



Submission to the Universal Periodic Review of Egypt
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Human Rights Watch

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Introduction

This submission highlights Human Rights Watch's concerns regarding the human rights situation in Egypt. Since Egypt's last Universal Periodic Review (UPR) in 2019, Egyptian authorities continued to systematically detain and punish peaceful critics, while activists and security agencies continued to torture and hold detained dissidents in incommunicado detention for long periods. Egyptian authorities have failed to uphold and fulfill many aspects of Egyptians' economic rights amid recurring economic crises and severe inflation.

Freedom of Association and Attacks on Human Rights Defenders

In its 2019 UPR, Egypt accepted recommendations on the right to freedom of association. Civic space has remained severely curtailed, however, as independent organizations operating under draconian laws have faced continued judicial and security harassment.

In January 2021, the government issued implementing regulations for the 2019 NGO Law, following which existing nongovernmental organizations (NGOs) faced a deadline to register by April 2023 or be dissolved.¹ Even if an organization is able to register successfully, the law allows the government to intervene in or restrict a groups' day to day activities and prohibit a wide range of other activities such as conducting opinion polls without government approval.² The law prohibits other activities under vaguely worded terms such as "political" work or any work that undermines "national security." The new law also prohibits collaboration with foreign NGOs or experts, imposes a strict system of prior approval for foreign organizations to work in the country, and allows for government surveillance and monitoring of organizations' activities.³

Authorities also used other laws such as the 2015 counterterrorism law and the 2014 terrorist entities law to detain and punish human rights defenders and civil society activists. This includes the detention of Gasser Abdel Razek and two of his colleagues with the Egyptian Initiative for Personal Rights in November 2020 and the March 2023 harsh sentencing of the director of the Egyptian Center for Rights and Freedoms (ECRF) and others in retaliation for peaceful human rights work.⁴

Authorities continued to target some of the most prominent human rights organizations and defenders in the protracted investigations of Case 173 of 2011, in which the authorities prosecuted dozens for receiving foreign funds. In this and other cases, authorities used arbitrary travel bans to target key members of civil society for their peaceful work, including rights lawyers, journalists, feminists, and researchers.⁵ Beginning in 2022, authorities gradually lifted travel bans against many human rights defenders. In March 2024, authorities announced

¹ Letter from Human Rights Watch and 21 other NGOs to Secretary of State Antony J. Blinken, "Egypt Should Withdraw NGOs Deadline Registration," March 24, 2023, <https://www.hrw.org/news/2023/03/24/egypt-should-withdraw-ngo-registration-deadline>.

² "Egypt: New NGO law Renew Draconian Restrictions," Human Rights Watch news release, July 24, 2019, <https://www.hrw.org/news/2019/07/24/egypt-new-ngo-law-renews-draconian-restrictions>.

³ Ibid.

⁴ "Egypt: leading Rights Groups Officials Arrested," Human Rights Watch news release, November 16, 2020, <https://www.hrw.org/news/2020/11/16/egypt-leading-rights-group-official-arrested>.

⁵ "Egypt: Arbitrary Travel Bans Throttle Civil Society," Human Rights Watch news release, July 6, 2022, <https://www.hrw.org/news/2022/07/06/egypt-arbitrary-travel-bans-throttle-civil-society>.

the closure of the infamous Case 173. However, several of the activists involved still face asset freezes and terrorism charges.⁶

Recommendations:

- Release and drop charges against all those detained for peacefully exercising their right to freedom of association, including those detained solely for actual or perceived links to political parties or groups.
- Repeal Law No. 10 of 1914 which limits the right to peaceful assembly.
- Repeal or rigorously amend Law No. 107 of 2013 which restricts freedom of assembly, to bring it in line with international human rights standards.
- Repeal the repressive 2019 NGO Law and remove restrictions on the work of civil society groups. Work with independent human rights organizations to adopt a new legislative framework upholding the right to freedom of association in accordance with international human rights standards.
- Lift arbitrary asset freezes and travel bans against members of civil society for their peaceful work, including rights lawyers, journalists, feminists, and researchers.
- Facilitate without further delay visits requested by the UN Special Rapporteur on freedom of peaceful assembly and of association and the Special Rapporteur on counter-terrorism and human rights.

Abuses by Security Forces

Egypt failed to implement the 2019 UPR recommendations to prosecute and punish possible crimes committed by security officers and to ensure all detained persons are protected by law against torture and all other ill-treatment.

Interior Ministry police and National Security agents continued to forcibly disappear or hold incommunicado critics and dissidents in official and unofficial detention places, where authorities frequently subjected them to torture and forced them to confess. Perpetrators have enjoyed near-absolute impunity.⁷

The government also failed to amend the definition of torture in the penal code to meet its obligations under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to properly define and penalize torture.

Prison conditions remained dire with widespread and systematic abuses, including in the newly built prisons that the government has highlighted in public relations campaigns to whitewash its abuses.⁸ The ban on visits by family members and lawyers and the denial of

⁶ Ahmed Bakr and Mohamed Tarek, "Judge Says NGO Foreign Funding Case Concluded After 13 Years Due To Lack of Evidence," Mada Masr, March 20, 2024, <https://www.madamasr.com/en/2024/03/20/news/u/judge-says-ngo-foreign-funding-case-concluded-after-13-years-due-to-lack-of-evidence/> (accessed July 5, 2024).

⁷ "Egypt: Torture Epidemic Maybe Crime Against Humanity," Human Rights Watch news release, September 7, 2017, <https://www.hrw.org/news/2017/09/06/egypt-torture-epidemic-may-be-crime-against-humanity>.

⁸ Joe Stork, "Video Whitewashes Egyptian Prison Abuses," Al Araby, December 23, 2014, <https://www.hrw.org/news/2021/12/23/video-whitewashes-egyptian-prison-abuses>.

adequate medical care to prisoners remained pervasive.⁹

In April 2023, prosecutors refused a request by the Association for Freedom of Thought and Expression to reopen an investigation into the ill-treatment and suspicious death in custody of Egyptian economist Ayman Hadhoud.¹⁰

In 2023, Human Rights Watch and the Egyptian rights group Sinai Foundation for Human Rights documented Egyptian security forces' arbitrary detention and abuse of women and girls between 2017 and 2022, all of whom were related to suspected members of Wilayat Sina' in North Sinai, the local affiliate of Islamic State (ISIS).¹¹

In a 2021 report, HRW documented security forces killing of dozens of dissidents and suspects in apparent extrajudicial executions that authorities disguised as "shootouts." Evidence gathered demonstrates that many of those killed were being held in secret detention at the time.¹²

Recommendations:

- Ensure that all those detained are protected from torture or other ill-treatment, and that detention conditions meet international human rights standards.
- Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Ratify the International Convention for the Protection of All Persons from Enforced Disappearance.
- Establish torture-prevention mechanisms including by allowing independent oversight over all places of detention.
- Ensure that investigations into human rights violations are impartial, independent, and effective. The Justice Ministry should appoint a commission composed of law professors, legal experts, human rights activists, and prosecutors with concrete powers to transparently and openly initiate criminal investigations into torture and disappearances.
- Bring the crimes of torture and enforced disappearance in national law into conformity with the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Ensure security forces act in accordance with international human rights law and standards on the use of force, including the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law

⁹ Amnesty International, "End the Cruel and Denial of Family Visit to Detainees," February 15, 2019,

<https://www.amnesty.org/en/latest/news/2019/02/egypt-end-the-cruel-denial-of-family-visits-to-detainees>.

¹⁰ "The Public Prosecution Rejects AFTE's Request to Open an Investigation into Ayman Hadud's Death," The Association for Freedom of Thought and Expression, April 3, 2022, <https://afteegypt.org/legal-updates-2/legal-news/2022/04/24/30221-afteegypt.html>.

¹¹ "Egypt: Women Abused over Alleged ISIS Ties," Human Rights Watch news release, May 17, 2023,

<https://www.hrw.org/news/2023/05/17/egypt-women-abused-over-alleged-isis-ties>.

¹² "Egypt: Shootouts' Disguise Apparent Extrajudicial Executions," Human Rights Watch news release, September 7, 2021,

<https://www.hrw.org/news/2021/09/07/egypt-shootouts-disguise-apparent-extrajudicial-executions>.

Enforcement Officials.

- Allow regular visits by family and lawyers to detainees.

Refugee, Asylum Seeker, and Migrant Rights

Human Rights Watch and other organizations have documented serious abuses against migrants, asylum seekers, and refugees by Egyptian authorities. These include arbitrary detentions in poor conditions in police stations, forced labor and physical abuse in some cases during or following raids to check residency permits; and summary deportations or expulsions of asylum seekers to countries where they faced credible risk of persecution, torture, or other serious human rights abuses—in violation of the principle of nonrefoulement under international law.¹³

Official numbers show that sexual and gender-based violence is a pervasive problem for Egypt's refugee communities.¹⁴ In 2021, UNHCR said it provided gender-based violence response services to more than 2,300 registered refugees.¹⁵ During October 2019 alone, the agency received reports of 85 rapes and 30 other sexual assaults, 18 physical assaults, and six cases of psychological abuse.¹⁶ Human Rights Watch documented in 2022 how refugees and asylum seekers who are survivors of abuses, including sexual and gender-based violence, faced barriers to reporting abuse to the police and to accessing medical assistance. The authorities failed to provide them with protection and access to justice, as police refused to register survivors' complaints or pursue investigations.¹⁷

In June 2023, following the outbreak of conflict in Sudan, the Egyptian government imposed a visa requirement for all Sudanese citizens entering Egypt. The decision made it more difficult for those previously exempted from visa requirements to flee the conflict, including women, children, and older people.¹⁸

Authorities have repeatedly deported large numbers African asylum seekers, including Sudanese and Eritreans, without adequate assessment of their refugee claims—against the

¹³ "Egypt: Police Targets Sudanese Refugees," Human Rights Watch news release, March 27, 2022, <https://www.hrw.org/news/2022/03/27/egypt-police-target-sudanese-refugee-activists>; "Egypt: Forced Returns of Eritrean Asylum Seekers," Human Rights Watch news release, January 27, 2022 <https://www.hrw.org/news/2022/01/27/egypt-forced-returns-eritrean-asylum-seekers>; Amnesty International, "Egypt: Authorities must end campaign of mass arrests and forced returns of Sudanese refugees," June 19, 2024 <https://www.amnesty.org/en/latest/news/2024/06/egypt-authorities-must-end-campaign-of-mass-arrests-and-forced-returns-of-sudanese-refugees>.

¹⁴ Euro-Med Human Rights Monitor, "Sexual Violence Haunts African Women Refugee in Egypt," October 22, 2019, <https://euromedmonitor.org/en/article/3193> (accessed April 25, 2024).

¹⁵ UNCHR, "2021 in Numbers," <https://www.unhcr.org/eg/wp-content/uploads/sites/36/2022/04/2021-IN-Numbers.pdf> (accessed May 31, 2024).

¹⁶ Euro-Med Human Rights Monitor, "Sexual Violence Haunts African Women Refugee in Egypt," October 22, 2019, <https://euromedmonitor.org/en/article/3193> (accessed April 25, 2024); UNCHR, "Egypt Response Plan 2020," <https://www.unhcr.org/eg/wp-content/uploads/sites/36/2020/10/ERP2021EN.pdf> (accessed May 31, 2024); Nadeen Ebrahim & Ulf Leassing, "African Refugee Women Report of Sex Attacks in Egypt," Reuters, October 17, 2019, <https://www.reuters.com/article/us-egypt-migrants-women-idUSKBN1WW255/> (accessed May 31, 2024); Mona Ali Allam, "Sexual Violence in Egypt: the Unheard Voices of African Refugees," Al-Safer Al-Arabi, December 15, 2020, <https://assafirarabi.com/en/34898/2020/12/15/sexual-violence-in-egypt-the-unheard-voices-of-african-refugees/#:~:text=In%20October%202019%2C%20a%20total,Iraq%20%26%20Yemen%2C%202020%22> (accessed May 31, 2024).

¹⁷ "Egypt: Sexually Abused Refugees Find No Justice," Human Rights Watch press release, November 24, 2022, <https://www.hrw.org/news/2022/11/24/egypt-sexually-abused-refugees-find-no-justice>; Human Rights Watch, Egypt: Events of 2022, <https://www.hrw.org/world-report/2023/country-chapters/egypt>

¹⁸ "Egypt: Civilians Fleeing Sudan Conflict Turned Away," Human Rights Watch news release, July 13, 2023, <https://www.hrw.org/news/2023/07/13/egypt-civilians-fleeing-sudan-conflict-turned-away>.

principle of non-refoulement.

Recommendations:

- Open an independent investigation into the failure of the police to investigate sexual violence against vulnerable refugees, asylum seekers, and migrants—particularly black African women and girls.
- Ensure that migrant and refugee survivors of sexual violence have access to police and medical assistance.
- End all arbitrary arrests and physical abuse by the Egyptian security forces of refugees, asylum seekers, and migrants.
- End unlawful expulsions and deportations of refugees and asylum seekers, in accordance with the principle of nonrefoulement. Ensure all individuals facing deportation are able to challenge their deportations before an independent court.
- Combat racist views against migrants and promote awareness of the positive contribution of refugees to society.
- Cease harassment and persecution—including through defamation campaigns and threats—of refugee activists exercising their right to freedom of expression and peaceful assembly.

Gender-based Discrimination and LGBT Rights

Though Egypt accepted the 2019 UPR recommendation to take “measures to eliminate discrimination against women,” Egyptian women continued to face discrimination under Egypt’s personal status law on equal access to divorce, child custody, and inheritance. A Human Rights Watch report released in July 2023 found that male guardianship policies continued to hinder women’s travel and mobility.¹⁹ For instance, Egypt’s Personal Status Law provides that a woman can be deemed disobedient by a court and lose the right to spousal maintenance (nafaqa) from her husband if she leaves the marital home or works without her husband’s consent, with some exceptions.

The law deems fathers, but not mothers, guardians of their children.²⁰ Though children need just one parent’s approval to obtain a passport,²¹ the authorities in practice sometimes require the consent of the father as the “natural guardian.”²²

¹⁹ Human Rights Watch, *Trapped: How Guardianship Policies Restrict Women’s Travel and Mobility in the Middle East and North Africa*, (Human Rights Watch 2023), <https://www.hrw.org/report/2023/07/18/trapped/how-male-guardianship-policies-restrict-womens-travel-and-mobility-middle>.

²⁰ See Law No. 119 of 1952 on the Provisions of Guardianship over Money, art.1, <https://bit.ly/3VawBV5> (accessed April 29, 2023).

²¹ Human Rights Watch interview with Azza Soliman, Egyptian lawyer and co-founder of the Centre for Egyptian Women’s Legal Assistance, June 2020. “Valid for 7 years... Conditions and documents for required to obtain an Egyptian passport,” *El Watan News*, October 14, 2019, <https://www.elwatannews.com/news/details/4378281> (accessed July 6, 2023). See also British Embassy in Cairo, “Child Abduction – Egypt,” 2021 <https://bit.ly/3EjJoNR> (accessed June 6, 2024).

²² Information from Nada Nashat, head of women’s public participation program at the Centre for Egyptian Women’s Legal Assistance, in a written communication to Human Rights Watch, April 29, 2023. See also British Embassy in Cairo, “Child Abduction – Egypt,” 2021, which says in practice fathers are required to approve children’s applications.

Egypt also accepted the 2019 UPR recommendation to adopt legislation to “criminalize all forms of violence against women,” yet no law was issued to combat domestic violence—including to prevent abuse, protect survivors, and prosecute abusers. Sexual harassment and sexual violence remain a pervasive problem in Cairo and other cities.²³

Authorities in recent years have relentlessly prosecuted women social media influencers on vague charges such as violating “public morals” and “undermining family values.”²⁴ For example, in April 2023, a court sentenced the Egyptian model and influencer Salma al-Shimy to two years in prison and an EGP 100,000 (about US\$3,237) fine for publishing videos deemed “sexually provocative.”²⁵

Egypt does not explicitly criminalize same-sex relations. However, several Egyptian laws restrict the rights to freedom of expression and privacy. Egyptian security agencies have waged a relentless campaign of repression against lesbian, gay, bisexual, and transgender (LGBT) people and activists, one of the worst in Egypt in recent decades. Security officers arbitrarily arrest people in public places based on their gender expression, and detain them in inhuman conditions, systematically subjecting them to ill-treatment including torture.²⁶ In addition, security forces entrap LGBT people through dating apps and other pervasive online targeting.²⁷

Recommendations:

- Take measures to eliminate discrimination against women under Egypt’s personal status law and grant equal rights in the areas of divorce, child custody, and inheritance.
- Stop prosecuting women social media influencers on ill-defined morality charges.
- End all persecution of people based on their suspected same-sex conduct or sexual orientation, gender identity, or gender expression.
- Investigate and hold accountable individuals making online or offline statements that incite or threaten violence against LGBT people.

Death Penalty and Unfair Trials

Egypt did not accept its 2019 UPR recommendation on death sentences and courts continue to issue death sentences for a wide range of crimes. These include cases of alleged political violence and terrorism, in which defendants’ claims of forced disappearance and torture almost always went uninvestigated by judges.

²³ Rasha Younes, “Justice Stalled in Egypt’s ‘Fairmont’ Rape Case,” Human Rights Watch, February 8, 2021, <https://www.hrw.org/news/2021/02/08/justice-stalled-egypts-fairmont-rape-case>.

²⁴ “Egypt: Spate Morality Prosecutions,” Human Rights Watch news release, August 17, 2020, <https://www.hrw.org/news/2020/08/17/egypt-spate-morality-prosecutions-women>.

²⁵ “Learn about the Charges Against Blogger Salma El-Shemy After her Two-Year Imprisonment,” *Youm7*, April 18, 2023, <https://tinyurl.com/4a2rh4r8> (accessed July 11, 2024).

²⁶ Egypt: Security Forces Abuse, Torture LGBT People, Human Rights Watch news release, October 1, 2020, <https://www.hrw.org/news/2020/10/01/egypt-security-forces-abuse-torture-lgbt-people>

²⁷ Human Rights Watch, *All This Terror Because of a Photo*, (New York: Human Rights Watch, 2023)

<https://www.hrw.org/report/2023/02/21/all-terror-because-photo/digital-targeting-and-its-offline-consequences-lgbt>

According to the Egyptian Front for Human Rights, during the first half of 2020 Egyptian military and civilian courts issued 171 death sentences and upheld the sentences of 10 others, including seven in a case of alleged political violence.²⁸ From January to late October 2020, authorities executed at least 83 persons, 25 of whom were charged in cases involving alleged political violence, according to numbers compiled by Human Rights Watch and the Egyptian Front for Human Rights.²⁹ EFHR also reported that Egyptian civilian criminal courts issued death sentences against at least 348 individuals in about 222 cases.³⁰ Egypt remains in the top ten countries in the world in number of executions and death sentences according to Amnesty International.³¹

Since its 2019 UPR, Egypt also failed to implement recommendation to ensure “fair, equitable and independent judicial procedures.” Since 2021, Egyptian authorities have used Emergency State Security Courts to prosecute dissidents and political opponents. Even after the removal of the state of emergency in 2021, the courts are proceeding with existing cases.³² Authorities continued to prosecute civilians before military courts in a wide range of cases. In 2024, parliament approved amendments (Law No. 3 of 2024 and amendments to Law No. 25 of 1966) that entrench and widen the already broad powers of the military over civilian life in a manner that undermines basic rights.³³

Recommendations:

- Repeal all laws that permit subjecting civilians for trial in military trials, and end ongoing military trials of civilians.
- Halt ongoing trials in Emergency State Security Courts and amend laws to fully abolish them.
- Ensure that all those detained on recognizably criminal charges are tried in proceedings that fully conform with international fair trial guarantees, without recourse to the death penalty.
- Issue a moratorium on the death penalty as a matter of priority.
- Open investigations into allegations that evidence obtained under torture was used in convictions and death sentences

²⁸ Egyptian Front for Human Rights, “A Brief On Death Penalty During the first half of 2020,” July 22, 2020, <https://egyptianfront.org/2020/07/a-brief-on-the-death-penalty-during-the-first-half-of-2020/> (accessed July 11, 2024).

²⁹ Egyptian Front for Human Rights, “Summary of the Death Penalty During Nine Months of 2020,” October 21, 2020, <https://egyptianfront.org/ar/2020/10/dp-9months/> (accessed July 11, 2024).

³⁰ Egyptian Front for Human Rights, “Decrease in the implementation of Death Penalty or Increase on Access to Information,” February 26, 2024, <https://egyptianfront.org/2024/02/decrease-in-the-implementation-of-the-death-penalty-or-increase-in-restrictions-on-access-to-information-monitoring-report-on-the-status-of-the-death-penalty-in-egypt-during-the-year-2023/#:~:text=EFHR%20has%20observed%20during%20the,5%20cases%20of%20political%20violence> (accessed June 12, 2024).

³¹ For example, in 2022, Egypt was fourthworst after China, Iran and Saudi Arabia, “Death Penalty Report: 2022 Global Trends Of Executions & Death Sentences,” Amnesty International report, <https://www.amnesty.org.uk/death-penalty-report-2022>.

³² Human Rights Watch, World Report 2021 (New York: Human Rights Watch, 2021), Egypt Chapter, <https://www.hrw.org/world-report/2022/country-chapters/egypt>.

³³ “Egypt: New Laws Entrench Military Power over Civilians,” Human Rights Watch news release, March 5, 2024, <https://www.hrw.org/news/2024/03/05/egypt-new-laws-entrench-military-power-over-civilians>.

Conflict in North Sinai

In April 2022, President al-Sisi announced an end to ongoing military operations in North Sinai against the local extremist armed group Islamic State (also known as ISIS) affiliate Wilayat Sina.³⁴ But in July and August, videos and photographs circulated on social media by groups representing army-affiliated militias showed three extrajudicial executions of shackled or wounded men in custody in North Sinai.³⁵

The Egyptian army has conducted a massive demolitions campaign that included destroying over 12,300 buildings in North Sinai from 2013 to July 2020, without upholding its human rights obligations on forced evictions. Many of these demolitions lacked evidence of “absolute” military necessity, likely making them war crimes. Hundreds of families remain uncompensated.³⁶

Recommendations:

- Halt abusive home demolitions and forced evictions in North Sinai.
- Fairly and fully compensate all families evicted from their homes, land, and farms and those who lost sources of income. Allow recourse through independent judicial review.
- Make public information regarding compensation issued for families affected and the time frame for when those displaced will be allowed to return to their homes.

Social and Economic Rights

The authorities failed to implement the accepted 2019 UPR recommendation by taking adequate steps to mitigate the impact of the economic crisis on people’s rights.

Nearly one-third of Egyptians were in poverty in 2019, a percentage which has almost certainly increased since then due to the economic crisis. Inflation, which hit a 40 percent record in late 2023, has further undermined people’s rights, particularly to food.³⁷

The government has failed to reach constitutionally mandated levels of spending on the health and education sectors. Although it has expanded its social security system from four to five million households, this still excludes millions of households in or near poverty and the benefit amounts have been significantly eroded due to inflation.

With very little civic, judicial, or parliamentary scrutiny, the authorities have faced virtually no accountability for regressive policies, pervasive corruption, and poor governance.

³⁴ “President Sisi: We will declare Sinai free of terrorism after completing the dismantling of all explosive devices,” video, ON TV, April 27, 2022, <https://www.youtube.com/watch?v=4pWvMVscBTg> (accessed July 11, 2024).

³⁵ “Egypt: New Videos of North Sinai Executions,” Human Rights Watch news release, August 30, 2022, <https://www.hrw.org/news/2022/08/30/egypt-new-videos-north-sinai-executions>.

³⁶ “Egyptian Army’s massive Destruction in North Sinai,” Human Rights Watch, 2021, <https://www.hrw.org/video-photos/interactive/2021/03/17/egyptian-armys-massive-destruction-north-sinai>.

³⁷ The World Bank, Poverty and Inequality Platform, “Egypt Country Profile,” 2017 PPP data (version 20240326_2017_01_02_PROD), <https://pip.worldbank.org/country-profiles/EGY> (accessed July 11, 2024).

Recommendations:

- Expand social security to a universal system and increase benefits to adequate levels.
- Increase spending on education and health to meet, at minimum, constitutionally mandated levels.