

Statement

UPR Pre-session on Egypt

Geneva, November 20, 2024

Delivered by the Cairo Institute for Human Rights Studies (CIHRS)

1- About CIHRS

The Cairo Institute for Human Rights Studies is a regional human rights organization which focuses on research, advocacy and human rights education. CIHRS is coordinating a collection of 13 independent human rights organizations in which submitted a joint report covering the general human rights situation in Egypt. CIHRS has a long history in coordinating and participating in Egypt's past three UPR cycles.

2- National consultations for the Drafting of the nitinol report.

As a usual practice by the Egyptian government since the UPR 2nd in 2014, neither CIHRS nor members of the coalition or independent human rights organization were invited for consultation.

3- Plan of the Statement

This statement addresses two issues. 1) LGBTQIA+ people with focus on the systematic violations in laws and practice. 2) Transnational repression with focus on the arrests to family members of exiled activists, and denial of their access to official documents.

4- Statement

I. LGBTQIA+ rights.

a. Follow-up to the first review

During the last Universal Periodic Review of 2019 Egypt received three recommendations to protect LGBTQIA+ rights, unfortunately, not only rejected, but Egypt responded that it "does not recognize the terms" mentioned in these recommendations, referring to LGBTQIA+ individuals.

b. Developments since the last review

Although Egypt does not explicitly criminalize consensual same-sex relations among adults, Egyptian security forces continue to target and detain individuals for their perceived or actual gender identity and sexual orientation, as well as LGBTQIA+ activists, using Law No. 10 of 1961. Egyptian authorities use digital platforms such as social media, dating sites, and mobile applications as traps to target individuals suspected of being LGBTQIA+ and arrest them. Over the past five years, more than 130 arrests have been documented. For over 20 years, Egyptian authorities have routinely subjected individuals suspected of being homosexual or transgender to coercive forced anal or vaginal examinations, practices that amount to torture and sexual assault under international human rights law. These examinations, performed by forensic specialists, have no scientific basis and are used to obtain "evidence" of consensual same-sex activity despite independent experts confirming they are unreliable and discriminatory. These degrading practices cause significant physical and psychological harm and are considered cruel, inhuman, and

degrading treatment. Beside the physical repressions, LGBTQIA+ faces stigmatizations discriminations, the Egyptian police usually and intentionally leaking the sexual identities of the arrested people to inmates, which subject them to more harassments. True that the Egyptian constitution stating that healthcare is fundamental right, however, transgender and individuals living with HIV facing extraordinary challenges to access medications, and restrictions to this service for prisoners is prevalent.

Thus, and regardless the negligence of Egypt to this right, I urge that you make LGBTQIA+ rights an important issue in your recommendations. And we therefore asking the government of Egypt to:

1. Immediately cease coercive anal examinations on any individual from the LGBTQIA+ community and enact clear laws prohibiting these practices as a form of degrading treatment and torture.
2. Guarantee that detainees and prisoners living with HIV receive all necessary treatments and health care.
3. Repeal ambiguous laws such as Law No. 10 of 1961 on combating prostitution.

II. Transnational repression

a. Follow-up to the first review

In the last UPR cycle Egypt received 31 recommendations to protect human rights defenders and create them a safe environment to work, it is not only the Government of Egypt did not meet the recommendations; however, it intensified its violations to HRDs in exile and harassing their relatives inside Egypt.

b. Developments since the last review

In 2020 a terrorism circuit in Cairo (which is in theory a circuit inside the criminal court trying terrorist acts) sentenced the Director of CIHRS fifteen years in absentia. The veteran HRDs who lives in exile was sentenced because of his tweets on the social media criticizing the human rights crisis in Egypt. Sentencing HRDs abroad deprives them of their right to return to Egypt. They are pursued by Egyptian authorities who aim for their deportation to Egypt where they would face imprisonment or disappearance

CIHRS Director was not the only case or form of retaliation against HRDs and activists abroad. In June 2020, a father of another prominent HRD was detained incommunicado in retribution for his son activism abroad. Similarly, the family of and exiled journalist and advocate was targeted, with his father arrested and interrogated about his journalist son's activities abroad, was released later but the message was sent to the son.

Moreover, The Terrorist Entities Law is has been utilized by the Government of Egypt to list activists and HRDs abroad as terrorists, subjecting them to deportation while restricting their free movement and financial transactions.

Commented [JR1]: What do you mean? This is unclear for me

Commented [JR2]: The UPR is not a mechanism to address individual cases. Even though, we understand that the cases you are mentioning highlight a general situation, we encourage you to asses the risks of mentioning the names of individuals as it can put them or their families at risk.

Commented [SH3R2]: I changed it, but I had there consent to mention them.

Many activists and HRDs abroad have been denied the right to have their identification documents issued or renewed, restricting their ability to travel, live, and work legally, and depriving them of basic medical care and educational services.

Finally, Members of the coalition has documented cases of defenders being tracked, surveilled, and having their residences searched by Egyptian security agents abroad. Their families in Egypt are also threatened, with family homes raided and relatives targeted, some of whom are arrested or denied professional positions or promotions. Such intimidatory tactics are intended to pressure HRDs abroad to renounce their human rights activities or to force them to return to Egypt.

Thus, I urge you to ask the Government of Egypt to refrain from retaliations against HRDs in general and in specific those who were forced to leave the country. Through the following:

1. End the retaliation against exiled HRDs family members and stop using the judicial system sentencing activists abroad.
2. Issue official identification documents to defenders and their children and families abroad.