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Compilation on Egypt

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies^{1, 2}

2. The Committee on the Elimination of Racial Discrimination encouraged the ratification of outstanding international human rights treaties.³

3. The Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context recommended that Egypt ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.⁴

4. Egypt committed to submitting its periodic reports to treaty bodies; reviewing reservations to, and the status of ratification of, the different regional and international agreements; and increasing its engagement and cooperation with the special procedure mandate holders of the Human Rights Council, including by increasing the frequency of visits of special procedures to Egypt.⁵

5. Egypt contributed financially to the Office of the United Nations High Commissioner for Human Rights (OHCHR) in 2015 and 2019 (including to the United Nations Voluntary Fund for Victims of Torture in 2014 and 2019).⁶

III. National human rights framework⁷

6. Egypt pledged when it presented its candidacy to the Human Rights Council to work constructively with all parties, to remove obstacles to the full realization of human rights



and fundamental freedoms and to strengthen the national human rights framework and the foundations for a democratic society.⁸

7. The Committee on the Elimination of Racial Discrimination recommended that Egypt endow the National Council for Human Rights with the necessary budget to carry out its mandate independently.⁹

8. The United Nations country team noted the creation of a Supreme Permanent Committee for Human Rights. The country team encouraged Egypt to provide the Committee with adequate capacity to deliver on its mandate, which included the preparation of a national strategy for human rights.¹⁰

9. The country team encouraged the expansion of human rights education and training programmes, targeted at public service officials.¹¹

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination¹²

10. Egypt reported that its Constitution established a legal framework for equality among all citizens and ensured their enjoyment of rights and freedoms without discrimination on any grounds.¹³ The Rapporteur for follow-up on concluding observations of the Committee on the Elimination of Discrimination against Women regretted the lack of information on comprehensive legislative reform regarding discriminatory legislation, and the Committee thus considered that it had not been able to assess whether its recommendation had been implemented.¹⁴ The Committee on the Elimination of Racial Discrimination expressed concern that there was no definition of racial discrimination in national legislation and recommended that a comprehensive definition of racial discrimination be introduced in the country's criminal, civil and administrative law. The same Committee noted that the amendment to article 176 of the Penal Code to make racial discrimination an offence was provided for only in the context of the media or a breach of the peace. The Committee recommended that Egypt amend the Penal Code to cover racist hate speech, the dissemination of ideas based on racial superiority or hatred, incitement of racial or ethnic discrimination, and the creation of, or support for, racist organizations.¹⁵

2. Development, the environment, and business and human rights¹⁶

11. The United Nations country team noted the negative impact that rapid population growth would have on achieving the Sustainable Development Strategy in Egypt, despite the launching of the multisectoral National Population Strategy 2015–2030 in addition to several initiatives. It recommended promoting integrated interventions to support access by youth to decent jobs and professional training. It also recommended revising the national strategic vision for urban development 2052 and establishing policies to improve the accessibility and availability of local economic opportunities, and to improve basic services and the environmental status of new and existing areas.¹⁷

3. Human rights and counter-terrorism¹⁸

12. The Committee on the Elimination of Racial Discrimination was concerned that the counter-terrorism law could be interpreted so broadly as to hamper freedom of expression and assembly. It recommended that measures to combat terrorism be undertaken in such a way as to protect human rights, and that legal safeguards be applied to prevent and combat the use of racial profiling by the police.¹⁹ The United Nations Educational, Scientific and Cultural Organization (UNESCO) noted that the law criminalized a wide range of acts, including publishing or promoting news about terrorism if it contradicted official government reports on terrorism, and also allowed the courts to temporarily ban journalists

from practising their profession for doing so. UNESCO encouraged Egypt to ensure that enforcement of antiterrorist and anti-extremist legislation did not infringe on the ability of ordinary citizens, including journalists, to exercise the right to freedom of opinion and expression.²⁰

13. The United Nations country team noted that since 2015 there had been an increase in the number of terrorist attacks, and encouraged the Government to continue counter-terrorism efforts through society-engaging narratives and other national mechanisms and to conduct periodic revision of laws, in compliance with international human rights law.²¹

14. The Special Rapporteur on housing noted that as a result of decrees and the ongoing antiterrorism efforts, close to 22,000 people had been displaced. She underscored that measures to suppress terrorism must be in full compliance with international human rights norms, and that destruction of homes in retaliation for suspected terrorist activities was a *prima facie* violation of the right to housing.²²

B. Civil and political rights

1. Right to life, liberty and security of person²³

15. The Working Group on Arbitrary Detention considered that the imposition of the death penalty following a flawed procedure was in violation of article 6 (2) of the International Covenant on Civil and Political Rights.²⁴ In February 2019, various United Nations human rights experts deplored the executions of nine men convicted on the basis of evidence allegedly obtained under torture. They noted that proceeding with the executions on the basis of apparently seriously flawed trials had been in violation of international human rights law, and that in such conditions these amounted to arbitrary executions. They stated that an account of the torture used to obtain the confessions, in some cases during enforced disappearance, had been brought up during the trial, but had allegedly been ignored. They reiterated their appeal to the Government to halt all executions and undertake a review of cases in which individuals had been sentenced to death. They urged the authorities to ensure that all death sentences were reviewed, and to consider a moratorium on the death penalty with a view to its abolition.²⁵

16. The Committee against Torture concluded that torture was a systematic practice in Egypt. The same Committee stated that torture appeared to occur particularly frequently following arbitrary arrests, and was often applied to obtain a confession or to punish and threaten political dissenters. The Committee determined that torture was perpetrated by police officers, military officers, National Security officers and prison guards, but that prosecutors, judges and prison officials also facilitated torture by failing to curb practices of torture, arbitrary detention and ill-treatment, or to act on complaints. Perpetrators of torture almost universally enjoyed impunity. The Committee recommended immediately ending the practice of torture and ill-treatment in all places of detention, ensuring that officials at the highest level publicly condemned torture and ill-treatment by State agents and adopted a zero-tolerance policy, and prosecuting perpetrators of torture, including those with command or superior responsibility. On 1 June 2016, Egypt responded that the Committee should not have concluded that it was engaging in systematic torture on the basis of its failure to respond to specific allegations. It accepted many of the Committee's recommendations and asserted that they were already being implemented and that several others had been partly accepted or noted. Egypt rejected the Committee's recommendations to immediately end the use of incommunicado detention; create an independent authority to investigate allegations of torture, enforced disappearance and ill-treatment; restrict the jurisdiction of the military courts to offences of an exclusively military nature; enforce the prohibition against "virginity tests"; and end the practice of forensic anal examinations for those accused of crimes.²⁶

17. OHCHR, in commenting on the sudden death in custody of the former President, Mohammed Morsi, in June 2019, called on Egypt to ensure that a prompt, impartial, thorough and transparent investigation was carried out by an independent body to clarify the cause of death. OHCHR noted that concerns had been raised regarding the conditions of

his detention, including access to adequate medical care, sufficient access to his lawyers and family, and apparent prolonged solitary confinement, during his nearly six years in custody. OHCHR stated that the investigation should encompass all aspects of the authorities' treatment of Mr. Morsi to examine whether those conditions had had an impact on his death.²⁷ The Working Group on Arbitrary Detention expressed grave concern about the pattern of arbitrary detention, torture and enforced disappearance, in its opinion No. 83/2017 concerning Mahmoud Gomaa Ali, recalling that, under certain circumstances, widespread or systematic imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law may constitute crimes against humanity, urging Egypt to take the necessary steps to remedy his situation in conformity with international standards.²⁸

2. Administration of justice, including impunity, and the rule of law²⁹

18. Egypt asserted that it remained committed to strengthening national redress mechanisms available to all citizens, by enabling them to report complaints to be investigated and for the perpetrators to be held accountable.³⁰

19. The United Nations High Commissioner for Human Rights was very concerned that individuals had been executed, in February 2019, and that during the trial, accounts of the torture allegedly used to obtain confessions had apparently been ignored by the court. OHCHR stated that there was significant cause for concern that due process and fair trial guarantees might not have been followed in some or all of the cases. Over the past few years, there had been a succession of cases of individuals being convicted in similar circumstances in Egypt amid reports of a lack of due legal process.³¹ Several other United Nations human rights experts raised similar concerns.³²

20. The High Commissioner pointed to the stark contrast between the mass trials in Egypt and a recent law that effectively granted members of the security forces complete immunity for crimes they may have committed. She noted that the military crackdown on Muslim Brotherhood-led protests in Rabaa al-Adawiya and Al-Nahda Squares in Cairo on 14 August 2013 had resulted in the killing of up to 900 mostly unarmed protesters, with no State security personnel having ever been charged in relation to the so-called "Rabaa massacre". The High Commissioner recalled that in July 2018 the Egyptian Parliament had approved the Law Governing the Treatment of Certain Senior Commanders of the Armed Forces, which bestowed immunity from prosecution on security forces personnel for any offences committed in the course of duty between 3 July 2013 – the date that the military overthrew the Government of Mr. Morsi – and 10 January 2016. She stated that justice must apply to all – no one should be immune – and urged the Government to ensure that justice would be done, according to law, including in relation to members of the State security forces who were suspected of committing a crime.³³

21. On 17 September 2018, several United Nations human rights experts called on the Human Rights Council to urgently respond to verdicts condemning 75 protesters to death and 47 to life sentences following a mass trial involving 739 people convicted on charges of illegal gathering, involvement in violence and incitement to break the law. They stated that the rights of the accused to present evidence in their defence had not been guaranteed, and that all the individuals had participated in protests led by the Muslim Brotherhood, in 2013, which had been severely repressed by the military. They asserted that any executions carried out under such conditions, without full respect for fair trial standards, would amount to arbitrary deprivation of life, and that the heavy prison sentences meted out were also disproportionate and, therefore, might amount to cruel, inhuman or degrading punishment.³⁴

22. UNESCO condemned the killing of eight journalists and noted that the Government had not responded to its requests for those cases to be investigated. It encouraged the Government to investigate them and to report on the status of judicial follow-up.³⁵

3. Fundamental freedoms³⁶

23. Egypt stated that the 2014 Constitution had expanded the level and scope of protection of rights and freedoms, introducing protection for freedoms of belief, thought and opinion and for the rights to peacefully assemble and to strike. It committed to

engaging in a review of national laws to ensure the full protection of human rights and fundamental freedoms. It pledged to promote the constructive role of civil society in the promotion of human rights and to develop the necessary partnership with civil society organizations.³⁷

24. The High Commissioner for Human Rights said that the issuance of the repressive Law 70 of 2017, restricting space for human rights monitoring, advocacy and reporting by non-governmental organizations (NGOs), would be deeply damaging for the enjoyment of human rights and would leave rights defenders even more vulnerable to sanctions and reprisals. The law ran counter to the obligations of Egypt under international human rights law, requiring NGOs to seek permission to operate and requiring official approval for funding from foreign sources. The High Commissioner considered that the law breached the human rights obligations of Egypt, as well as the country's commitment to a number of recommendations under its second universal periodic review to promote and protect the rights to freedom of association and of expression and to adopt a law on NGOs that was in compliance with international human rights standards. The High Commissioner urged the Government to repeal the law and to seek a new path of dialogue and collaboration with civil society.³⁸ The Special Rapporteur on freedom of peaceful assembly and of association raised similar concerns in 2016.³⁹

25. The Committee on the Elimination of Racial Discrimination raised concerns about intimidation and arrests of civil society actors and about restrictions on the work of human rights defenders. The Committee recommended that Egypt adopt a new law on NGOs with a view to facilitating the work of human rights defenders; protect human rights defenders and journalists from acts of intimidation or reprisals, and from other impediments to their work; remove restrictions preventing NGOs from receiving funding from abroad; and expedite the processing of cases of activists and journalists in detention and release them.⁴⁰ The Secretary-General reported on allegations of reprisals in the form of travel bans against human rights defenders attempting to participate in United Nations human rights meetings, which were acted upon by special procedure mandate holders.⁴¹

26. Several United Nations human rights experts strongly condemned Egypt for escalating its action against women human rights defenders as part of a continuing clampdown on civil society. They urged the Government to immediately repeal all repressive measures against human rights defenders, including travel bans and legislation that criminalized legitimate activities.⁴² In September 2018, a number of United Nations human rights experts urged Egypt to ensure that all detained human rights defenders were afforded due process and a fair, impartial and public trial in accordance with the country's obligations under international human rights law. They were gravely concerned at human rights defenders' prolonged periods of detention, which reportedly had arisen from their peaceful and legitimate defence of human rights. They stated that the systematic targeting of human rights defenders was another indication that the Government was operating a zero-tolerance approach to dissent, which was often suppressed under the pretext of countering terrorism.⁴³

27. The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism raised grave concerns over the ongoing assault on freedom of expression, voicing particular alarm over reports of the expanding list of websites shut down or otherwise blocked for "spreading lies" and "supporting terrorism". Egyptian authorities had reportedly blocked access to the websites of at least 21 news agencies, including well-known sources of information. The Special Rapporteurs also noted that the authorities had not provided any evidence to prove that blocking websites would meet the tests of international human rights law. They pointed out that the blockings appeared to be based on overbroad counter-terrorism legislation, and that they lacked any form of transparency and had extremely limited, if any, judicial control.⁴⁴

28. UNESCO noted that Law No. 92, supervised by the Supreme Council for Media Regulation, headed by an official appointed by the President and mandated to take action against violations, granted the Government new powers to regulate digital rights and freedoms online. Social media accounts and blogs with more than 5,000 followers were treated as being media outlets, making them subject to prosecution for publishing what

authorities deemed false news. Since 2017, the number of websites blocked had totalled more than 500. The law prohibited the establishment of websites without a licence being obtained from the Council, and allowed the Council to suspend or block existing websites and to impose fines on editors. UNESCO encouraged the Government to assess whether laws regulating digital rights and freedoms online were in line with the provisions of necessity and proportionality under the International Covenant on Civil and Political Rights, to strengthen judicial oversight in cases related to the blocking of online content, and to reform the appointment system for the Council to ensure its independence.⁴⁵

29. UNESCO noted that blasphemy and insult⁴⁶ were criminal offences under the Penal Code. It recommended that Egypt decriminalize defamation and insult, and place them within the Civil Code in accordance with international standards.⁴⁷

30. Three United Nations special procedure mandate holders urged Egypt to put an end to the disproportionate reactions against the exercise of the rights to assembly and expression. The mandate holders condemned the authorities' harsh response as part of a continued clampdown on peaceful protestors, journalists, lawyers and human rights defenders. They reiterated their call to cease curtailing public freedoms, stressing that "security concerns should not be used as a pretext to harass journalists, lawyers and protestors, and ban peaceful political opposition, which will undermine not only public debate and fundamental rights, but security and long-term stability".⁴⁸

31. UNESCO reported that a freedom of information law did not currently exist in the country, and encouraged the Government to enforce the constitutional principles of access to information and official documents, and to introduce freedom of information legislation.⁴⁹

32. The United Nations country team reported that its technical support on the principles of freedom of association and the right to collective bargaining had resulted in the adoption of the new law on trade unions, Law No. 213/2017. The country team was concerned that the law raised concerns about impeding the full exercise of freedom of association, particularly in regard to the establishment and functions of trade unions. The country team encouraged the Government to amend the law to ensure that minimum membership requirements at the enterprise level and in general unions and confederations were decreased, to amend the law to allow workers' organizations to benefit from technical cooperation programmes, to repeal or amend Penal Code provisions so that no sanctions involving compulsory labour could be imposed for peaceful participation in strikes, and to ensure the right to strike.⁵⁰

4. Prohibition of all forms of slavery⁵¹

33. The United Nations country team observed that the Smuggling of Migrants and Trafficking in Persons legal and policy framework was in place. It invited the Government to prioritize the protection of victims, to ensure effective victim identification and a system to identify and refer women and girls in need of international protection, and to ensure effective prosecution in human trafficking and migrant smuggling cases. The United Nations country team recommended that the Government strengthen its capacities regarding cooperation with countries of origin and destination, focus on root causes, and broaden prevention efforts.⁵²

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work⁵³

34. The United Nations country team noted that youth unemployment remained above 25 per cent, and that women's labour market participation rates had not recovered to their pre-2011 levels. Informality and precariousness had increased significantly, reaching close to 60 per cent of the workforce. The country team encouraged the Government to involve social partners in the design and delivery of training and vocational programmes, to secure coordination among the institutions responsible, and to improve the accessibility of unemployment schemes and sustainable security schemes.⁵⁴ The country team

recommended promoting interventions to support youth access to decent jobs, and the social integration of youth in urban and rural areas.⁵⁵

2. Right to social security⁵⁶

35. The United Nations country team reported that the Government had embarked on a reform programme and implemented decisive measures to restore macroeconomic stability. Following high inflation in 2017, general prices increased by 34.86 per cent between 2017 and 2018. The country team encouraged the Government to increase the focus on anti-poverty programmes in rural areas. Although strong social protection systems existed, efforts were needed to improve their targeting, coverage and effectiveness.⁵⁷

3. Right to an adequate standard of living⁵⁸

36. The United Nations Human Settlements Programme (UN-Habitat) and the United Nations country team noted that in 2018, Egypt had received more than US\$400 million in loans for large-scale water and sanitation units. More than 75 per cent of people deprived of access to safe water and sanitation lived in rural areas where, despite water sources being available, water quality and quantity still represented a challenge. The country team encouraged the Government to revisit the current water and sanitation system to enable a knowledge-based prioritization of investments to maximize impact and sustainability.⁵⁹

37. The Special Rapporteur on adequate housing acknowledged the Government's efforts to provide housing to its fast-growing population. However, much of the new housing supply was both unaffordable and poorly located and there were insufficient economic opportunities and transportation services to make it viable. If the Government was to satisfy current and future housing demand, it must build an estimated 480,000 to 528,000 units of housing every year until 2030.⁶⁰ The Government should ensure that its National Housing Strategy met its commitments under Sustainable Development Goal 11. The Special Rapporteur stated that in light of constitutional recognition of the right to housing, all laws and regulations pertaining to housing should be reviewed to ensure that they were fully compliant with the Constitution, as well as with the right to adequate housing. She recommended that the Government focus its expenditure on upgrading existing housing and improving living conditions in all informal areas. She reported that there were approximately 38 million people living in informal settlements on land without legal title, lacking security of tenure and often living in poor conditions. Of these, 1 million were living in what were deemed unsafe and life-threatening conditions. She recommended abiding by the recommendations laid out in her report on upgrading informal settlements (A/73/310/Rev.1), and regularizing the housing built informally.⁶¹

38. The Special Rapporteur on adequate housing regretted that she had not been able to receive additional information from the Government on alleged security-related forced evictions in North Sinai. The forced evictions and housing demolitions had been justified by Egypt by the need to cut off insurgents from supplies coming through its borders in that area. Over the course of several years, the Defence Minister had issued decrees banning private property ownership on land within 5 kilometres of the Gaza Strip, creating a buffer zone delineating an eviction area including large parts of Rafah. As a result of those decrees and the Government's antiterrorism efforts, close to 22,000 people had been displaced, and thousands of houses had been demolished. People's livelihoods had been destroyed, with the destruction of harvests and the razing of farmlands. While the Government had maintained that it had compensated residents with a sum corresponding to local market prices, several residents had considered it insufficient. The Special Rapporteur recommended that the National Council for Human Rights consider undertaking investigations into alleged violations of the right to housing.⁶²

39. The Special Rapporteur condemned the forced evictions, demolitions of housing, arbitrary arrests, undisclosed detentions, intimidation and reprisals against persons she had met during her visit in 2018. She remained concerned that individuals threatened with and affected by forced evictions were afraid of reprisals.⁶³

4. Right to health⁶⁴

40. The United Nations country team noted that Egypt was progressing in eliminating neglected tropical diseases and schistosomiasis. More attention was needed to reposition the neglected tropical diseases among the health challenges to be funded from domestic resources.

41. The United Nations country team noted that the reproductive health and family planning programme was still experiencing challenges related to accessibility and availability of services in rural areas, as well as a high discontinuation rate among users. The country team recommended integrating family planning services within maternal health services, as an integrated reproductive health package for women, and expanding the provision of modern family planning methods in health facilities.⁶⁵

42. The country team noted that as of 2018, the Government had pledged to support treatment for Egyptians and refugees living with HIV through domestic government resources, following the interruption of foreign funding. The country team recommended scaling up the integration of women living with HIV in government social protection programmes, and strengthening programmes to monitor access to service delivery in health and nutrition and to allocate budgets to improve the quality of services.⁶⁶

5. Right to education⁶⁷

43. UNESCO noted that education quality faced a number of key issues, which included overcrowded classrooms, student failure, dropping out, the level of teacher qualifications, curricula, learning resources, assessment systems and teaching technology. The poor student performance at all levels was alarming. UNESCO recommended the Working Group to encourage Egypt to adopt comprehensive measures to ensure the delivery of quality education for all.⁶⁸

44. UNESCO acknowledged that a number of measures had been formulated to eliminate illiteracy. UNESCO recommended the Working Group to encourage Egypt to report on the implementation of article 19 of its Constitution, introduce at least one year of pre-primary education, and increase its efforts to eliminate illiteracy.⁶⁹

45. UNESCO noted that persons belonging to minority groups faced difficulties in accessing education. It encouraged the adoption of adequate measures to eliminate discrimination and to foster access to education for vulnerable groups.⁷⁰

46. UNESCO noted that child labour remained widespread in the countryside. While on the one hand the Labour Code (Act No. 12 of 2003) identified jobs in which children may not be employed until the age of 14, employers employing children under 16 were required to give them a card confirming their employment. This went against the new constitutional guarantee providing for compulsory secondary education. UNESCO recommended taking further measures to eliminate child labour and align the country's laws to correspond with the constitutional guarantee on compulsory secondary education.⁷¹

47. UNESCO encouraged Egypt to review its legislation on the minimum working age so that it corresponded to the constitutional guarantee.⁷²

D. Rights of specific persons or groups

1. Women⁷³

48. The Rapporteur for follow-up on concluding observations of the Committee on the Elimination of Discrimination against Women considered that the recommendation to ensure that perpetrators of violence against women did not benefit from any reduction in penalty had been partially implemented. The Committee regretted the absence of measures to increase the number of shelters for victims of domestic violence, and therefore considered that the corresponding recommendation was not implemented. The Committee stated that it had not received any information to assess whether the recommendation to lift age limitations on access to shelters for victims of domestic violence had been implemented.⁷⁴

49. The United Nations country team observed that several initiatives to combat violence against women had been put in place since the adoption of the Constitution, including the adoption of the National Strategy to Combat Violence Against Women and the National Strategy for the Empowerment of Egyptian Women. It recommended that the Government ensure the social protection of women; amend existing laws, including the Personal Status Laws, and adopt laws addressing all forms of violence against women; and ensure a holistic approach to gender-based violence.⁷⁵ The country team recommended prioritizing interventions in governorates with the highest prevalence of female genital mutilation and early marriage.⁷⁶

50. UNESCO noted that despite efforts to ensure gender equality, many obstacles persisted, such as family obstacles, social stigma, early marriage, fear of daughters mixing with males, priority being given to boys' education, unwillingness to allow girls to work, widespread poverty and low incomes, in addition to educational obstacles. UNESCO encouraged Egypt to address the range of barriers.⁷⁷

51. The United Nations country team noted that the new Constitution included provisions for enhancing women's rights. Despite progress on women's representation in elected and decision-making bodies, the State Council and the Public Prosecution remained comprised only of men. The country team invited the Government to promote women's political representation and participation and to adopt policies to address structural barriers hindering women from occupying decision-making positions. The private sector only contributed on a limited scale to addressing structural gender inequality. The country team recommended that the Government strengthen women's economic empowerment as part of inclusive growth and the implementation of the Sustainable Development Strategy.⁷⁸

2. Children⁷⁹

52. UNESCO observed that under the Personal Status Act, females could marry upon reaching the age of 16, while males must not be under 18. UNESCO encouraged the Government to review its legislation in order to raise the minimum age of marriage for girls to 18.⁸⁰

53. The United Nations country team noted the adoption of the National Action Plan for Combating the Worst Forms of Child Labour in Egypt and Supporting Family (2018–2025).⁸¹ The Committee of Experts on the Application of Conventions and Recommendations of the International Labour Organization (ILO) requested that section 64 of the Child Law be amended to raise the minimum age of admission to light work to 13 years.⁸²

54. The United Nations country team recommended developing the institutional mechanisms of and around the justice system for children to ensure that there was a holistic vision of the system for children.⁸³

55. The ILO Committee of Experts noted reports identifying the most prevalent forms of trafficking in persons in Egypt as the trafficking of children for labour and sexual exploitation, and of street children for sexual exploitation and begging. The Committee requested thorough investigation and robust prosecution of perpetrators of child trafficking for labour or sexual exploitation.⁸⁴ The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families requested information on the measures taken to prevent and combat child trafficking and economic exploitation.⁸⁵

56. The ILO Committee of Experts noted that children over 15 years of age who entered prostitution of their own free will were held responsible under domestic legislation, and urged the Government to amend section 111 of the Child Law to ensure that children under 18 years of age who were victims of prostitution were not criminalized and/or imprisoned.⁸⁶

3. Persons with disabilities⁸⁷

57. The United Nations country team noted that Law No. 10/2018 on the Rights of Persons with Disabilities offered commitments to persons with disabilities, including non-discrimination. The country team encouraged the strengthening of national bodies responsible for protecting persons with disabilities against all forms of violations,

promoting the social integration and the economic empowerment of persons with disabilities through their integration in the labour market, and strengthening national institutional capacity to provide technical support to schools in the area of inclusive education.⁸⁸

4. Minorities⁸⁹

58. The Committee on the Elimination of Racial Discrimination was concerned about the situation of persons belonging to minority groups, such as the Bedouin/nomads, Nubians and Berbers, and especially the social stigmatization from which they suffered, and the difficulties they encountered in the full enjoyment of their economic, social and cultural rights. The Committee was also concerned that the relocation of minorities had reportedly not given rise to appropriate compensation, and that there was a lack of information on the manner in which minorities were consulted. It recommended that Egypt step up awareness campaigns to combat intolerance and promote cultural diversity; take steps to promote the enjoyment by minorities of their rights to education, employment, decent housing and the preservation of their culture; ensure that minority groups affected by development projects were duly compensated and consulted; and evaluate all measures taken to improve quality of life and ensure that they did not have a disproportionately negative impact on minorities or their traditional way of life.⁹⁰

59. The same Committee recommended ensuring that those responsible for discrimination and violence against Copts were punished, and that victims had access to justice, compensation and reparation. It recommended that Egypt promote freedom of conscience, freedom of religion and religious diversity among ethno-religious minorities by taking the necessary legislative and administrative measures, and recommended involving religious leaders in awareness-raising activities.⁹¹

60. The Committee noted the new constitutional provisions on quotas to guarantee the participation of young people, women, Christians and persons with disabilities on local councils, but regretted that minority groups were excluded, and recommended that Egypt consider including minorities in the quota system.⁹²

5. Migrants, refugees and asylum seekers⁹³

61. The Committee on Migrant Workers requested information about reportedly hundreds of deaths of refugees, asylum seekers and migrants when their boats capsized after leaving Egypt between January 2015 and March 2017 and hundreds of others detained while seeking to cross the Mediterranean Sea, and about deportations and cases of collective or arbitrary expulsion.⁹⁴

62. The United Nations country team noted the absence of labour migration policies to ensure the protection of migrant workers' rights and to coordinate the efforts of the various players. The country team encouraged the Government to enact laws and measures, including for greater policy coordination to address the adverse drivers of migration and improved governance of labour migration; to ensure that migrant domestic workers had access to protection mechanisms; and to develop a national labour migration policy providing for safe, regular and productive employment for Egyptian workers abroad and migrant workers in Egypt.⁹⁵

63. The country team noted that as at December 2018, a total of 245,000 persons had registered with the Office of the United Nations High Commissioner for Refugees (UNHCR). Asylum seekers and refugees generally had access to basic social services, with a few limitations, but the access to persons in need of international protection in certain locations was limited. The country team encouraged the Government to establish a mechanism to identify those in need of international protection and facilitate their access to asylum procedures.⁹⁶

64. The Committee on the Elimination of Racial Discrimination was concerned about the situation of asylum seekers, refugees and migrants and recommended that Egypt end their detention, and speed up the implementation of the applicable protection regime, and allow UNHCR to visit in order to identify those who may be entitled to international protection. Egypt should take urgent measures to punish all attempts on their lives and

physical, sexual or psychological violence against them; guarantee access to basic public services by non-citizens; grant UNHCR access to Palestinian refugees living in Egypt; and promote tolerance and diversity among local communities.⁹⁷

Notes

- ¹ Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Egypt will be available at www.ohchr.org/EN/HRBodies/UPR/Pages/EGIndex.aspx.
- ² For relevant recommendations, see A/HRC/28/16, paras. 166.1–166.17, 166.36, 166.57–166.70 and 166.100.
- ³ CERD/C/EGY/CO/17-22, para. 39.
- ⁴ A/HRC/40/61/Add.2.
- ⁵ See A/71/406, which is a note verbale dated 10 August 2016 from the Permanent Mission of Egypt to the United Nations addressed to the President of the General Assembly to present its candidacy for election as a member of the Human Rights Council for the 2017–2019 term.
- ⁶ OHCHR, *OHCHR Report 2014*, pp. 63 and 67; and OHCHR, *OHCHR Report 2019*.
- ⁷ For relevant recommendations, see A/HRC/28/16, paras. 166.12, 166.18, 166.19–166.35, 166.37–166.44, 166.47–166.52, 166.116, 166.127, 166.131–166.140, 166.164, 166.166, 166.170–166.171, 166.174, 166.153–166.154, 166.156, 166.159–166.160, 166.165, 166.174, 166.176, 166.193, 166.211, 166.221, 166.231, 166.237, 166.239–166.244, 166.247–166.248, 166.252, 166.279, 166.282, 166.290 and 166.297–166.298.
- ⁸ See A/71/406.
- ⁹ CERD/C/EGY/CO/17-22, paras. 13–14.
- ¹⁰ United Nations country team submission for the universal periodic review of Egypt, paras. 9.1–9.2.
- ¹¹ Ibid.
- ¹² For the relevant recommendation, see A/HRC/28/16, para. 166.71.
- ¹³ See A/71/406; and CERD/C/EGY/CO/17-22, para. 5 (a).
- ¹⁴ Letter from the Committee on the Elimination of Discrimination against Women to the Permanent Mission of Egypt to the United Nations Office and other international organizations in Geneva, dated 21 September 2017, available at https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/EGY/INT_CEDAW_FUL_EG_Y_28953_E.pdf.
- ¹⁵ CERD/C/EGY/CO/17-22, paras. 9–12.
- ¹⁶ For relevant recommendations, see A/HRC/28/16, paras. 166.45, 166.263–166.265 and 166.291–166.294.
- ¹⁷ United Nations country team submission, paras. 8.3 and 12.3.
- ¹⁸ For relevant recommendations, see A/HRC/28/16, paras. 166.295–166.300.
- ¹⁹ CERD/C/EGY/CO/17-22, paras. 29–30.
- ²⁰ UNESCO submission for the universal periodic review of Egypt, paras. 9 and 24.
- ²¹ United Nations country team submission, paras. 6.1–6.2.
- ²² A/HRC/40/61/Add.2.
- ²³ For relevant recommendations, see A/HRC/28/16, paras. 166.101–166.118, 166.122–166.124, 166.128 and 166.140.
- ²⁴ Working Group on Arbitrary Detention opinion No. 27/2018, para. 78, concerning a minor who was 17 years old and a student attending a secondary school in the city of Mattay in Minya Governorate.
- ²⁵ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24204&LangID=E. See also www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22613&LangID=E and www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21791&LangID=E.
- ²⁶ A/72/44, paras. 58–71.
- ²⁷ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24708&LangID=E.
- ²⁸ Working Group on Arbitrary Detention opinion No. 83/2017, paras. 82, 87, 89–94 and 98. See also opinion No. 21/2019, in which the Working Group found that the arrest and detention of 13 young women lacked a legal basis and were arbitrary, and were due to their enjoyment of the rights to freedom of expression and association, and that as a result there should not be any trial.
- ²⁹ For relevant recommendations, see A/HRC/28/16, paras. 166.119–166.122, 166.124–166.126 and 166.177–166.191.
- ³⁰ See A/71/406.
- ³¹ See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24195&LangID=E.
- ³² See www.ohchr.org/en/NewsEvents/Pages/NewsSearch.aspx?CID=EG, www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=23658&LangID=E, www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=23572&LangID=E, www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22613&LangID=E and www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=21791&LangID=E.
- ³³ See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=23517&LangID=E.
- ³⁴ See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=23572&LangID=E,

- www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15556&LangID=E and www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21791&LangID=E.
- 35 UNESCO submission, paras. 14 and 25.
- 36 For relevant recommendations, see A/HRC/28/16, paras. 166.197–166.221, 166.232–166.236, 166.238, 166.245, 166.248 and 166.249–166.250.
- 37 See A/71/406, para. 6 (b) and (f).
- 38 See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=21678&LangID=E. See also www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22220&LangID=E.
- 39 See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=20920&LangID=E.
- 40 CERD/C/EGY/CO/17-22, paras. 37–38.
- 41 A/HRC/36/31, paras. 31–33. See also A/HRC/34/75, para. 10; EGY 15/2016, available from <https://spcommreports.ohchr.org/TmSearch/Results>; and www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20924&LangID=E.
- 42 See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=21039&LangID=E.
- 43 See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=23658&LangID=E.
- 44 See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22008&LangID=E.
- 45 UNESCO submission, paras. 7–9 and 21–23.
- 46 Ibid., paras. 4–5. Insult is defined as being directed at the People’s Assembly, the Shura Council, the Army, the tribunals, the authorities, public departments, public representatives and judges.
- 47 UNESCO submission, paras. 4–5 and 20.
- 48 See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=19933&LangID=E. See also the High Commissioner’s statement, at www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=18521&LangID=E.
- 49 UNESCO submission, paras. 10 and 18–19.
- 50 United Nations country team submission, paras. 10.1–10.2.
- 51 For relevant recommendations, see A/HRC/28/16, paras. 166.120, 166.125, 166.169 and 166.172–166.173.
- 52 United Nations country team submission, paras. 4.1–4.4.
- 53 For relevant recommendations, see A/HRC/28/16, paras. 166.53–166.54, 166.175 and 166.253–166.261.
- 54 United Nations country team submission, para. 8.4.
- 55 Ibid., para. 8.3.
- 56 For relevant recommendations, see A/HRC/28/16, paras. 166.266 and 166.268.
- 57 United Nations country team submission, para. 8.1.
- 58 For relevant recommendations, see A/HRC/28/16, paras. 166.262 and 166.266–166.273.
- 59 United Nations country team submission, paras. 14.1–14.2; and United Nations Human Settlements Programme (UN-Habitat) submission for the universal periodic review of Egypt, pp. 4–5.
- 60 A/HRC/40/61/Add.2.
- 61 Ibid. See also A/HRC/37/53, para. 72.
- 62 A/HRC/40/61/Add.2.
- 63 Ibid. See also the communication dated 2 November 2018 from the Special Rapporteur on housing and the Special Rapporteur on human rights defenders, EGY 16/2018, available from <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>; and www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=23971&LangID=E.
- 64 For the relevant recommendation, see A/HRC/28/16, para. 166.274.
- 65 United Nations country team submission, paras. 3.1–3.3.
- 66 Ibid., paras. 3.4–3.5.
- 67 For relevant recommendations, see A/HRC/28/16, paras. 166.275–166.278.
- 68 UNESCO submission, paras. 16–17.
- 69 Ibid.
- 70 Ibid.
- 71 Ibid.
- 72 Ibid.
- 73 For relevant recommendations, see A/HRC/28/16, paras. 166.72–166.98, 166.129–166.130, 166.146–166.168, 166.251 and 166.257–166.258.
- 74 Letter from the Committee on the Elimination of Discrimination against Women to the Permanent Mission of Egypt to the United Nations Office and other international organizations in Geneva, dated 21 September 2017, available at https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/EGY/INT_CEDAW_FUL_EGY_28953_E.pdf.
- 75 United Nations country team submission, paras. 1.9–1.11.
- 76 Ibid., para. 2.6.
- 77 UNESCO submission, paras. 16–17.
- 78 United Nations country team submission, paras. 1.1–1.8.
- 79 For relevant recommendations, see A/HRC/28/16, paras. 166.55, 166.100 and 166.168.
- 80 UNESCO submission, paras. 16–17.
- 81 United Nations country team submission, para. 2.1.

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- ⁸² See www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3341046.
- ⁸³ United Nations country team submission, paras. 2.1–2.7.
- ⁸⁴ See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO::P13100_COMMENT_ID,P13100_LANG_CODE:3341056,en:NO.
- ⁸⁵ CMW/C/EGY/QPR/2, para. 7.
- ⁸⁶ See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO::P13100_COMMENT_ID,P13100_LANG_CODE:3341056,en:NO. See also CRC/C/OPSC/EGY/CO/1, para. 35.
- ⁸⁷ For relevant recommendations, see A/HRC/28/16, paras. 166.141–166.143 and 166.280–166.284.
- ⁸⁸ United Nations country team submission, paras. 11.1–11.6.
- ⁸⁹ For the relevant recommendation, see A/HRC/28/16, para. 166.285.
- ⁹⁰ CERD/C/EGY/CO/17-22, paras. 17–18.
- ⁹¹ *Ibid.*, paras. 21–22.
- ⁹² *Ibid.*, paras. 27–28.
- ⁹³ For relevant recommendations, see A/HRC/28/16, paras. 166.56 and 166.286–166.288.
- ⁹⁴ CMW/C/EGY/QPR/2, paras. 16 and 19.
- ⁹⁵ United Nations country team submission, paras. 5.1–5.3.
- ⁹⁶ *Ibid.*, para. 5.4.
- ⁹⁷ CERD/C/EGY/CO/17-22, paras. 25–26.
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