Running in Place Policy

Deterioration of civil and political rights: Three years after the National Human Rights Strategy

EGYPTIAN FRONT FOR HUMAN RIGHTS

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DETERIORATION OF CIVIL AND POLITICAL RIGHTS: THREE YEARS AFTER THE NATIONAL HUMAN RIGHTS STRATEGY

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Deterioration of Civil and Political Rights:
Three Years after the National Human Rights Strategy

Report by
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Introduction

In September 2021, the Egyptian government issued the National Human Rights Strategy upon the initiative of President Abdel Fattah El-Sisi. According to its stated vision, the strategy aims to promote all human rights in Egypt by strengthening civil, political, social, strategic, and cultural rights, by captializing on constitutional guarantees, Laws, international and regional agreements, in addition to The Sustainable Development Strategy: Egypt Vision 2030, launched by the Egyptian government in 2016. The strategy assumes three pillars for implementation and Legislative progress, institutional development, awarness and capacity buidling. The strategy designates a time frame for implemention from 2021 to 2026.

The Permanent Supreme Committee for Human Rights, subject to the ministry of Foreign Affairs, was the assigned machinery with drafting, monitoring and measuring the implementation progress of the strategy. In 2018, the committee was founded by the prime minister's decree no. 2396 of 2018, and it is presided by the minister of foreign affairs and consisted of representatives from ministries of defense, interior, justice, and paliamentary affairs. Also, the committee's membership includes representatives of the General intelligence, administrative control authroity, the National Council for Women, The National Council for childhood and Motherhood, and National Council for Disability Affairs.

Article 1 of the decision establishing the committee clarifies the committee's main objective which is diplomatic rather than internal oversight, stating that its purpose is "to respond to allegations raised against the Arab Republic of Egypt regarding human rights." Other objectives of the committee include what Article 3 stipulates, such as "developing a national human rights strategy and action plans to be implemented by the relevant authorities and following up on them, and formulating a unified Egyptian vision to be expressed in international and regional forums" (Article 3, Clause 1), "monitoring, studying, and addressing problems related to human rights in Egypt that are raised raised internationally" (Article 3, Clause 3), as well as "preparing Egypt's file to be presented in the Universal Periodic Review mechanism before the United Nations Human Rights Council" (Article 3, Clause 4), and "preparing an annual report about national efforts to promote human rights in all domains". (Article 3, Clause 9).

The similarity of the committee's tasks with those of the National Council for Human Rights raises concerns and questions about overlapping and conflicting competencies and responsibilities, and consequently questioning the national council's independence and effectiveness in pursuant to the principles of Paris about national institutions for the promotion and protection of human rights. These questions and doubts are intensified in light of the predominance of the governmental and security-oriented element within the permanent committee, where 9 members represent ministeries and independent councils have only three representatives.

This paper aims to assess the implementation of the National Human Rights Strategy in the civil and political rights section after three years of annoucemenet and enactment, in the light of what the Supreme Committee considered for achievements, that are documented in the three subsequent evaluation reports to follow up on the implementation of the strategy from September 2021 to August 2024. comparing them with the figures and facts documented by human rights organizations and press reports in each axis in a way that confirms, differs from, or contradicts these achievements. The report placed the assessment against the backdrop of figures, facts and cases documented to verify the impact and acheivement of the strategy so far. It is worth noting that the follow-up reports issued by the Supreme Committee under evaluation here are based on efforts by the committee to compile reports received from ministries and government agencies on an annual basis regarding the efforts and activities of these institutions for human rights agenda.

Right to Life

The strategy identified one of the challenges facing the right to life as "the need to establish a framework for reviewing the most serious crimes for which the death penalty is imposed, taking into account societal circumstances and specialized studies, and in accordance with international and regional human rights agreements ratified by Egypt." Accordingly, the strategy set the desired goal for this challenge as "to benefit from the framework of the most serious crimes for which the death penalty is imposed, taking into account societal circumstances and specialized studies, and in accordance with the international and regional human rights agreements ratified by Egypt."

The goal, as stated, does not include clear steps expected to be achieved, whether in terms of legislative or procedural intervention to reduce the number of sentences, review them, or temporarily suspend the death penalty for certain crimes. This reflects a continued lack of the political will to address the issue of executions decisively, as displayed by the vagueness of the goal and its indicators.

The challenge	Targeted results
• Benefiting from the framework for reviewing the most serious crimes for which the death penalty is imposed, taking into account societal conditions and specialized studies, and in accordance with the international and regional human rights agreements ratified by Egypt.	• The need to establish a framework for reviewing the most serious crimes for which the death penalty is imposed, taking into account societal conditions and specialized studies, and in accordance with international and regional human rights agreements ratified by Egypt.
• Introducing a legislative amendment that enables those who are financially unable to appeal death sentences issued against them before the Court of Cassation, in addition to requiring the Public Prosecution Office to submit the papers to the Court of Cassation in accordance with the applicable law.	• The Law on Cases and Procedures for Appeal before the Court of Cassation, issued by Law No. 57 of 1959, does not mandate the appointment of a lawyer for a person sentenced to death who is financially unable to appeal, especially since the right to legal defense in this case is closely linked to the right to life.

**National Human Rights Strategy - Arab Republic of Egypt 2021-2026.*[1]

Similarly, the strategy addressed another challenge threatening the right to life, namely "the absence of a provision in the Law on Cases and Procedures for Appeal before the Court of Cassation, issued by Law No. 57 of 1959, requiring the appointment of a lawyer for a person sentenced to death who is financially unable to appeal,

1 National Human Rights Strategy 2026-2021, https://sschr.gov.eg/media/xaonutei/arabic-strategy-final.pdf

especially since the right to defense in this case is closely linked to the right to life." The strategy set a goal to introduce a legislative amendment enabling those financially unable to appeal death sentence issued against them before the Court of Cassation. Despite the clarity and importance of this goal, no steps have been taken towards its implementation as of the date of writing this text.

The Supreme Committee's failure to address the death penalty effectively in implementation and follow-up comes at a time when several legal and procedural problems persist, leading to some defendants being sentenced to death. These issues include extracting confessions under torture, the failure of the prosecution or the court to investigate such allegations, and the over-reliance of courts on office investigation reports without any corroborating material evidence. Egyptian courts have issued thousands of death sentences without adhering to the minimum guarantees of a fair trial. Between 2021 and 2023, the number of death sentences issued by Egyptian courts exceeded 1,200 individuals in both criminal and political cases. Additionally, Egypt ranked Third globally in 2021 among countries carrying out the highest number of executions.

Years	Total death sentences issued	Number of rulings upheld by the Military Courts of Cassation and Appeals	Number of sentences executed	Number of people executed in politically related cases
2021	403	80	84	18
2022	538	39	30	7
2023	348 at least	27 At least	8 At least	Unknown

**A table showing death sentences issued by Egyptian courts during the years from 2021 to 2023.*[2]

At the executive level, an analysis of the national strategy and its technical reports reveals a continued lack of commitment in addressing the right to life. While the national strategy for human rights highlighted the need to review the most serious crimes that warrant the death penalty, the first technical report, covering the period from September 2021 to September 2022, and the third report that spans September 2023 and August 2024, both failed to mention any specific details about efforts, activities, or oversight related to the death penalty or the right to life in general. The second report merely referred to holding a discussion group involving judges, lawyers,

2 The lack of accurate figures on political detainees executed is likely due to restrictions imposed by security services on media and human rights organizations' access to information on executions, particularly in new prisons.

and members of the National Council for Human Rights to discuss the concept of the most serious crimes and the guarantees for imposing and implementing the death penalty. However, it did not mention any outcomes or actionable recommendations from this round discussion or how its discussions could inform future actions.

At the same time, the strategy and its technical reports demonstrate conceptual gaps regarding the right to life. They focus solely on the death penalty without addressing other threats to the right to life in the Egyptian context, such as death in detention or extrajudicial killings—practices that severely undermine the right to life and were documented during the designated period of the strategy.

Although the Supreme Committee has the authority to propose legislative measures, the implementation efforts outlined in the strategy have neglected to review legislation and procedures that result in life-threatening incidents, such as Article 8 of the Anti-Terrorism Law No. 94 of 2015, which exempts law enforcement officers from criminal liability in cases of excessive force that could lead to death, without any clear controls or accountability mechanisms, even at the administrative level.

Regarding the right to life, a report by the Egyptian Front for Human Rights documented several homicides caused by torture, killings in unknown locations, and medical negligence in detention centers, practices which are attributed to state agencies, primarily the Ministry of Interior, the Public Prosecution, and medical care officials in prisons. The report independently documented 24 death incidents between 2021 and 2023. Additionally, the Justice Committee organization, in its annual reports, monitored 146 deaths inside detention centers during 2021, 2022, and 2023. Other institutions working independently also documented similar cases.

Implementation of the Right to Life Axis (October 2021 – August 2024)		
	Gaps	**Outputs**
Legislation	• The Law on Cases and Procedures for Appeal before the Court of Cassation,issued by Law No. 57 of 1959 continues to lack the requirement to appoint a lawyer for a person sentenced to death who is financially unable to appeal. • Article 8 of the Anti-Terrorism Law No. 94 of 2015, which exempts law enforcement officers from criminal liability in cases where excessive force lead to death, remains in effect without any mechanism for accountability.	
Institutional and procedural interventions	• There is an absence of proposed measures to address the death penalty, such as temporary suspension, encouraging more conservative judicial practices toward death penalty cases (especially in political cases), or reviewing and re-examining certain death sentences before implementation. • There is also a lack of proposals for institutional and accountability mechanisms to investigate the rising number of deaths in detention facilities and to decide legal responsibility about such cases.	• Holding a round discussion about the concept of the most serious crimes and guarantees of implementing the death penalty.
Capacity building		• Organizing six advanced training courses annually at the Police Academy in the field of riot control, aimed at ensuring the preservation of security and the protection of lives, according to the nature of the security situation.

Protection from Enforced Disappearance

The axes of the National Human Rights Strategy lack any mention of the crime of enforced disappearance, despite the frequent documentation of thousands of victims subjected to it by the National Security Agency. This absence extends to the technical reports that follow up on the implementation of the National Human Rights Strategy by the Supreme Committee, despite the fact that the National Council for Human Rights receives constantly complaints in this regard from citizens, record them in its annual reports, and subsequently transfer them to the relevant authorities to receive responses, which admit having some persons, indeed, in their custody at least for a while.[3]

Likewise, The agenda of National Dialogue, which has been held in Egypt for several years as per the invitation of President Abdel Fattah el-Sisi, has no reference to this crime, and national legislation lacks criminaliztion or addressing to it, despite Egypt has been receiving recommendations from The UN regarding the need for Egypt to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, investigate allegations of disappearances, announce the results of these investigations, and hold those responsible accountable if their responsibility is substantiated.

Egypt continues to deny the practice of this crime entirely, despite the legal loopholes that allow such practices. Article 40 of the Anti-Terrorism Law allows the detention of persons for a period of 14 days, renewable once, in violation of Article 54 of the Constitution. This practically means that individuals can be detained within National Security headquarters without notifying a third party or allowing the accused to communicate with the outside world, which leads to including these cases within the crimes of enforced disappearance. This remains the text in effect until the date of writing those sentences, and it has not been reviewed or amended by the competent authorities, including the Permanent Supreme Committee for Human Rights, which has the authority to propose legislative measures such as amending that text.

In terms of facts, 'Stop Enforced Disappearance' campaign documented in its eighth annual report, which covers the period from August 2022 to August 2023, that 821 people were subjected to the crime of enforced disappearance, bringing the total number documented by the campaign since its inception to 4,253 people. Concerning the patterns of disappearance, it is notable that some of those cases are forcibly disappeared for years before appearing before the Supreme State Security Prosecution. In this regard, the Egyptian Front documented 7 cases of people forcibly

3 According to a report of the National Council for Human Rigths for the period (July 2023 - June 2024) around 6 reported cases of enforced disappearance were confirmed to be held in official custodial points or prisons for they were accused of undergoing charges. P: 76 https://is.gd/vDH8Sz

disappeared inside National Security headquarters, including a 13-year-old child at the time of his arrest. On the other hand, there are other cases that have not yet appeared, despite the passage of many years. Some forcibly disappeared people have been missing for over ten years, such as Amr Ibrahim Metwally and Khaled Hafez Ezz El-Din, and former MP Mostafa El-Naggar who has been missed since September 2018. On another side, many families keep rereporting about the extensive disappearance of their members, albeit, they hardly receive any response from the competent body. A good example for this pattern, is Ahmed Mostafa, who has disappeared for circa 2000 days, since arresting him in April 2019. Hence,in September 2024, his family sent a new communication to the General Prosecutor to reveal his whereabouts and circumstances of his detention, but in vain.

The practice of enforced disappearance has not ceased even after 3 years of launching the strategy, and even amid the national dialogue. The most recent and notable of these incidents occurred in August 2023, when cartoonist Ashraf Omar, working for Al- Manassa platform, was arrested and held incommunicado by the security services for two full days (more than the legally stipulated twenty four hours) before being investigated by the Supreme State Security Prosecution. He was charged with joining a terrorist group, broadcasting and publishing false rumors, news, and statements, and misusing social media, following his publication of cartoons addressing the electricity and debt crises in Egypt. Similarly, journalist Khaled Mamdouh Ali was referred to the Supreme State Security Prosecution after being forcibly disappeared for six days.

Further, on May 27, 2024, a family consisted of five members encountered enforced disappearance, with no information about their whereabouts or charges until the moment of writing those sentences.

Implementation of the Enforced Disappearance File (October 2021 – August 2024)		
	Gaps	**Outputs**
Legislation	• Continued abstention from ratifying the International Convention for the Protection of All Persons from Enforced Disappearance. • The absence of national legislation to criminalize and combat enforced disappearance, and lack of any future proposals in this direction. • The continued application of Article 40 of the Anti-Terrorism Law, which allows for the possibility of enforced disappearance without accountability.	
Institutional and procedural interventions	• Lack of an institutional mechanism to investigate past or future incidents of enforced disappearance.	
Capacity building	• Lack of training and curricula for law enforcement forces on the crime of enforced disappearance, both locally and internationally.	

Right to Physical Integrity

The challenge	Targeted results
• The need to eliminate any form of individual practices that constitute violations of the sanctity of the body, whether in public or private entities or places.	• Continue to combat torture in all its forms and manifestations, investigate relevant allegations, and protect the rights of victims in line with the Constitution and Egypt's international obligations.
	• Eliminate any form of individual practices that violate bodily sanctity, whether in public or private entities or places.

The strategy referred to a number of constitutional and legal obligations to ensure physical safety and protection from torture as strengths in the Egyptian context to build on them, such as: "The constitution criminalizes the refusal to provide treatment in its various forms to any person in cases of health emergencies or life-threating," as well as the existence of "a package of laws that guarantee the right to life and the sanctity and safety of the body, including the Penal Code...."

In terms of technical follow-up reports, the first technical report generally and vaguely mentioned conducting investigations with police officers about torture allegations, the use of cruelty, beatings leading to death, and unlawful detention, with an emphasis on taking disciplinary or judicial legal measures if any of these allegations are proven. The second technical report provided some figures related to investigations about alleged torture and ill-treatment and the disciplinary legal measures that were taken in a number of incidents against employees in the Ministry of Interior, amounting to 769 incidents during the period from November 2019 to May 2023. Notably, the third report (September 2023-August 2024) states that 26 rulings were released by the cassation court in 2023 to compensate the victims of torture and cruel treatment, in tandem with "other rulings from competent courts"

The figures show that the primary path for examining these crimes and allegations is the disciplinary procedures not legal and judicial accountability for the period from 2021 to 2023, with a total of 769 disciplinary procedures versus 222 lawsuits. This comes without clarifying whether there was a convergence between the judicial and administrative paths, or not. Strikingly, this policy contradicts the constitutional obligation to frame torture and its forms as a crime rather than an administrative violation. On the other hand, The facts and allegations manifest an orientation to derail cases through reservation. No difference is marked between the cases that underwent disciplinary path or juidical one with regard to the conculsion. Despite mentioning of 527 cases, amounted to 363 case went to disciplinary route and 161

case to the judicial one, the report indicated that all those cases ended to be reserved.

These figures and their distribution also suggest the length of the litigation and review of these cases as demonstrated in the data about the period from November 2019 to May 2023. a significant number of incidents are still under investigation and consideration until the date of issuance of these technical reports for follow-up, which threatens litigation and investigation into these incidents, as well as the possibility of losing associated evidence.

Another concern might arise about the matter of the length of litigation and jutsice, which could be unscored in the third report. The recent report indicates the rulings issued by the Court of Cassation to compensate the victims of torture and cruel treatment in 2023, though it does not elaborte the length these appeals took to be decided. This is of a particular significance in Egypt context due to the fact that cases could be decided before the Court of Cassation in years, espcially of this nature, beisdes those figuers do not answer to the question of the criminal responsbility about those crimes and whether they were reviewed by the Court of Cassation on this ground or not.

The three reports also do not provide any detailed information about the disciplinary procedures and their duration, which would allow for determining the seriousness of these procedures. The Minister of Interior has great discretionary power to determine or withdraw these procedures according to what is stipulated in articles 88 and 63 of the Police Authority Law No. 61 of 1964. Additionally, there are no other Supportive resources to confirm the imposition of penalties on the Ministry of Interior personnel condemend of these accusations, whether by the Ministry of Interior or in the annual reports of the National Council for Human Rights.It is noteworthy, the third report is very brief in addressing the institutional remedies adopted to handle the torture cases, for it chooses to state the gross number of the cases that took place over the prolonged period from November 2019 to July 2024, which does not help to learn about the official orientation to address those crimes whether through disciplinarly channel or juidicial accountability. Also, it does not help to know exactly the reported cases of torture in a single bracket of time to assess the speed of the investigations and procedures.

On another hand, the annual report of the National Council for Human Rights for almost for almost the same period (2020-2022/2023) generally stated that the Council received only 94 complaints regarding torture and ill-treatment. For the period (September 2023-August 2024), the council informs about receiving 119 complaints about alleged torture and misconduct in old prisons, new prisons and police stations. In its turn the council had transferred those complaints to competent bodies of the minsitry of interior, but it does not clarify the actions, and the substance of responses they attain with this regard.

This reveals another gap between the numbers presented for such incidents by the two institutions for the same period and does not reflect the transparency about this process of accountability.

The formulation of the challenges in the strategy, as well as the incident figures, also reflect that dealing with cases of torture and physical abuse is being treated as

individual incidents, despite their recurrence and despite international demands that the highest administrative levels bear legal or administrative responsibility for their employees committing these crimes to prevent these practices. This is especially important in light of what successive reports and incidents reveal about Structuarlly practicing of torture.

In this regard, it should be noted that the numbers monitored in the strategy's follow-up reports for cases of ill-treatment, torture, and physical abuse in which official measures were taken are small compared to the numbers monitored by Human Rights organizations. For instance, the Justice Committee alone monitored 241 cases of torture in its annual reports from 2021 to 2023.

In detail, The first and second follow-up reports of the National strategy mentioned that allegations and complaints about torture resulted in disciplinary measures against 380 individuals, in addition to examining and reviewing the cases of 222 officers by judicial and investigative authorities of whom only 24 were found guilty. The distribution of the number of incidents and the measures taken concerning them were as follow:

	DISCIPLINARY PROCEDURES	INVESTIGATION AND JUDICIAL PROCEDURES
USE OF CRUELTY	201 incidents	11
UNLAWFUL DETENTION	24	3
ABUSE	138	1
ATTEMPTED MURDER	3	3
TORTURE	1	5
EXCESSIVE FORCE	1	1
INNOCENCE	4	6
RESERVED	363	164
STILL UNDER CONSIDERATION	22	28

At the legislative level, the Permanent Supreme Committee for Human Rights has not intervened to date by proposing any legislative amendments regarding the continuing ambiguous legal status of torture and ensuring physical protection. This is reflected in the nature of the classification of facts and claims of complaints mentioned in the technical reports. The law resorts to ambiguity and vagueness in dealing with the crime of torture by not adopting a definition of torture that aligns with international agreements and treaties. Instead of the clear, globally established definition, it uses legal descriptions such as "use of excessive force," "mistreatment," "use of cruelty," and "beating leading to death." This explains the failure to appropriately punish perpetrators of these crimes and attacks. Additionally, Article 126 of the Penal Code is insufficient, as it limits the punishment for torture if it is inflicted to obtain obtaining a confession only, without considering the practice of torture for other purposes. In addition to the lenient penalty stipulated for torture crime as long as the victim does not die, which signifies lack of seriousness and will to combat such crime.

These figures also do not reflect any progress made to date in terms of training provided to police academy students about modern methods of investigation, instead of the culture of law enforcement agencies in Egypt to utilize torture and abuse as tools to obtain information and confessions from the accused.

The committee has also not intervened legislatively to propose amending Article 8 of the Anti-Terrorism Law No. 94 of 2015, which exempts law enforcement officers from criminal accountability when they use force while carrying out anti-terrorism missions. This effectively opens the door to violations such as torture, excessive force, violence, and even murder, despite the first and third follow-up reports' reference to efforts to train police academy students on the rules of gradual engagement and international standards for the use of force, which creates a contradiction that requires intervention.

At the level of efforts to combat and monitor torture, the technical reports of the Supreme Committee for Human Rights indicate that training has been held for members of the Public Prosecution regarding combating torture crimes and abuse of power by criminal justice officials. However, the reality during the past period reveals a different picture, in which the Public Prosecution has been negligent in investigating torture cases. In 2022, a number of human rights organizations demanded investigation into the suspected death of economic researcher Ayman Hadhoud due to torture after his family received news of his death two months after his arrest by National Security. At that time, the Public Prosecution closed the investigation into the case without determining the real cause of his death and without holding anyone accountable. In the same context, Ramy Hussein's family accused Dar Al Salam Police Department of killing him due to torture. The Ministry of Interior denied this and stated in a statement that his death was due to "a sharp drop in blood circulation and cardiac arrest," claiming that he was free of any injuries, despite a family member's confirmation of "bleeding from his nose and mouth, bruises, and swelling in his face" during his transfer from the morgue. The incident passed without the prosecution proceeding any investigation into the family's claims of torture.

As for the incident of El-Salam station, it escalated to the point where the Public Prosecution accused the victims of torture instead of listening to their testimonies and bringing the perpetrators to justice. The prosecution denied the authenticity of a leaked video showed detainees in Salam Police Station being tortured by officers, which was published by the British newspaper "The Guardian". The case escalated further when the Public Prosecution assigned the National Security Service to investigate the incident and accept the security apparatus' statement confirming the falsity of the video without investigate the incident and accept the torture incidents it contained. In contrast, some of the accused and detainees were referred to the Supreme State Security Prosecution for investigation due to publishing the video, on charges of spreading lies, fabricating injuries, and belonging to a terrorist group. The case ended with nine people being sentenced to life imprisonment and thirteen were sentenced to 15 years in prison. All the accused were also placed on terrorist lists and placed under police surveillance for five years.

Similarly, the strategy does not mention the increasing reports and facts of systematic torture in National Security headquarters over the past years, which the Public Prosecution neither adjudicates these cases nor investigates them promptly. Further, the public prosecution dispalyed a deliberate abstention from referring the accused to the forensic medicine department to examine them and prove the facts and traces of torture, which deprived victims from justice and opportunity to validate their claims of torture and abuse.

Implementation in the Right to Physical Integrity Axis (October 2021-August 2024)		
	Gaps	**Outputs**
Legislation	• The absence of clear legislation criminalizing torture in accordance with the Constitution and international agreements. • The vagueness of legal texts regarding the definition of torture, such as article 126 of the Penal Code, persists. • The continued existence of article 8 of the Anti-Terrorism Law, which allows law enforcement forces to use force without criminal or administrative accountability. • The provisions of the Police Authority Law that allow officers convicted of torture crimes to continue working, advance in their career, and circumvent judicial rulings issued against them.	
Institutional and procedural interventions	• Disciplinary procedures prevail over judicial procedures in resolving cases of torture and physical abuse. • Many complaints in the disciplinary and legal tracks end up being shelved. • Closing the door to disciplinary action against torture claims, and limiting it to the judicial path, considering torture a felony. • The length of time it takes to investigate and adjudicate claims and complaints of torture and physical abuse. • The Public Prosecution avoids or deliberately delays investigating any torture allegations brought against the National Security Agency.	• Conduct investigations and disciplinary proceedings against police officers accused and convicted of torture allegation. • Issuing 26 rulings by the Court of Cassation to compensate the torture victims in 2023.
Capacity building	• Lack of tracking the impact of combating torture on the performance of law enforcement agencies when dealing with citizens and the public.	• Conduct training for public prosecutors on combating torture and abuse of power by criminal justice officials. • Provide training for police academy students on modern investigation methods, and simulate situations such as arrest, search, detention, deportation, and treatment of prisoners.

Treatment of prisoners and other detainees

The challenge	Targeted results
• The continuation of the efforts made to implement the plan and programs to develop and modernize prison facilities and establish new prisons to reduce prison overcrowding within the framework of continuous improvement in the standard of living and health care for prisoners	• The need to continue efforts to implement the plan and programs to develop and modernize prison facilities and establish new prisons to reduce overcrowding in prisons, within the framework of continuous improvement in the living standards and healthcare for prisoners.
• The continuation of visits by the National Council for Human Rights and civil society organizations to prisons in accordance with the relevant legal regulations.	
• Increasing the number of convicts benefiting from the external transition period.	

The first technical report included measures taken in the prison file, such as the issuance of Law No. 14 of 2022 amending the Prisons Regulation Law, alongside the establishment of new reform and rehabilitation centers, both of which reflect a change in the philosophy of prisons in Egypt. The law included changes to names, such as changing the designation of a prisoner to an inmate, and the designation of a prison to a reform and rehabilitation center. Despite the need for such legislative amendments, the reality of prisoners' rights does not indicate any tangible changes that have occurred alongwith the change of the law. Both follow-up reports on the implementation of the Human Rights Strategy stated that new prisons are witnessing the provision of medical services to all inmates and that the Ministry of Interior is continuing its efforts to provide medical care to prisoners by conducting medical examinations, dispensing the necessary treatment free of charge, conducting medical surveys to detect chronic diseases, conducting medical examinations on new arrivals, and issuing health cards for them. The Ministry of Interior is also providing medical services and specialties to all inmates in prison hospitals and clinics, which are staffed by medical team.

According to the third report, the public prosecution conducted regular and unexpected visits to investigate new prisons, such as "the recent one performed by the General prosecutor to Badr prison complex in September 2024". Besides alike

visits were exerted by the Human Rights bureau under the Public prosecution which were dispatched to prisons of other cities. Notewithstanding that the Human Rigths Department at the ministry of interior had visited the police stations to assure the quality of services provided to the commons, the crowdance, the ventilation. Among the counted acheivement for this period, the last report indicates the approval of the ministry of interior to relocate prisons' inmates in new rehbilitation centers/prisons adjacent to their families to facilitate regular visitions.

On a practical level, documented cases of death inside detention centers and prisons have increased in an unprecedented manner over the past years, especially those who died as a result of medical negligence. This can be attributed to a number of reasons, including the detention of defendants without health cards, contrary to what the strategy claims, the lack of health care and medical staff around the clock inside prisons, as recorded by complaints from prisoners' families, besides deliberate neglect of political prisoners in particular and ignoring their complaints, as well as the intransigence of the prison administration in approving their transfer to treatment centers. This neglect is linked to the continued provisions of the Prisons Regulation Law, which grants broad discretionary powers to the executive authority and the prison administration, which were not amended. In this regard, a report issued by the Egyptian Front for Human Rights alone monitored 19 cases of death inside detention centers due to medical negligence by the prison administration between 2021 and 2023.

In this vein, the strategy referred to the role of the Public Prosecution, the judiciary, and the National Council for Human Rights in monitoring prisons. The follow-up reports referred to the efforts of this monitoring, such as the visits conducted by the National Council for Human Rights to prisons; however, these reports did not refer to any actual measures taken by the Public Prosecution to ensure the effectiveness of monitoring prisons. The second technical report merely referred in general to "the Public Prosecution's continued role in verifying the availability of legal guarantees," without specifying these guarantees. According to documented testimonies, the Public Prosecution does not play a major role in monitoring prisoners in detention centers, especially in cases of neglect or torture, whether through its visits, complaints submitted to it, or even in complaints received regarding health conditions and the prison administration's deliberate refusal to provide treatment to sick prisoners.

In practice, the National Council for Human Rights does not have a real oversight role under under the law of prisons and its bylaws,of which, the council's visits require the prior approval of the Public Prosecution. This makes these visits formal and unsurprising, and does not lead to any tangible change in prison conditions. In addition, there is no legislation that guarantees human rights organizations, whether local or international, the right to visit Egyptian prisons at will. Instead, these visits occur within group visits that include large official delegations, as previously specified.

The role of the National Council for Human Rights in monitoring prisons is also declining. It is noted that its annual reports are not issued regularly, and its visits to prisons have been irregular. The National Council for Human Rights visited only two prisons in 2021, and in 2022 it visited 10 prisons. However, in 2023, the Council's visits decreased again, as the Council made only two visits, noting the lack of visits to women's prisons. The strategy follow-up reports do not indicate the ability of

delegations of the National Council for Human Rights to hold individual interviews with prison inmates during these visits to hear their complaints and conditions freely and independently, which is essential to ensure the seriousness of these oversight efforts. Despite the significance of such practices, previous records show that the National Council for Human Rights had tried to meet with prisoners, visited wards and cells to check on their conditions, and spoken to them freely and privately, however, the prison administration and the leadership of the Interior Ministry have expressed their rejection of this, insisting that only the prosecution has this authority, or that approval from the Public Prosecution is required beforehand. All of this can be attributed to the weakness of the Council's powers stipulated in the law, which undermines its real authority to monitor prisons.

Although the strategy referred to the creation of a mechanism to organize prison visits through an electronic application, the strategy's technical reports neglected to discuss families visits to prison altogether. Meanwhile, facts and leaked messages from inside the new Badr prison indicate serious violations against detainees, continuing the problems found in old prisons.

On the other hand, it is worthy mentioning that the national council for human rights, for the period spans mid 2023 and June 2024, indicates 113 complaints about ill-treatment in prisons, 30 complainst regarding visits conditions, life conditions in the prison, and requests to communicate with outside world, besides 160 requests to have medical care. Unfortunately, the report does not illustrate how those complaints were settled.

The Badr 1 and Badr 3 prison have witnessed suicides among detainees as a result of various violations, including the closure of visits, selective visits, preventing detainees from receiving medicines, food, and personal hygiene items, and denying patients the necessary medical treatment by not referring them to hospitals. Visits to some prisoners, such as Hoda Abdel Moneim, a member of the National Council for Human Rights from 2012 -2016, and Moaz Al-Sharqawi, are completely banned, and visits are conducted only through a glass cabin, as in the case of Dr. Abdel Moneim Aboul Fotouh.

Turning to the strategy's mention of reducing the number of prisoners, it highlighted the state's efforts to reduce the number of prisoners through conditional release and presidential pardons. As the first technical report stated, 20,000 prisoners benefited from presidential pardons and conditional releases during the period covered by the report (September 2021 - August 2022), while the number in the second report was 19,675 prisoners in the period from (September 2022 - August 2023). In pursuant to the third report, 9513 inamtes were pardoned either through presidential pardon or through contingent release, without identifying whether those persons were imprisoned due to political charges or criminal ones. About the prisoners who enjoyed the pardon according to the first and second reports, an important point should be made. In nutshell, the claim about pardons number may be true for criminal prisoners but, the number of citizens arrested and brought before investigating authorities in political cases is three times higher than the number of those released, whether by the Public Prosecution or by presidential pardon, since the activation of the Pardon Committee in April 2022.

Implementation of the strategy in the treatment of prisoners and other detainees (October 2021 - August 2024)		
	Gaps	**Outputs**
Legislation	• Limiting conditional and presidential pardons to criminal prisoners, while expanding the detention of political prisoners. • The current Prisons Act grants broad discretionary powers to the executive and prison administration to decide on prisoners' health and educational status without adequate and continuous supervision over them. • The current Prisons Law restricts the National Council for Human Rights' oversight of prisons by requiring the approval of the Public Prosecution to conduct visits, meet inmates privately, and enter wards and cells.	• Issuance of Law No. 14 of 2022 amending the Prisons Regulation Law. • Expanding amnesty for the remaining sentence of prisoners.
Institutional and procedural interventions	• The Public Prosecution's reluctance to follow up on prisoners' complaints against the prison administration. • The National Council for Human Rights does not have the authority to follow up and compel the Prisons Authority and the Ministry of Interior to correct violations and complaints from prisoners against the prison administration. The Council's intervention is limited to correspondence and receiving written responses regarding them. • The National Council for Human Rights' monitoring visits to prisons have declined in favor of other governmental agencies such as the public prosecution and the internal departments of the ministry of interior. • Deliberate medical neglect of some prisoners, especially political ones. • Lack of medical care and medical staff in prisons, including new prisons, around the clock. • The continued placement of prisoners in new prisons without a medical examination or accurate determination of their medical condition.	• Establishing new rehabilitation and reform centers. • Reducing prison density.
Capacity building	• Not compromising the culture of prison service workers and their training to deal with prisoners.	

Right to litigation and guarantees of a fair trial

The challenge	Targeted results
• Non-activation of the constitutional provision related to the appeal of judgments issued in felonies by all types of courts. Issuance of a law allowing appeals of criminal judgments issued by all types of courts.	• Issuance of a law allowing appeals of criminal judgments issued by all types of courts.
• The Code of Criminal Procedure does not contain any text requiring the accused to be informed of his right to remain silent.	• Amend the Criminal Procedure Code to require that the accused be informed of their right to remain silent.
• The lack of a law to protect witnesses, victims, and whistleblowers.	• Prepare and issue the Law on the Protection of Witnesses, Whistleblowers, and Victims.
• The need to review the crimes that fall within the jurisdiction of emergency courts in light of legislative amendments and the development of laws.	• Establish a mechanism to notify stakeholders of the results of examining reasoned grievances issued in emergency court rulings.
	• Limit the crimes over which emergency courts have jurisdiction in the most precise manner.

The National Strategy for Human Rights referred to the Egyptian Constitution's affirmation of the right to litigate and be tried before one's natural judge, emphasizing this commitment in subsequent follow-up reports by mentioning steps that were adopted, such as the President's cancellation of the state of emergency in October 2021 to enhance guarantees of a fair and just trial, as measures to implement these human rights obligations. However, follow-up at the legal level reveals that the cancellation of the state of emergency did not end the continuation of emergency tools, as indicated by the targeted results of the strategy above, in contrast to merely defining the scope of emergency courts. The cancellation of the state of emergency was compained with codifying arsenal of emergency and exception laws, for the president of the republic approved modifications to the penal code, Law of combating

terrorism, and the protection of public facilities. These modifications included harsher penalties than those stipulated in the emergency Law, continued referral of civilians to military courts, and sustained restrictions on freedom of expression and scientific research. The amendments introduced article 32 bis, which punishes with hard labor and a fine anyone who violates the measures issued in article 53 of the law. This article allows the president of the republic, when there is a danger of terrorist crimes or environmental disasters, to take appropriate measures to maintain security and public order, including evacuating certain areas, isolating them, or imposing a curfew. This penalty is harsher than that stipulated in the Emergency Law.

A new article was also introduced to the Public and Vital Facilities Protection Law, allowing the continuation of this law after it was initially intended to be temporary. This law places the responsibility for securing public and vital facilities on the armed forces and police. Consequently, any violation or assault on these facilities results in falling under the security and military laws of these institutions, with the military judiciary being responsible for examining these violations and sentencing the civilian accused. Additionally, a 6-month prison sentence was introduced for anyone who collects information or conducts studies related to the armed forces without a permit.

On a practical level, forms of exceptional justice continue in Egypt, such as the trial of civilians before the military courts, in addition to the continued pursuit of citizens and activists by the Supreme State Security Prosecution. Despite the cancellation of the state of emergency, this prosecution continues to investigate and charge politicians and activists, with the continued detention of other political figures without any hope for an expected breakthrough in their situations, such as the head of the Strong Egypt Party Abdel-MeneimAbu Al-Fotouh , his deputy Mohammed Al-Qassas, and political activist Alaa Abdel Fattah, as well as journalist Mohamed Oxygen. The trial before emergency courts involves problems and violations, such as depriving the accused of appearing before their natural judge, thus denying them the right to litigation at two levels and violating the rights of defense during the trial.

Violations of fair trial guarantees also extend to the Public Prosecution and ordinary courts, where defense teams for defendants often face difficulties in obtaining investigation and case papers from the courts in a timely manner, which greatly affects the course of trials. Perhaps the most recent and infamous case is of the politician and former presidential candidate Ahmed Tantawi, where the Public Prosecution and the court secretariat impeded his defense team, along with 22 others in the same case, to obtain a hard copy of the papers for Case No. 16334 of 2023, Matariya Misdemeanors. They were accused of printing and circulating one template of the official electoral papers without the permission of the competent authority. The case ended with a ruling by the Matariya Misdemeanors Court on February 6, 2024, sentencing Ahmed Tantawi, his campaign manager, and 21 campaign members to one year in prison in the case known to the media as the "popular proxies" case. A ruling that was upheld by the Court of Cassation, few days ago. The following is an example of the most prominent trials that were marred by violations of fair trial guarantees.

Case number	Violations of fair trial guarantees	The court	The verdict
1357 of 2019, known to the media as the Joker case	• Violation of the right to hire a lawyer during the investigation stage. • Enforced disappearance. • Torture. • Violation of the right of defense to cross-examine witnesses.	• State Security Emergency Court.	• 103 defendants were sentenced, with sentences ranging from life imprisonment to acquittal.
Case No. 955 of 2017	• Violation of the right to lawyer before the trial. • Violation of the right to communicate with the outside world. • The accused were subjected to torture. • Violation of the right to defense before the court.	• Terrorism cricut Courts.	
Case No. 95 of 2022, known to the media as the "Salam Section Detainees Case"	• Enforced disappearance. • Torture. • Delayed referral to forensic medicine. • Failure to provide the accused with a proper defense. • Placing a child in adult detention.	• Third Circuit Terrorism Felonies.	• Sentences ranged from life imprisonment to 15 years in prison.

According to the second and third follow-up reports, the permanent committee had played a prominent role in drafting the draft law to amend the criminal procedure law no. 150 of 1950, promgulated by the cabinet.The draft law was introduced to the House of Representatives in August 2024 and includes disastrous amendments to criminal justice and citizens' rights to defense and innocence. It seeks to codify the exceptional procedures that courts and prosecutions have already been implementing for years and to fortify law enforcement forces, judicial police officers, and the Public Prosecution.

The proposed amendments prohibit defendants/detainees from filing criminal lawsuits directly against public employees. They aim to protect public employees from crimes that do not expire by statute of limitations, such as torture, attacks on personal freedom, and violations of citizens' privacy. The amendments also allow judicial police officers to interrogate the accused, setting a first-of-its-kind precedent. Furthermore, the proposed amendments do not invalidate judicial procedures if judicial police

officers, their subordinates, and public authority officers fail to present their identity when arresting or searching the accused.

The proposed draft law also allows the prosecution to initiate an investigation without the presence of the accused, their defense, or the civil rights attorney, at the discretion of the prosecution. It grants the prosecution the right to prevent the defense attorney from speaking, except for pleas and requests, which effectively restricts their ability to defend the accused. Additionally, the prosecution can prevent the accused and their defense from obtaining case documents and investigative materials during the course of the investigation if deemed necessary, according to its discretionary authority.

The law also allows the violation of the sanctity of homes by permitting searches without the presence of their owners, their representatives, or witnesses, as stipulated by the current law. Furthermore, the law equates judgments in absentia with judgments made in person, making the latter enforceable. It also gives the prosecution the right to refuse to hear witnesses for both the prosecution and the defense whenever the accused requests it, while maintaining the prosecution's combined powers of investigation and accusation.

On the other hand, a long waited amendment to the criminal procedure law was introduced in early 2024 to allow litigation in felony across double instance. Although, some limitations were posed in this vein about the scope of its implementation in retrospective manner and extension of it to the current cases under hearings.

The last follow-up report pinpoints the electronic litigation as a step of progress taking place in justice system. According to monitoring reports about the rehabilitation centers where the electronic litigation is enacted, many violations for the fair trail were documented by both the prisoners and their defence. Hearing sessions are held in prison, where the inmate is in the custody of the prison's administration, hence hardly he can report about any violation may be inflicated on him. Also, prisoners get deprived of their rights to gather in private with their defence for the prison's authority exercises great control over their consultations. Many imprisoners told they were collected in a room in their prison when the court panel was not able to confirm their idenity before proceeding with the hearings, even they hardly care for that matter and treat it as a formality. Also, many impriosners through their lawyers complaint about depriving them from the fulsome opportunity to speak and to defense through digital litigation. Of course, this is not to overlook the technical problems of consistent poor connectivity to hold such hearing and trials. Further, this constrained setting of trials jeopardize the principles of transperance and public accountability where the public can attend and watch over litigation and the performance of the judiciary.. It is noteworthy, imprisoners families barely can attend the trails of their members in this new litigation for they are not allowed to enter the facilities of the prisons where trials are held, and they do not know about the dates of the trials, and of course, no journalists are allowed to attend any trial in these official facilities. This trend is expected to be increased in the upcoming years with the intentions to isolate the judiciary from the accountability of the people through holding all trails in prisons and facilities owned and administrated by the minsitry of interior.

Implementation of the Strategy in the Axis of the Right to Litigation and Fair Trial (October 2021 - August 2024)		
	Gaps	**Outputs**
Legislation	• Expansion of civilian trials before military courts in accordance with amendments to the Law on the Protection of Public and Vital Facilities. • Amendment of the Anti-Terrorism Law to increase the penalty for violating counter-terrorism measures taken by the state, replacing fines with a life sentence, in accordance with the Emergency Law. • Criminalization of the conduct of research or the collection of information or data about the armed forces without a permit from the Ministry of Defense. • Proposal of amendments to the Criminal Procedure Code that are contrary to local and international civil and constitutional rights. • Emergency courts continue to operate. • The absence of any legislation to protect whistleblowers, witnesses, and victims in any cases. • Inauguration of the digital litigation system that jeopardizes the principles of fair and public trials.	• Cancellation of the state of emergency.
Institutional and procedural interventions	• The Supreme State Security Prosecution continues to target citizens based on issues of public opinion and opposing views. • The absence of accounting procedures or a regulatory law in the event that courts, their employees, or prosecution offices refrain from making case papers available to the accused and defense teams responsible for them.	
Capacity building	• Failure to train court and litigation personnel on the culture of the rule of law, respect for the civil and legal rights of the accused and defense bodies, and guarantees of a fair trial.	

Freedom of Expression

Strengths	Challenges	Targeted results
• The Constitution guarantees the individual's right to express himself orally, in writing, through photography, or by other means of expression and publication, which is linked to freedom of the press, media, printing, and audio and electronic publishing.	• The absence of a legal framework regulating access to and circulation of official information, data, and statistics, despite it being a constitutional right.	• Continuing the state's efforts to protect media professionals and journalists while performing their work within the framework of the constitution and the laws.
• The law guarantees freedom of the press, media, printing, and audio, visual, and electronic publishing. It makes the issuance of newspapers by notification an implementation of the constitution and prohibits the imposition of censorship on newspapers and media outlets or their confiscation, suspension, or closure, except in times of war or general mobilization. It prohibits the opinions issued by journalists and media professionals from being a reason for questioning them and guarantees their right to obtain and publish information. It prohibits forcing journalists to disclose their sources. Additionally, the law prohibits imposing custodial penalties for crimes committed through publication or publicity, except for crimes of incitement to violence, discrimination, or defamation of citizens.	• Weak community culture regarding the practice of freedom of expression and its controls.	• Strengthening the right to exercise freedom of expression and addressing any violations within the framework of the Constitution and the laws regulating it, and periodically reviewing those laws to ensure that this right is exercised in accordance with the Constitution and Egypt's international obligations.
• The media and press landscape in Egypt is characterized by diversity. In terms of ownership, there are both public and private institutions, and in terms of interests, they vary between general and specialized fields.	• The absence of a comprehensive code of conduct for all aspects of media and journalism, whether visual, written, audio, or electronic, which defines the controls on freedom of expression in a way that ensures the exercise of that freedom without infringing on the freedoms of others.	

The The follow-up reports commended the signing of cooperation protocols between institutions and dialogue initiatives, most notably the National Dialogue Initiative considering it a reinforcement of the climate and culture of pluralism, as well as the diversity of opinions and visions on various public issues. However, we find that the strategy neglected to address citizens exercising this right independently from institutions and initiatives; rather, it only referred to citizens exercising this right within the points of challenge, pointing to "the weakness of societal culture regarding the exercise of freedom of expression and its controls."

On a factual level, we find that security authorities have not ceased to imprison many citizens for expressing their opinions on the economic situation. In this regard, The Egyptian Front documented the arrest of approximately 500 citizens by security forces in October and November 2022 due to their calls for demonstrations on November 11, coinciding with the Climate Conference in Egypt. This also included individuals arrested for publishing videos criticizing high prices and living and economic conditions. The Front also documented the arrest of 8 citizens between January and May 2023 for exercising their right to express themselves and criticize the government's economic policies, which greatly affect their living conditions.

In addition, security authorities have pursued creative content creators for publishing acting videos on social media platforms. The Freedom of Thought and Expression Foundation monitored 18 young men and women for publishing acting videos during the period from 2021 to 2023.

In relation to what the strategy and its technical reports have indicated regarding freedom of the press, media, printing, publishing, and the diversity of the media and journalistic landscape, the figures show that in recent years, dozens of journalists have been arrested and investigated. Additionally, several legal provisions have been used to block websites, prompting Reporters Without Borders to classify Egypt as one of the largest prisons for journalists in the world, alongside Egypt's low position on the World Press Freedom Index .

As for controlling the media landscape, this has been carried out by the General intellegience that monoplized the media through direct and indirect purchases, eventually taking over all media and journalistic platforms. As a result, nearly all of these institutions are now almost completely under the control of the state.

Egypt continues to persecute politicians, journalists, and publishing houses for expressing their opinions. Journalist Khaled Mamdouh was arrested last month, and prominent politician and former spokesman for the Civil Democratic Movement, Yehia Hussein Abdel Hadi, was arrested and imprisoned for publishing an article . Similarly, in August, security forces raided the headquarters of the Al-Maraya Company for Culture and Arts, seizing some of its property and filing a report against the publishing house.

In a related context, the second technical report of the strategy stated that the Ministry of Justice submitted a memorandum to the Council of Ministers' Advisory Board to obtain an opinion on studying the cancellation of Article (80w) of the Penal Code regarding contempt of religions. Interestingly, by referring to the Penal Code, we find that the article regarding contempt of religions is Article 98 (w), not Article

(80w), which pertains to communication with foreign entities. In any case, the article regarding contempt remains in effect to this day, as the Court of Cassation upheld the imprisonment of a citizen for 5 years on this charge in Appeal No. 14149 of 92 Q in February 2024.

Implementation of the strategy in the treatment of prisoners and other detainees (October 2021 - August 2024)		
	Gaps	**Outputs**
Legislation	• Egyptian laws, such as the Anti-Terrorism Law, the Penal Code, and the Anti-Cybercrime Law, continue to include provisions that undermine freedom of opinion and expression, such as threatening peace and security, the values of the Egyptian family, public order, disturbing public peace, spreading false news, and trying defendants based on these provisions before the Supreme State Security Courts. • The absence of a law to regulate freedom of information and transparency.	
Institutional and procedural interventions	• No intervention to release prisoners of conscience among those pardoned by the president and police. • Failure to intervene in the release of journalists arrested for performing their job duties. • Failure to intervene in the release of citizens arrested for expressing their opinions on social media. • Failure to investigate incidents of storming and raiding publishing premises and to hold those responsible accountable.	

Freedom of peaceful assembly

Strengths	The challenge	Targeted results
• The Constitution stipulates the right of citizens to organize public meetings, processions, demonstrations, and all forms of peaceful protests, without carrying weapons of any kind, with notification regulated by law. It guarantees the right to private meetings without notification and prohibits security personnel from attending them.	• Lack of public awareness of the culture of peaceful assembly and lack of knowledge of the legal conditions for organizing demonstrations.	• Promoting and developing public awareness of the culture and practice of the right to peaceful assembly in all its forms, as it is a means of supporting and affirming democracy.
• The law regulating the right to public meetings, processions, and peaceful demonstrations was issued in 2013, and in 2017, a law was issued amending it in compliance with the ruling of the Supreme Constitutional Court, which entrusted the judiciary alone with deciding whether to permit or prohibit a demonstration. The legal regulation also guarantees the exercise of the right to peaceful assembly upon notification and regulates cases of dispersing a demonstration, procession, or march in the event that it deviates from its peaceful nature, in a manner that takes into account the gradual use of proportionate force.		

In brief, the National Strategy for Human Rights referred to the challenges of freedom of peaceful assembly in Egypt as "weak public awareness of the culture of peaceful assembly and the lack of knowledge of the legal conditions for organizing demonstrations," without mentioning any institutional prohibitions or security obstacles faced by citizens in exercising this right. The first technical report of the strategy completely neglected to discuss the axis of freedom of peaceful assembly, while the second-year report indicated that more than 40,000 people demonstrated during the COP-27 climate summit held in Egypt from November 6 to 18, 2022. This figure is misleading, considering that the demonstrators included various non-Egyptian nationalities participating in this international conference. Additionally, the strategy included achievements in this axis, such as some protests by lawyers' and doctors' unions in protest against the implementation of the electronic invoice registration system.

The strategy and its technical reports also did not refer to the security forces' use of Law No. 107 of 2013, which regulates the right to public meetings, processions, and peaceful demonstrations, as well as the colonial-era Law No. 10 of 1914 on assembly, to prevent demonstrations and use unnecessary and sometimes excessive force to disperse them. In recent years, security forces have arrested thousands of peaceful demonstrators.

BACKGROUND	NUMBER OF ARRESTS	CASE NUMBERS
Against the backdrop of calls for demonstrations on September 11, coinciding with the Climate Summit (COP 27).	About 500 people	2070 and 2094 of 2022, Supreme State Security Confinement; Case Nos. 2070, 1691, 1893, and 1977 of 2022, Supreme State Security Confinement.
Arrested for demonstrations and campaigns in support of Palestinian rights since the beginning of the Israeli aggression on Gaza.	120	Case No. 1644 of 2024, Supreme State Security Confinement; Case No. 952 of 2024; Case Nos. 2468, 2469, and 2635 of 2023; Case No. 2526 of 2023.
Arrested after a protest against rising prices in Al-Dakhila area in the Ajami district, Alexandria Governorate.	Unknown number	
Arrested in Matrouh Governorate while demonstrating against current President Abdel Fattah El-Sisi during the presidential elections.	400 citizens	Case Nos. 2202 and 2203 of 2023.
Arrest of workers from Samanoud Webryat Company for organizing a strike in which they demanded the minimum wage.	9	
Arrested a number of female activists during a demonstration in front of the UN Women office to denounce violations against women in both Gaza and Sudan.	16	Case No. 1567 of 2024.
Arresting Syrains in Egypt for going to streets to celebrate the toppling of Bashar Al-Asad on 8 and 9 December 2024.	30 Syrians	6 deteniees had been release, others are still in cutsody, and speculations about their deportation from Egypt.

Implementation of the Strategy in the Peaceful Gathering Axis (October 2021 - August 2024)		
	Gaps	**Outputs**
Legislation	• Arresting demonstrators and transferring their cases to the Supreme State Security Courts.	
Institutional and procedural interventions	• No intervention to release current demonstrators or review the cases of previous demonstrators to include them in presidential and police pardon lists.	
Capacity building		• Organizing six advanced training courses annually by the Police Academy in the field of riot control to ensure the preservation of security and the protection of lives, according to the nature of the security situation. The training content includes mechanisms for securing peaceful demonstrations.

Freedom of Association

Targeted results	Challenges	Strengths
• Increase coordination and integration among development partners (government, civil society, private sector, and donors). • Strengthening communication between the government and civil society organizations working in the field of human rights. • Increasing the capacities of unions and trade union committees in collective bargaining. Building the capacity of all stakeholders to implement legal frameworks facilitating the registration and regularization of trade unions in accordance with legal requirements. • Strengthening the participation of trade unions in formulating economic and social policies. • Issuing legislative amendments to regulate the work of professional unions, guided by Supreme Constitutional Court rulings on judicial custody and general assembly disputes. • Activating the participation of professional unions in preparing draft laws related to their affairs. • Taking necessary measures to ensure the regular holding of elections in professional unions.	• The need to enhance coordination and integration among development partners (government, civil society, private sector, and donors). • The need to strengthen communication between the government and civil society organizations working in the field of human rights. • The need to strengthen union capabilities in collective bargaining. There is also a need to update laws regulating professional unions, guided by Supreme Constitutional Court rulings on issues like judicial guardianship and disputes over the validity of general assemblies. • Lack of financial resources for trade unions and irregularity of elections in some professional unions. • The need to enhance the participation of trade unions in formulating economic and social policies. There is also a need to increase the involvement of professional unions in preparing draft laws related to their affairs and in communicating with the government on policies affecting their fields.	• The Constitution stipulates the right of citizens to form civil associations and institutions on a democratic basis, granting them legal personality upon notification. It also prohibits administrative bodies from interfering in the work of civil associations and institutions, or dissolving them, or their boards of directors or trustees, except by a court ruling. • The Law Regulating the Practice of Civil Work and its Executive Regulations establishes a strong partnership between the state and the civil sector, reflecting the state's commitment to supporting the civil sector. This includes providing guarantees for the right to form civil associations and institutions, enhancing their organizational and financial capabilities to fulfill their roles, and regulating voluntary work. The law also prohibits custodial penalties for violations of its provisions. • Steady growth in the number of civil society organizations in Egypt working in various social, cultural, developmental, literary, scientific, and other fields. • The Constitution affirms the freedom to form trade unions, the right to establish professional unions and federations on a democratic basis, and guarantees their independence. • The issuance of the Trade Unions Law and its amendments. • The prohibition of dissolving the boards of directors of professional unions except by judicial ruling.

The first technical report of the strategy praised Law No. 149 of 2019, regulating the practice of civil work, and the issuance of its executive regulations in 2021, considering them as reinforcements of the freedom to establish associations and civil institutions. By examining the latest report, the committee refers to approval of about 34 thousands request to legalize the status of civil society organizations. The reports highlighted efforts to follow up on increasing the number of associations whose status was regulated under this law and its regulations, focusing primarily on civil, charitable, and developmental organizations. This aligns with the strategy's goal, which is limited to supporting civil society organizations in these areas, effectively narrowing the concept of civil society.

However, political or human rights-focused civil society organizations have not benefited from this law and its regulations. Many human rights organizations have complained that the current law imposes obstacles to establishing and legalizing organizations that aim to work independently and in opposition within the human rights field. Additionally, the law subjects human rights organizations and civil society associations to significant oversight by security services. The executive regulations further restrict civil society organizations' ability to monitor human rights violations and hinder their cooperation with international bodies and UN mechanisms. Moreover, the law includes vague and undefined terms that enable the government to halt the activities of organizations with ease.

In a stark illustration of these challenges, the State Security Emergency Court issued severe sentences in Case No. 1552 of 2018, Supreme State Security. This included life sentences for 17 individuals, 15 years of hard labor for 7 individuals, and 10 and 5 years of hard labor for 6 individuals. The case targeted leaders and employees of the Egyptian Coordination for Rights and Freedoms, an organization monitoring and documenting human rights violations in Egypt. All defendants were added to terrorist entity lists, and the organization's website was shut down. Convicts were placed under five years of surveillance after serving their sentences.

The charges in this case were based on an investigation report by the National Security Sector, relying on confidential sources without material evidence. During the investigation, the prosecution confronted the defendants with the organization's publications and accused them of publishing false news, joining a terrorist group, and using internet accounts to promote terrorist acts. These charges were not revisited or reviewed, even after establishing the Supreme Committee for Human Rights, launching the National Strategy for Human Rights, or initiating the National Dialogue sessions.

Regarding the right to form trade and professional unions, the strategy and its technical reports failed to address restrictive laws adequately or propose legislative solutions. For example, Article 194 of the Labor Law No. 12 of 2003 limits the right to strike for many establishments, a provision often used by security authorities to arrest workers and detain them temporarily. Similarly, Law No. 213 of 2017 on Trade Union Organizations and Protection of the Right to Organize imposes hierarchical structures on unions, aiming to integrate them under the General Federation of Egyptian Trade Unions, which is largely state-controlled.

Despite the strategy's stated goal of integrating unions into relevant legislation, the process of drafting the announced Criminal Procedure Code reflected the opposite. Key professional associations, such as the Bar Association and the Journalists' syndicate and other independent bodies in both professional fields. The announced draft included provisions that undermine the practice of these professions. Furthermore, both associations faced opposition from official bodies after objecting to articles in the law that violate citizens' rights, criminal justice principles, and the right to a fair trial in Egypt.

Implementation of the Strategy in the Freedom of Association Axis (October 2021 - August 2024)		
	Gaps	**Outputs**
Legislation	• Restricting the establishment of political and human rights organizations and pursuing them through security and judicial procedures. • Restricting the exercise of the right to strike. • Restricting the right to organize independent unions.	
Institutional and procedural interventions	• Excluding unions and their independent councils from making their own legislation.	
Capacity building		

Right to Privacy

Challenges	Targeted results
• The failure to issue a law to protect the data of victims, witnesses, accused persons, and informants, which may constitute a violation of the sanctity of private life.	• Amend the Criminal Procedure Code to ensure the enforcement of the constitutional obligation to protect the privacy of victims, witnesses, accused persons, and informants.

The strategy merely referred to the respect of the constitution and laws for the right to privacy, including the sanctity of viewing postal, telegraphic, and electronic correspondence, and telephone conversations without judicial permission. The first technical report celebrated the issuance by the Supreme Council for Media of a code of controls and ethics for publishing crime news and related investigations, considering it a reinforcement of the right to privacy. The second report referred to the implementation of awareness campaigns in which relevant state agencies participated, aiming to raise citizens' awareness of the right to privacy. It also mentioned the Ministry of Interior's seizure of many crimes within the framework of combating information crimes, which is an achievement in combating cyber-extortion crimes.

However, the national strategy ignored the real obstacles facing Egypt in the right to privacy, such as the security authorities' use of the Anti-Cybercrime Law to violate the right to privacy. These violations include monitoring internet users, blocking websites, and judicially targeting a large number of social media users, especially girls, under the pretext of attacking the principles and values of the Egyptian family. Additionally, individuals affiliated with security services have been involved in viewing personal photos and videos, copying them, including them in case papers, and sometimes leaking some of those videos.

Moreover, the Telecommunications Regulatory Law codifies the subjection of telecommunications companies to the control of the armed forces and national security agencies by obligating service providers to provide information and data about their citizen users and submit it to the authorities upon request. The strategy also did not address the inspection of citizens' mobile phones in the streets without legal basis or judicial permission. Furthermore, the Public Prosecution, headed by Counselor Hamada Al-Sawy, innovated the concept of cybersecurity, which has primarily been used to violate privacy, monitor internet users, and initiate numerous lawsuits in this regard.

Despite the positive step of amending the Criminal Procedure Code to protect victims in sexual harassment cases by not disclosing their data, this step needs further generalization to create a program for the protection of witnesses, victims, and whistleblowers through legislative and institutional updates.

Implementation of the Strategy in the Right to Privacy Axis (October 2021–August 2024)		
	Gaps	**Outputs**
Legislation	• Prosecuting citizens, both male and female, for violating Egyptian family values, in accordance with the Anti-Information Technology Crimes Law. • Obligating telecommunications and internet service providers to provide information and data about their citizen users and submit it to the security authorities.	
Institutional and procedural interventions	• Security agencies are allowed to view and copy individuals' personal accounts and prepare cases against individuals based on them without judicial permission. • Security personnel search citizens' mobile phones in the streets without a judicial warrant and prepare cases against citizens based on their opinions on social media platforms.	• Combating electronic blackmail cases.
Capacity building		• Training courses for officers working in the field of combating cybercrime.

Conclusion

Based on the findings of this brief assessment, which monitors the achievements of the National Human Rights Strategy until August 2024 and identifies persisting gaps that lack legislative or institutional intervention, it is evident that progress in the realm of civil and political rights remains limited. After three years since the strategy's issuance, the material facts and figures reveal that its primary focus appears to be less on accountability and oversight to advance civil and political rights and more on managing foreign relations. This approach risks exacerbating the ongoing human rights crisis, which is deeply interconnected with the country's faltering economic, political, and social challenges.

Running in Place Policy

EFHR EGYPTIAN FRONT FOR HUMAN RIGHTS

Egyptian Front for Human Rights (EFHR) is an independent European organization established in Czech Republic in 2017. The Front works to improve the human rights situation in Egypt through research, advocacy and legal work, specifically in criminal justice.