

The State of Human Rights in Egypt

1 – General Situation of Human Rights in Egypt

1- Egyptians have taken to the streets en masse on two occasions to demand human dignity, freedom, and social justice. Since January 25, 2011, over 2,000 individuals have been killed in the context of ongoing protests. However, none of these demands have been realized, whether in terms of reforming state practices or legislation or in terms of achieving accountability for human rights violations. Instead, the successive governments have relied on the same legal framework used by Mubarak during his 30-year rule, drawing on its provisions selectively in order to repress political opposition and ensure impunity.

2- The successive governments have thwarted the transition to democracy, imposing further restrictions on rights and freedoms and resorting to the legal and procedural methods of repression left in place from Mubarak's rule to harass and defame human rights defenders and other social movements. These successive governments have undermined the principles of rule of law in order to marginalize the judiciary, undermine the role of civil society, harass media professionals through prosecutions, and suppress independent workers' movements. These successive governments sought to eliminate opposition voices, killing thousands of protestors, arresting tens of thousands more, and seeking to punish large sectors of society – such as youth and women – for their political participation by allowing them to be subjected to physical attacks and sexual assault.

3- We consider the policies adopted by the successive governments to be a form of reprisals against Egyptians for their mass protests of 2011 and to ensure that such an occurrence is not repeated. This has been accomplished not only through repressive measures but also by “legitimizing” such measures in new legislation. Such measures point to the Egyptian government's lack of political will to uphold its international commitments under human rights treaties and its 2010 UPR.

4- The only unchanged factor over the last four years is the continuation of the same patterns of violations as seen during Mubarak's rule, with the police, army, and armed political groups committing grave violations. A systematic policy of impunity and the state's failure to provide citizens with necessary protections have contributed to the spread of armed groups which espouse violence and increased acts of terrorism targeting both state institutions and individuals – including members of the police and army – as well as religious minorities. This period has seen blatant incitement to violence and killing based on religion, belief, sex, politic affiliation, or ethnicity. The successive governments are politically and criminally responsible for the grave violations committed during this period.

5- The successive governments used various pretexts – “filling Egypt's security vacuum”, “confronting thuggery”, or “counter-terrorism” – to evade their international obligations, avoid implementing protestors' demands, and justify repressive security practices. While terrorism is a real threat, the practices of the current government reveal not only the state's incompetence in confronting terrorism but also that “counter-terrorism” is being used to justify undermining fundamental rights and freedoms, principally the rights to life, a fair trial, and bodily integrity. Instead of confronting terrorism, security forces have attacked peaceful protests, arrested peaceful activists and rights defenders, and used preventive detention for extended periods to punish opponents.

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6- In the past four years, Egyptians have voted in referendums on two constitutions, first in 2012 and then in 2014. The first constitution included many broad exceptions to fundamental rights and freedoms, including that their exercise should not conflict with societal values. Although the 2014 constitution was significantly improved, it maintained the constitutionality of military trials of civilians and limited freedom of religion to the three Abrahamic religions, among other problems. Continuing violations, however, render constitutional protections for rights meaningless. A new assembly law passed during the constitutional drafting process contradicts constitutional provisions on assemblies. When a number of activists gathered outside the constitutional drafting committee to protest a proposed constitutional article, over 50 activists were arrested and beaten, including 26 women, who were sexually assaulted in detention. During the referendum, eleven citizens were killed and several opposed the constitution were arrested. After the constitution's adoption, security forces used excessive force against peaceful protests held on the third anniversary of the January 25 Uprising, killing over 100 people and arresting nearly 1,000. Allegations of torture in detention facilities have also spread.

7- Sexual and gender based violence against female women participating in the public sphere has continued and even intensified, including mob sexual assault and gang rape.

8- Four years after Egypt's first UPR, when Egypt accepted 119 of the 165 recommendations presented, the situation of human rights is deteriorating and violations continue. Moreover; mass killing has become a phenomena.

2 – Assessment of the Egyptian Government's Fulfillment of Its Human Rights Obligations

A. *The Right to Life*

9- Extrajudicial killings and excessive force by security forces and the army to disperse demonstrations cast a shadow over the entire political sphere. In January/February 2011, over 846 people were killed by Mubarak's security forces. In October 2011, 27 Coptic protestors were killed in the Maspero area, including at least 14 who were run over by armored vehicles belonging to the army. Police forces killed 51 protestors in Mohamed Mahmoud Street in November 2011 and 17 more in the area surrounding the cabinet building in December 2011. In early 2012, 16 people were killed in demonstrations known as "Mohamed Mahmoud II" held in protest of the killing of 74 fans of the Ahly Club football team (known as the "Port Said Massacre") in early February. From April-May 2012, 12 protestors participating in a sit-in at the Ministry of Defense were killed. After Mohamed Morsi became president in June 2012, two demonstrators were killed in November and 11 more in December in what became known as the "Ittihadeyya Clashes". The most violent year in Egypt's modern history was 2013. It started with killing 46 protesters in Port-Said during Morsi ruling, three in Cairo, and nine in Suez (January 2013). From June 29-July 3, over 68 citizens were killed during clashes between supporters and opponents of President Morsi. Under interim President Adly Mansour, five demonstrators were killed on July 5 and 61 more on July 8 in front of the Republican Guard Club, and 95 were killed on July 27 on Nasr Road, Cairo. On August 14, some 1,000 people were killed during the dispersal of two sit-ins in al-Nahda and Raba'a al-Adaweyya Squares. 120 more were killed in clashes in Ramses Street on August 16, and 57 protestors were killed across the country on October 6. On the third anniversary of the January 25 Uprising, 103 demonstrators were killed in five governorates.

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10- In the Sinai Peninsula and elsewhere in the country, terrorist attacks continue against military personnel, civilians, and government, religious, and private institutions. Army recruits are regularly kidnapped or killed. The Egyptian government has failed to implement the 2010 recommendations of the Human Rights Council, which affirm that confronting terrorism in Sinai and punishing those responsible require a fundamental review of Egypt's counter-terrorism policies, which have been in place since the 1970s and are clearly inadequate. Nevertheless, the Egyptian state has insisted on a policy of indiscriminate killing instead of respecting the legal principles and human rights standards which should have facilitated investigations, the identification of those truly behind terrorist crimes, and the implementation of just penalties.

B. The Right to Redress and a Fair Trial

11- No form of effective accountability exists for any of these grave violations. The courts acquitted all of those responsible for the killing of protestors between January 25 and February 2, 2011. Only three soldiers were sentenced to between two and three years imprisonment following the Maspero massacre, and only one policeman was sentenced to three years imprisonment for the Mohamed Mahmoud events of 2011. Even as former President Morsi and some Muslim Brotherhood leaders are being tried on charges of inciting to violence in the context of the Ittihadeyya Clashes, the judiciary has not undertaken any serious investigations to ensure accountability for the killings of thousands of protestors over the last three years. The state established three fact-finding commissions between February 2011 and December 2013 to investigate alleged crimes; although two have completed their investigations, the successive governments have refused to publish their conclusions. Instead, the successive governments has used various tactics to divert attention from its appalling rights record, including by claiming that these indiscriminate killings were committed by unidentified foreign agents, that these killings were committed in accordance with the international human rights standards relative to the dispersal of protests, or that these killings were justified due to the presence of armed elements among protestors. No significant steps have been taken to achieve the demands of the January 25 Revolution, including police reform and accountability.

12- Civilians have been tried by military tribunals in unprecedented numbers. In 2011 over 12,000 civilians, including several minors, faced military trial, according to estimates of the chief of military justice. Both the 2012 and 2014 constitutions contain vague provisions which allow for military trials of civilians.

13- The security apparatus – including both civilian and military police – has increasingly detained individuals arbitrarily, with hundreds regularly being arrested during the dispersal of protests. Detainees are often prevented from contacting relatives or lawyers, in violation of the law and the constitutions adopted during this period, and prison conditions are abysmal. The security apparatus no longer relies on the emergency law, which allows for the administrative detention of all who represent “a threat to public security”, to justify such measures, as the public prosecution has begun issuing thousands of arrest warrants without conducting the required prior investigations. Particularly in cases of political detainees, the Interior Ministry frequently restricts visits and arbitrarily monitors or prohibits other forms of communication. The Ministry has failed to provide detainees with necessary health care.

14- On August 18, 2013, 37 defendants being transferred from the Abu Zaabal Prison were killed when police threw a teargas canister into the overcrowded and poorly ventilated

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vehicle where they were waiting. This incident is indicative of the poor treatment received by detainees at the hands of security forces. The successive governments have refused to publish reports clarifying the nature of violations committed against prisoners during the January 25 Uprising. Rights reports stated that between January 29 and February 20, 2011, the guards at five prisons killed over 100 unarmed prisoners and that most of these killings were committed intentionally and were not linked to escape attempts or prisoner uprisings.

C. Press Freedoms

15- Despite several related UPR recommendations, guarantees for press freedoms in Egypt's 2014 constitution have not been reflected in practical or legal changes. And although preventive detention for publication crimes was abolished in 2012 and the penalty of imprisonment for insulting the president was eliminated in 2013, these changes are of limited effect. Aside from legislation which restricts state oversight of print media, most legislation restricting freedom of expression has not been amended, as was recommended during Egypt's first UPR. Rather than adopting a law on access to information which meets international standards, Egypt's successive governments have presented draft legislation to increase arbitrary restrictions on this right.

16- Several journalists and bloggers have been referred to military courts, and attacks on journalists have escalated, both those committed by security forces and by other citizens while security forces fail to provide adequate protection. The state continues to harass and defame foreign journalists and to block newspapers from distribution. Post-January 25, opinion articles have been increasingly banned in both state and private newspapers. In October 2011, security forces raided private television channels (*January 25* and *Al-Hurra*) and took them off-air while they were covering the events at Maspero. Security forces similarly raided the offices of other satellite channels on other occasions, claiming that some were broadcasting without a license (*Al-Jazeera*). In early 2012, private channels have been pressured to discontinue programs critical of the authorities. Attacks on press freedoms continued following the election of President Morsi, whose supporters surrounded Media Production City while the security forces failed to provide protection to media professionals and guests. Also during Morsi's presidency, numerous media professionals were referred for questioning based on charges of insulting the president, a criminal charge later abolished by interim President Mansour. The first decree issued by the authorities after Morsi's removal in July 2013 targeted Egyptian and foreign channels linked to Islamist groups; the offices of these channels were raided, their broadcasts taken off-air, and their workers arrested.

Since 2011, the physical safety of journalists carrying out their work has been threatened, with the state taking no action to protect them. Nine journalists – both Egyptians and foreigners – have been killed, six while the violent dispersal of the al-Nahda and Raba'a al-Adaweya sit-ins on August 14, 2013.

17- Following the January 25 Uprising, trials related to "defamation of religion" increased significantly, in blatant violation of international human rights law. Rights groups observed 28 such cases reviewed by the courts during this period; of the 41 individuals charged, 26 were convicted, 3 were acquitted, and the charges against 11 were dropped for having been filed by parties lacking appropriate standing. The criminal trial against one Shiite defendant remains ongoing. Some eight additional cases remain with the public prosecution, which has not referred them to the relevant courts nor officially closed investigations.

D. *The Right to Political Participation*

18- During the four years under review, Egypt has held seven elections. The 2010 People's Assembly election witnessed unprecedented fraud as well as acts of violence killing eight individuals, in which the state either was party or failed to intervene. This blatant fraud was one of the principle reasons which sparked the January 25 Uprising.

19- All of the elections held under the Supreme Council of the Armed Forces (SCAF) witnessed violations, particularly since they were held under a state of emergency (with the exception of the June 2012 presidential elections).

20- During Morsi's presidency, the 2012 constitutional referendum saw numerous violations, including a lack of full judicial oversight, as many judges had announced their decision to boycott the process. Other violations included the impersonation of judges at polling stations and the prevention of many civil society elections observers from being present as votes were counted.

21- The most serious violations seen during the referendums held under the rule of SCAF and former President Morsi were the authorities' tolerance of sectarian rhetoric and the prevention of some Christians from going to polling stations.

22- The referendum on the 2014 constitution, which took place during Adly Mansour's interim presidency, also saw many violations. 11 citizens were killed, most as a result of excessive violence by the state. This referendum was held amid massive media efforts to mobilize citizens to vote "yes", the likes of which had not been seen since Mubarak's removal. Such efforts even included incitement to hatred and violence. Attacks on opposition activists were widespread, including arrests by security forces of youth distributing fliers advocating a "no" vote. These youth were later convicted to three years imprisonment and a fine.

23- The role of civil society has been marginalized during every election throughout the transitional period, and human rights organizations have faced direct attacks. On December 30, 2011, security forces raided two of the international organizations authorized to monitor the elections process, and charges of espionage, treason, and spreading chaos were filed against several organizations. The successive governments allowed only organizations registered under Law 84/2002 to monitor elections, which violates commitments Egypt made during its 2010 UPR by accepting recommendations that CSOs be allowed to observe public elections.

24- During its first UPR, the Egyptian government accepted two recommendations which call for continued efforts to increase the representation of women in positions of influence in all sectors of society and particularly in the judiciary. Although a quota of 64 seats was established for women in the 2010 People's Assembly election, women competed for seats within very large electoral districts, which resulted in representatives of the ruling National Democratic Party winning the vast majority of seats allocated to women. After January 25, 2011, a system of closed proportional lists for two-thirds of the seats was adopted for the People's Assembly and a first-past-the-post (individual) system for the remaining one-third. The elections law provided that political parties must include at least one woman on their electoral lists, yet it did not specify where on the list female candidates should appear, which

led to female candidates appearing at the bottom of lists. Women were thus severely underrepresented in the 2012 Peoples' Assembly, winning less than 2% of seats. Women may face similar challenges in the upcoming parliamentary elections.

E. The Right to Peaceful Protest

25- In unprecedented violations to the right to peaceful assembly, nearly 2,000 people, most of them peaceful, were killed over the last three years as a result of the use of live ammunition by security forces in contradiction of international standards. Additionally, the dispersal of such assemblies often resulted in arbitrary arrests. Individuals in civilian clothing, and protected by security officers, also assaulted such gatherings (as during the "Battle of the Camel" on February 2, 2011). At other times assemblies were attacked by supporters of the government, particularly during Morsi's presidency (as during the Ittihadeyya Clashes of December 5, 2012).

27- Women participating in peaceful assemblies faced sexual assault on several occasions. In some cases, women were raped with sharp objects. Such violations occurred with impunity, as the Egyptian government neglected to take necessary measures to combat such violence, including by reviewing definitions of gender-based violence in the penal code. On 9 March 2011, the armed forces dispersed demonstrators' encampment in Tahrir Square and arrested at least 190 demonstrators, including women and children. On 10 March 2011, according to statements of the survivors, virginity tests were conducted systematically on 7 detained female protesters. However, while the Court of Administrative Justice issued a ruling calling on the military to cease such illegal testing on December 27 2011, the military dismissed this ruling. In continuing to deny redress to any of the survivors and to investigate the violation, a military court acquitted the army doctor Ahmed Adel, who was accused of conducting the virginity tests against the protesters, on 11 March 2012. Moreover, In December 2011, army forces attacked protestors in Tahrir Square and arrested nine women, who were then stripped and threatened with rape. On January 25, 2013, a group of female protestors and other women were subjected to group rape; 19 cases of rape were documented by NGOs, including two in which sharp objects were used to rape the women. From June 28-July 7, 2013, 186 cases of sexual assault were documented, yet no mechanisms exist to hold perpetrators to account. The apparent aim of such policies was to exclude women from participating in the public sphere

28- The successive governments attempted to curb the right to peaceful protest through legislation. In April 2011, SCAF issued legislation criminalizing attacks on the freedom to work. When applied in conjunction with the state of emergency, this law criminalized all forms of peaceful assembly which threatened to disrupt production. In November 2013, interim President Mansour adopted Law 107/2013, which imposed arbitrary restrictions on the right to assembly, including electoral meetings and public gatherings, gave the Interior Ministry the authority to disallow gatherings for vague reasons, and granted the police the right to use live ammunition without specifying conditions for the use of such force. The law imposes prison sentences and excessive fines, penalties which are incommensurate with the nature of the acts being punished. Law 10/1914 on gatherings continues to be used to restrict the right to peaceful assembly. Law 109/1971 on the police establishment and decree 156/1964 relative to the use of force by police allow for the use of lethal force to disperse peaceful assemblies, in blatant contradiction of international treaties.

F. Academic Freedoms

29- The principle of the independence of universities was threatened, in violation of commitments made by Egypt before the 2010 UPR. Previous progress in this area included a 2010 Supreme Administrative Court ruling to remove guards belonging to the Interior Ministry from universities, a legal amendment in 2012 to allow for the university president, college deans, and department heads to be elected by faculty members, and the holding in 2012 of the first free student union elections seen in Egyptian universities in decades. However, the state has vigorously sought to reverse this progress and, in particular, to reinstate its “university guards”. A decree issued by the cabinet in November 2013 allowed police forces to enter universities at any time without authorization from the university president. On several occasions, police forces entered university campuses to confront student protests, leading to the deaths of two students and the injury of dozens. On February 24, 2014, the Court of Urgent Matters ordered the reinstatement of university guards, yet this ruling is invalid because this court does not hold jurisdiction over this matter.

30- The student code, issued in January 2013, imposes restrictions on students’ rights to freedom of association, opinion, and expression, including by allowing the elected student councils to exert full control over student activities. Police forces have arrested dozens of students since September 2013 due to their expression of opinion within university campuses. Hundreds of students have been referred for questioning and to internal disciplinary boards, which regularly expel students for participating in anti-government protests.

G. Freedom of Religion

31- Egypt has not complied with the UPR recommendations it accepted related to guaranteeing freedom of religion and belief for all without discrimination. Violations of this right were often accompanied by violations to other fundamental rights, including the right to life, to freedom of opinion and expression, to a fair trial, and to adequate housing. Since the January 25 Uprising, religious discrimination has spread, and the successive governments have failed to take any serious steps to address the crises which have arisen as a result. Incidents of sectarian violence spread, including under the rule of SCAF, during Morsi’s presidency, and throughout the current interim period. Members of religious minorities, such as Coptic Christians, Shiites, and Baha’is, have faced physical assault and murder because of their beliefs which differ from Egypt’s Sunni Muslim majority. Property belonging to minorities has been vandalized, demolished, or set on fire. Particularly during Morsi’s presidency, the state tolerated sectarian language and incitement to hatred which was indirectly responsible for violence against minorities. Rather than arresting and prosecuting those responsible, the state addressed such violations by holding customary “reconciliation” meetings, which resulted in most cases in unjust solutions that undermined the rights of those belonging to the minority.

32- Both the 2012 and 2014 constitutions included provisions which clearly violate the right to freedom of religion and belief. The 2012 constitution, singlehandedly adopted by Islamist political forces without the participation of secular parties or Coptic representatives, reflected the vision of those who produced it and included clauses which discriminated between the followers of different religions. It also imposed inappropriate restrictions on

freedoms, including criminal penalties for “insults against religion and the prophets”. Despite improvements, the 2014 constitution still falls short of international standards in many areas. Most prominently, the constitution fails to recognize the right to perform religious rituals or build places of worship of anyone who is not a follower of one of the three Abrahamic religions.

H. Economic and Social Rights

33- The regressive economic policies of the successive governments since January 25, 2011 have prioritized the reduction of the budget deficit over developmental goals which would respond to citizens’ aspirations for an adequate standard of living and fair distribution of wealth. Despite these policies, however, Egypt’s budget deficit increased threefold and investment declined, while the inflation rate doubled.

34- Such policies have led to a deterioration of Egyptians’ standard of living, as is reflected in the growing levels of poverty, soaring unemployment, and increasing household spending on food and basic services. These policies have prevented many citizens from accessing basic public services, such as health care, housing, education, and social security, and also resulted in the deterioration of such services. In 2012-13, the official national poverty rate increased to 26.3%, rising from 25% in 2011. The World Food Program estimated that the poverty rate would reach 34% if subsidies on food products were lifted, which raises concerns regarding the Egyptian government’s plans to eliminate such subsidies without conducting a study of the consequences of such a move on the level of poverty or examining potential alternatives.

35- Food security was also negatively affected. Prices of food items increased by 14% from September 2012 – September 2013. Between June and September 2013, it was recorded that 41.3% of Egyptian households were unable to buy enough bread even at the subsidized price, a threefold increase as compared to 13.3% during the period from April – June 2013. Household spending on health care increased by 47.7% between 2008/2009 and 2010/2011 due to a decrease in government spending in this area to just 3-5% of the state budget, in violation of the 15% rate for health spending as set by Abuja Declaration. The percent of the state budget allocated to education fell from between 16-17% in the early 2000s to between 10-12% in the last five years.

36. The past three years witnessed 21 forced eviction operations, without reparations or fair compensation to thousands of evictees. Cairo Governorate supported by riot police removed the homes of almost 1000 families in Ezbet el-Nakhl area in Cairo without prior notice or consultation with the residents, and use of excessive force was noted.

37. Unemployment rates reached 13.4% in the final quarter of 2013, as compared to an average of 9.1% between 2006 and 2010. Employment opportunities in both the public and private sectors diminished following the closure of a number of factories and companies as a result of the global economic crisis. 4,600 factories in the private and public sectors were closed in the last three years, leading to the dismissal of thousands of workers.

I. Women's Rights

38. During its first UPR, Egypt was presented with 25 recommendations regarding women's rights. Four years later, the state has not taken any measures to implement the recommendations it accepted. Egypt has not withdrawn its reservations to CEDAW, nor has it taken any measures to support gender equality. Divorce proceedings remain highly biased in favor of men; a woman may only file for divorce through a process called "khula" in which she must relinquish any financial claims. Law 11/2004 has not had any effect in practice, particularly after the Nasser Bank issued decree 148/2006 to announce its refusal to implement alimony settlements and child maintenance ordered by the Settlements Office, as well as temporary settlements for individuals not employed by the government or public sector. As a result, self-divorced Egyptian women have no insurance or financial security to provide for the living expenses of themselves and their children. The state has also failed to take measures to end violence against women, which even includes sexual assaults on women while security forces present fail to provide protection. Video documentation exists of such assaults occurring on January 25, 2014.

39. Systematic gender-based violence includes verbal and physical harassment both in public streets and transportation and in private homes. In 2012, when one woman attempted to prevent a man from sexually harassing her in a public street, her harasser shot and killed her; he was sentenced to life in prison. Apart from this ruling, the government has failed to respond to complaints filed with police stations regarding sexual violence. At times, survivors are even pressured to withdraw their complaints, and policemen even empathize with the perpetrator and demean or harass the survivors.

40. Discrimination in the workplace includes underrepresentation of women in certain professional positions (ie lawmakers, public officials, managers). According to estimates of the Central Agency for Public Mobilization and Statistics, the gap between men and women in positions of authority has increased, with men making up 97.4% and women 2.6%. The unemployment rate among women in 2013 was 25.1%, and it was estimated that the salaries of men were 13.8% higher than those of women in comparable positions. The state does not monitor workplaces to ensure that women receive their rights, such as maternity leave and childcare.

J. Rights of the Child

41. Millions of Egyptian children are subjected to physical and sexual violence, mistreatment, and exploitation. Rights groups have documented numerous cases of sexual violence against children, including in schools, while the security apparatus neglects to provide the necessary protection to prevent such crimes or to criminally prosecute those responsible. In some cases, the security apparatus has even raised charges against victims. The criminalization of female circumcision has not diminished this practice, and circumcisions of girls continue to be carried out by doctors who are members of the physicians' syndicate.

42. In the context of human trafficking in Egypt, girls under 18 are often forced into prostitution and early marriage for financial profit, in violation of Law 64/2010 on human

trafficking. Government statistics put the number of child workers at 9,268¹, while unofficial estimates put the number of child workers as high as 2.7 million.²

43. Between 2012-2013, 864 children were arrested in Cairo and Alexandria after demonstrations and political clashes, they weren't separated from adult detainees while in detention. Children with physical or mental disabilities also were detained. While in detention, children are denied adequate health care, and the state has failed to establish a strategy for their rehabilitation and reintegration into society.

44. The National Council of Childhood and Maternity is discussing legal amendments to allow for the death penalty or the penalty of hard labor to be imposed on children between 15 and 18.

K. Torture

45. During its first UPR, Egypt accepted several recommendations related to torture, yet five days before the adoption of the final UPR report on Egypt, Khaled Said was tortured to death in the street by policemen. His death became one of the main motivating factors behind the January 25 Uprising.

46. As of January 2014, no amendments had been made to Egypt's legal framework relative to the criminalization of torture or the imposition of stricter penalties; rather, the government resists any such attempts. The definition in Egyptian law limits torture to cases in which the intent is to extract a confession from a defendant, thus excluding other forms of torture included in the Convention against Torture, such as intimidation of citizens, taking hostages (often women and children who are relatives of suspects), or to punish those who dare to challenge the absolute authority of policemen or ask them to present search or arrest warrants.

47. Egyptian law prevents victims of torture from directly initiating court proceedings against perpetrators, instead reserving this authority for the public prosecution, which has ignored requests to open investigations into cases of torture. Even on the rare occasions when the public prosecution has referred officers to court on charges of torture, the Interior Ministry has not asked these officers to leave their posts or transferred them to other posts pending investigations and trial. Instead, officers are allowed to harass victims, at times even re-arresting them and submitting them to further torture to make them withdraw their complaints.

48. Although article 52 of the 2014 constitution states that "torture, in all its forms, is a crime that is not subject to a statute of limitations," security forces continue to perform torture on prisoners and detainees in a manner rivaling the practices seen under Mubarak's rule. Rights organizations documented numerous cases of torture committed during Morsi's presidency as well, including by police and by the president's supporters in front of the Ittihadeyya Palace in December 2012.

¹ with 90% employed in factories

² with 70% employed in agriculture

L. Freedom of Association

49. Despite recommendations on freedom of association accepted by Egypt at its first UPR, the successive governments have failed to amend Law 84/2002 on associations and even proposed alternative legislation, which would further suppress Civil Society Organizations (CSOs). Some of these bills – particularly those presented during Mohamed Morsi’s presidency – would have allowed the security apparatus to interfere drastically in the work of CSOs, including by requiring their approval to receive funding and register INGOs. Vague articles in the penal code can also be used to block the work of CSOs.

50. Human Rights NGOs have come under attack since January 25, 2011, including through accusations of espionage and treason published in newspapers and the referral of rights activists for questioning. The Hisham Mubarak Law Center was raided in February 2011, and a number of lawyers and researchers present at the time were arrested. Security forces also raided a number of Egyptian and international organizations in December 2011 and the Egyptian Center for Economic and Social Rights in December 2013; a number of those present in the latter case were arrested and later released.

51. Since 2010, the state has restricted CSOs’ activities by approving certain grants and denying others. In most incidents in 2011 and 2012, the relevant administrative body refused to approve funding from foreign sources, citing “the refusal of the security bodies” as the reason for these decisions.

3 – Conclusions

Despite Egyptians’ demands for freedom, social justice, and human dignity, all of the successive governments since 2010 have taken highly aggressive positions towards human rights and democratization issues. This period has seen many attempts to restrict public sphere and no political will to reform, particularly through a plethora of restrictions against freedom of assembly and of expression. Although human rights organizations have repeatedly presented the government with proposals to improve the state of human rights in Egypt both legislatively and practically, the only concrete steps taken on any front have been to further suppress human rights in the country.