within society which encourage or facilitate such crimes violence or killings committed by non-State actors" (E/CN.4/2005/7, para. 71).

The Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, in particular principle 9, require a thorough, prompt and impartial investigation of all suspected cases of extra-legal, arbitrary and summary executions. Investigations must be undertaken in accordance with relevant international standards, including the Minnesota Protocol on the Investigation of Potentially Unlawful Death. In accordance with the Minnesota Protocol, families of victims of unlawful death have the right to equal and effective access to justice; to adequate, effective and prompt reparation; to recognition of their status before the law; and to have access to relevant information concerning the violations and relevant accountability mechanisms. Investigations must be aimed at ensuring that those responsible are brought to justice, promoting accountability and preventing impunity, avoiding denial of and drawing necessary lessons for revising practices and policies with a view to avoiding repeated violations, and at the responsibility of superior officials with regard to violations committed by their subordinates (general comment No. 36, para. 27). Where a violation is found, full reparation must be provided, including adequate compensation, rehabilitation and satisfaction; as well as steps to prevent re-occurrence in future.

Right to liberty

Article 9 of the ICCPR guarantees the right to liberty and security of person and provides that “no one shall be deprived of his [or her] liberty except on such grounds and in accordance with such procedure as are established by law.” As interpreted by the Human Rights Committee in general comment No. 35, the notion of “arbitrariness” is not to be equated with “against the law” but must be interpreted more broadly to include elements of inappropriateness, injustice, lack of predictability and due process of law, as well as elements of reasonableness, necessity, and proportionality.

Article 9(2) provides that anyone arrested must be informed of the reasons for the arrest at the time of the arrest, and of the charges against him or her promptly.

Article 9(3) further provides that “[i]t shall not be the general rule that persons awaiting trial shall be detained in custody”. In this regard, the Human Rights Committee has noted that “[d]etention pending trial must be based on an individualized determination that it is reasonable and necessary taking into account all the circumstances, for such purposes as to prevent flight, interference with evidence or the recurrence of crime” (para. 38).

Article 9(4) provides that anyone deprived of liberty by arrest or detention is entitled to take proceedings before a court so that the court may decide without delay on the lawfulness of the detention and order release if the detention is found to be unlawful. As noted by the Human Rights Committee, this right applies “to all detention by official action or pursuant to official authorization, including detention in connection with criminal proceedings, military detention, security detention, counter-terrorism detention” (para. 40). Access to a lawyer, including immediately after arrest, is an essential safeguard of the right to challenge the legal basis of one’s detention under article 9(4) of the ICCPR.

The Human Rights Committee has noted that where incommunicado detention prevents prompt presentation before a judge, it inherently violates article 9(3). Depending on its duration and other facts, it may also violate articles 6, 7, 10 and 14 of the Covenant (general comment No. 36, para. 35). Access to a lawyer, including immediately after arrest, is an essential safeguard of the right to challenge the legal basis of one’s detention, and is mandated under principle 9 and guideline 8 of the United Nations Basic Principles and Guidelines on Remedies and Procedures on the Right of Anyone Deprived of Their Liberty to Bring Proceedings Before a Court. Additionally, rule 58 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) provides that prisoners must be allowed “to communicate with their family and friends at regular intervals”, including through visits.

Prohibition on enforced disappearance

The absolute prohibition of enforced disappearance under customary international law is reflected in the 1992 Declaration on the Protection of All Persons from Enforced Disappearance. Enforced disappearance constitutes a unique and integrated series of acts and omissions representing a grave threat to life. States are required to conduct an effective and speedy inquiry to establish the fate and

whereabouts of persons who may have been subject to enforced disappearance and introduce prompt and effective procedures to investigate cases of disappearances thoroughly, by independent and impartial bodies (Human Rights Committee, general comment No. 36). Enforced disappearance is a continuing violation until the person's fate and whereabouts are clarified.

Article 7 of the 1992 UN Declaration on the Protection of All Persons from Enforced Disappearance establishes that no circumstance whatsoever, whether a threat of war, a state of war, internal political instability or any other public emergency, may be invoked to justify enforced disappearances. Moreover, the 1992 Declaration sets out the necessary protection to be provided by the State. In particular, it states that no State shall practice, permit or tolerate enforced disappearances (art. 2) and that 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 (art. 3). The Declaration underscores that accurate information on the detention of individuals and their place or places of detention, including transfers, shall be made promptly available to their family members, their counsel (art. 10 (2)). The Declaration requires that all persons deprived of liberty be held in an officially recognised place of detention and be brought promptly before a judicial authority. States should ensure that all those involved in the investigation are protected against ill-treatment, intimidation or reprisal (art 13) and must take any lawful and appropriate action to bring to justice persons presumed to be responsible for acts of enforced disappearance (art. 14). Enforced disappearances also constitute a violation of article 9 (liberty and security of persons) of the ICCPR. If carried out as part of a widespread or systematic attack against any civilian population, enforced disappearance amounts to a crime against humanity. Where disappeared persons are later found dead in circumstances suggesting unlawful killing, this also violates the right to life and, when committed as part of a widespread or systematic attack against any civilian population, may amount to a crime against humanity.

Enforced disappearance in non-international armed conflict also violates international humanitarian law, including the guarantees of common article 3 to the Geneva Conventions, which prohibit arbitrary deprivation of liberty, torture and violence to the life of persons not taking active part in hostilities, and rule 98 of the International Committee of the Red Cross's Customary International Humanitarian Law rules. International humanitarian law prohibits arbitrary deprivation of liberty and requires that all persons detained in connection with an armed conflict be treated humanely, held in recognised places of detention, and registered so that their families may be informed of their whereabouts. The detention of civilians or persons hors de combat in unacknowledged or secret facilities, or without judicial process, violates these protections. rule 117 further provides that each party to the conflict must take all feasible measures to account for persons reported missing as a result of armed conflict and must provide their family members with any information it has on their fate.

Prohibition on torture and cruel, inhuman or degrading treatment or punishment

The absolute prohibition against torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right under international law, codified in article 7, read alone and in conjunction with article 2(3), of the ICCPR and at least

articles 1, 2, 15 and 16 of the CAT. Attached to the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment are obligations to criminalise and investigate all acts of torture or other cruel, inhuman or degrading treatment or punishment, to prosecute suspects, to punish those responsible and to provide remedies to victims.

In line with the principles enshrined in the CAT, States should establish all acts of torture as offences under domestic law (article 4); exercise jurisdiction over said offences (article 5); receive complaints and examine them promptly and impartially (article 13); and investigate those allegations promptly and impartially (article 12). Prosecutors and courts have a duty to refuse evidence obtained, or suspected of having been obtained, through torture or other illicit means (article 15). Victims are to be protected from reprisals or intimidation during said investigations (article 13) and they have an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible (article 14). At no time shall torture be used to extract information or a confession (article 1), and any statement which has been obtained via such methods shall be excluded from any proceedings except against a person accused of torture as evidence that the statement was made (article 15).

The standards of conditions and treatment of persons deprived of their liberty are contained in the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules), which establish that all prisoners shall be treated with dignity and no prisoner shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Similarly, article 10 of the ICCPR requires States to treat all persons deprived of their liberty with humanity and with respect for the inherent dignity of the human person.

Torture, cruel treatment and outrages upon personal dignity are further prohibited in non-international armed conflict under the fundamental guarantees of common article 3 to the four Geneva Conventions of 1949 and customary international humanitarian law. Torture or cruel treatment of civilians or persons hors de combat may also amount to a war crime and, where such acts form part of a widespread or systematic attack against a civilian population, a crime against humanity. International humanitarian law also requires special respect and protection for children, including those detained or otherwise affected by hostilities.

Right to privacy

Article 17(1) of the ICCPR prohibits arbitrary or unlawful interferences with a person's privacy, family, home or correspondence, and unlawful attacks on a person's honour and reputation. Article 17(2) provides that "[e]veryone has the right to the protection of the law against such interference or attacks." Any interference with the right protected under article 17 must be strictly necessary and proportionate in pursuit of a legitimate aim. The Human Rights Committee has emphasized the duty of States "not to engage in interferences inconsistent with article 17 of the Covenant and to provide the legislative framework prohibiting such acts by natural or legal persons" (general comment No. 16, para. 9).

Right to housing and land

Article 11 of the ICESCR guarantees the right to an adequate standard of living, including adequate housing. In its general comment No. 4, the Committee on Economic, Social and Cultural Rights noted that “the right not to be subjected to arbitrary or unlawful interference with one’s privacy, family, home or correspondence constitutes a very important dimension in defining the right to adequate housing” (para. 9). The Committee further noted that “[f]orced eviction and house demolition as a punitive measure are also inconsistent with the norms of the Covenant” (general comment No. 7, para. 12).

In general comment No. 7, the Committee established that if an eviction is to take place, procedural protections are essential, including, among others, genuine consultation, adequate and reasonable notice, alternative accommodation made available in a reasonable time, and provision of legal remedies and legal aid. Under no circumstances should evictions result in homelessness, and the State party must take all appropriate measures to ensure that adequate alternative housing, resettlement or access to productive land, as the case may be, is available to affected individuals, where they are unable to provide for themselves. Notwithstanding the type of tenure, all persons should possess a degree of security of tenure, which guarantees legal protection against forced evictions, harassment and other threats. States parties must ensure, prior to carrying out any evictions, and particularly those involving large groups, that all feasible alternatives are explored in consultation with the affected persons, with a view to avoiding, or at least minimizing, the need to use force. Legal remedies or procedures should be provided to those who are affected by eviction orders. States parties must also guarantee a right to adequate compensation for any property, both personal and real, which is affected. In this regard, we also refer your Excellency’s Government to the Basic principles and guidelines on development-based evictions and displacement (A/HRC/4/18 Annex 1).

The CESCR’s general comment No. 26 on land and economic, social and cultural rights, emphasizes the essential role of land in the realization of a range of rights under ICESCR. The secure and equitable access to, use of and control over land for individuals and communities can be essential to eradicate hunger and poverty and to guarantee the right to an adequate standard of living, including the right to food and to adequate housing, as housing is often built on land used for the purpose of food production. Without such access, people could be subject to displacement and forced eviction, which could violate their right to adequate housing.

The Guiding Principles on Resettlement establish that where desired, possible and safe, all displaced persons have the right to voluntarily return to their homes or places of habitual residence (Guiding Principles on Resettlement, A/HRC/61/43, principle III(5)). When eviction or displacement cannot be avoided, all affected persons have the right to resettlement, without undue delay, that ensures equal or improved living standards, including the right to adequate housing, sustainable livelihoods and cultural cohesion (principle III(6)).

The 2022 report (A/77/190) of the Special Rapporteur on the right to adequate housing advances the concept of “domicide” as “the deliberate destruction of homes, the rendering of homes uninhabitable or any other systematic denial of housing when

such acts are carried out in violation of international law and committed as part of a widespread or systematic attack against any civilian population”. While stressing that the systematic and widespread destruction of housing and civilian infrastructure in conflict may already be prosecuted as a crime against humanity under the Rome Statute of the International Criminal Court (art. 7), the Special Rapporteur called for the recognition of domicile as a standalone crime under international criminal law. He argued that the home should be afforded the same special protection as certain civilian objects in international humanitarian law, such as places of worship, cultural heritage, demilitarized zones and the natural environment.

Right to education

The protection of the right to education during armed conflict is guided by three intersecting bodies of international law: international human rights law, international humanitarian law and international criminal law.

International human rights law affirms education as both a fundamental and an enabling right indispensable for the realization of all other human rights. It is enshrined in article 26 of the Universal Declaration of Human Rights, article 13 of the International Covenant on Economic, Social and Cultural Rights, articles 28 and 29 of the Convention on the Rights of the Child, article 24 of the Convention on the Rights of Persons with Disabilities and article 10 of the Convention on the Elimination of All Forms of Discrimination against Women. Article 38(4) of the Convention on the Rights of the Child provides special protection for children affected by armed conflict.

States must respect, protect and fulfil the right to education by ensuring that education is available, accessible, acceptable and adaptable without discrimination. They must provide free and compulsory primary education as an immediate obligation and progressively realize universal access to secondary and higher education, refraining from measures that undermine access or quality. These obligations remain in force during armed conflict. The Committee on Economic, Social and Cultural Rights has affirmed in general comment No. 3 (1990) that minimum core obligations, including providing basic education, must be fulfilled without delay, and has linked the destruction of schools to violations of economic, social and cultural rights during hostilities. The Committee on the Rights of the Child has recommended that States prioritize rehabilitating school buildings and restoring infrastructure damaged by military occupation. Neither the ICESCR nor the CRC contains a derogation clause allowing suspension of education-related obligations during emergencies.

International human rights law and international humanitarian law operate in a complementary and mutually reinforcing manner during armed conflict.

International humanitarian law protects civilians and civilian objects, including educational facilities, during armed conflict. Parties must distinguish between civilian objects, including schools, and military objectives and comply with the principles of distinction, proportionality and precautions. Parties must take special care to avoid damage to educational buildings and must not seize, destroy or willfully damage them, nor commit theft, pillage or vandalism. Children affected by international or non-international armed conflict are entitled to special respect and protection, including

continued access to education. These obligations apply equally to State armed forces and non-State armed groups.

International criminal law establishes individual responsibility for serious violations affecting education. The Rome Statute criminalizes as war crimes the intentional directing of attacks against buildings dedicated to education in both international and non-international armed conflicts unless they are military objectives. Such attacks may also constitute crimes against humanity, including persecution, when part of a widespread or systematic attack against a civilian population, and may contribute to the crime of genocide where undertaken with the intent to destroy, in whole or in part, a protected group.

As detailed in the 2025 report of the Special Rapporteur on the right to education in armed conflict (A/80/479), education is a life-saving right and a strategic investment in peace. Safe and continuous access to education protects children from recruitment and use by armed forces and groups, child labour, exploitation, early and forced marriage, sexual violence and other abuses. It supports psychosocial recovery, restores a sense of normalcy and builds skills essential for long-term peace and reconstruction. Schools and learning spaces serve as protective environments and key entry points for identifying vulnerable children and connecting them to essential services.

Safeguarding education requires proactive, risk-informed planning, contingency measures and protection of educational facilities and personnel from attack and military use, in accordance with international humanitarian law. Particular attention must be given to girls, displaced children, children with disabilities and other vulnerable groups at heightened risk of exclusion.

Rights of internally displaced persons

The 1998 Guiding Principles on Internal Displacement affirm the primary duty and responsibility of national authorities to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction (principle 3). Every human being has the right to be protected against arbitrary displacement from their home or place of habitual residence, including in situations of armed conflict, unless the security of civilians involved or imperative military reasons so demand (principle 6). Authorities are obliged to explore all feasible alternatives to displacement prior to any decision requiring the displacement of persons, and where such displacement is unavoidable, measures should be taken to minimize displacement and its adverse effects and the authorities responsible should ensure that proper accommodation is provided to the displaced persons and that such displacements are effected in satisfactory conditions of safety, nutrition, health and hygiene, without separating members of the same family (principle 7(1-2)).

If displacement occurs in situations other than during the emergency stages of armed conflicts or disasters, adequate measures should be taken to guarantee those to be displaced full information on the reasons and procedures for their displacement, their free and informed consent should be sought, and the right to an effective remedy shall be respected (principle 7(3)). Displacement shall not be carried out in a manner that violates the rights to life, dignity, liberty and security of those affected (principle 8) and States are under a particular obligation to protect against the displacement of Indigenous

Peoples, minorities, peasants, pastoralists and other groups with a special dependency on and attachment to their lands (principle 9).

The Guiding Principles further specify that attacks or other acts of violence against internally displaced persons who do not or no longer participate in hostilities are prohibited in all circumstances (principle 10(2)) and that internally displaced persons shall be protected from arbitrary arrest and detention as a result of their displacement (principle 12(3)). All internally displaced persons have the right to an adequate standard of living, and at a minimum, competent authorities shall ensure safe access to essential food and potable water, basic shelter and housing, appropriate clothing, and essential medical services and sanitation (principle 18). All wounded and sick internally displaced persons should receive to the fullest extent practicable and with the least possible delay, the medical care and attention they require (principle 19). The property and possessions of internally displaced persons shall in all circumstances be protected, including from direct or indiscriminate attacks or other acts of violence, being destroyed or appropriated as a form of collective punishment, and should be protected against destruction and arbitrary and illegal appropriation, occupation, or use (principle 21).

National authorities bear the primary duty and responsibility for providing humanitarian assistance to internally displaced persons (principle 25) and competent authorities also have the primary duty and responsibility to establish conditions as well as provide the means which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country (principle 28).

Right to freedom of movement

Any restriction to the right to liberty of movement and the freedom to leave any country, including his/her own must be compatible with paragraph 3 of article 12 of the ICCPR, which establishes that restrictions are only acceptable if they are provided by law, are necessary to protect national security, public order (*ordre public*), public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the ICCPR.

Right to freedom of expression, including access to information

Article 19 of the ICCPR guarantees the right to freedom of opinion and the right to freedom of expression, which includes the right “to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media”. This right applies online as well as offline, and includes not only the exchange of information that is favourable, but also that which may criticize, shock, or offend. In general comment No. 34, the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of expression, including “political discourse, commentary on one’s own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse” (para. 11). The Committee further noted that States parties to the ICCPR “shall put in place effective measures to protect against attacks aimed at silencing those who exercise their right to freedom of expression” (para. 23).

Any restriction on the right to freedom of expression must be compatible with the requirements set out in article 19(3) of the ICCPR. Restrictions must (i) be provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and (iii) be necessary and proportionate for those objectives. To be provided by law, a restriction must be formulated with sufficient precision to enable individuals to regulate their conduct accordingly, must not confer unfettered discretion, and must provide sufficient guidance to those charged with their execution to enable them to ascertain what sorts of expression are properly restricted and what sorts are not (para. 25). The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant, proving “in specific and individualized fashion the precise nature of the threat, and the necessity and proportionality of the specific action taken, in particular by establishing a direct and immediate connection between the expression and the threat” (general comment No. 34, para. 35). The relation between right and restriction and between norm and exception must not be reversed. A restriction must be “the least intrusive instrument among those which might achieve their protective function” (para. 34). Any restriction on expression or information that a government seeks to justify on grounds of national security and counter-terrorism must have the genuine purpose and demonstrable effect of protecting a legitimate national security interest (general comment No. 34).

Rights of children

The Convention on the Rights of the Child similarly protects the rights of children, including the rights to be free from unlawful or arbitrary detention and from torture or other cruel, inhuman or degrading treatment or punishment and to be treated with humanity and respect for the inherent dignity of the human person, in a manner which takes into account the needs of persons of the individual’s age (article 37); to a fair trial and due process (article 40); to freedom of expression (article 13); and to freedom of peaceful assembly and association (article 15). In all actions concerning children, the best interests of the child must always be the primary consideration, as set forth in article 3. As noted by the Human Rights Committee: “[c]hildren should not be deprived of liberty, except as a measure of last resort and for the shortest appropriate period of time, taking into account their best interests as a primary consideration with regard to the duration and conditions of detention” (general comment No. 35, para. 18).

Rights of Indigenous Peoples, cultural rights and non-discrimination

The UN Declaration on the Rights of Indigenous Peoples (‘UNDRIP’) relevantly provides for the right of Indigenous Peoples to be free from violence (art. 7) and forced assimilation or destruction of culture, and redress for violations, including dispossession from lands, territories and resources, forced population transfer, or discriminatory propaganda (art. 8). In relation to lands and resources, UNDRIP guarantees Indigenous Peoples the right to the territories and resources that they traditionally owned, occupied or used or acquired, to own, use, develop and control these, and to have these legally recognized by the state (art. 26). Indigenous Peoples must not be forcibly removed from their lands or territories and relocation requires their free, prior and informed consent after agreement on just and fair compensation and where possible with the option of return (art. 10). Where their lands or territories have been confiscated, taken, occupied, used or damaged’ without such free, prior and

informed consent, Indigenous Peoples are entitled to redress, including restitution, equal replacement and compensation (art. 28).

Article 27 of the ICCPR protects the right of everyone to enjoy his or her own culture and article 15 of the ICESCR, guarantees the right to take part in cultural life. As the Committee on Economic, Social and Cultural Rights makes clear in its general comment No. 21, States must adopt appropriate measures or programmes to support minorities or other groups in their efforts to preserve their culture (para. 52(f)), and must obtain their free, prior and informed consent when the preservation of their cultural resources is at risk (para. 55). In the case of Indigenous Peoples, cultural life has a strong communal dimension that is indispensable to their existence, well-being and full development, and includes the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired. The Committee has stressed that “indigenous peoples’ cultural values and rights associated with their ancestral lands and their relationship with nature must be respected and protected, in order to avoid the degradation of their particular way of life, including their means of subsistence, the loss of their natural resources and, ultimately, their cultural identity”.

Article 2 of the ICCPR requires that States respect and ensure to all individuals within their territory and jurisdiction the rights protected under the Covenant without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Article 26 of the ICCPR further provides that all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. It requires that the law “prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

Derogation in public emergency

Even during a state of emergency, States may temporarily derogate from certain rights in times of a public emergency that threatens the life of the nation, but only under strict conditions outlined by the Human Rights Committee in general comment No. 29. Derogations under article 4 must be exceptional, temporary, and invoked only when: (i) the situation within a State amounts to a public emergency which threatens the life of the nation; and (ii) when the State party has officially declared a state of emergency. In addition, all derogation measures must adhere to principles of necessity and proportionality (including using the least intrusive means possible to address the emergency), specifically regarding the duration and geographical scope of the emergency and the nature and extent of the derogating measures. Additionally, the State must fully respect its other international obligations, including the non-derogable rights and “indispensable judicial guarantees” protected by the ICCPR. All measures must also be non-discriminatory.

International humanitarian law

In addition to the rules of international humanitarian law addressed in other sections of this annex, in relation to the conduct of hostilities, international humanitarian law requires the parties to an armed conflict to always distinguish between civilians and combatants, and between civilian objects and military objectives, and

direct their operations only against military objectives under the principle of distinction. Indiscriminate attacks are prohibited. The principle of proportionality prohibits attacks that may be expected to cause incidental loss of civilian life, injury to civilians, or damage to civilian objects, which would be excessive in relation to the concrete and direct military advantage anticipated.

Killings resulting from a direct attack against a civilian (rule 1), from an indiscriminate attack (rule 11) and from an attack against military objectives causing excessive loss of civilian life (rule 14), are all prohibited. ICRC Customary IHL rule 20 provides that “Each party to the conflict must give effective advance warning of attacks which may affect the civilian population, unless circumstances do not permit”. This rule reaffirms the principle of precaution in attack, mandating that warring parties adopt all feasible measures to avoid or minimize harm to civilians and civilian objects (rule 15). Further, “[e]ach party to the conflict must, to the extent feasible, avoid locating military objectives within or near densely populated areas” (rule 23).

ICRC Customary IHL rules 109-111 obligates parties to armed conflict to respect and protect the wounded, the sick, and those caring for them. Rules 25-32 require respect and protection for medical and humanitarian personnel, facilities, and units, which must not be attacked or hindered from performing their humanitarian functions.

Respect for international law while countering terrorism

Many resolutions of the United Nations General Assembly, Security Council and Human Rights Council reaffirm that any measures taken to combat terrorism and violent extremism must comply with the obligations of States under international law, in particular international human rights law, refugee law and international humanitarian law.² Counter-terrorism measures must conform to fundamental requirements of legality, legitimate aim, necessity, proportionality, and non-discrimination. Disregard for these principles can have exceptionally harmful effects on the protection of fundamental rights, particularly for minorities, historically marginalized communities, and civil society. States must ensure that measures to combat terrorism do not hinder the work and safety of individuals, groups and organs of society engaged in promoting and defending human rights (A/HRC/RES/22/6, para. 10(a)).

Although no universal treaty generally defines “terrorism”, States should ensure that counter-terrorism legislation is limited to criminalizing conduct which is properly and precisely defined on the basis of the international counter-terrorism instruments,³ the General Assembly’s Declaration on Measures to Eliminate International Terrorism (1994), and Security Council resolution 1566 (2004). Based on these authoritative sources, the 2026 revised model definition of terrorism advanced by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism provides clear, “best practice” guidance, by identifying conduct that is genuinely terrorist in nature and precisely defining the elements (A/HRC/16/51, para. 28 and A/HRC/61/52).

² Security Council resolutions 1373 (2001), 1456 (2003), 1566 (2004), 1624 (2005), 2178 (2014), 2242 (2015), 2341 (2017), 2354 (2017), 2368 (2017), 2370 (2017), 2395 (2017) and 2396 (2017); Human Rights Council resolution 35/34; and General Assembly resolutions 49/60, 51/210, 72/123 and 72/180, among others

³ See https://treaties.un.org/Pages/DB.aspx?path=DB/studies/page2_en.xml.

The principle of legality under article 15(1) of the ICCPR requires that criminal laws are sufficiently precise so that it is clear what types of behaviour constitute a criminal offence and what would be the legal consequences. This principle seeks to prevent ill-defined and/or overly broad laws which are open to arbitrary application and abuse, including targeting civil society on political or other unjustified grounds (A/70/371, para. 46(b)) and suppress the exercise of fundamental rights and freedoms (A/HRC/40/52).