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Freedom House

Freedom in the World 2020 - Egypt

NOT FREE

21 / 100

Political Rights (<https://freedomhouse.org/country/egypt/freedom-world/2020#PR>) 7 / 40

Civil Liberties (<https://freedomhouse.org/country/egypt/freedom-world/2020#CL>) 14 / 60

LAST YEAR'S SCORE & STATUS

22 / 100 Not Free

Global freedom statuses are calculated on a weighted scale. See the methodology. (<https://freedomhouse.org/reports/freedom-world/freedom-world-research-methodology>)

Overview

President Abdel Fattah al-Sisi, who first took power in a 2013 coup, has governed Egypt in an increasingly authoritarian manner. Meaningful political opposition is virtually nonexistent, as expressions of dissent can draw criminal prosecution and imprisonment. Civil liberties, including press freedom and freedom of assembly, are tightly restricted. Security forces engage in human rights abuses with impunity, and physical security is further undermined by terrorist violence centered in the Sinai Peninsula.

Key Developments in 2019

- Constitutional amendments that were adopted in a tightly controlled referendum in April further concentrated power in the hands of President Sisi and authorized him to remain in office until 2030. The amendments also undermined the independence of the judiciary and strengthened the military's role in civilian governance.
- In September, small protests broke out in several cities to express opposition to the regime's corruption and economic mismanagement. In response, the authorities detained thousands of people and censored online speech.

Political Rights

A Electoral Process

A1 0-4 pts

**Was the current head of government or other chief national authority 0 /
elected through free and fair elections? 4**

The president is elected by popular vote for up to two terms. Sisi, who originally seized power in 2013 while serving as Egypt's defense minister and armed forces commander, won election in 2014 and reelection in 2018 with 97 percent of the vote. The balloting did not offer voters a genuine choice. In 2018, legitimate opposition candidates were pressured to withdraw, and Sisi ultimately faced an approved challenger, Mousa Mostafa Mousa of the loyal opposition party Al-Ghad, who had campaigned on the president's behalf before entering the race. The vote was also marred by low turnout, the use of state resources and media to support Sisi's candidacy, voter intimidation, and vote buying. The electoral commission threatened nonvoters with fines in an attempt to increase participation.

The 2019 constitutional amendments added two years to Sisi's current term, extending it through 2024, at which point he would be allowed to seek an additional six-year term.

A2 0-4 pts

**Were the current national legislative representatives elected through free 1 /
and fair elections? 4**

The 2019 amendments to the constitution reestablished the Egyptian parliament as a bicameral body. The upper house, formerly called the Shura Council, was abolished by the 2014 constitution. Under the amendments, it was restored as a 180-member Senate. Members will serve five-year terms, with two-thirds elected and one-third appointed by the president. The amendments reduced the number of seats in the House of Representatives from 596 to 450. Elections for both chambers were scheduled for 2020.

The last elections for the House of Representatives took place in two stages in 2015. They featured low turnout, intimidation, and abuse of state resources. The progovernment coalition For the Love of Egypt, consisting of some 10 parties, won all 120 bloc-vote seats. Independents, a number of whom were aligned with the coalition, won 351 of the 448 constituency seats, and the coalition parties' candidates generally outpolled their rivals in the remaining districts. Just three parties outside For the Love of Egypt won more than 10 seats. Many parties—including moderate Islamist parties and liberal and leftist factions—boycotted the elections and voiced serious reservations about their fairness, accusing security forces of harassment and intimidation. In 2016, the parties associated with For the Love of Egypt formed a parliamentary bloc, In Support of Egypt, which controlled a majority of the chamber.

Elections for local councils, called for in the 2014 constitution, had yet to be held as of 2019. The last councils were elected in 2008 and dissolved in 2011 after the ouster of longtime authoritarian president Hosni Mubarak. Since 2011, government-appointed officials have controlled local governance.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented 1 / impartially by the relevant election management bodies? 4

The 2014 constitution was not drafted in a fair or transparent manner, and the referendum through which it was adopted was tightly controlled, with little opportunity for public debate or an opposition campaign. The drafting and passage of the 2019 constitutional amendments featured direct intervention by leaders of the General Intelligence Directorate, known as the Mukhabarat, including Deputy Director Mahmoud al-Sisi, the president's son. The April 2019 referendum, held over three days, was marred by reports of vote buying and other irregularities, and no organized opposition was permitted to challenge the well-resourced "yes" campaign. Nearly 89 percent of participants backed the amendments, according to official results.

While the electoral laws themselves provide some basis for credible elections, electoral authorities largely fail in practice to ensure an open and competitive campaign environment. In 2017, Sisi signed a law creating the National Electoral Commission (NEC), as envisioned in the 2014 constitution. The commission's board consists of senior judges drawn from some of Egypt's highest courts to serve six-year terms. However, the NEC legislation phases out direct judicial supervision of elections by 2024, which critics argue will damage the integrity of elections and reduce public trust in the results.

B Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free 0 / of undue obstacles to the rise and fall of these competing parties or 4 groupings?

Political parties are legally allowed to form and operate if they meet membership thresholds, pay fees, and comply with other requirements. However, in practice there are no political parties that offer meaningful opposition to the incumbent leadership.

Parties formed on the basis of religion are forbidden. While some Islamist parties still operate in a precarious legal position, the Muslim Brotherhood was outlawed in 2013 as a terrorist organization, and its political party, the Freedom and Justice Party (FJP), was banned. Since then, authorities have systematically persecuted its members and supporters. Former president Mohamed Morsi, who was overthrown in the 2013 coup, died in a Cairo courtroom while on trial in June 2019; like many other prisoners, he had been denied medical care and otherwise mistreated during his years in custody. Muslim Brotherhood leader Mohamed Badie has received multiple sentences of life in prison and death sentences on various charges since 2013.

Activists, parties, and political movements that criticize the government continued to face arrests, harsh prison terms, death sentences, extrajudicial violence, and other forms of pressure during 2019. Following a series of small protests in September 2019, the regime carried out thousands of arrests, targeting not only protesters but also political activists and politicians, among others.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections? **0 / 4**

The persecution of Sisi's potential challengers in the 2018 presidential election and of political activists throughout 2019 illustrated the regime's determination to eliminate any opportunity for a peaceful change in leadership. By tightly controlling the electoral process, intimidating presidential candidates into withdrawing, and denying credible opposition parties the space to function effectively, the government makes it nearly impossible for the opposition to gain power through elections. The extension of presidential term lengths and limits in 2019 only exacerbated the problem.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? **1 / 4**

Since the 2013 coup, the military has dominated the political system, with most power and patronage flowing from Sisi and his allies in the armed forces and security agencies. Most of Egypt's provincial governors are former military or police commanders. The vaguely worded 2019 constitutional amendments further strengthened the legal underpinnings of the military's political influence, calling on it to "protect the constitution and democracy, and safeguard the basic components of the state and its civilian nature, and the people's gains, and individual rights and freedoms."

B4 0-4 pts

Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? **2 / 4**

The constitution and Egyptian laws grant political rights to all citizens regardless of religion, gender, race, ethnicity, or any other such distinction. However, women, Christians, Shiite Muslims, people of color, and LGBT+ people face indirect forms of discrimination that limit their political participation to varying degrees.

Coptic Christians, who account for some 10 percent of the population, were allocated 24 of the unicameral parliament's 120 party-list seats. Thirty-six Christians were elected in 2015, and some were also among the lawmakers appointed by the president. Thanks in large part to quotas, women won 75 seats in the 596-seat parliament in 2015, and another 14 were appointed by the president.

Under the 2019 constitutional amendments, at least a quarter of the seats in the new House of Representatives will be reserved for female representatives. As with the old parliament, some seats will also be set aside for Christians, workers and farmers, people under 35, people with disabilities, and Egyptians living abroad.

C Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

President Sisi, who was not freely elected, dominates the policymaking process. The parliament plays a modest role in forming and debating laws, but it does not provide a meaningful check on executive power.

The 2019 constitutional amendments further consolidated Sisi's authority, in part by permitting him to appoint one-third of the new Senate. The changes also increased the military's already considerable independence from civilian oversight and its constitutional role in civilian governance. In addition to the language tasking the military with protecting "the constitution and democracy," the amendments allow the Supreme Council of the Armed Forces to permanently control the appointment of the defense minister, who is also the commander in chief; that power had previously been limited to the first two presidential terms after the 2014 constitution took effect. Sisi continues to rule in a style that entrenches military privilege and shields the armed forces from legal accountability for their actions.

Score Change: The score declined from 1 to 0 due to constitutional amendments that expanded the military's independence from civilian oversight and its authority to intervene in civilian governance.

C2 0-4 pts

Are safeguards against official corruption strong and effective? 1 / 4

Corruption is pervasive at all levels of government. Official mechanisms for investigating and punishing corrupt activity remain weak and ineffective. Under a 2015 amendment to the penal code, defendants in financial corruption cases can avoid imprisonment by paying restitution, and punishments are typically light in practice. The Administrative Control Authority (ACA), the body responsible for most anticorruption initiatives, often pursues politically motivated cases and operates opaquely.

President Sisi has denied the corruption allegations raised by Mohamed Ali, a former military contractor living in exile in Spain, in online videos that he began posting in early September 2019. The videos, which sparked that month's antigovernment protests in Egypt, accused the president of spending millions of dollars of public money on a presidential palace, villas, and luxury hotels while the country faces severe economic challenges.

C3 0-4 pts

Does the government operate with openness and transparency? 1 / 4

The Sisi administration has provided very little transparency regarding government spending and operations. Civil society groups and independent journalists have few opportunities to comment on or influence state policies and legislation. The military is

notoriously opaque with respect to both its core expenditures and its extensive business interests, including in major infrastructure and land-development projects. This leads to an almost complete lack of accountability for any malpractice.

Civil Liberties

D Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media? 1 / 4

The Egyptian media sector is dominated by progovernment outlets; most critical or opposition-oriented outlets were shut down in the wake of the 2013 coup. Moreover, in recent years, a number of private television channels and newspapers have been launched or acquired by progovernment businessmen and individuals with ties to the military and intelligence services. Journalists who fail to align their reporting with the interests of owners or the government risk dismissal.

Egyptian journalists also continue to face arrest for their work. According to Reporters Without Borders, at least six journalists were detained in the weeks following the September 2019 protests. The Committee to Protect Journalists reported that 26 journalists were behind bars in Egypt as of December. In November, security forces raided the offices of the independent English-language media outlet *Mada Masr*, detained 18 people on the premises for several hours, and arrested four staffers. The outlet had recently published an article reporting that Mahmoud al-Sisi, the president's son, was reassigned from his senior post at the General Intelligence Directorate to a long-term position with Egypt's diplomatic mission in Russia, apparently due to his poor performance.

Two laws ratified in 2018 posed additional threats to press freedom. The Media Regulation Law prescribes prison sentences for journalists who "incite violence" and permits censorship without judicial approval, among other provisions. The Anti-Cyber and Information Technology Crimes Law is ostensibly intended to combat extremism and terrorism, but it allows authorities to block any website considered to be a threat to national security, a broad stipulation that is vulnerable to abuse.

Websites that provide independent news and information are regularly blocked in practice, particularly during politically sensitive moments. For example, the online censorship monitoring group NetBlocks reported in April 2019 that internet service providers blocked access to 34,000 internet domains in the run-up to that month's constitutional referendum.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

While Article 2 of the 2014 constitution declares Islam to be the official religion, Article 64 states that "freedom of belief is absolute." Most Egyptians are Sunni Muslims. Coptic Christians form a substantial minority, and there are smaller numbers of Shiite

Muslims, non-Coptic Christian denominations, and other groups. Religious minorities and atheists have faced persecution and violence, with Copts in particular suffering numerous cases of forced displacement, physical assaults, bomb and arson attacks, and blocking of church construction in recent years.

D3 0-4 pts

**Is there academic freedom, and is the educational system free from 1 /
extensive political indoctrination? 4**

The state controls education and curriculums in public schools and to a lesser degree in some of the country's private institutions. Faculty members and departments have some autonomy in shaping specific courses, though many scholars self-censor to avoid any punitive measures.

A 2015 decree allows for the dismissal of university professors who engage in on-campus political activity, and in 2016 the government reportedly began imposing more systematic requirements for academics to obtain approval from security officials for travel abroad. A number of prominent academics were arrested in the wake of the September 2019 protests, including political science professor Hassan Nefea.

Since 2013, university students have faced reprisals for political activism that include arrests, disciplinary sanctions such as expulsion, military trials, and extrajudicial killings.

D4 0-4 pts

**Are individuals free to express their personal views on political or other 1 /
sensitive topics without fear of surveillance or retribution? 4**

The security services have reportedly upgraded their surveillance equipment and techniques in recent years so as to better monitor social media platforms and mobile phone applications. Progovernment media figures and state officials regularly call for national unity and suggest that only enemies of the state would criticize the authorities. The spate of arrests of government critics ahead of the 2018 presidential election and in the wake of the September 2019 protests sent a clear message that voicing dissent could result in arrest and imprisonment, contributing to self-censorship among ordinary Egyptians.

The 2018 Media Regulation Law subjects any social media user with more than 5,000 followers to government monitoring and regulation, threatening online expression. The Anti-Cyber and Information Technology Crimes Law, also adopted that year, requires telecommunications companies to store users' data for 180 days, enabling widespread government surveillance, and vaguely worded language in the law criminalizes online expression that "threatens national security." Following the September 2019 protests, the Twitter accounts of many Egyptian activists, including those already living in exile, were reported for suspicious activity and suspended in a manner that suggested regime retaliation for outspoken criticism.

E Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly? 0 / 4

According to the constitution, freedom of assembly should not be restricted. However, a 2013 law, as amended in 2017, allows the Interior Ministry to ban, postpone, or relocate protests with a court's approval. Among other restrictions, unauthorized gatherings of 10 or more people are subject to forced dispersal, protests at places of worship are prohibited, and protest organizers must inform police of their plans at least three days in advance. Thousands of people have been arrested under the 2013 law, and some jailed protesters have received death sentences. The severity of the crackdown on assembly rights has made protests extremely rare.

In September 2019, small protests erupted after videos posted online by businessman and former military contractor Mohamed Ali alleged government corruption and urged people to take to the streets. The regime responded with a sweeping nationwide crackdown; more than 4,000 people were arrested, including protesters, human rights lawyers, journalists, and politicians.

E2 0-4 pts**Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4**

Nongovernmental organizations (NGOs) have faced mass closures as well as harassment in the form of office raids, arrests of members, lengthy legal cases, and restrictions on travel in recent years. A highly restrictive 2017 law banned NGOs from engaging in work deemed to harm "national security, public order, public morality, or public health"; and required a regulator's approval for any field research or polling and any type of cooperation with foreign NGOs. All NGO funding and basic management decisions are also subject to the regulator's approval. Violations of the law can lead to dissolution or crippling fines; the possibility of imprisonment was excluded from a revised version of the law signed in August 2019, though conditions for NGOs remained highly repressive in practice throughout the year.

E3 0-4 pts**Is there freedom for trade unions and similar professional or labor organizations? 1 / 4**

The government only recognizes unions affiliated with the state-controlled Egyptian Trade Union Federation. While Article 15 of the constitution provides for the right to organize peaceful strikes, they are not tolerated in practice, and the law on protests prohibits gatherings that impede labor and production. Striking workers are regularly arrested and prosecuted, particularly since labor protests increased in 2016; workers at military-owned businesses are subject to trials by military courts.

A new law enacted in August 2019 eased many of the restrictions imposed by a 2017 law on trade unions, which had effectively compelled them to join the state-controlled federation and imposed controls on their structures, by-laws, and elections. Among other changes, the new law lowered the threshold for union formation from 150 to 50 workers, and imposed fines rather than prison terms for violations. It remained unclear whether the legislation would lead to actual improvements in the recognition, registration, and operational autonomy of independent unions.

F Rule of Law

F1 0-4 pts

Is there an independent judiciary? 1 / 4

The executive branch exerts influence over the courts, which typically protect the interests of the government and military and have often disregarded due process and other basic safeguards in cases against the government's political opponents. The 2019 constitutional amendments further strengthened the president's supervisory powers over the judiciary and undermined its independence. The changes allow the president to appoint the heads of judicial bodies and authorities, choosing from among several candidates nominated by their governing councils. The president will also serve as the veto-wielding head of the Supreme Council for Judicial Bodies and Authorities, which controls appointments and disciplinary matters for the judiciary. The chief justice of the Supreme Constitutional Court will be chosen by the president from among its most senior members.

Many detained government critics and opposition figures have been prosecuted in the Emergency State Security Courts created when President Sisi declared a state of emergency in 2017; the state of emergency was repeatedly renewed through 2019. Decisions in these courts are subject to executive branch approval, as the president can suspend any of their rulings and order retrials.

F2 0-4 pts

Does due process prevail in civil and criminal matters? 1 / 4

Although the constitution limited military trials of civilians to crimes directly involving the military, its personnel, or its property, a 2014 presidential decree placed all "public and vital facilities" under military jurisdiction, resulting in the referral of thousands of civilian defendants to military courts. That expansion of jurisdiction was effectively incorporated into the constitution in 2019. Charges brought in military courts are often vague or fabricated, defendants are denied due process, and basic evidentiary standards are routinely disregarded. The Emergency State Security Courts also disregard due process protections, including the right to appeal convictions.

In October 2019, Amnesty International noted major problems with the investigations of those arrested in connection with the September protests, citing "a flagrant disregard for due process."

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Police brutality and impunity for abuses by security forces were catalysts for the 2011 uprising against Mubarak, but no reforms have since been enacted. A 2015 antiterrorism law provided a vague definition for terrorism and granted law enforcement personnel sweeping powers and immunity. Reports of torture, alleged extrajudicial killings, and forced disappearances continued through 2019, with NGOs documenting numerous cases. Prison conditions are very poor; inmates are subject to

physical abuse, overcrowding, a lack of sanitation, and denial of medical care. Use of the death penalty has increased dramatically since Sisi took power, despite serious concerns about due process violations and politicized prosecutions.

Fighting continues between security forces and adherents of the Islamic State (IS) militant group based in the North Sinai region. Both terrorist attacks and military operations have consistently resulted in civilian casualties.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population? **1 / 4**

Women enjoy legal equality on many issues, and their court testimony is equal to that of men except in cases involving personal status matters such as divorce, which are more influenced by religious law. In practice, women face extensive discrimination in employment, among other disadvantages. Other segments of the population that are subject to various forms of harassment and discrimination include religious minorities, people of color from southern Egypt, migrants and refugees from sub-Saharan Africa, people with disabilities, and LGBT+ people.

While same-sex sexual conduct is not explicitly banned, people suspected of such activity can be charged with prostitution or "debauchery." The police have carried out dozens of arrests in recent years.

G Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? **1 / 4**

The constitution guarantees freedom of movement, but internal travel and access are restricted tightly in North Sinai and to a lesser extent in other governorates along Egypt's borders. Sinai residents are subject to curfews, checkpoints, and other obstacles to travel.

Individuals seeking to change their place of employment or education can encounter bureaucratic barriers and scrutiny from security officials. In addition, a growing list of rights activists, journalists, political party members, bloggers, and academics have been subjected to arbitrary bans on international travel in recent years. A number of foreign researchers or activists have been expelled or denied entry to the country. Arbitrary travel restrictions reportedly intensified following the September 2019 protests.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? **2 / 4**

While a 2017 investment law was designed to encourage private investment in underdeveloped areas, bureaucratic barriers and related corruption remain serious problems, and the outsized role of military-affiliated companies has sidelined private

businesses and hindered economic development. Property rights in Sinai and other border areas are affected by the activities of security forces. In 2018, the military expanded the summary demolitions of homes and commercial buildings beyond a security zone along the border with the Gaza Strip, destroying at least 3,000 structures as part of a counterterrorism campaign.

Women are at a legal disadvantage in property and inheritance matters, typically receiving half the inheritance due to a man. Societal biases also discourage women's ownership of land.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? **2 / 4**

Domestic violence, sexual harassment, and female genital mutilation (FGM) are still among the most acute problems in Egyptian society. The country has adopted laws to combat these practices in recent years, and FGM is reportedly becoming less common over time. However, the effectiveness of such laws is hindered by societal resistance, poor enforcement, abuses by the police themselves, and lack of adequate protection for witnesses, all of which deter victims from contacting authorities. Spousal rape is not a crime.

Personal status rules based on religious affiliation put women at a disadvantage in marriage, divorce, and custody matters. Muslim women cannot marry non-Muslim men, for example, and the Coptic Church rarely permits divorce.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation? **1 / 4**

Egyptian women and children, migrants from sub-Saharan Africa and Asia, and Syrian refugees are vulnerable to forced labor and sex trafficking in Egypt. The Egyptian authorities routinely punish individuals for offenses that stemmed directly from their circumstances as trafficking victims. Military conscripts are exploited as cheap labor to work on military- or state-affiliated development projects.

An economic reform program developed with the International Monetary Fund has caused acute hardship for many Egyptians since 2016, increasing their susceptibility to exploitative labor conditions and highlighting inequities in access to opportunity. However, beginning in February 2019 the government restored two million people to its food subsidy program, and domestic fuel prices were lowered in October.

ecoi.net summary:

Annual report on political rights and civil liberties in 2019



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Austrian Red Cross

Austrian Centre for Country of Origin and Asylum Research
and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien

T (Telefon) +43 1 589 00 583

F (Fax) +43 1 589 00 589

info@ecoi.net

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