

## ADVANCE QUESTIONS TO EGYPT- ADD.2

### ARGENTINA

- Distintos informes provenientes de organizaciones de derechos humanos dan cuenta sobre desapariciones forzadas e involuntarias. Al respecto, la Argentina desea preguntar si Egipto ha tomado medidas para investigar estos casos y qué comentarios puede hacer al respecto.
- La Argentina desea preguntar respecto a las políticas que desarrolla y la normativa aplicable en la lucha contra la violencia doméstica.
- En este sentido, y dado que persisten prácticas discriminatorias contra las mujeres, la Argentina desea preguntar qué medidas se piensan implementar para poner fin a las prácticas que pueden resultar discriminatorias por cuestiones de género.
- Asimismo, la Argentina desea preguntar especialmente qué medidas se están implementando para acrecentar la participación de las mujeres en todos los niveles de la sociedad y del Estado, incluso en puestos decisorios, y qué políticas y programas se llevan adelante a fin de lograr la plena participación económica de las mismas.
- De acuerdo a lo informado por organizaciones de derechos humanos, continúan celebrándose juicios ante tribunales militares y especiales donde se juzga a civiles, entre otras cosas, por la ley antiterrorista. Ante esta situación, la Argentina desea preguntar qué garantías se conceden a los civiles sometidos a este tipo de procedimientos, y cómo se asegura el derecho a ser juzgado por un tribunal competente, independiente e imparcial, establecido por la ley.
- En relación a lo señalado por el Relator Especial contra la Tortura, quien en 2009 instó al Gobierno a abolir todas las disposiciones legales que permiten la detención administrativa y a adoptar medidas eficaces para la liberación o llevar a juicio a todos los detenidos actualmente sometidos a ese régimen, y poner fin a la práctica de la incomunicación durante la detención, así como garantizar que los detenidos sólo a centros de detención oficialmente reconocidos con acceso rápido y sin obstáculos a los abogados, médicos y miembros de la familia, la Argentina desea preguntar qué medidas se han adoptado o se consideran adoptar a tal efecto.

*[Informal translation provided by Argentina]*

- Several reports from human rights organizations speak about enforced and involuntary disappearances. In this regard, Argentina would like to ask what measures has Egypt taken in order to investigate these cases.
- Argentina would like to ask about the policies and norms applied in the fight against domestic violence. In this sense, given persisting discriminatory

practices against women, Argentina would like to ask what measures the government intends to implement in order to put an end to these practices.

Argentina also wants to ask what measures are being implemented to enhance the participation of women in all levels of society and the state, including in decision-making, and what policies and programs are being carried out in order to achieve their economic empowerment.

- According to the information provided by human rights organizations, trials of civilians by military and special courts continue to be held. In this situation, Argentina would like to ask what guarantees are granted to civilians under these procedures, and how the right to be tried by a competent, independent and impartial tribunal established by law is assured.
- In relation to the findings by the Special Rapporteur against Torture, who in 2009 urged the Government to abolish all legal provisions that allow for administrative detention and to take effective measures to release or bring into trial all detainees currently under that regime, and to end the practice of incommunicado detention, assuring also that detainees been kept only in officially recognized detention centers with access to lawyers, doctors and family members, Argentina wishes to ask what measures the government has adopted or is considering to adopt to reach these objectives.

## **IRELAND**

### **Freedom of Association & Consultation with Civil Society**

- Could Egypt outline what concrete measures the government will take to consult widely and substantively with civil society during the drafting of the new NGO law and how it will ensure active participation by independent NGOs in Egypt?
- Will Egypt amend Articles 11, 17 and 42 of the current NGO law (Law 84 of 2002) and ensure that no equivalent restrictive measure is included in the new legislation?

### **Freedom of Expression**

- Will Egypt amend the Press Law and Articles 102 bis, 179 and 308 of the Penal Code in order to remove the penalty of imprisonment in all instances, with a view to ensuring freedom of expression and respect for human rights in the state?
- Will Egypt abolish the Emergency Powers, and specifically desist from using its provisions against journalists and bloggers?

## **NETHERLANDS**

- The Government's report notes that the current state of emergency is due to end on 31 May 2010 or with the enactment of a counter-terrorism law, whichever of the two comes first. In drafting the counter-terrorism law, to

what extent will the Government of Egypt take into account all the recommendations made by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism in his mission report to Egypt?

- One of the pledges undertaken by the Government of Egypt is to review the definition of torture in Egyptian law in order to ensure its consistency with the Convention against Torture. The UN Special Rapporteur on torture and other cruel, inhuman and or degrading treatment or punishment, who has requested to visit Egypt in 1996 and 2007, could provide assistance in this regard. Is the Government of Egypt planning to invite the Special Rapporteur and if so, when?
- Does the Government of Egypt consider revisiting the laws regulating political parties, which according to the Egyptian National Council on Human Rights constrain the freedom to set up political parties?
- Despite amendments introduced in the Penal Code in 2006, many acts of expression still carry imprisonment penalties and a number of journalists and bloggers have been convicted for their writings. When is the Government of Egypt intending to complete the required steps needed to put into effect the pledge of its President to revoke imprisonment in cases of opinion and publishing crimes?
- Is the Government of Egypt willing to eliminate all legal provisions and policies which discriminate between adherents of other religions than Islam, and if so, when does the Government intend to submit a unified draft law for places of worship to the Parliament?
- Given the important strides made in recent years by the Government of Egypt to improve the position of women – like the continued efforts to fight against harmful traditional practices like Female Genital Mutilation – will the Government of Egypt amend discriminatory articles of the Personal Status Law and Penal Code and provide guarantees that domestic violence will be effectively prosecuted?

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