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Ambassador Mokhless Kotb  
Secretary General  
National Council for Human Rights

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### **HIV-Arrests**

Ambassador,

Since October 2007 Egyptian police have launched a **series of arrests in Cairo of people they suspect are HIV-positive**. As a result, 12 men have so far been subjected to criminal prosecution. In two separate trials in January and April 2008, nine of the men received prison sentences of one to three years following conviction on charges of "habitual debauchery", the basis of which was an assumption about their sexual orientation on the basis of their HIV status. The sentences were upheld on appeal. All the men have denied the charges against them. Five of them are HIV-positive and were held in hospital chained to their beds for weeks or even months. Allegations of torture and ill-treatment involving police and medical professionals during the pre-trial detention of the 12 men have not been investigated. Most of the men were subjected to forced anal examinations and HIV testing without their consent. Some were beaten. The nine convicted men are now serving their sentences in prison; three others have been released without charge.

Such criminalization is discriminatory and contrary to Egypt's obligations under the International Covenant on Civil and Political Rights (ICCPR), which protects the rights to privacy (article 17), freedom of conscience (article 18) and freedom of expression (article 19).

**The nine men currently serving their prison sentences have to be considered prisoners of conscience who should be released immediately and unconditionally. I am therefore urging you to:**

- Investigate promptly, comprehensively and impartially allegations that these detainees were ill-treated by police, other law enforcement personnel or doctors, and hold to account those individuals responsible for such abuses,
- Stop arbitrary arrests based on HIV status.
- Stop testing detainees for HIV without their informed consent.
- Implement promptly the recommendations of the UN Human Rights Committee, including the recommendation to remove criminal sanctions against private sexual relations between consenting adults.
- End the practice of considering people living with HIV as criminals and linking HIV status and possible sexual orientation or behavior.

Yours sincerely

Date : \_\_\_\_\_, place : \_\_\_\_\_ : Signature \_\_\_\_\_

**Copy to: Embassy of Egypt in Switzerland, fax 031/352 06 25**