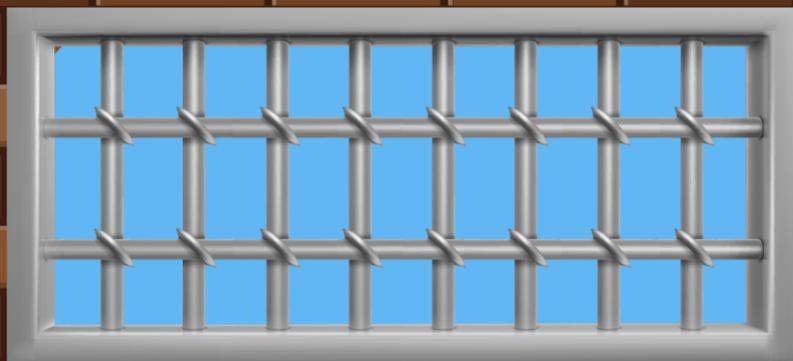


**RED, GREEN . . .  
GRAPES, DO THEY POSE A THREAT  
TO NATIONAL SECURITY?  
ABOUT THE PRISON AUTHORITIES' INTRANSIGENCE  
IN DELIVERING FOOD TO PRISON**



**Red, Green...**

**Grapes, do they pose a threat to national security?**

**About the prison authorities' intransigence in delivering food to prisoners**

**Prelude:**

"...They refused to take cumin and thyme, but this is not the first time. They finally decided they cannot allow us to bring two types of fruit, so I have to choose: mangoes or grapes? In general, this somehow may seem more logical than the last time when they asked me to choose between letting in either the olive oil or the honey!!! (1),

Dr. Laila Soueif said on 4 August 2020 after visiting her son, prisoner of conscience Alaa Abdel Fattah, who is being held in Tora Prison.

We looked into the Egyptian 2014 Constitution, which was approved by over 98% of those who participated in the referendum, but we didn't find anything that prevents the entry of grapes or mangoes to prisoners.

We also looked into Egypt's prisons laws, whether Law No. 396 of 1956 on prison regulations or Law No. 106 of 2015, but we didn't find any provision that prevents the families of pretrial detainees/prisoners from bringing grapes or mangoes to their relatives.

Maybe the 2014 Constitution, as well as the Prisons Law that was passed in 1956 and its amendments issued in 2015, are not keeping up with the risks posed to national security as a result of delivering grapes and mangoes to prisoners, so they made no provision for the ban of such kinds of food. National security indeed deserves making some little sacrifices.

But complaints about the denial of other kinds of foods, such as cumin, thyme, taro, molokhia, okra and sweet potatoes, have been on the rise!!

Therefore, the matter is not, in most cases, related to national security. There must be other reasons, so what are they?!

Let's read the testimonies of the families of some prisoners of conscience about the prison administration's refusal to let in some kinds of food from them to give to their detained relatives.

**The family of Alaa Abdel-Fattah:**

From the family of late human rights lawyer Saif al-Islam Hamad, his son Alaa Abdel-Fattah was detained, and later his younger sister Sanaa Saif. Let us put aside the word "detained" and, rather, say that Alaa was arrested shortly before his sister (Sanaa), and they both were held in custody on remand in a way that is worse than detention.

While university Professor Dr. Laila Soueif, Alaa's mother, was trying to visit her son in prison to check that he is fine, after he was arrested for the second time in 2019 after spending five years behind bars,

she wrote on the 4<sup>th</sup> of August 2020:

"I just came back from Tora Prison. They took the letter from me, but they didn't give me one. I'll wait till next week to see what will happen before I go into a quarrel with them once more. Other than that, they took most of the stuff, while showing some idiocy as they refused to take wipes, cumin and thyme, but this was not the first time. They finally decided not to take two types of fruit, so I had to choose between mangoes and grapes. Overall, it somehow may seem more logical than last time when they asked me to choose between olive oil and honey!!! (2).

### **The family of Ziyad El-Eliemy:**

Former lawyer and parliamentarian Ziyad El-Eliemy has been held in pretrial detention since the summer of 2019 pending the case known in the media as the "Hope detainees", in which he is charged with joining what the authorities called "the cell of hope". Being a lawyer and former MP, El-Eliemy was hoping to run in the parliamentary elections, so the authorities arrested him along with a large group of citizens accusing them all of supporting terrorism!

El-Eliemy suffers from blood pressure diseases and diabetes, in addition to having a weak immune system. Nevertheless, he always encounters intransigence by the authorities in delivering medication to him.

On 3 September 2019, journalist Ekram Youssef, El-Eliemy's mother wrote:

"As usual, we ran into the absurdities of food inspection! This time, they totally refused to take the diabetes-friendly toast/bread. Every time they refused at first but after some supplication, they let some in and returned the rest!! Besides food, I brought kiwis and apples to avoid rejection that is based on the pretext that the "fruits are with seeds or pits"!! (3)

The Egyptian authorities didn't, however, explain the danger posed by a fruit with seeds, as Ms. Ekram Youssef wrote on August 29, 2019:

"The food inspection, as usual, has no logic or standard. Today, they wanted to return the fried potatoes (Don't ask me why), and they told me that I have to remove the seeds from the fruit before bringing it. I brought peach and plum; since they are good for diabetics and for my son, and I told them that I used to bring it since the beginning of the season. But they replied that they would let it go this time, but they would only deliver half of the quantity, which is one and a half kilos of peaches and another 1.5 Kg of plums, so that it would be enough for the three individuals in the cell. They also refused to take the toast that is more beneficial for diabetic people!!" (4).

Ekram went on to say:

"I told Ziyad, more than a month ago, that I brought him a fan. Hossam Moanis' mother spared no effort trying to let the prison authorities deliver it to him. She got all the papers needed, but to no avail. I also told him that I want to bring them a small refrigerator as the food goes bad, but he told me to wait until they let the fan in first. Ziyad also said to the officer: For a month I didn't want to tell my family that the medication is ruined due to the high temperature, and the pills get pulverized and moist!! Ziyad, who suffers from 6 diseases, the slightest of which is blood pressure and diabetes, had been taking ineffective pills for a whole month!! Allah is sufficient for us, and he is the best disposer of affairs!! Oh

God, your justice and your vengeance!!

So, in order to preserve national security, public security, and social peace, Mrs. Ekram Youssef has to choose fruit without seeds in every visit she makes to her son, and if- God forbids- she buys for her son fruit with seeds, she has to spend the whole night trying to extract the seeds from the piece of fruit, as Egypt's security is above everything. Nonetheless, Ekram Youssef wrote in August 2020: "They took the food but refused to take the fruit, even after I cut it off and removed the seeds, they also refused to take the food of the other people alleging that the prison is on high security alert and inspection. There are also no letters." (5)

### **The family of Ramy Shaath:**

In August 2019, Palestinian politician Ramy Al-Shaath was arrested. He faced the same ready-made accusations pressed against all political detainees, such as "cooperating with a banned group and spreading false news", and of course, the authorities didn't determine what this banned group is or what they mean by false news that they claim he published.

In August 2020, Randa Shaath, Ramy's sister, posted on "Free Ramy Shaath" Facebook page a message after her weekly journey to the prison. The message reads:

"The prison gates usually open at 10am. Today, though hot and humid, they only opened at 11. When my turn came, a new officer was in charge. The employees who search the food and refused to let in all the fruits. I had brought bananas mangoes and grapes. They also refused to take the cake I had made for him. They also refused to take the book I brought him. They took the grilled chicken, cooked vegetables and fresh vegetables, as well as cigarettes. I implored them to let in the fruits, but they refused. Through my tears that started pouring, I asked for the promised letter, but that too didn't exist. I have not seen my brother for 5 months as we are deprived of visits. They didn't even respond to our simplest demands; we only want a letter from Ramy to make sure he is fine."

What Mrs. Randa narrates raises questions, because the cake, for sure, doesn't contain seeds... even if it were a date cake; we usually remove seeds from the dates if we use it in a cake!

### **The family of Walid Shawky:**

Walid Shawky is a dentist who has been detained "scratch out detained" held in remand detention since October 2018 pending Case No.621 of 2018.

His wife says in a long message published on "Darb" website:

"There has been no way to communicate with Walid since the outbreak of the coronavirus, and when I ask for a letter, the answer is "Okay, maybe next time". Entering food following the coronavirus has become "very difficult", delivering medicine has also become very difficult. They banned mango and in Ramadan, they banned dates.

### **The family of Kamal al-Balshi:**

Kamal al-Balshi is an Egyptian young man who works in the field of tourism and has nothing to do with politics, but because he is the brother of prominent journalist Khaled al-Balshi, he was arrested.

In September 2020, Kamal al-Balshi was stopped by a police officer at Downtown Cairo while he was heading to his brother's place where he resides. After letting him go, the officer who stopped him realized that he is Khaled al-Balshi's brother, so he re-arrested him. He was then added to the Case No. 880 of 2020, known in the media as "September 20 incidents", in which he is accused of protesting, spreading false news, joining a terrorist group, and misusing social media, based on an investigation memo that constitutes nothing more than a mere unsubstantiated statement without evidence. He was then transferred to Tora Prison.

In a message sent by journalist Khaled al-Balshi to the Arabic Network for Human Rights Information (ANHRI), he wrote:

"They banned all kinds of vegetables. They banned a certain type of fruit which is guava, while they allowed another type which is apple, even though they allowed the first type for another person. They allowed the entry of one set of clothes, although Kamal has been held behind bars for two months. They banned all types of roumi cheese, Istanbul cheese and feta, as well as beef luncheon meats, and dry baked food such as fayish (crunchy baked pâté) and ajwa (dates).

They returned the detergent, and they also banned sanitizer and paper towels in spite of the coronavirus pandemic.

We were keen to prepare for it before the prison visit. Abdul Sattar and I took a long time to ask about what is allowed and what is banned, what I should bring and what I shouldn't. We prepared the required clothes and vegetables (tomatoes, cucumbers, peppers and lemons) a kilo each, in addition to fruit (apples and guava) and roumi cheese, Istanbul cheese, honey, meat, rice, toiletries, disinfectant for the coronavirus, and toilet paper. All the aforementioned items got rejected except the meat, apples, and lemons, one set of clothes, and part of the toiletries, while the sanitizer and tissue paper were given back, even the white Crocs that some detainees told us to bring was also rejected, saying "we only allow one finger slippers".

### **The legal view:**

Article 16 of the Prisons Law No. 396 of 1956 stipulates that:

"Persons in preventive custody may bring the food they need from outside the prison or buy it in the prison at the specified price. If they do not so want or can, they shall receive the determined food".

This article hasn't been amended, and the law did not give the prison director or his officers the room to encroach on it. This means that pretrial detainees have the right, without restrictions, to bring in any food from outside. Food is food, regardless of what it is.

In spite of this right that is prescribed by law, the executive authority is abusing it, on the pretext of "maintaining national and public security", to the extent that the arbitrariness has reached the banning of the entry of medicines, fruits, books or clothes, inasmuch as detainees' families made fun of the matter saying that "watermelons are a threat to national security".

Why have the entry or the delivery of food in prison become prohibited in violation of the law?

Although the law made it clear that those held in pretrial detention are entitled to bring the food they

need from outside prison, we try to deduce the possible reasons for the prison authorities preventing some foods from being delivered to detainees, and we found three plausible reasons:

**The first reason: the threat to national security:**

Do some foods pose a threat to national security?

Of course, the Ministry of Interior, with which the prison administration is affiliated, did not literally admit or declare that. But the repetition of the sentence that accompanies the ban "the prison administration refused", which is always uttered by every mother, sister, father, or son in the beginning of their remarks and messages, after returning from their prison visits to their relatives, is not understandable, and may seem laughable sometimes.

But the authorities never declare that. It is really laughable and ironic that grapes, mangoes, thyme, or taro are a threat to public security.

**The second reason: profits from trading with prisoners:**

Investment and seeking profit from prisoners through the prison's canteens or stores, which are now selling goods to prisoners at prices more expensive and higher than those outside (as some former prisoners recall), might be another reason for the ban of the entry of food.

But this means that the Ministry of Interior profits by exploiting the suffering of inmates and seeks profit at the expense of their freedoms. Besides, prison stores or canteen do not contain many of the goods that the prisoners' families bring from outside.

However, we are not inclined towards this reason. And despite all our bad experiences with the Ministry of the Interior, we do not think it has sunk to such a disrespectable level.

**The third reason: cracking down on pretrial detainees:**

ANHRI is inclined to believe that this is reason; as it is consistent with the harsh police practices not only against pretrial detainees but also political prisoners, as well as every critic or opponent, especially in the absence of other reasons.

**Conclusion**

We have many testimonies from the families of detainees about the prison administration's refusal to bring in fruit, medication, and books to their relatives- including one about the authorities' refusal to take a "whole chicken" deciding that half a chicken is enough! The authorities' haven't yet explained the reason behind this. And if we add to such arbitrary and unlawful ban the complaints of many prisoners that they are deprived of exercising, communicating or telephoning their families, receiving books, not to mention the denial of necessary medical care, then we are facing an illegal state of collective punishment that requires the intervention of the Public Prosecutor! So will he intervene?

We did not include all the testimonies made by the prisoners' families because they are afraid. Such justifiable fear comes as a result of the illogical measures taken by the prison administration together with the feeling of that administration that such acts will go unpunished; in the absence of the role of

the Public Prosecution that remains silent towards the message of "spreading fear".

This may be the only logical explanation for the illogical behavior of the security bodies.

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Footnotes:

(1) The official Facebook account of Dr. Laila Soueif. Posted on August 4, 2020- Last accessed on: August 27, 2020

<https://www.facebook.com/548240994/posts/10158186409015995/?extid=9N5KY8Q4iYbfH47d&d=n>

(2) The official Facebook account of Dr. Laila Soueif. Posted on August 4, 2020- Last accessed on: August 27, 2020

<https://www.facebook.com/548240994/posts/10158186409015995/?extid=9N5KY8Q4iYbfH47d&d=n>

(3) The official Facebook account of Ekram Youssef, mother of Ziyad El-Eliemy. Posted on September 9, 2020- Last accessed on: August 2020

<https://www.facebook.com/ekram.yousef.77/posts/10156142943516331>

(4) The previous source

(5) The previous source