

Medical Negligence in Prisons Extends Beyond Execution



Prisoners in Egypt's prisons and detention centers endure a range of serious violations, and the severity of these issues has increased in recent years. Although there are clear constitutional and legal provisions—particularly the Prisons Law and its executive regulations—that acknowledge prisoners' right to medical care, the reality is that the care provided does not meet the necessary standards to ensure that prisoners in Egypt receive adequate care without discrimination.

Legal Regulation of the Right to Treatment in Egyptian Law:

Article 18 of the Egyptian Constitution states, "Every citizen has the right to health and comprehensive healthcare in accordance with quality standards. The State shall guarantee the preservation and support of public health facilities that provide services to the people and shall work to improve their efficiency. The State shall commit to establishing a comprehensive health insurance system for all Egyptians that covers all diseases and shall criminalize the refusal to provide treatment in its various forms to any person in cases of emergency or danger to life. All health facilities, products, materials, and health-related advertising media shall be subject to state oversight by the law."

Articles 33 to 37 of Prisons Regulation Law No. 396 of 1956, as amended by Law No. 106 of 2015, also address the regulation of prisoners' health conditions.

Article 33 states: "In every non-central prison or jail, there shall be one or more doctors, one of whom shall be a resident and responsible for health-related duties in accordance with the internal regulations."

Article 33 bis states: "Government and university medical facilities are required to treat prisoners referred to them

from prisons for medical care, according to the regulations and conditions established by a decision made by the Ministers of Health and Higher Education in coordination with the Minister of Interior.”

Article 36 states, “Any convict whom a physician finds to be suffering from a life-threatening or completely incapacitating illness shall be referred to the Director of the Prisons Medical Department for examination, alongside the forensic physician, for consideration of his release. The release decision shall be implemented after receiving the approval of both the Director General of Prisons and the Public Prosecutor. The relevant administrative and prosecutorial authorities shall be notified accordingly.”

Article (37) states the following: “If the condition of a sick prisoner reaches a critical level, the prison administration must promptly notify the administrative authority in whose jurisdiction he resides, so that they may be notified immediately, and they shall be authorized to visit him.”

However, these provisions are not implemented as required and mandated, leading to blatant violations against detainees, not only of the law but also of fundamental human rights. These violations differ from one prison to another, from one officer to another, and vary over time. The most significant of these abuses include torture, isolation, solitary confinement, denial of medication, and medical neglect. Given the severity of these violations, conditions have deteriorated, resulting in a significant number of deaths.

The number of deaths in prisons has risen to 922, surpassing the number of executions.

Among the most notable deaths in Egyptian prisons is former President Mohamed Morsi, who passed away on June 17, 2019. During his trial, he claimed in court that he faced numerous violations and inadequate care, especially regarding medical treatment. He was denied the treatment recommended for his health issues, which ultimately led to his death. Many prominent individuals have also died in prisons and detention centers.

| Year of Imprisonment | Name | Age/Occupation | Cause of Death | Date of Death |
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| 2013 | Abu Zaabal Prison Area: | Mansour Abdel Tawab Abbas, 36–60 years old / Political Activist. | Torture, Poor Detention Conditions. | August 18, 2013 |
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| 2014 | Shibin El Kom Prison: | Dr. Tarek El Ghandour, 36–60 years old / Physician and University Professor. | Denied Healthcare. | November 12, 2014 |
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| 2015 | Scorpion: | Marjan Mustafa Salem, 36–60 years old / Political Activist. | Denied Healthcare. | August 5, 2015 |
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| 2017 | Scorpion: | Mohamed Mahdi Akef, Elderly / Former Supreme Guide of the Muslim Brotherhood. | Denied Healthcare. | September 22, 2017 |
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| 2019 | Scorpion: | Dr. Mohamed Morsi Issa El Ayat, Elderly / Former President. | Denied Healthcare, Poor Detention Conditions. | June 17, 2019 |
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| 2020 | Scorpion: | Dr. Essam El-Erian, Elderly/Doctor and Member of the People's Assembly and Shura Council, | Poor Detention Conditions. | 8/13/2020 |
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