



National Council for Human Rights

## **Egypt's National Council for Human Rights (NCHR) report on the state of human rights in Egypt presented to the Universal Periodic Review (2024)**

Egypt's NCHR has submitted its report to the Universal Periodic Review Mechanism regarding the human rights situation in Egypt from 2019 to 2024. The report includes a follow-up on the implementation of recommendations accepted by Egypt in November 2019. In total, Egypt received 372 recommendations from member states of the United Nations' Human Rights Council, out of which 270 were accepted, with 31 of them being partially accepted.

### **First: The report's methodology:**

1. The report drafting involved a consultative methodology engaging relevant stakeholders:
  - a. 70 civil society organizations were invited, with due consideration given to geographical representation and diversity in human rights activities nationwide. In this context, comprehensive consultations were conducted with numerous representatives from NGOs, National Council of Specialized Councils, and various sectors nationwide. Furthermore, invitations were extended to ten NGOs holding consultative status with the United Nations Economic and Social Council. Annex 1)
  - b. Consultative meetings were conducted with the two chambers of the Parliament, their committees on the UPR recommendations. (Annex 2).
2. Analysis of the complaints mechanism and the procedure for addressing allegations of human rights violations (Annex 3).
3. Analysis of the visits conducted by mobile complaint units nationwide, as well as visits to various sectors within these governorates. (Annex 4).
4. Analysis of the survey results collected by the Complaints Committee during its field visits.
5. NCHR created a dedicated database for the ongoing update of statistical data relevant to the government.
6. NCHR conducted 14 field visits to correctional and rehabilitation centers. These visits aimed to monitor the progress of the development plan and address specific deficiencies raised in complaints received by NCHR. It provided recommendations to the State regarding the implementation of the Nelson Mandela Rules (Annex 5).

### **Second: The legal framework of the report**

#### **1. Scope of Egypt's international obligations related to treaty bodies:**

- a. Egypt submitted its national report to CEDAW.
- b. Egypt submitted its national report to the Human Rights Committee (HRC).
- c. Egypt submitted its national report to the Committee against Torture (CAT).
- d. Egypt submitted its national report to CRC.



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2. In September 2021, Egypt introduced its inaugural comprehensive national strategy for human rights (NSHR).
3. On October 25, 2021, Egypt terminated the state of emergency.
4. The Presidential Pardon Committee actively collaborates with NCHR.
5. Establishment of the Supreme Standing Committee for Human Rights (SSCHR) pursuant to the Prime Minister's resolution issued on November 14, 2018.
6. **Legislation aimed at promoting human rights (Annex 6):**
  - a. Egypt enacted Law No. 214 of 2020, regulating clinical medical research.
  - b. Amendments to the Criminal Procedure Law, No. 1 of 2024, regarding levels of litigation.
  - c. Amendments to the Penal Code to strengthen penalties related to FGM, according to Law no.10 of 2020.
  - d. The Penal Code was amended to impose more stringent penalties for sexual harassment, pursuant to Law No. 141 of 2021,
  - e. Pursuant to Law No. 200 of 2021, specific provisions governing the establishment of the Fund for the Support of Persons with Disabilities were amended.
  - f. Pursuant to Law No. 19 of 2024, Egypt has introduced legislation addressing the care and protection of the rights of elderly individuals.
  - g. In 2020, the Public Prosecutor issued a resolution establishing the Office for Child and Persons with Disabilities Protection. The jurisdiction of this office was extended to include the protection of the elderly.
  - h. Law No. 149 of 2021 introduced amendments to specific provisions within the Counterterrorism Law issued under No. 94 of 2015.
  - i. Ministerial Decree No. 3805 of 2021 amends certain provisions of the Anti-Terrorism Law No. 94 of 2015 to prepare a draft Personal Status Law. (As of now, the draft law has not been published, nor has it been submitted to Parliament for deliberations. The Presidency has emphasized the need to expedite the issuance of the legislation)

### **Under this framework:**

- a. NCHR lauds Egypt's commitment to submitting its reports to treaty bodies.
- b. NCHR calls for the promulgation of supplementary legislation to the Constitution to elucidate undefined concepts pertaining to counter-terrorism,,among other concepts..

## **Third: Civil and Political Rights**

### **1. Addressing torture**

- a. Egypt ratified the Convention against Torture without any reservations to its articles, therefore:
  - In accordance with the Egyptian constitution and domestic legislation, torture is unequivocally classified as a crime that is not subject to any statute of limitations. The law specifically limits the filing of torture cases to the jurisdiction of the public prosecution.
- b. The National Strategy seeks to address all forms of torture, thoroughly investigate related allegations, and safeguard the rights of victims in alignment with the



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Constitution and Egypt's international commitments. It also aims to curtail individual practices that infringe upon bodily integrity.

- c. Law No. 214 of 2020 was enacted regulating clinical medical research by establishing essential foundations, standards, and controls for conducting such research. It ensures the protection of participants in preventive, diagnostic, therapeutic, non-therapeutic, interventional, or non-interventional studies, and is consistent with Nuremberg Standards.
- d. NCHR advises a thorough review of the legal definitions pertaining to the crime of torture. Furthermore, adopting a comprehensive approach in addressing allegations and instances of torture is crucial. Moreover, Egypt should reevaluate the application of the death penalty, ensuring alignment with international agreements ratified by the country.

### **2. Addressing discrimination**

3. Article 53 of the Constitution provides as follows: All citizens shall be equal before the law. Citizens shall possess equal rights, freedoms, and general duties without discrimination on the grounds of religion, belief, gender, origin, race, color, language, disability, social status, political or geographic affiliation, or any other basis. Acts of discrimination and incitement to hatred shall constitute criminal offenses punishable by law. The state shall undertake to implement necessary measures for the elimination of all forms of discrimination. The law shall regulate the establishment of an independent commission for the aforementioned purpose.
  - a. NCHR recommends the creation of an independent commission dedicated to combating discrimination, in line with the provisions outlined in Article 53 of the Constitution.

### **4. Fair trial guarantees**

- a. NCHR convened three discussion sessions focused on "The Right to a Fair Criminal Trial." These sessions were attended by representatives from the Ministries of Justice and Interior, alongside independent experts. The objective of these discussions was to enhance the justice system, facilitate digital transformation, and promote the implementation of electronic litigation, particularly in economic courts.
- b. NCHR urges that the deliberations within the House of Representatives culminate in an amendment to the Criminal Procedure Law. Such amendment should serve to address and mitigate substantial impediments to the effective implementation of human rights.
- c. **NCHR recommends the following:**
  - Expedite the upgrade of the technological system, enhance electronic connectivity, and improve the skills of relevant stakeholders, with the aim of preventing protracted trials and minimizing restrictions on defendants' communication with the judicial panel.
  - Increasing the number of judges to ensure swift and effective access to justice.
  - Raising public awareness of legal culture regarding citizens' rights during litigation procedures.
  - Enacting legislation to regulate the protection of witnesses and whistleblowers.



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### **5. Public Freedoms**

#### **- Freedom of speech and expression:**

- a. Article 65 of the 2014 Constitution guarantees the freedom of thought and opinion. Every individual has the right to express their opinions through speech, writing, imagery, or other means of publication. NHRS seeks the enactment of legislation to regulate the right to access and exchange information. Furthermore, it has facilitated meetings to achieve societal consensus on a draft law governing the availability and exchange of information, in light of the issuance of the Personal Data Protection Law No. 151 of 2020.
- b. NCHR shall propose the enactment of a national law regarding freedom of access to and exchange of information. This recommendation aims to enhance the institutional framework for addressing human rights. NCHR has endorsed a proposal to convert the content of national newspapers into audio format, facilitating access to knowledge for individuals with visual impairments.

#### **- Forming NGOs and engage in civil society activities:**

- a. The executive regulations for the NGOs Law no. 149 of 2019, which governs the practice of civil society work, were issued.
- b. By virtue of Law No. 23 of 2022, amendments have been made to the NGOs law. These amendments extend the period for civil society organizations to regularize their status by an additional year.
- c. In 2022, the President of the Republic declared it the Year of Civil Society, recognizing civil society's contributions to sustainable development, human rights awareness, and the significance of collaboration.
- d. The National Alliance for Civil Society and Development was established on March 13, 2022, comprising 24 associations, civil institutions, and developmental entities, including the General Union of Civil Associations and Institutions. This union includes 30 sectoral unions and 27 regional unions.
- e. NCHR actively monitors and engages in capacity-building efforts for associations and civil society. This includes providing targeted training to individuals and fostering collaboration with donor agencies.

#### **- Freedom of belief and practice of religious rituals:**

- a. NCHR commends the enactment of Law No. 190 of 2020, which establishes the boards for Catholic Church endowments and Evangelical community endowments. In accordance with this law, Presidential Decree No. 80 of 2021 was issued to constitute the board of directors for the Catholic Church endowments authority.
- b. NCHR monitored the Ministry of Endowments' authorization of over 182 authors and translators to advance enlightened moderate thought.
- c. NCHR advises constructive engagement with extremist religious discourse and ongoing renewal of religious discourse to enhance the promotion of tolerance, combat extremism, and refute erroneous and extremist ideologies.

### **6. Addressing illegal migration and human trafficking:**

- a. Egypt launched the National Strategy for Combating Illegal Migration (2016-2026), targeting the protection of vulnerable groups susceptible to exploitation



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- by smugglers, including youth, children, their families, and illegal migrants to Egypt (Annex 9 of the National Strategy for Combating Illegal Migration).
- b. Establishment of the National Coordinating Committee for Combating and Preventing Illegal Migration and Trafficking in Persons, which engages in cooperation with all pertinent judicial and law enforcement entities, to enhance cooperation, develop, and maintain a database on these crimes, and identify requisite measures to combat and mitigate this phenomenon.
  - c. Law No. 22 of 2022 was enacted to revise provisions related to the prevention of illegal migration and trafficking of migrants, introducing stricter penalties for perpetrators.
  - d. In September 2021, the Office of the Public Prosecutor established specialized prosecutorial units at each appellate court jurisdiction nationwide. These units were vested with the authority to investigate and prosecute offenses pertaining to human trafficking and unlawful migration.
  - e. NCHR recommends addressing challenges in judicial prosecution of human trafficking and migrant smuggling cases; ensuring effective enforcement of anti-trafficking legislation and strengthening protecting measures for victims, most notably women and children.

### **7. Refugees and migrants rights:**

- a. Egypt is a signatory to the 1951 Refugee Convention and its 1967 Protocol.
- b. There has been a significant increase in Egypt's refugee population, now reaching approximately 600,000, primarily due to escalating armed conflicts in neighboring countries. Concurrently, the migrant population, including visitors, has surpassed 9 million, originating from approximately 133 countries. The demographic composition of this displaced population is nearly balanced, with 50.4% males and 49.6% females, and an average age of 35 years. Collectively, refugees and migrants now represent 8.7% of Egypt's total population.
- c. NCHR recommends that the government conduct an audit of refugee populations nationwide; implement measures to differentiate between refugees and migrants in order to accurately assess state obligations for service provision across all relevant sectors; reaffirm the responsibility of the Ministry of Interior to register and document the residence status of refugees and migrants.

### **Fourth: Economic, social and cultural rights:**

#### **a. Housing:**

- The right to housing has seen substantial developmental initiatives, increased governmental expenditure, and an expansion in beneficiaries. The Egyptian government has implemented projects to enhance infrastructure investments, address informal settlement issues, and provide essential services including sanitation and natural gas.



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- National development projects were implemented to improve living standards, including "Decent Life Initiative," which focuses on developing rural areas where approximately 55% of citizens reside.
- Projects to provide adequate housing for low- and middle-income individuals were executed. According to the annual report of the Social Housing and Mortgage Finance Support Fund, over 54,000 citizens have benefited from subsidized housing units, mostly in areas adjacent to Greater Cairo.
- Efforts to upgrade informal settlements and relocate residents from unsafe areas to alternative housing have benefited 1.2 million citizens.

### **b. Health:**

- c. NCHR calls for the expeditious implementation of Universal Healthcare System Law No. 2 of 2018 in its entirety, to ensure the provision of healthcare services for all economically disadvantaged citizens, with said implementation to be effected in a gradual manner.

### **d. Education:**

- Education remains the greatest challenge to the full realization of human rights for the most vulnerable families. This is due to the reluctance of some poor families to enroll their children in education, instead pushing them into the labor market. This issue has manifested in the increase in birth rates among the poorest families. Consequently, child labor continues to infringe upon the rights of children from the poorest families.
- NCHR recommends an increase in the budget allocation for education and scientific research, along with their development to address contemporary requirements. Furthermore, it advocates for an expansion in the number of schools, a reduction in classroom overcrowding, the provision of school meals, and efforts towards the eradication of illiteracy.

### **e. Women's rights:**

- Egyptian women have attained an unparalleled level of rights in the public domain, with all public sectors now accessible to women without discrimination. The participation rates of women in governmental employment have shown an increase. Notwithstanding these advancements, women's rights within the familial context require a new personal status law to establish equality between men and women in the family sphere. A societal dialogue is currently in progress, involving non-governmental organizations led by women, to propose a more equitable draft law. At present, multiple draft laws are under consideration, including proposals from the government and Al-Azhar, with ongoing discussions continuing.
- The National Committee for the Elimination of Female Genital Mutilation (FGM) was established for the first time in Egypt's history in 2019.
- In decision-making circles, women have achieved significant milestones. On March 5, 2022, for the first time, a woman presided over the State Council. Women now represent 28% of the parliament, 14% of the Senate, 30% of the



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Cabinet, and 44% of NCHR. Moreover, women hold 31% of deputy governor positions, 27% of deputy minister positions, and 65% of the diplomatic corps. The number of women advisors to the President has also increased.

- Women in the police force have reached the position of Director of Administration, with a woman being appointed as a Major General in the role of Director of the General Administration for Human Rights. The role of women in the police has expanded to include tasks such as protecting women and children, providing security services to them, offering support to victims of domestic violence, and combating sexual harassment.
- The Ministry of Interior has involved women in international peacekeeping operations. Women have also participated in civil protection, with the establishment of a female firefighting unit.
- NCHR recommends an increase in the allocation of international educational scholarships for women, the continuation of efforts to combat the practice of FGM, and the implementation of measures to address violence against women.

### **f. Children's rights:**

NCHR recommends drafting a new Child Law covering all stages of a child's life.

### **g. Rights of people with disabilities:**

- The National Human Rights Strategy seeks to enhance the overall human rights situation for Egyptians, with an emphasis on the rights of individuals with disabilities.
- NCHR hosted a roundtable for banking sector leaders on 'Enhancing Economic Rights for People with Disabilities in Banking.'
- NCHR recommends enforcing the provisions of Law No. 10 of 2018, including streamlining access to the Integrated Services Card necessary for enjoying the rights specified by the law. It advocates for enhancing physical and technological accessibility in government buildings and public spaces, as well as ensuring that married women with disabilities receive either pensions or a combination of pension and salary.

### **h. Rights of Youth**

- NCHR appreciates the significant representation of youth in the 2019 governors' reshuffle, with 39 new leaders—governors and deputy governors—60% of whom are young people.
- Egypt annually organizes the World Youth Forum (WYF), with the third edition held in Sharm El-Sheikh in 2019, engaging over 7,000 young participants.
- Egypt launched the Pioneers 2030 project under the Ministry of Planning, aimed at empowering youth to establish their own businesses.
- NCHR recommends enhancing youth representation across all sectors, particularly in compliance with constitutional provisions for increased youth representation in upcoming local council elections.



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### i. Sustainable development goals (SDGs):

- Egypt faces acute financial challenges, including substantial government debt and recurring budget deficits. These constraints hinder the allocation of necessary financial resources to stimulate the economy and safeguard vulnerable populations.
- Egypt hosted COP-27 in 2022, aimed at raising awareness about the dangers of climate change.
- NCHR recommends enhanced collaboration among diverse sectors to mitigate the impacts of climate change and achieve climate justice. This includes raising awareness across all societal sectors regarding the hazards of climate change and exploring alternatives to reduce environmental pollution.

### j. Culture:

- The National Intellectual Property Strategy was launched in September 2022 to improve the legislative and institutional environment for intellectual property in Egypt.
- NCHR advises overcoming challenges that impede the promotion of cultural rights, as specified in the International Covenant on Economic, Social, and Cultural Rights. These challenges involve societal norms and the rise of intolerant religious discourse regarding intellectual pursuits, cultural achievements, and scientific progress. Urgent action requires cooperation between the state and civil society. Additionally, the council supports exploring legislation to penalize hate speech by civil society organizations.