# The National Council for Human Rights (NCHR) New Strategy for a Changing Reality

(2021 - 2025)

0 1

#### **Table of Contents**

- Introduction
- Section 1: Previous Experience
- 1. Ambitious Start: NCHR sets a national plan for the promotion and development of human rights in Egypt.

- 2. NCHR Strategy During January 2011
- 3. NCHR Strategy During June 2013 Revolution
- 4. Towards a New Strategy for a Changing Reality.

#### - Section 2: Challenges Framing the Dimensions of the Plan

- A. Terrorism and Regional Unrest.
- B. Social and Economic Impacts of the Covid-19 Pandemic on

Egypt. C. Water Poverty and the Renaissance Dam Crisis.

- D. Climate Changes.
- E. Population Explosion.
- F. Combating Discrimination and Promoting the Right to

Equality. G. Promoting Freedoms and Enabling the Public

Sphere. H. Anti-Corruption.

- \* Executive Action Plan for the NCHR's Strategy
- A. Enhancing the Activation of the NCHR Constitutional Mandate
- B. Civil and Political Rights
- C. Economic and Social Rights
- D. Human Rights Education
- E. Qualitative Issues
- F. Developing a National Plan for the Advancement of Human

Rights G. Strengthening the NCHR Institutional Structure

#### Introduction

Since its establishment, the NCHR has had a rich experience in its strategic planning for the protection and promotion of human rights in the Egypt, pursuant to its Constituent Act, which puts at the forefront of the tasks entrusted to it, the development of a national action plan for the promotion and development of human rights in Egypt, proposing means to achieve this plan (Article M1/3), and interaction with the profound changes witnessed by the State and society during that period on the one hand, and those that affected the standards and systems of international action in the field of human rights on the other hand.

As an ambitious start, NCHR began its first experiments in this regard by developing a "National Plan for the Improvement, Promotion and Protection of Human Rights", which aimed to achieve four strategic objectives: (1) Improving Human Rights Situations, (2) Spreading and Promoting a Culture of Human Rights, (3) Supporting Protection Mechanisms, (4) Achieving the Millennium Goals. NCHR based its methodology for developing this plan on the United Nations standards, best practices, and an official promise from the government to include it in the State Development Plan (2007–2012). NCHR also initiated the establishment of a unit to follow up and evaluate the course of action in the plan with the concerned authorities since the beginning of March 2007.

It worked on proposing appropriate work mechanisms to implement the objectives of the plan, and enhancing coordination between the NCHR and governmental and non-governmental bodies, with a view to achieve these goals.

The implementation of this plant was interrupted by the outbreak of the January 2011 revolution and the outbreak of unrest and violence in some areas. As known, a significant challenge faced the NCHR's itself

3

stemming from the fact that its headquarters was set on fire due to its proximity to the headquarters of the National Democratic Party (then the ruling party) that was targeted by protestors. The fire burned the NCHR's archives that represent its institutional memory as well as a fleet of its mobile offices designed to reach the different governorates across the State.

However, the January revolution was not the obstacle that hindered the follow-up of the plan alone, and the change in the political and social reality. Rather, the most prominent reason for the failure was the government's lack of seriousness in integrating the national plan into the state's development plan, despite its promises to do so, and its delay in appointing the national committee that would oversee the follow-up of implementation of the plan. Neverthless, Some ministries turn their reports to the Council into success reports instead of being plans for joint action,

ignoring the potential of civil society, to which the NCHR's plan had allocated 85 tasks to advance the implementation of the plan's goals. Last but not least, failure of the State to exercise due diligence to make available accurate information that would allow building a national plan on its basis.

In developing its action strategy for the coming period (2021–2024), NCHR was keen to draw out the lessons learned from its previous experiences, whether in the context of its experience with the National Plan for the Promotion and Development of Human Rights in Egypt, or through the two strategic plans for its work in the context of the January 2010 and June 2013 revolutions. This is in addition to benefiting from the most prominent practices through many experiences and expertise of national institutions during its interaction with them, and with international human rights networks, foremost of which is the Global Alliance of National Human Rights Institutions (GANHRI) and the Arab and African networks of national human rights institutions.

4

These various experiences have shown that the most appropriate strategies are those that begin with an evaluation of past experiences, and which address the main challenges of the State and society on the one hand, and touch the aspirations of societies on the other hand, as these three factors pave the road map towards achieving the possible targets.

We are very grateful to the team that developed the draft strategy, to the Board members' colleagues and to the Secretariat who enriched the strategy with their discussion and approved it.

Mohammed Faeq

President of the National Council for

Human Rights (NCHR)

#### **Section One:**

5

#### NCHR Strategy During June 2011 Revolution

By 2011, and the outbreak of the January Revolution, the

topography of the political and social situation in Egypt changed, the map of interests in society was also changed, therefor, NCHR took the initiative to submit its resignation to pave the way for the new path, and it was restructured by Resolution No. 55 of 2011 for the remainder of its legal term or until the Shura Council is elected – whichever was sooner, headed by Dr. Boutros Ghali. Then, Mr. Mohammed Faeq assumed the position of Vice–President. The NCHR, with its new formation, engaged in interaction with the facts brought about by the revolution, and started with an action strategy that addressed the following:

### First: Incorporating human rights into the tasks of the first transitional period

- 1. The plan classified the tasks of the transitional period into two main aspects:
- A. <u>First Aspect</u> includes addressing the institutional legacy of the previous regime, which began with the dissolution of the People's Assembly and the Shura Council, the change of government, the dissolution of the National Party, the change of governors and media leaders, and the leaders of press institutions in addition to prosecuting those involved in the killing of peaceful demonstrators or in corruption cases, and seeking to recover the funds related to financial and administrative corruption crimes and reforming the imbalances resulting from wasting public funds. <u>NCHR</u> has assumed the following tasks:

1. Monitoring the implementation of the recommendations of the two fact finding committees conducted by NCHR and formed by the government, particularly compensation and reparations, treatment of those injured during the revolution, release of detainees, and clarification of the fate of the missing and disappeared persons.

6

- 2. Ensuring the availability of fair trial standards for all suspects in these crimes to enforce the rule of law, and to establish the principle of non impunity.
- 3. Accelerating the pace of eliminating security chaos, and supporting police to resume their professional duties on new bases. 4. Arranging visits to prisons and other detention centers in coordination with the Public Prosecution.

B-The second aspect of the transition's tasks includes the completion of the legislative framework for the election of dissolved representative councils, which began with the promulgation of the Parties Act and the Act on the Exercise of Political Rights, all of which have been marked by contentious issues. In this context, the Council has assumed many duties, most notably:

· Examining these laws and ensuring that they are consistent with the principles of human rights, and meet the requirement to represent women,

youth and other marginalized groups.

- · Elaborating the basic principles that the NCHR recommends to be included in these legislations so that they come in line with the requirements of society and are in line with international human rights standards.
- · Elaborating the NCHR's vision of the basic principles to be include in the new constitution.
- Enhancing the NCHR's role in monitoring the scheduled elections, whether in the field of participating in the training of non-governmental organizations, or following up the various stages of the electoral process, or interacting with citizens' complaints in this regard.

7

- · Combating the emerging trends aimed at undermining the gains achieved by society with regard to women's rights, especially in the context of personal status.
- 2. Economic Development and Social Justice Approach The economic and financial policies pursued by the former regime led to the January revolution, Proceeding from the concept of growth instead of development and the launch of market incentives without controls that limit monopoly, exploitation and corruption, and its social biases in the

distribution of resources and burdens, and the restriction of trade union and professional work, resulted in deep distortions in growth between the regions of the state, inequities to the rights of workers, and gross social imbalances that increased the wealth of the rich and the impoverishment of the poor, which are considered clear imbalances recognized by most economic and development studies. However, the NCHR was looking forward to adopting a human development perspective based on expanding people's choices, enabling individuals and groups to act and achieve the desired results, and promoting justice and fairness. Hence, the NCHR has taken on the responsibility of establishing these standards. The NCHR employed the recommendations and proposals that were dealt with by dozens of seminars and workshops in order to build on them, as well as the results of the multifaceted social dialogue in the country.

#### 3. Urgent Issues

In addition to the normal tasks of the transitional period, which underpin the long-term human rights process, the State witnessed a number of pressing issues affecting human rights and public freedoms that should have received special priority in the NCHR's effort.

intensified with accumulation and partial solutions, and took a dangerous turn in recent years. NCHR had given great attention to this issue and put it at the forefront of its priorities and put forward many legislative and procedural recommendations in its context, however, the previous regime failed to adopt them. While surrounding circumstances imposed the duty to accelerate interaction with the problem. It also provides a serious prospect for interaction with the problem, reinforced by the government's commitments after Imbaba incidents 2011 to enact legislation and decisions to address the most important sources of sectarian tension within a specific time frame.

This path placed the responsibility on the NCHR regarding the rapide pursuit of law enforcement to besiege the dangerous repercussions of this problem, and to ensure the implementation of the commitments made by the government, and its response to the requirements of solving the problem on the basis previously adopted by the NCHR.

· Also at the forefront of these issues was the issue of **Social Tension**, which emerged sharply in the previous years, and among its manifestations were the vigils, marches and strikes during the two years preceding the revolution. These acts developed after the revolution in the context of what was termed "factional demands," which doubled the volume of what was published about corruption, waste, exploitation, and misdistribution of wealth, during the prosecution of officials involved in illicit

gain cases, and became more severe.

· Monitoring the NCHR's efforts to strengthen its relationship with civil society organizations concerned with human rights and development and its efforts to institutionalize these relations, and to activate periodic meetings with them, directing special attention to regional organizations and newly established organizations to support their capabilities, and

9

interacting with trade union encroachment that emerged after the revolution.

- Making special effort to women's issues in light of the influence of government structures concerned with these issues on the one hand, and the increasing impact of extremist parties that put forward visions that affect the gains achieved by women in the previous period on the other hand.
- Enhancing cooperation frameworks with national institutions and their coordinating committees, especially the Inter-National Institutions Coordination Committee (ICC) to preserve the status and influence of the NCHR, especially in light of the repercussions of the transitional phase that may raise controversy for the committee.
- · Intensifying cooperation with the relevant United Nations mechanisms, especially the Human Rights Council, the Universal Periodic Review Mechanism, and the Special Rapporteurs. This is in addition to the

State's progress in implementing the recommendations it accepted in light of the Universal Periodic Review.

Particular attention had been paid by the NCHR, during its term, to the issue of Egyptian workers and immigrants abroad. Although this issue received special attention from the NCHR in previous years and issued many recommendations thereof, the State's efforts did not achieve significant progress in interacting with it. Likewise, the liberal tide that arose in the Arab world with the success of the revolutions in Tunisia and Egypt did not produce a positive return in this regard. Where the repercussions of the Libyan revolution led to the flight of hundreds of thousands of Egyptian workers, and some of them were subjected to killing, physical assaults, and deliberate insults, in the context of the repressive measures adopted by the Libyan regime to suppress the revolution, and in this regard, the NCHR has undertaken the following tasks:

10

- Developing a comprehensive study on the damages resulting from the expulsion of Egyptian workers from Libya, in preparation for raising the violations of their rights following the expected changes in Libya.
- Reviving interest in the numerous proposals of the NCHR in this regard.

 Crystallizing new proposals to invest in changing the negative stereotype of Arabs in the Western Diaspora with the Egyptian peaceful revolution to enhance their presence and integrate them into the Diaspora societies.

## Analyzing the difficulties encountered in the NCHR's work and ways to overcome them

Since its establishment, the NCHR has faced a number of difficulties that have limited the effectiveness of its efforts in some areas, and obstructed many useful recommendations that would have addressed many of the obstacles that impede progress in the field of human rights and public freedoms.

At the top of these difficulties: The general orientation of the former regime towards the human rights file in Egypt. On the one hand, there was no seriousness in its approach, which came as a result of international pressure. On the other hand, there was no consensus among the state bodies regarding opening this file. The impact of these two factors was evident in the regime's interaction with the NCHR's recommendations and proposals, the most prominent of which was the Ministry of Interior's obstruction of the NCHR's most important proposals to end the state of emergency, eradicate the phenomenon of torture, and link the government between ending the state of emergency and issuing the anti-terrorism

11

had been included in the Penal Law in 1992. Neverthless, the government also stopped responding to the NCHR's reports.

There is no doubt that regime change and society's insistence on advancing human rights and public freedoms has removed the most important obstacle facing the NCHR's efforts.

One of the important difficulties that the NCHR faced was the misconception of the advisory nature of the NCHR. State bodies interacted with the recommendations of the NCHR and the complaints referred to them, which represent one of NCHR main duties as being issued by an advisory body, which is a right word and wrong implications. Noting that the advisory nature of the NCHR is one of the characteristics of national institutions, complemented by the fact that state bodies shall interact with the recommendations they raise or the issues referred to them. The change in the State also provided a suitable space to overcome this problem.

There are other difficulties that resulted from deficiencies in the NCHR's powers in some areas, and they were overcome by introducing some amendments to the NCHR's Establishment Act No. 94 of 2003 as follows:

- A. Obligating the concerned competent authorities to provide information to the NCHR, and to take required actions to investigate the complaints referred by NCHR and to eliminate their causes or justify their rejection in a responsible manner.
- B. Giving NCHR the right to file lawsuits, or to intervene in cases that require it, in defense of human rights, which is a right granted to NGOs as per the Acts of Environmental and Consumer Protection Associations, and it is strange that the NCHR does not have such a right.
- C. Stipulating the NCHR's right to visit prisons and other detention centers in accordance with the standards applied by the International Red Cross.

### NCHR Strategy During June 2013 Revolution

At the outset of the meetings of the NCHR – in its sixth formation – after the June 30 Revolution, the NCHR developed an action strategy in line with this historical stage. Similar to those set by NCHR in its fourth formation after the January 2010 revolution in similar circumstances in terms of popular aspirations and prospects on the one hand, and the duties and obligations of the government on the other hand. Bearing in mind the changes that occurred in the political, social and cultural scene during the period that led to the people's revolution. This is in addition to

the outcome of the NCHR's discussions on the priorities of its work during the foundation phase.

Similar to the NCHR's experience in developing its previous strategy in the context of the January Revolution, the new strategy was adopted with its vision in two phases. The first is by integrating human rights into the tasks of the foundation phase, whether at the legislative or institutional level. The second is by interacting with the challenges revealed by the course of the past stages during this period, which ends with the termination of the parliament's term with the election of a new parliament. It is also based on the positive experiences that the NCHR drew in its previous stages of work, and ways to overcome the obstacles it faced in implementing its proposals, and the failure of its legal framework to fulfill the requirements for accomplishing its tasks.

### First: Incorporating human rights into the tasks of the second transitional period

The tasks of the foundation stage included two main aspects: The <u>first</u> <u>aspect</u> included the amendment of the Egyptian constitution, confrontation of terrorism and violence, prosecution of those involved in the crimes of killing peaceful protesters, elemination of tension and congestion among the Egyptians, and completion of the road map. <u>In</u> <u>carrying out these tasks</u>, NCHR has undertaken the following: 1.

Elaborating the NCHR's vision of the basic principles intended by NCHR to be included in the constitution.

- 2. Forming the fact-finding committees to monitor the violations witnessed in the Egyptian scene since 30/6, to work for the release of detainees, and to treat the injured.
- 3. Ensuring the availability of fair trial standards for all suspects in these crimes to enforce the rule of law, and to establish the principle of non-

14

impunity and the appearance of the accused persons before the competent judge.

4. Accelerating the pace of eliminating security chaos, and supporting police to resume their professional duties on new bases. 5. Arranging visits to prisons and other detention centers in coordination with the Public Prosecution.

The <u>second aspect</u> of the tasks of the second transitional phase included completing the legislative framework for the election of representative councils, and the legal, administrative and executive framework that guarantees the completeness and integrity of the democratic process, including the following:

1. Abolishing the state of emergency as soon as the reasons calling for it cease to exist.

- 2. Issuing new legislation allowing freedom of civil action, freedom of information exchange, and freedom of peaceful demonstration. 3.
  Arranging election financing, ensuring the independence of the Supreme Elections Committee and its supervision of the entire electoral process, as well as civil and international supervision.
- 4. Ensuring the right to peaceful demonstration in accordance with international law and standards that criminalize those who violate peaceful demonstrations, block roads, threaten people's lives or public and private property by force, or incite to do so.

In this context, NCHR has assumed many duties, most notably are:

Considering the proposed bills and ensuring their consistency with human rights principles.

- The speedy conclusion of the NCHR's development of a report on proposed bills related to fundamental freedoms and crystallization of the basic principles that are recommended to be included in these legislations so that they come in line with society's aspirations and are in line with international human rights standards.
  - 15
- · Considering the optimal electoral system and its rules in light of the State's foundation phase, as well as the NCHR's role in monitoring the upcoming elections, participating in the training of non-governmental organizations, or following up the various stages of the electoral process

or interacting with citizens' complaints in this regard.

1. Economic Development and Social Justice Approach The economic and financial policies pursued by the previous regimes, by releasing market incentives without controls that limit monopoly, exploitation, and corruption, and its biases towards a social faction in the distribution of resources and burdens, and the restriction of trade union and professional work, led to deep distortions in growth between the regions of the State, injustices to workers' rights, and gross social imbalances.

The NCHR has taken upon itself, in the foundation phase whose legislative and institutional course will determine the nature of the political and economic orientations of the next phase, to work on establishing these standards.

The NCHR has an important legacy of the recommendations and proposals that were dealt with by dozens of seminars and workshops in order to build on them, as well as the results of the multifaceted social dialogue that the State is witnessing.

#### 2. Phase Issues

In addition to the normal tasks of the foundation period, which lays the groundwork for human rights in the long run, the State witnessed a number of pressing issues affecting human rights and public freedoms that

should receive special priority in the NCHR's effort. At the top of these issues:

16

A. The sectarian situation, which aggravated with accumulation and partial solutions, and took a dangerous turn in recent years, was compounded by the rule of the Muslim Brotherhood. The NCHR had given great attention to this issue and placed it at the forefront of its priorities, put forward in its context many legislative and procedural recommendations that previous regimes failed to adopt, while the current circumstances impose a duty to accelerate interaction with the problem, and also provide a serious horizon for interaction with it, reinforced by the government's pledges in the road map. In addition to strongly addressing all forms of attack to places of worship throughout Egypt and respecting the right of all citizens to practice their religious rites freely in accordance with the limits of public order, not using places of worship in political action, working to establish a culture and practices of non-discrimination between citizens and issuing legislation that protects citizenship and equality among all segments of Egyptian society.

#### This path places two tasks on the NCHR:

<u>Urgent task</u> seeking law enforcement to besiege the dangerous repercussions of this problem, and to ensure the implementation of the commitments made by the government, and its response to the

requirements of solving the problem on the basis previously adopted by the NCHR.

**Extended task** to lay long-term foundations for interaction with all social and cultural aspects of the problem and to strengthen the NCHR's mechanisms in interacting with this issue.

B. **Social situation**, which has emerged with sharp analysis in the sit ins, marches and strikes during the last two years, and these aspects have developed after the revolution in the context of what has been termed "factional demands," which have been doubled by the published facts about corruption, waste, exploitation and misdistribution of wealth,

17

during the prosecution of officials involved in cases of illicit gain and acts of violence that the country witnessed during the events of the 6/30 revolution, which took on more severe manifestations and were sometimes mixed with manifestations of violence and terrorist operations.

Paying attention to developing reform programs in the fields of health, education, housing, and others, in a way that gives a clear indication to society about the pattern of future social policies. Foremost among them, is equal opportunities, prevention of discrimination, the pattern of burden distribution in financial policies, and advocacy for a national program for transitional justice through independent national committees whose purpose is to restore harmony, unity and consistency

for Egyptian society, through the mechanisms of disclosure, accountability and reconciliation, and by following up and completing the work of fact finding committees on various crimes accompanying or following the revolution, and issuing a transitional justice law to achieve this purpose.

#### At this stage, the NCHR had

to activate the cooperation protocol signed with the Ministry of Transitional Justice and National Reconciliation. This is in addition to the completion of the Transitional Justice Committee in the NCHR of its work.

C. Countering terrorism in Sinai, which the former regime helped to create a fertile environment for terrorist hotbeds that threaten the security and stability of the Egyptian State. The Egyptian government pledged in the road map that it would not hesitate to resolutly confront those who targetEgypt's national security or territorial integrity and citizens, and that it will continue to hold the national interest above all considerations, rejecting any external pressure. The government also affirms its determination to assumw its full duty towards the protection the nation and citizens, and its willingness to spare no effort to defend it.

At this stage, the NCHR had the following three tasks:

18

- · Following-up developments in the military operations scene in Sinai.
- · Monitoring the government's commitments towards solving the basic problems that Sinai citizens suffer from.

· Taking into account the priority of employing citizens of Sinai governorates in development projects, and their impact on them. · The insistence on completing the Sinai development plan, which has found no serious impetus to its implementation since its launch.

#### D. Egyptian Workers and Immigrants Abroad

Although this subject has received special attention from the NCHR in the past years, and has issued many recommendations in this regard, the State failed to achieve any significant progress in interacting therewith, whether on the protection that the state can provide to its citizens and their rights abroad, or the benefit that can be achieved from adopting a sound approach, and even the liberal tide that arose in the Arab world with the success of the revolutions in Tunisia and Egypt did not bring a positive return in this regard, where the repercussions of the Libyan revolution led to the flight of hundreds of thousands of Egyptian workers, and some of them were subjected to killing, physical assaults, and deliberate insults, in the context of the repressive measures adopted by the Libyan regime to suppress the revolution.

#### At this stage, the NCHR had the following tasks:

· Developing a comprehensive study on the damages resulting from the expulsion of Egyptian workers from Libya, in preparation for raising the violations of their rights following the expected changes in Libya.

Reviving interest in the numerous proposals of the NCHR in this regard.

· Elaborating new proposals to invest in changing the negative stereotype of Arabs in the Western Diaspora with the Egyptian peaceful

19

revolution to enhance their presence and integrate them into the Diaspora societies.

#### E. Needs of People with Disabilities and their Empowerment

Community integration and empowerment of people with disabilities is a priority in this foundational phase to ensure the activation of the state of law, the establishment of the rules of citizenship and social justice, and the dissemination of a culture of non–discrimination in the exercise of all basic rights. Former governments have neglected the rights and empowerment of people with special needs, which also requires integrating the needs of people with disabilities into a development perspective.

#### At this stage, the NCHR had the following tasks:

- · Putting the draft law developed by the Disability Affairs Unit of the NCHR forward for community discussion with the concerned authorities, including the National Council for Disability Affairs and civil society organizations.
- · Working on implementing a plan for community integration and empowerment.
- · Providing vocational rehabilitation to help people with disabilities find

job opportunities.

Developing studies on people with disabilities that aim to limit their needs and the challenges they face, and suggesting ways to deal with it.

#### Second: Long Term Action Plan

The work strategy aimed at interacting with the tasks of the foundation stage does not prejudice the development of a general framework for NCHR's long-term strategy. In fact, the NChR's law defines the main lines of this strategy clearly, and its course of action since its establishment crystallized the dimensions of this strategy, whether in the

20

field of spreading the culture of human rights, or in the field of defense and seeking redress for individuals and groups whose rights have been violated. This effort is supported by a number of projects and programs that are implemented by units established by the NCHR.

In its current mandate, the NCHR has undertaken several tasks to further this effort. At the top of which: –

Developing the National Action Plan for the Advancement of Human Rights in the State, which was approved by the NCHR. It was to be incorporated into the 2007/2008-2011/2012 plan in light of the requirements of the new data resulting from the revolution of January 25 and June 30, and the experience of the previous stage in the interaction of State apparatus with this plan and its practical failure to integrate it into

the development plan.

- · Following up on the NCHR's efforts to strengthen its relationship with civil society organizations concerned with human rights and development and its efforts to institutionalize these relations, and to activate periodic meetings with them, directing special attention to regional organizations and newly established organizations to support their capabilities, and interacting with trade union encroachment that emerged after the revolution.
- · Making special effort to women's issues in light of the influence of government structures concerned with these issues on the one hand, and the increasing impact of extremist parties that put forward visions that affect the gains achieved by women in the previous period.
- Enhancing cooperation frameworks with national institutions and their coordinating committees, especially the Inter-National Institutions Coordination Committee (ICC) to preserve the status and influence of the NCHR, especially in light of the repercussions of the foundation phase that may raise controversy for the committee.

21

· Intensifying cooperation with the relevant United Nations mechanisms, especially the Human Rights Council, the Universal Periodic Review Mechanism, and the Special Rapporteurs. Following up on the State's progress in implementing the recommendations it accepted in light of the

Universal Periodic Review.

### Third: Analyzing the difficulties encountered in the NCHR's work and ways to overcome them

Since its establishment, the NCHR has faced a number of difficulties that have limited the effectiveness of its efforts in some areas, and obstructed many useful recommendations that would have addressed many of the obstacles that impede progress in the field of human rights and public freedoms.

At the top of these difficulties: The general orientation of the previous regimes towards the human rights file in Egypt, On the one hand, there was a lack of seriousness in adopting this approach, which came in the context of international pressure, and on the other hand, there was no consensus among State bodies regarding opening this file. The impact of these two factors was evident in the regimes's interaction with the NCHR's recommendations and proposals, the most prominent of which was combating the phenomenon of torture.

There is no doubt that changing the previous regime and the society's insistence on advancing human rights and public freedoms will remove the most important obstacle facing the NCHR's efforts.

Among the significant difficulties that the NCHR faced was the misconception of the advisory nature of the NCHR. State bodies interacted

with the recommendations of the NCHR and the complaints referred to them, which represent one of its main duties as being issued by an advisory body, which is a right word and wrong implications. Noting that the advisory nature of the NCHR is one of the characteristics of

22

national institutions, complemented by the fact that state bodies shall interact with NCHR recommendations or the issues referred to it. The change in the State also provided a suitable space to overcome this problem.

There are other difficulties resulting from the shortcomings in the NCHR's powers in some areas that can be overcome: 1– Agree and cooperate with the concerned authorities in facing challenges, and regulating the relationship by concluding cooperation protocols and joint executive action plans.

- 2- Propose amendments to bills related to fundamental freedoms. 3- Enhance the participatory approach between the scientific administration, the teaching staff, students and parents in adopting practical plans for student activities accompanying the educational process.
- 4– Enhance the benefit of the digital transformation path, as follows:
- Promoting a smart program to develop awareness of the human
   rights database from both the value and application aspects.

Enhancing the capacities of public servants in the field of human rights based on constitutional guarantees

 Raising awareness in the field of the environment and rational water consumption by working with relevant partners to develop public service ads and launch a smart knowledge program that addresses individual and collective behaviors related to environmental protection and rational consumption of water resources.

#### Fourth: Qualitative Issues

- · Development of Border Areas:
- Paying attention to support the residents of the border areas to benefit
   from giant development projects and new investments through the
   establishment of vocational rehabilitation centers.

23

- Launching a course of consultations with community leaders in the border areas to set out development plans based on resources and in response to goals established.
  - · Pay attention to supporting anti-corruption efforts:
- Forming a team in the NCHR to monitor the anti-corruption efforts –
   Cooperating with the National Coordinating Committee for Combating
   Corruption, especially in the field of enhancing awareness of the efforts
   made at the local and international levels.
- Setting out a special section in the NCHR's annual report to address

the efforts made in the field of combating corruption

### Sixth: Developing a National Plan for the Advancement of Human Rights

- · Forming a Technical Committee and Developing a Preparation Plan
- Forming a committee of NCHR's experienced members, researchers at the NCHR's secretariat, and relevant experts to set out a plan and an executive path for efforts to develop the national plan.
  - Forming the Preparatory Committee: In cooperation with official authorities and civil society
  - Launching the Path of National Consultations: Conducting consultations with governmental and non-governmental sectors, at both the institutional and geographical levels.
  - Developing the Plan and Put it up for Public Discussion: Forming a drafting team and forming a joint advisory body that includes various stakeholders to set out the final draft
  - Proposing the Plan, at the Executive and Legislative Levels, for the Purpose of Adoption and Approval:
- Publishing the draft and holding media activities to introduce it,
   promote its content, and receive related feedbacks and proposals

24

- Presenting the final draft to the government and parliament in

preparation for approval, adoption and integration into the national development plan and Egypt's 2030 Vision.

- · Forming the National Follow-up Committee:
- After approval and integration, a national follow-up committee shall be formed comprising representatives of various stakeholders to advance measures to activate the plan, provide practical programs, follow up executive procedures, and submit proposals aimed at enhancing the process of activation and preparing assessments for the implementation stages.

#### **Section Two**

Towards a New Strategy for a Changing Reality

Lessons Learned from Experience and Aspirations for the Future

NCHR discussions revealed <u>ten challenges that embody this</u> <u>concept,</u> including:

#### A. Terrorism and Regional Unrest:

 In July 2020, the Egyptian Ministry of Foreign Affairs issued a national report on Egypt's efforts to combat terrorism, which was developed in coordination with the relevant ministries and State bodies. Ambassador Ehab Fahmy, Director of the International Counter-Terrorism Unit, stated that this report, which is the first of its kind, documents the efforts of the Egyptian State and its national institutions to combat terrorism and eradicate its roots, by confronting all terrorist organizations

25

without exception, holding the supporting countries accountable, and uprooting its intellectual and financing sources.

- The NCHR's annual report series also monitors the achievements of the army and police forces in the context of combating terrorism, including the arrest of the most prominent terrorist operations leaders, executives and planners. It also monitors remarkable progress in stability and development in Sinai, but at the same time, according to the declared results of the confrontations, it concludes that there is still a large infrastructure and underlaying terrorist energy. Having the declared confrontation as a model (which took place between July 22, 2020 and August 30, 2020), it resulted in the killing of 77 takfiris, the destruction of 317 dens and explosive stores in North Sinai, and the martyrdom and injury of 7 officers and soldiers in the operations field.
- International and regional powers are also seeking to turn Libya into a main platform for terrorism targeting Egypt and deepening regional turmoil in the region, which prompted President Abdel Fattah El-Sisi to take precautionary military measures and issue a decision from the House of

Representatives to transfer army forces abroad.

- It remains to be noted that developing a strategy that does not focus only on the direct effects of terrorism and combating it, but that necessarily extends to its repercussions on a wide range of basic human rights should be taken into consideration by the NCHR. Beginning with the periodic renewal of the emergency law, which blocks many of the rights and freedoms guaranteed by the constitution, the trial of non-military persons before military courts, the extension of detention periods prior to referral to the Public Prosecution, the exceeding of legal deadlines for pretrial detention, and the continued shrinking of public sphere.

### B. Social and Economic Impacts of the Covid-19 Pandemic on Egypt.

26

Egypt, like all countries across the world, suffered from multidimensional consequences as a result of the "Covid 19" pandemic, starting with the loss of the lives of thousands of citizens, to the suffering of society from the inability of government hospitals to receive patients at the beginning of the spread of the epidemic, in addition to the blatant exploitation of some private hospitals for critical cases of patients, as well as the exaggeration of stores selling disinfectants and masks and the exploitation of citizens in the first period of the spread of the epidemic, until the State was able to allocate hospitals to meet the growth of health

needs with the support of the Armed Forces, which initiated the establishment of a specialized hospital with a capacity of four thousand beds in Cairo, and the strengthening of health services in the governorates.

Egypt's interaction in dealing with the pandemic accompanied a reasonable level of moderation, closing airports, banning tourism, and emphasizing social distancing standards, including closing schools and universities and adjusting examination systems, as well as closing places of worship such as mosques and churches, extending closing times for shops, and issued strict instructions for precautions and preventive measures in means of transportation. It also expanded the scope of social programs to provide relief to the underprivileged, and decided a financial aid of 500 Egyptian pounds for irregular workers for a period of three (03) consecutive months.

However, although the damage caused to Egypt as a result of the pandemic was similar to many other countries, the burden on it was more. On the one hand, Egypt had succeeded to a large extent in laying the foundations for for an ambitious socio-economic project to advance economic and social rights, bringing the GDP growth rate to 5.6%, as the target expected in international sources is to hardly reach 2%, and the Egyptian government alone aspires to reach 4%.

While Egypt had launched important projects in the field of health and education on the path of comprehensive health insurance and the development of education, the pandemic changed the scheduled priorities, and the unemployment rate increased during the second quarter of 2020 to reach 9.6%, compared to 7.7% in the first quarter of 2020, 7.5% from the second quarter of 2019 (according to the Central Agency for Public Mobilization and Statistics) and is expected to reach 11.6% for 2021.

Egypt was also forced again to borrow to bridge its growing foreign currency gap, and received an urgent loan from the International Monetary Fund in the amount of \$2.8 billion in May 2020, one month later, it received a second loan of \$5.2 billion. Egypt also issued \$5 billion in bonds in its largest ever offering in the international bond market, and these new loans seriously increased public debt.

#### C. Water Poverty and the Grand Ethiopian Renaissance Dam Crisis

The Nile river is considered the lifeblood of Egypt, and Herodotus was not exaggerated when he famously said, "Egypt is the gift of the Nile." All of Egypt, Sudan, Uganda, and Ethiopia are affected by it, as well as separate countries from Kenya, Tanzania, Rwanda, Burundi, and the Congo. Noting that the Nile was not divided except in conflicts between the colonial powers and between Britain, France, Belgium, Germany and Italy during the period known as the kidnapping of Africa. One of the

most important agreements concerning the Nile river during the period of colonial expansion in Africa were the May 7, 1929 agreement, during which Egypt's acquired share of the Nile river was determined at 48 billion cubic meters annually between the Egyptian Prime Minister and the British High Commissioner in Egypt. One of its most prominent provisions therein was that irrigation or generation works should not be carried out, without a previous agreement with the Egyptian government, and that measures should not be taken on the Nile and its

28

branches, or on the lakes from which it flows, whether in Sudan or in the countries under British administration that would hat would reduce the amount of water that reaches Egypt, delays its arrival, or reduce its level in a way that causes any harm to the interests of Egypt. Likewise, Sudan needs an amount of Nile water that is greater than the amount it uses (at that time), and adjusting the amounts it obtains based on the report of the Nile Water Committee.

## D. Climate Changes.

Expert reports and the results of international and regional conferences held during the last three decades agree that the issue of climate change is now one of the most serious challenges facing the world during its contemporary history. Most reports indicate that global warming is already occurring. As global temperatures have increased by about 0.7

degrees Celsius since the beginning of the industrial era, and the rate of such increase is accelerating, the developing countries will witness the most severe effects, including water pressure, water insecurity, impact on agriculture, lack of food production, sea level rise, and erosion and disappearance of some lands.

Peoples of developing countries face great challenges in order to adapt to climate change, as they already suffer from poverty, and climate change is likely to cause climate shocks and the risk of floods and there appears inequality in the inverse relationship between those who bear responsibility for the cause and those who bear the result in the ability to adapt to such changes. Inequalities in capacity to adapt to climate change are becoming increasingly apparent, as adaptation in part of the world – the richer part – means building a complicated climate defense infrastructure, while in other parts of the world, adaptation means people learning themselves to float in flood waters (Human Development Report 2008).

29

Although the Arab region does not contribute more than 5% of the gas emissions that lead to climate change, its effects in the region will be very severe. Reports indicate that the region is particularly vulnerable due to scarce water resources, high levels of aridity and a long stretch of coastline threatened by sea level rise.

The majority of Arab countries are located in arid and semi-arid regions, and their water resources are limited. Therefore, climate change will negatively affect Arab countries, although this impact will differ from one country to another. Climate change will have a clear impact on increasing desertification in the region. In addition, there is a threat of drought waves for productive lands, as the frequency of drought waves has already increased in some Arab countries.

Egypt pays attention to climate change, so the National Council for Climate Change became under the chairmanship of the Prime Minister and the membership of all relevant ministries with a view to consolidate the visions in terms of the developmental and strategic direction, as the preparation of the strategy shall include setting visions for all stakeholders in the various fields, the public and private sectors, and civil society.

The Ministry of of Sstate for Environment up an interactive map that allows forecasting the risks of climate change, which makes it contribute more clearly to setting and implementing national priorities for adapting to the effects of climate change.

## Egypt's efforts to reduce negative impacts include:

- Implementing the commitments related to the United Nations

  Framework Convention on Climate Change
- Enhancing institutional development, including:
- · Activating the projects of the national development mechanism; ·

Activating the National Committee for Climate Change;

30

- · Establishing a central administration for climate change that works to improve the national performance in the field of adaptation to climate change within the framework of national plans for the sectors; · Contributing to the adoption of a low–carbon development strategy to achieve sustainable development and increase the national capacity to attract and benefit from the international support; and
- · Coordinating with international bodies and developing countries to avoid imposing any obligations to reduce emissions on developing countries, including Egypt, which conflict with economic and social development plans.

#### **E. Population Explosion**

The population explosion problem is one of the most important challenges facing the Egyptian society, especially after the population in Egypt has reached 100 million. Note that the governorates of Upper Egypt and the border governorates are the highest in increasing birth rates annually, according to the statistics of the Central Agency for Public Mobilization and Statistics (CAPMC). Overpopulation has negative impacts and risks on the economic, social, environmental and health

levels. The overpopulation problem is due to the high rate of population increase and the low standard of living, and the consequent effects of lack of production and low social level, especially in some slums, which are characterized by large numbers of births, low income, and low health and environmental standards, which some may consider as a threat to national security.

Eliminating the problem of overpopulation in Egypt requires that it be a priority for the State in compliance with Article 1 of the Child Law No. 12 of 1996, as amended by No. 126 of 2008, which stipulates that "the State guarantees the protection of childhood and motherhood, takes care of children, and works to create appropriate conditions for their proper

31

upbringing." The state shall thus encourage families to apply family planning methods by giving them an incentive. As the risk of overpopulation is no less than the threat of terrorism. Nchr, in its last session, strived to stimulate the State's attention to confront this emerging problem and concluded with the following recommendations:

- 1. Issuing the Population and Development Act promptly to limit population increase and review laws, legislation and ministerial resolution related to population increase and the law of civil associations.
- 2. Reviewing some legislations related to early marriage, female genital mutilation, and labor, and activating the child labor law.

- 3. The National Population Council should report to the Presidency of the Republic and be supervised by the Deputy Prime Minister. 4. Family Planning Center shall report to the Presidency of the Republic as it was in addition to reoperating the training centers for doctors and nurses on family planning and reproductive health work. 5. Allocating a budget for family planning and population. 6. Obliging the Ministry of Health to provide doctors and means of planning, raising the level of health and reproductive services and family planning, stressing out the need to manufacture contraceptives in Egypt instead of importing them from abroad, and obliging hospitals to open a family planning clinics and provide the service at a set price. 7. The role of the Ministry of Health in conducting awareness programs for people in the countryside and villages to the dangers of early marriage, as well as punishing those who fabricate the age of the children so that the marriage contract can be concluded.
- 8. Developing curricula in pre-university and university education, and oblige the Ministries of Education and Higher Education to teach and providing family planning diplomas in all universities in Egypt. 9.

  Activating the role of religious scholars and religious institutions in limiting population increase, supporting family planning efforts, and

the necessary training programs for those concerned therewith. 10. Providing follow-up service of the newly married couples via mobile phone and e-mails.

- 11. Obligating government and private channels to make advertisements for the National Population Council.
- 12. Improving the status of women through education, work and caring for their health so that they are decision–makers in determining the number of children in their family.

## F. Combating Discrimination:

The United Nations was not exaggerating when it started its most important document, the Universal Declaration of Human Rights, with its historic phrase, "All people are born free and equal in dignity and rights." Where it was and will remain a dream passed down by generations in a world that kept turning its head from it as long as this was available, nor was it surprising the attention that the NCHR has given to this issue since its establishment, which was and will remain the cornerstone of the advancement of human rights. Many conferences were held to discuss it and address its various forms, and a bill on "equal opportunities, prevention of discrimination, and the establishment of a commission for this purpose was also developed." It was thus handed to the Chairman of the Human Rights Committee in the House of Representatives and the

representative of the Ministry of Legal Affairs and the House of Representatives on 8<sup>th</sup> of November, 2016, and it included the following:

Reviewing the existing laws and legislations, including texts devoted
to the idea of discrimination, in accordance with the Constitution and
international covenants of human rights ratified by Egypt, and in a
manner that guarantees no discrepancy between different
legislations in the same field.

33

- The Commission undertakes three important themes (the educational theme, the legislative theme, and the theme of redress for victims of violations), with the need to grant the Commission the necessary powers to submit proposals for the enactment of new legislation or the amendment of existing legislation that affects its field of work.
- Ensuring the financial, administrative and technical independence of the Commission, by stressing the setting of clear and accurate criteria to be taken into account in selecting the composition of the Commission's members, and adopting the concept of pluralism to ensure the representation of the largest possible number of societal segments, in a manner that achieves the goal of approving the law.
- Providing the right to access information, which is the main basis
   for verifying complaints from citizens and victims of violations.
   Establishing controls and mechanisms specified by law to ensure the

activation of the role of the Commission, and stipulating the obligation of decisions and reports issued by it in a manner that confirms the purpose of its establishment.

- Ensuring the decentralization of the Commission and having several branches in the different governorates across Egypt for easy access and communication with it.
- G. Promoting Freedoms and Enabling the Public Sphere. Despite the hopes that the 2014 Constitution held with regard to guaranteeing public freedoms and democratic building, the legislative and political developments did not keep pace with these rich constitutional guarantees.

As for the **Right to Establish Associations**, Article 75 of the Constitution guarantees the freedom to establish associations and civil entities by notification, guarantees the freedom of their work and activity,

34

and prevents the competent administrative authorities from dissolving or freezing associations, suspending their boards of directors, or interfering in their affairs, except with a reasoned court ruling.

Since 2016, the State has faced a regression in this regard, which represented the beginning of the prosecution of a number of human rights activists, the travel ban of some of them, and the freezing of personal and institutional financial accounts, which led to a serious deterioration in the

status of the human rights movement and its role in advancing human rights in the State.

Later, the House of Representatives ignored the bill approved by the government in September 2016 to regulate associational life. Representatives proposed another bill, and insisted on its approval despite the severe opposition. This led to the paralysis of associational life in the State for about three years (Law 70 of 2017), until the President of the Republic took the initiative to call for a solution to the crisis and the development of a new law.

Despite the unanimity achieved by Law 149 of 2019, based on the objective consultations launched by the State in dialogue with thousands of local and foreign NGOs, however, the executive regulations of the new law were not issued, despite a full year has passed since the adoption and issuance of the law officially. The government did not fulfill its promises to follow the path of consultation on the executive regulations, which kept the situation of associations and civil life in the State deadlocked.

Despite the fact that Law 149 of 2019 represented an important breakthrough in addressing the entire crisis of NGOs, including ending the prosecution of human rights defenders and allowing them time to comply with the new law, however, the open prosecution without a time limit of human rights defenders since the spring of 2016 was not addressed until

the fall of 2020, despite the fact that the case of activists of foreign organizations was ended in December 2018.

As for the right to **Peaceful Assembly**, and despite the provisions of Article 73 of the Constitution, the State has suffered from the continued enforcement of the controversial Demonstration Act issued in 2013 in the context of confronting armed and non-peaceful demonstrations. However, the amendment of Article 10 thereof, after its constitutional invalidity by the ruling of the Supreme Constitutional Court, did not make a significant difference. The law continues to impose custodial penalties for a range of violations, even though they are sinful and punishable under the Penal Law. Controversy also arises regarding the continuation of Law No. 10 of 1914, known as the Demonstration Law, with no need.

This requires, in the opinion of NCHR and in the recommendations of its annual reports, a review of a new Act to regulate the right to peaceful assembly(gathering), commensurate with the development of stability in the State and the desire to expand freedoms and enhance community participation.

As for the <u>Freedoms of Opinion and Expression</u>, the State's efforts to enact legislation for independent media institutions and their formation in 2016 did not achieve the expected impact. Where the local

media practice in-depth self-censorship that prevents them from practicing their work professionally, tainted at the same time with warnings against violating anti-terrorism laws, and entering into an inter-media battle with foreign media outlets that declared their hostility to the State. With the rise of controversy over the ownership of independent media and the State's domination of ownership of the majority of them.

Therefore, the State had to establish a State Ministry of Information at the end of 2019 with the aim of developing an appropriate media policy

36

for the State, coordinating between independent media institutions, and the executive authority, in addition to strengthening the work of state owned media.

The NCHR's continuous assessment remains that unless a clear political will is manifested to enhance media freedoms, and provide the necessary features for it by issuing a law that guarantees freedom of information, the local media will not be able to play its aspired role. Whether with regard to provoking societal discussion about public affairs, or in the field of presenting a positive image of the State in the outside world and confronting the challenges imposed it.

As for the Right to Participate in the Management of Public

Affairs, despite the progress achieved in providing the independent

supervision of the elections, guaranteeing the periodicity of the elections and the standards of their integrity, and allowing local and foreign supervision over them, the weakness of party life is a negative factor in enhancing the vitality of elections and enhancing their democratic content, especially with the decline in freedoms of opinion, expression and assembly on the one hand, and the absence of motivating factors in electoral legislation on the other hand.

The 2019 amendments provided significant progress in representing the groups most in need of care, creating a second chamber of parliament represented in the Senate, in addition to combining the list and individual systems in the election process.

However, the consolidation of these positive influences requires the start of speeding up the holding of local council elections due to the importance of their role in enhancing community participation by electing about 55,000 popular representatives in their membership, half of whom are divided equally between women and youth according to the Constitution, which enhances the renewal of political life and party life as

37

well, and allows achieving the transition to decentralization in accordance with the constitutional entitlement.

Enhancing these important influences also calls for holding elections under the open relative list system instead of the closed absolute

list system, with the aim of stimulating political and party life competition in a manner that guarantees the promotion of community participation in terms of form and content.

#### H. Anti-Corruption.

The consequences of corruption on society are no less than terrorism and extremism. The State's efforts to combat corruption revealed two facts; Firs: Corruption is much more dangerous than all estimates, and it is blatantly rampant within bureaucratic institutions. This is evidenced by the type of cases dealt with by the administrative supervision, or those dealt with by fact–finding committees assigned by the House of Representatives, or efforts to recover State lands from their usurpers and remove encroachments on the Nile River. Secondly: The State has shown serious determination to fight corruption.

The State has intensified its efforts in the field of combating corruption, as it has strengthened the powers of its supervising bodies in practice through the tangible support of the President of the Republic for such bodies, especially the Administrative Control Authority (ACA), which announced the discovery of dozens of major cases in this regard, and also through the National Committee to Address Corruption in the Lands, which constituted one of the most prominent features of institutional corruption in the period preceding the January 2011 revolution. Through

which thousands of investors obtained distinct and large areas of State land for the purpose of exploiting it in agricultural or industrial development, while it was exploited as lands for construction,

38

commercial and market purposes, or resold with high prices and divided for purely profitable purposes.

Press referred to dozens of reconciliations that were accomplished with those accused of corruption in the period leading up to the January 2011 revolution, according to the law issued in mid-2015. The said reconciliations included paying the defendants tens of billions, including figures linked to the regime of former President Hosni Mubarak, and recovering hundreds of thousands of stolen acres. This put an end to the sources of illicit enrichment, in which the seizure of public property was the main means by taking advantage of the corruption of local councils along with the exploitation of legal loopholes to prevent the State's ability to recover public lands.

The State has made it possible to legalize lands that have been exploited economically according to their nature through legalized procedures that include paying the actual value of the lands with the possibility of paying the prices in installments through acceptable rules.

It is noteworthy that Egypt had advanced in the Transparency Index thanks to the adoption of the National Anti-Corruption Strategy 2014, but

it retreated 20 rank on the CPI prepared by Transparency International issued in early 2017 compared to 2016. It ranked  $108^{\text{th}}$  out of 176 countries, then  $105^{\text{th}}$  in the 2018 report, and  $106^{\text{th}}$  in the 2019 report.

This decline is mainly due to the State's indifference in interacting with the accusations leveled against it, as well as the lack of attention to providing the necessary information, and the lack of a reference body through which the efforts made in the field of combating corruption can be referenced.

Recognizing that combating corruption is not an occasional mission, but rather an incurable disease that will require more mechanisms, and continuing to bridge the loopholes through which corruption penetrates

39

through legislation and confrontations, as was evident during the year 2020 in the context of combating building violations on lands owned by the people and agricultural lands. In addition to the dangers of violations in licensed buildings to public safety, the State must reconsider a number of important aspects, particularly:

· Taking into account the social dimensions related to addressing such violations, whether by guaranteeing an alternative housing for those whose homes are decided to be demolished, or by taking into account the ability of families to bear the financial consequences of the value of reconciliations in violations that can be licensed.

- · Granting appropriate exceptions to retirees with limited ability to pay the value of conciliation for violations.
- Ensuring that the public officers and contractors responsible for committing these violations are held accountable.

In addition, NCHR re-presents a number of recommendations that it had previously made, foremost of which are:

- Accelerating the formation of an independent national anti-corruption committee with a mandate in line with its commitment under its accession to the International Convention against Corruption. This committee will be concerned with submitting legislative and political proposals to enhance the State's efforts in this field, referencing the efforts made and introducing them in a manner that contributes to improving the State's ranking in global anti-corruption indexs, which will have a positive impact on enhancing the flow of serious foreign investments to the State.
- This does not limit the role of the National Anti-Corruption Coordinating
   Committee, which promotes the activation of the National Anti-Corruption Strategy 2014–2018, in its second phase 2018–2020.
- Issuing the Witnesses and Whistleblowers Protection Law.

40

Issuing a Law Guaranteeing the Freedom of Information Flow.
 Enhancing anti-monopoly efforts and consumer protection, especially

with regard to basic goods and services.

# **Executive Action Plan for the NCHR's Strategy**

<u>(2021 – 2025)</u>

First: Enhancing the Activation of the NCHR Constitutional

 $\textbf{Mandate} \cdot \underline{\text{Legislative Role}}$ 

- Enhancing the formation of council committees with experts in the legislative and judicial fields
- Developing legislative proposals with the aim of ensuring consistency
   with the constitution and international human rights conventions ratified

 Organizing an active coordination and communication mechanism with both chambers of parliament and committees concerned with human rights and legislation in accordance with the 2012 Belgrade Principles for cooperation between national institutions and parliaments.

## · Legal Assistance

- Developing the NCHR's Complaints Office to alleviate the associated burdens and ensure the facilitation of receiving complaints.
   Organizing a coordination mechanism with the national complaints mechanism headed by the Council of Ministers to ensure that the impact of the NCHR's interventions is enhanced
- Enhancing the exchange of experiences with international and regional institutions in the field of receiving and handling complaints Setting an assistance mechanism for legal litigation in the NCHR's Complaints
   Office and coordinating with the Bar Association to enhance legal support efforts for litigants in cases of concern.
- Coordinating with local non-governmental human rights organizations
   in providing legal support to litigants and interacting in receiving and
   handling complaints
- · Enhancing interaction with international mechanisms Ensuring the

permanent participation of the NCHR in the sessions of the relevant international and regional mechanisms

- Activating efforts to interact with treaty mechanisms through shadow reports and the universal periodic review mechanism through stakeholder reports
- Assigning the International Relations Unit to ensure continuous communication with special procedures, special rapporteurs, independent experts, in addition to the working and concerned teams in the context of

42

their interaction with issues related to the human rights situation in the State.

 Activating the participation of members of international mechanisms in the activities convened by the NCHR and which fall within their interest to enhance awareness of the situation and facts and avoid the usual ambiguities.

## Second: Civil and Political Rights

- Creating a balance between protecting and respecting human rights
   and efforts to combat terrorism
  - Establishing a specialized observatory to monitor and document terrorist crimes and provide related scientific analyzes.
  - Holding national seminars in partnership with all concerned official

- and societal parties with the aim of evaluating and developing practices and measures.
- Reviewing anti-terrorism legislation and pointing out deficiencies of concern with a view to addressing them.
- Encouraging efforts to establish the National Anti-Discrimination
   Commission in accordance with the constitutional entitlement, given
   the importance of its role in supporting the path of cultural reform,
   renewing religious discourse, and combating hatred and
   radicalization.
- Intensifying efforts to remove obstacles in order to enhance freedoms
  of assembly and association, and following up efforts to address
  Case No. 173 in a manner that guarantees addressing its negative
  effects on some human rights entities.
- Promoting and supporting criminal justice development efforts Calling for the organization of a comprehensive national conference to review and update the Penal Law in line with the directions of reducing provisions that lead to the death penalty, strengthening

43

efforts to ban torture and ill-treatment, prohibiting illegal detention, and adopting alternative penalties to custodial penalties for minor crimes.

- Engaging in efforts exerted to amend the Law of Criminal Procedure to ensure its consistency with the Constitution and international commitments
- Conducting studies on the legislative and administrative gaps that
  have been manifested in the context of the implementation of laws
  related to women, children, people with disabilities, refugees and
  immigrants, with the aim of developing proposals for legislative
  approval.

## · Expanding the public sphere and supporting community participation

- Consolidating the gains achieved in the right to assembly and freedom of association in the Civil Labor Law 149/2019 and issuing its executive regulations after community consultation, with the formation of a follow-up mechanism in cooperation with civil work institutions and the General Federation of NGOs (after the election of its institutions)
- Reviewing legislation related to media freedoms, giving priority to developing proposals for the development of legislation of a criminal nature, and establishing a mechanism for coordination with relevant media institutions and unions.
- Paying attention to holding local council elections due to their importance in enhancing community participation and renewing

political and partisan life.

Third: Economic and Social Rights

44

- · Eliminating all forms of discrimination and promoting the path of social inclusion
- Supporting the sustainability of development projects directed at border and peripheral areas, paying attention to developing exemptions for labor intensive projects, and doubling support for small and medium enterprises.
   Working with competent institutions to address complaints related to discrimination in public jobs, and cooperate in continuing efforts to develop participation rates for women, youth and people with disabilities.

## · Protecting development gains

- Giving top priority to promoting the right to adequate health care, doubling the budgets to meet traditional and exceptional challenges, and accelerating the coverage of activating the health insurance system throughout the State as soon as possible.
- Promoting the values of in-kind support and social solidarity for the deserving groups in support of efforts to develop the right to a decent life.
   Aligning income levels with the high prices of food commodities

and basic services

- Following-up efforts to implement the education reform plan, while paying attention to the continuous preparation and qualification of teachers and teaching staff, along with setting out a system that guarantees the elimination of the phenomenon of private lessons in order to reduce the burden on families.
- Promoting trade union freedoms and respecting the right to collective bargaining and the right to strike.
- \* Evaluating priorities with a view to bridging gaps
- Conducting studies and field research in partnership with specialized institutions in order to identify the gaps arising from the policies of

administrative and monetary reform and technical development that are related to the social impact on the middle and lower classes. –

Developing the tax system according to progressive bases in order to implement the constitutional entitlement and increasing the levels of tax exemption for the lower–income groups.

#### Fourth: Human Rights Education

\* Strengthening the human rights component of cultural reform efforts and combating radicalization.

Cooperating with relevant partners to formulate a comprehensive initiative for cultural reform and the development of civic values - Paying attention to the development of the human rights component in the programs for preparing and qualifying imams and preachers. Cooperating with specialized media institutions in the field of promoting the human rights and citizenship component in media work through its various channels.

## \* Developing education development efforts

- Paying attention to the role of teachers in consolidating the values of human rights and citizenship
- Accelerating efforts to purify school curricula from impurities that
   conflict with the values and principles of human rights, while developing
   efforts to strengthen the human rights component in all the stages of
   education. Establishing model classes to consolidate citizenship, in
   coordination with the NCHR's specialized committees, so that in its first
   phase it includes between 3 and 7 classes in each governorate, in a
   manner that can be generalized.
- Enhancing the participatory approach between the scientific
   administration, the teaching staff, students and parents in adopting

process.

Enhancing the benefit of the digital transformation path

Launching a smart program to develop awareness of the human rights
 database from the values and applications.

Enhancing the capacities of public servants in the field of human rights
 based on constitutional guarantees

- Raising awareness in the field of the environment and rational water consumption by working with relevant partners to develop public service ads and launch a smart knowledge program that addresses individual and collective behaviors related to environmental protection and rational consumption of water resources.

#### Fifth: Qualitative Issues

- Development of Border Areas
- Paying attention to support the residents of the border areas benefiting from giant development projects and new investments through the establishment of vocational rehabilitation centers.
- Launching a course of consultations with community leaders in the border areas to set out development plans based on resources and in response to goals established.
  - · Paying attention to supporting anti-corruption efforts
- Forming a team in the NCHR to monitor anti-corruption efforts -

Cooperating with the National Coordinating Committee for Combating

Corruption, especially in the field of enhancing awareness of the efforts

made at the local and international levels.

 Setting out a special section in the NCHR's annual report to deal with the efforts made in the field of combating corruption

47

# Sixth: Developing a National Plan for the Advancement of Human Rights

Forming a Technical Committee and Developing a Preparation Plan

Forming a committee of NCHR's experienced members, researchers at the NCHR's secretariat, and relevant experts to set out a plan and an executive path for efforts to develop the national plan.

- \* Forming the Preparatory Committee
- In cooperation with official authorities and civil society
- \* Launching the Path of National Consultations
- Conducting consultations with governmental and non-governmental sectors, at both the institutional and geographical levels.
- \* Developing the Plan and Put it up for Public Discussion Forming a drafting team and forming a joint advisory body that includes various stakeholders to set out the final draft

- \* Proposing the Plan, at the Executive and Legislative Levels, for the Purpose of Adoption and Approval
- Publishing the draft and holding media activities to introduce it,
   promote its content, and receive related feedbacks and proposals –
   Presenting the final draft to the government and parliament in
   preparation for approval, adoption and integration into the national
   development plan and Egypt's 2030 Vision.
- \* Forming the National Follow-up Committee
- After approval and integration, the formation of a national follow-up committee comprising representatives of various stakeholders to advance measures to activate the plan, provide practical programs, follow up on executive procedures, and submit proposals aimed at enhancing the

48

process of activation and preparing assessments for the implementation stages.

# Seventh: Strengthening the NCHR Institutional Structure \*

Enhancing the capabilities of the specialized committees – Providing the NCHR's specialized committees with legislative and judicial expertise with a view to enhance the NCHR's ability to fulfill the legislative role entrusted to it constitutionally.

- Arranging a capacity-building program and continuing qualification for

researchers and technical personnel to develop skills in affairs and issues of a specialized nature to support the ability of the committees to carry out the tasks assigned to them.

 Launching a mechanism for continuous circulation of opinions and proposals, in consultation with partner civil society organizations on issues of concern, in addition to the annual forum organized by the NCHR.

## \* Developing the NCHR's Complaints Office

- Developing access mechanisms and receiving complaints, while supporting the capabilities of the office's technical staff in the field of examining and auditing the content of complaints and evaluating the responce process.
- Coordinating a joint working mechanism with the government complaints mechanism headed by the Council of Ministers to enhance efforts in the field of handling complaints that fall within the jurisdiction of the Council and have credibility.
- Forming a specialized team of lawyers to provide legal support for victims in cases adopted by the NCHR in the light of its constitutional and legal jurisdiction.
- Coordinating with non-governmental human rights organizations that adopt the mandate of protection and legal support.

- \* Strengthening Monitoring and Documentation Capacity Forming a technical team specialized in monitoring, fact–finding and field investigation (visits to detention centers follow–up of trials electoral processes .....)
- Forming a sub-team in the monitoring team to work as a permanent anti-terrorism observatory in contact with you and the quality of the challenge posed by terrorism issues and combating it on efforts to promote respect and protection of human rights.
- Establishing an electronic database to document monitoring processes and outputs in accordance with the applicable professional documentation standards.
- Developing a quarterly report that includes developments and facts related to human rights and the outputs of monitoring and documentation processes with the aim of presenting it to the NCHR in its periodic meetings to discuss the developments in the human rights situation, drawing a map of priorities for the NCHR's movements in the field of protection, and developing the annual report that the report makes available for publication and public opinion.

# \* Enhancing the Media Presence of the NCHR

Appointing an official spokesperson for the NCHR to maintain regular contact with the media and avoid duplication of media statements –
 Enhancing the capacity of the NCHR's media unit, including capabilities

in the field of specialized professional translation, and preparing a quarterly bulletin dealing with the NCHR's activities.

Building a network of specialized media representatives. – Developing electronic communication mechanisms by updating the website, and organizing interaction through social media in Arabic, English and French languages.

\* \* \*

50

51