



**COMMITTEE  
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**International Service  
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**Ending torture, seeking justice for survivors**

**Joint NGO submission for the review of Egypt by the Human Rights Committee**

By:

Committee for Justice (CFJ), DIGNITY, Egyptian Front for Human Rights (EFHR), Egyptian Initiative for Personal Rights (EIPR), EgyptWide for Human Rights, EuroMed Rights, International Service for Human Rights (ISHR), REDRESS, Women's International League for Peace and Freedom (WILPF)

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## 1. Introduction

The joint submission provides updates to recent developments since our [joint submission on the list of issues in January 2022](#) following the structure of the [list of issues by the Committee](#). It also provides responses to the [Reply to List of Issues](#) by the State party.

The State Party's response included several references to the 5-year **national human rights strategy**. Egyptian human rights organisations have [analyzed](#) the strategy and [concluded](#) that the patterns of violations including arbitrary arrests and in detention centers have continued unabated, thus confirming that the strategy is part of a public relations campaign intended to improve the Egyptian State's public image, rather than addressing the human rights crisis, holding perpetrators accountable and strengthening accountability mechanisms. International human rights organisations [shared](#) the same view that Egypt has "shown no genuine will to acknowledge, let alone address, the country's deep-rooted human rights crisis" and "used it as a propaganda tool to conceal ever growing repression of any form of dissent ahead of COP27". In addition, contrary to the State Party's response (para. 97) that "wide consultations with NGOs were held to prepare the national human rights strategy", it was drafted without any consultation with independent human rights organisations nor public engagement.

Similar to the national human rights strategy, the State Party's responses to the Committee's list of issues mainly relies on referring to Egypt's constitutional and legal framework while ignoring the widespread and systematic violations of constitutional rights and the application of repressive laws that effectively criminalize fundamental freedoms under the guise of counter-terrorism and national security. The State Party's responses ignore the reality of widespread and systematic violations of the right to fair trial, and the entrenched impunity for security and military forces. It also ignores the "systemic problem with arbitrary detention in Egypt" which UN Special Procedures [highlighted](#). While in recent months, dozens of prisoners of conscience were released, thousands are still arbitrarily detained or unjustly persecuted.

The State Party repeatedly refers to the roles of the [Public Prosecution](#), the judiciary and the National Council for Human Rights as entities that provide remedies to victims of violations of the Convention. However, as shown below and in our [previous submission](#), these entities act to uphold State impunity. The State Party repeatedly refers to training of police officers, judges and prosecutors on human rights. However, as shown below, this has had no impact on ending the systematic and widespread violations by all these State actors.

## 2. Violations of articles of the ICCPR

### a. Constitutional and legal framework within which the Covenant is implemented (art. 2)

Contrary to the State Party's response that Egyptian law and institutions guarantee the availability and effectiveness of remedies to violations of the convention (para. 5), the Egyptian Government has consistently failed to implement decisions of the African Commission on Human and Peoples' Rights (ACHPR), which remains the only available mechanism for the adjudication of individual human rights complaints in light of Egypt's refusal to ratify any of the relevant optional protocols, including that of the ICCPR.

In Communication 323/2006, *EGYPTIAN INITIATIVE FOR PERSONAL RIGHTS (EIPR) AND INTERRIGHTS v. EGYPT* (adopted on 16 December 2011), the ACHPR found that the government violated obligations on discrimination against women and the prevention and combating of SGBV with regard to the victims **Nawal 'Ali Mohamed Ahmed, 'Abir Al-'Askari, Shaimaa Abou Al-Kheir and Iman Taha Kamel**. It ordered the government to amend relevant laws; provide compensation to each of the victims in the amount of EP 57,000, for the physical and emotional damages/traumas they suffered; investigate the violations, and bring the perpetrators to justice; and ratify the Women's Protocol of the African Charter on Human and Peoples' Rights.<sup>1</sup>

In Communication 334/06, *EIPR and Interights v. Egypt* (adopted on 3 March 2011), the ACHPR called on the Egyptian government to "to adequately compensate the victims in line with international standard"; reform the composition of the State Security Emergency Courts and ensure their independence; take measures to ensure that its law enforcement organs particularly the police respect the rights of suspects detained; harmonize the State Security Emergency Laws with a view to bringing it in conformity with the African Charter and other international legislations and regional norms; and release the victims. The three victims (**Mohamed Gayez Sabbah, Mohamed Abdalla Abu-Gareer and Ossama Mohamed Al-Nakhlawy**) remain in prison to date.<sup>2</sup>

In Communication 355/07, *Hossam Ezzat & Rania Enayet (represented by EIPR & INTERRIGHTS) v Egypt* (adopted on 28 APRIL 2018), the ACHPR ordered the Egyptian government "to adopt necessary measures for the neutral recognition of marriages of Bahá'ís and other persons under its jurisdiction who do not identify with the personal laws that are based on the three recognised religions;" and to provide the victims with the lump sum of US\$10,000 as compensation for the prejudice they suffered up to the amendment to the domestic civil status law."<sup>3</sup>

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<sup>1</sup> EIPR v. Egypt, Decision, Comm. No. 323/2006 (ACmHPR, Dec. 2011).

<sup>2</sup> EIPR v. Egypt, Decision, Comm. No. 334/2006 (ACmHPR, Mar. 2011).

<sup>3</sup> Hossam Ezzat & Rania Enayet v. Egypt, Decision, Comm. No. 355/07 (ACmHPR, Apr.2018).

In Communication 396/11, **Mohammed Abderrahim El Sharkawi** (represented by EIPR and OSJI) v. Egypt (adopted on Oct 20, 2021), the ACHPR requested the Egyptian government to ensure that *Emergency Law No. 162 of 1958, Articles 126 and 129 of the Egyptian Penal Code, and the Egyptian Criminal Procedure Code*, and all other relevant laws and practices are brought into conformity with the African Charter, UNCAT, the Robben Island Guidelines, the Principles and Guidelines on the Right to Fair Trial, the Luanda Guidelines, and General Comment No. 4 on the Right to Redress for Victims of Torture and other Ill-treatment in Africa. It further ordered Egypt “to pay adequate compensation to the Victim in the amount of 1 million Egyptian Pounds, being the minimum found to be a reasonable quantum regarding the harm and damage caused to the Victim; and to investigate the violations through an independent commission of inquiry, and prosecute those responsible”.<sup>4</sup>

**b. State of emergency and counter-terrorism measures (arts. 2, 7, 9–10, 14, 18–19, 21 and 26)**

Contrary to the State Party’s response regarding the independence of the judiciary and the guarantees of due process, many individuals are still tried before the Emergency State Security Court. In 2021, the Emergency State Security Court sentenced at least 34 citizens including HRDs and political activists despite lifting the “state of emergency”.

Human rights organisations consider that the trials before the terrorism circuits are politically motivated and marred by serious irregularities, as those judges abuse their power for reprisals against citizens who stand up against human rights violations including political activists, journalists, lawyers, trade unionists, student unionists and HRDs. The terrorism circuits ordered the release of 354 defendants in 2022, while they [issued](#) 28,959 decisions renewing pre-trial detention including those who exceeded the maximum two-year pretrial detention.

In 2015, the Anti-terrorism Law (**No 94/2015**) was decreed which contains vague and overly broad definitions of terrorist acts to the extent of accusing political activists and HRDs under this law. These laws are vaguely worded and broadly controversial. Individuals who express their opinion are labeled as “terrorists” and they might be subjected to travel bans, assets freezes, and denied their political rights. In February 2020, the cabinet approved the amendments to **law No. 94/2015** which expanded the definition of funding terrorism and added new crimes to it whose penalties ranged from a fine to the death sentence. In November 2021, another two amendments were added to this law; giving the authority to the President to issue decisions on implementing measures taken to confront the threat of terrorism and judicial power that allow him to decide penalties and stipulate them during terrorist acts and to ban the filming, recording or broadcasting of terrorism court trials except with the permission of the presiding judge. Article 2 makes it a crime to engage in “any conduct committed in furtherance of a terrorist purpose.” The law

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<sup>4</sup> Mohammed Abderrahim El Sharkawi v. Egypt, Decision, Comm. No. 396/2011 (ACmHPR, Oct. 2021).

defines such purposes as causing environmental harm and occupying, seizing, or damaging public or private property. Terms like infringing on "public order" or "society's safety" are so broad that they give authorities power to violate basic freedoms.

**c. Non-discrimination (arts. 2 and 26), Violence against women and domestic violence (arts. 2–3 and 6–7)**

The State party's responses highlighted efforts made to counter various forms of discrimination and violence against women including combating Female Genital Mutilation (FGM) and creating mechanisms to report cases of violence against women. However, Articles 60 and 17 of the penal code are still used to justify violence against women: Article 60 gives the husband the right to discipline his wife by claiming that is a right given to men by Sharia law<sup>5</sup>, while Article 17 gives the judge the power to reduce sentences for perpetrators and it is widely used in cases related to so-called "honor crimes" or sexual and domestic violence cases. The penal code discriminates against women if they are charged with "fornication": women are sentenced to maximum 2 years of imprisonment while men are sentenced to 6 months for the same crime. Additionally, the Personal Status Law has seen no amendment despite its discriminatory provisions towards women in matters such as marriage, divorce, child custody and testimony. State-affiliated media have [announced the government's](#) intent to change the family law for both Christians and Muslims; however, no drafts have been published or publicly discussed despite the efforts made by feminist NGOs to bring the discussions forward. The family law for Christians was amended by the main three churches in Egypt without any consultations from civil society. Both Muslim and Christian family laws have not been published for public debate yet, which is a direct violation to the right to access information.

On 11 January 2023, the Egyptian Court of Cassation upheld the verdict issued against human rights defender **Amal Fathy** of a one-year in prison in case no. 7991 of 2018, known in the media as "The Harassment Case" for posting a video to speak about sexual harassment in Egypt. Some other emblematic cases of targeting women is the "Tik Tok" case which is still ongoing. **Haneen Hossam** and **Mawadda El Adham**, 2 of many female social media influencers were sentenced by the Cairo Criminal Court to 6 years in prison on human trafficking charges in a flagrant misinterpretation of trafficking crimes in the Egyptian penal law where the Egyptian prosecution considered trafficking as content creation on social media, the management of social media pages to display visual content and obtain financial compensation. The detention of these women is arbitrary as it violates Article 17 and 19 and was previously raised by [UN Special Procedures](#) and the [CEDAW Committee](#). Both women are currently in detention and serving their sentence.

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<sup>5</sup> The Committee's General Comment N° 28 on Art.3 notes that "States parties should ensure that traditional, historical, religious or cultural attitudes are not used to justify violations of women's right to equality before the law"

In 2002, the Committee noted “the criminalization of some behaviours such as those characterized as “debauchery”. It recommended “the State party should ensure that articles 17 and 26 of the Covenant are strictly upheld, and should refrain from penalizing private sexual relations between consenting adults.”

The State response referred to article 167 of its fifth national [report](#) which denied the criminalization of consensual same-sex relations and stated that the legislative structure to combat prostitution, sexual exploitation and trafficking did not criminalize same sex sexual relations. Contrary to the State’s response, cases of targeting LGBTQ+ individuals are still taking place in Egypt especially by using the internet to [entrap](#) and arrest them. The arrests of LGBTQ+ individuals are often rife with [instances](#) of sexualized and gendered violence. In its 2019 UPR report, the Alliance of Queer Egyptian Organizations (AQEO) noted the government crackdown on LGBT people, which includes violent assaults, torture (including forced anal exams), arbitrary detention, a denial of the rights to assembly and expression. There are at least 92 documented arrests for alleged same-sex conduct in 2019 under Egypt’s “debauchery” law. According to the organization’s report, 69 percent of those arrested were “picked up randomly on the street,” indicating that Egyptian authorities are discriminating against people based on their gender expression.

Egyptian police, prosecution and courts persecute homosexuality, transgender women’s identities and consensual same-sex acts between men or men and trans women under provisions of Egypt’s Law no. 10/1961 on Combating Prostitution (most notably, the vague and overbroad crime of “habitual debauchery”, among others). A central feature of this [persecution](#) is forced anal examinations, performed by the Justice Ministry’s Forensic Medical Authority (FMA) upon referral from the prosecution, against individuals accused of “habitual debauchery”. In late 2013, Egypt witnessed a distinct rise in the number of individuals accused in cases of “habitual debauchery” and accordingly the number of individuals forced to undergo the violation of forced anal examinations.

This rise in prosecution of real or perceived sexual and gender differences in Egypt is characterized by periodic State and media induced moral panics surrounding group arrests on grounds of “debauchery” every few months since 2013. Other forms of torture and ill-treatment also precipitate from such arrests, including verbal threats and insults, beatings, threats of sexual violence, and incitement of other intimates to abuse the individual.

One of the largest documented crackdowns of sexual difference in Egypt took place in September 2017, following a large concert in which a rainbow flag was raised by an audience member. Authorities responded to this simple, and protected act with [arrests](#) of at least 75 individuals over the following month under charges of “habitual debauchery” for most, while two individuals were [arrested](#) on state security charges. Some

of those accused of “habitual debauchery” were forced to undergo anal examinations, and one of two individuals who were accused of state security charges, activist **Sarah Hegazy**, [documented](#) later the devastating impact of the violence she experienced during her detention.

Increasingly EIPR has documented the use of forced examinations extends beyond charges of “habitual debauchery” under law 10/1961. In one such case the Prison Authority of the Ministry of Interior referred individuals to medical professionals in a public hospital to “identify their gender” by way of forced anal examination. In another 2019 case, three individuals were arrested, among others, on political grounds concerning calls for protest against rising costs of living. One of them was a well-known trans woman activist, and another was a trans man. The Prison Authority referred both, and another cis woman, to a public hospital to “determine their gender” even though each identified their gender, and the two trans individuals presented through their lawyers’ medical documents detailing their transition process. The trans woman, **Malak Al-Kashef**, was [forced](#) to undergo a full bodily examination including an [anal examination](#) against her will without even a prosecution referral, while the two other individuals were forced to [undergo](#) a full external bodily examination against their will. Moreover, the referral of individuals to the Forensic Medical Authority (FMA) for forced anal examinations continues to this day. In the 12 months between September 2021 and September 2022, EIPR documented 18 cases using charges of “habitual debauchery” against 37 individuals. In some of these cases, referral of defendants by the prosecution to the FMA for forced anal examinations were documented.

#### **d. Enforced disappearances (arts. 2, 6–7, 9 and 16)**

The State Party’s response stated that Egyptian constitution and the penal code<sup>6</sup> criminalised the crime of enforced disappearance and that national judicial authorities are investigating complaints of enforced disappearances. These provisions address crimes of illegal detention, arrest and kidnapping. Egypt has not ratified the CED and its laws do not properly define or criminalise enforced disappearance. In February 2020, UN experts [highlighted](#) how a new amendment of the Counter-Terrorism Law effectively legislatively legitimated enforced disappearances by allowing individuals to be arrested and held incommunicado for up to 28 days.

Human rights organisations reported continuing large numbers of enforced disappearances, and Egypt has [received](#) more communications from the WGEID than any other country regionally and globally since May 2020. The prevalent practices of prolonged incommunicado detention, secret detention and enforced or involuntary disappearances of people arrested by the Ministry of the Interior, including the National Security Agency, and by the Army remain a preferred tool of Egypt’s law enforcement and security forces in attacking political opponents and HRDs. Authorities [arrest](#) individuals without producing warrants and hold them in incommunicado detention in unspecified National Security offices

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<sup>6</sup> Articles 88 , 129 , 280, 283 , 289, 290 of the Penal Code



and police stations. Such persons are not included in official registers. Far from one-off or isolated cases, [Ayman Hadhoud](#)<sup>7</sup>, [Hamdy al-Zaeem](#)<sup>8</sup>, [Ahmed Khalifa](#)<sup>9</sup> and [Mostafa al-Najar's](#)<sup>10</sup> show the complicity and culpability pervading the many different parts in Egypt's criminal justice apparatus in operating a system of widespread and systematic enforced disappearances.

**e. Right to life and prohibition of torture and other cruel, inhuman or degrading treatment or punishment (arts. 6–7, 14 and 24)**

The Penal Code [art.126](#) fails to define what, in fact and law, constitutes “torture”. It does not refer to infliction of severe pain or suffering, whether physical or mental; only includes one prohibited purpose (thereby leaving out torture for purposes of punishment, coercion or intimidation, or discrimination); and does not include official acts committed by way of instigation (“order” is too narrow) or consent or acquiescence. It only covers infliction of torture upon the vaguely termed “suspects”, essentially leaving outside its protection convicted persons or persons serving a prison sentence, witnesses, family members, or third parties (people completely unassociated with the criminal justice system or its processes).

The use of torture and ill-treatment is well-documented, widespread, systematic, and a State policy. For over a decade, countless reports from NGOs have shown that Egyptian police and security officials use torture and ill-treatment to punish, obtain information and force confessions. Reported methods of torture commonly include beatings, threats, electric shocks, stress positions, prolonged incommunicado detention and

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<sup>7</sup> In February 2022, economic expert and member of the Egyptian Reform and Development Party, Mr. Ayman Hadhoud was forcibly disappeared. Mr. Hadhoud was held in custody before authorities transferred him to the Abbasseya Psychiatric Hospital, where the Egyptian prosecution stated that he grew ill and died. His body was stored improperly for weeks before his family was informed of his death. Without having conducted a proper investigation and despite visible signs of torture on Mr. Hadhoud's body, the prosecution issued a statement saying that he died of a pre-existing heart condition.

<sup>8</sup> Photojournalist Hamdy al-Zaeem was arrested on 4 January 2020 and held incommunicado in detention for 13 days, at which point he was brought before the Supreme State Security Prosecution and remanded to detention pending investigation into charges of spreading false news, joining an unspecified banned group, and misusing social media.

<sup>9</sup> Journalist Ahmed Khalifa was arrested on 6 January 2020 (one day after he covered a labor protest) and was held without knowledge of his whereabouts by his family or attorneys until 16 January 2020 when, just like al-Zaeem, he was before the State Security Prosecution who ordered his detention pending an investigation

<sup>10</sup> Egyptian authorities have yet to reveal Mr. Mostafa al-Najar's whereabouts, a former parliament member who has been forcibly disappeared since September 2018

solitary confinement, and sexual violence. In 2016, following a four-year inquiry, the Committee Against Torture determined that in Egypt, torture is widespread, deliberate and systematic, as is the near-universal inaction to investigate instances and allegations of torture.

Such breadth and impunity evidence a deeply intertwined system of complicity between the political authorities and different arms of the criminal justice system, including the police, prosecutors, courts and prison staff. This situation has been enabled by long periods of state of emergency and anti-terrorism frameworks. Despite a clear prohibition on all forms of torture in Egypt's 2014 constitution, trials and convictions of security officials for torture or deaths in custody [are](#) extremely rare. Claims of torture are virtually never investigated, procedural hurdles prevent victims bringing cases or appealing prosecutors' decisions,<sup>11</sup> and the judiciary has increasingly lost its independence. In the words of the CAT: "prosecutors, judges and prison officials also facilitate torture by failing to curb practices of torture, arbitrary detention and ill-treatment or to act on complaints." The President pardoned several police officers convicted and jailed for torturing civilians to death. The officers were [named](#) in Sisi's pardon decree as Sameh Qassem, Yasir al-Hassanein, Saad Khalil, Mohammed Ali and Aymen al-Deeb.

Human rights organisations monitored a [torture](#) incident that took place in **Al-Salam Police station** (hanging from hands and beatings with sticks and preventing them from food) – the video of the incident was published by the Guardian Newspaper-. The victims later were charged with joining a terrorist group, publishing false news, possessing two mobile phones in Al-Salam Police Station, using them to film and broadcast torture incidents, and funding a terrorist group. On November 17, 2022, a harsh verdict was issued by the third terrorist circuit of the Criminal Court against those victims. The court ordered to include all the defendants on the terrorist list and place them under police surveillance for five years. The Court sentenced 8 defendants to life imprisonment, 13 to 15 years imprisonment and one in absentia to life imprisonment. Moreover, the Court sentenced the minor "**Tamer Khaled Abdulaziz**" (17 years old) to five years imprisonment. The Al-Salam Police Station case is emblematic of the way that Egypt has used a suite of terrorism laws to persecute its critics, including those who call out the State's involvement in torture.

NGOs [documented](#) - from the period of 2015 to 2022 - 655 incidents of sexual violence conducted by security personnel against 544 victims including 124 women, 30 members of the LGBTQ community, 15 children and two refugees. Sexual based violence is rife in Egyptian detention facilities, and in particular in National Security Agency sites, where authorities use gender and surrounding social norms to increase victims' pain and suffering. No type or demographic is spared, with attacks recorded against women, men, children, trans and non-binary persons. Attacks take

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<sup>11</sup> Arts. 63, 162, 232 The Egyptian Code of Criminal Procedure. - No. 150 of 1950. Under Egyptian law, criminal cases must be initiated by the Public Prosecutor or the Chief Public Prosecutor only, in accordance with Criminal Procedures law Article 63 and Article 232. Victims of torture are not entitled to appeal the orders issued by the Public Prosecution Office or the investigative judge in the event that the accused is a public official. And despite a constitutional entitlement to remedy a violation of rights by directly filing a criminal lawsuit, the Code of Criminal Procedure does not allow direct prosecution except in the case of violations and misdemeanors, not in cases of felonies such as the crime of torture.

on different forms, purposes, and targets—in some cases embodying an expression of personal or state power, while in others being a means of punishment and in others still a means to extract a confession. Physical attacks are often accompanied by verbal abuses who use slurs or references to honor, modesty, and chastity to increase the psychological and social impact of the victim. These sexualized attacks are not the result of a small group of “bad apple” perpetrators, they are systematic. Most detainees reporting instances of sexual violence experienced the same lifecycle of violations—beginning with psychological and physical torture through threats, sexual harassment, virginity tests for women, anal examination for gay men, beating, electric shocks, sexual assaults and rape, and trumped-up charges relating to the victims’ exercise of the rights of opinion, expression, or assembly.

Contrary to the State Party’s response stating that the state guarantees the fair trial standards regarding the death sentences, On 28 June 2022, the Terrorist Circuit of the Cairo Criminal Court sentenced 10 defendants convicted under case No. 321/2015 - known in media as “**Helwan Brigades**” - to death, following a trial that lacked the minimal standard of guarantees of a fair trial, the defendants were subjected to enforced disappearance for different periods in unofficial places of detention where they were subjected to torture and forced to confess crimes under threats.

**f. Right to liberty and security of person, and treatment of persons deprived of their liberty (arts. 6–10 and 14)**

Contrary to the State Party’s response stating that newly opened **Badr prison** conditions are in line with human rights standards (para. 59) and that all detainees are able to visit their families and lawyers as guaranteed by the law (para. 61), human rights organisations have [documented](#) that “detainees shiver in cold cells with fluorescent lights switched on round the clock; CCTV cameras are trained on them at all hours; and access to basic necessities such as sufficient food, clothing and books is banned, they are denied any contact with their families or lawyers and detention renewal hearings are held online”. There have been at [least four deaths in custody](#) since Badr prison was opened in mid-2022. In 2023, detainees in Badr 3 have [reported](#) the continuation of the inhumane detention conditions, ill-treatment, denial of medical care, malnutrition, denial of winter clothes and the spreading of diseases among the detainees. They also [reported](#) the death of another detainee who was on hunger strike, and that the response of the prison administration to the hunger strikes is to punish the detainees by removing their clothes, taking away their blankets (in the cold weather) and placing them in the ‘disciplinary’ cells with only 1 loaf of bread per day and no medicine.

Far beyond being limited to Badr II prison, conditions in all of Egypt’s detention facilities are squalid—health provision is grievously sub-standard, detainees suffer from irregular or non-existent medical care, there is a dearth of qualified medical personnel, appropriate medication, a critical lack of sanitation, ventilation, food, exercise, and meaningful contact, and requests for care and transfers to external specialist facilities are also

routinely denied, causing suffering and death. The presence of any one of these factors—let alone several, which is often the case—may [amount](#) to ill-treatment or even torture. In Egypt, such conditions are the rule, rather than the exception.

In 2019, a consortium of human rights groups [found](#) “at least 347 cases of denial of health care in places of detention in 2018 alone [and] since 2014 the coalition has reported at least 19 patients with cancer that were not allowed to access specialized medical facilities and that died in detention.” In 2018, 72% of all reported deaths in detention were attributable to denial of health care.

The [provision](#) of timely healthcare, including in medical emergencies, “is left to the discretion of guards and other prison officials, who regularly dismiss or downplay the severity of detainees’ health problems, and routinely delay their transfers for treatment inside and outside prisons.” On the issue of medical transfers, regulations from the Ministry of the Interior require sign-off from several different governmental bodies prior to a transfer taking place<sup>12</sup>—a process that can take months, and in many cases far longer than patients’ conditions can accommodate.

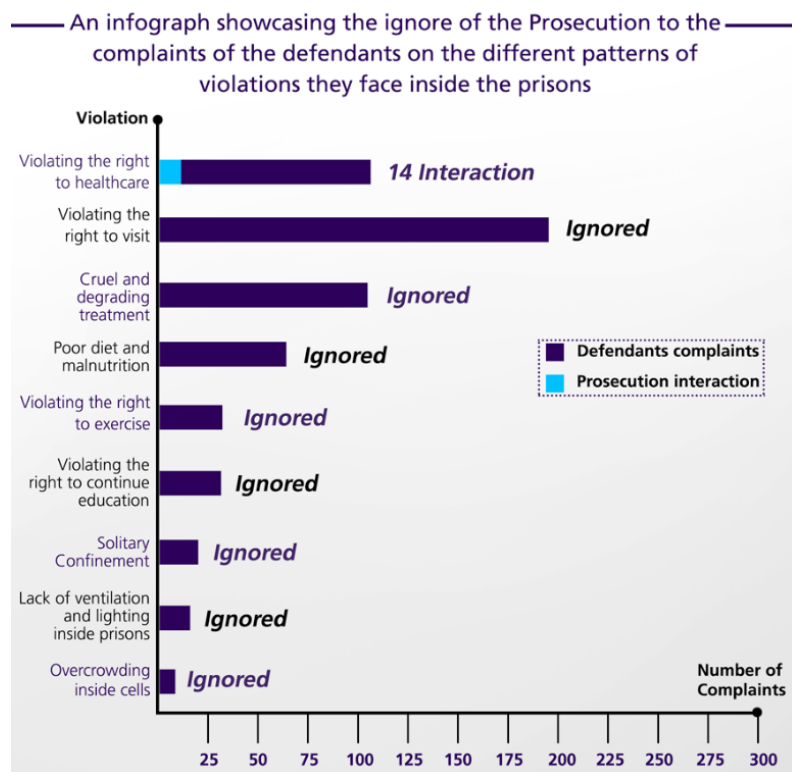
Contrary to the State Party’s response denying the excessive use of **pre-trial detention** (para. 64), individuals become trapped in the ‘revolving doors’ of the Egyptian prison system. Egyptian authorities continue to turn [pre-trial detention](#) from an exceptional legal measure to a punitive tool used systematically against HRDs and peaceful political opposition in general. The New York Times [published](#) a project in collaboration with rights groups and lawyers where they analyzed handwritten court logs and showed the number of individuals detained without trial and exposed the circular legal process that can keep them there indefinitely: between September 2020 to February 2021, about 4,500 people were trapped in pre-trial detention.

We draw the Committee’s attention to one emblematic case that demonstrates the pattern of indefinite pre-trial detention and what is commonly referred to as “**rotation**”: the practice of adding detainees to new cases with similar charges after the legal limit for pre-trial detention has expired. EIPR [documented](#) the case of one political detainee who was arrested in May 2022 in Damietta. He was subjected to enforced disappearance for more than one month, then he appeared before the Damietta Prosecution which referred him to the Damietta court in case no. 4852/2022 on charges of joining a terrorist group and possessing publications contrary to the constitution. In July 2022, the Terrorism Circuit Court in the Misdemeanors Damietta Court found him innocent on all charges. Rather than releasing him, he was subjected again to enforced disappearance for more than a month. Then, he appeared before the same Prosecution for the second time on the same charges based on the National Security’s investigations. In October 2022, the Damietta court found him innocent in case 6876/2022. Despite his second acquittal by the court, he remained detained and was subjected to enforced disappearance for three weeks. He then appeared before the Prosecution for the third time with the same charges under case 8400/2022. On 7 December 2022, the Damietta Court found him innocent. The

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<sup>12</sup> Article 37 of the Internal Regulations promulgated by the Minister of the Interior’s Decision No. 79 of 1961 on prisons.

authorities ignored the third innocence verdict and transferred him to Cairo. Weeks later, he appeared before the Supreme State Security Prosecution in a new case no. 1633/2022 on the same charges. On 15 January 2023, the Prosecution decided to renew his detention for 15 days and he is currently in Badr 1 prison.



Contrary to the State Party’s response stating that “the judicial authorities provide avenues for remedies...including the judiciary and the Public Prosecution” (para. 6), human rights organisations have documented systematic violations of persons deprived of their liberty that were ignored by the Public Prosecution. In at least seven prisons, EFHR [documented testimonies of 300 detainees](#) where the the most prominent violations were: medical negligence, inhumane living conditions such as overcrowding and malnutrition, as well as cruel or degrading treatment, and denial of visits, exercise, and continue studying. This is in addition to the Ministry of Interior’s implementation of a ‘blackout policy’ since March 2020 (in response to COVID-19) regarding the current status of detainees, which was exacerbated by the interruption of their communication with the outside world. Despite the knowledge of the Public Prosecution of these violations by the Ministry of Interior, as they are documented in the case files, the Prosecution did not respond to them, except in incidents related to their health status and their demands to see a doctor. This led to many detainees going on hunger strikes as they have no other recourse. Contrary to the State Party’s response that

detainees are allowed to take their exams to continue their studies (para. 58), EFHR found that 28 out of 300 detainees’ files examined,

reported to the Prosecution that the prison administration was preventing them from taking their exams and allowing textbooks, yet it ignored all their requests.<sup>13</sup>

Contrary to the State Party's response that use of solitary confinement is limited and that it guarantees prisoners' rights (para. 63), several detainees have reported to the Prosecution prolonged use of solitary confinement including at least [one person since](#) their arrest. One emblematic case is that of activist **Ahmed Douma** who was [held](#) in solitary confinement for four years and eight months in total for prolonged periods of time, between December 2013 until January 2020.

The State party stated in its response that "the Egyptian government does not use the term "prisoners of conscience" as the right to freedom of expression is guaranteed under article 65 of the constitution" (para. 61). In April 2022, the Egyptian President [announced](#) the reactivation of the work of the Presidential Pardon Committee to re-examine individuals detained for political reasons or for failure to pay debts. NGOs have [raised](#) concerns that prisoners of conscience could be excluded from the pardons as security agencies are in charge of the decision-making process. Egyptian NGOs urged the authorities to implement [criteria](#) for these releases: fairness, transparency, inclusiveness, and urgency. Egyptian NGOs have [sent](#) more than 2500 cases to the pardon committee however only 49 were released representing less than 2%. Since the launch of the pardon committee, [more arbitrary arrests have taken place](#), with the number of the newly detained far exceeding the number of detainees released.

Most of those released are still facing restrictions on their rights to freedom of expression, movement and liberty. NGOs [reported](#) that several of those released were instructed to report to the National Security Agencies (NSA) as part of the "[monitoring](#)" policy, and that [seven recently released detainees reported](#) that the NSA ordered that they were threatened with arrest or to remove critical content they had posted on social media. Activist **Sherif al-Roubi**, who was released in May 2022 was [re-arrested](#) in September 2022. He had [spoken](#) about the trauma he has endured as a result of years of detentions and violations. He was banned from travel, rendering him vulnerable to the re-arrest that eventually occurred, as well as other forms of targeting and harassment, as has been similarly reported by others who [experience](#) conditional release from detention. Others recently released [remain](#) under police surveillance, while many are arbitrarily banned from traveling, and live in perpetual fear of re-arrest.

In September 2020, the Egyptian security forces [used](#) force against protesters and arbitrarily arrested hundreds of people. NGOs documented that security forces fired birdshot, tear gas, and, in at least one instance, live rounds at protesters, leading to injuries.

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<sup>13</sup> See the [infographic prepared](#) by EFHR.

Conflict continues between security forces and adherents of the Islamic State (IS) militant group based in the North Sinai region. Both terrorist attacks and military operations have resulted in civilian casualties. For years, Egyptian security forces have carried out extrajudicial executions, claiming that the victims had been killed in shootouts. In August 2021, a video released by the spokesperson of the Egyptian armed forces praising the success of military operations in North Sinai and the killing of 89 militants, [appeared](#) to show the killing of two unarmed people who clearly posed no threat to the security forces present. International NGOs have [found](#) “that the alleged armed militants killed in the so-called shootouts did not pose an imminent danger to security forces or others when they were killed and in many cases had already been in custody” which demonstrated “a clear pattern of unlawful killings”.

NGOs consider that the government failed to consistently punish or prosecute officials who committed abuses, whether in the security services or elsewhere in government, including for corruption<sup>14</sup>. In most cases the government did not comprehensively investigate allegations of human rights abuses, including most incidents of violence by security forces, contributing to an environment of impunity.

**g. Administration of justice, right to a fair trial and independence of the judiciary (art. 14)**

Contrary to the State Party’s response regarding the independence and due process guarantees of military courts including for trials against civilians (paras. 74-76), six Egyptian NGOs have [documented](#) that between June 2013 and September 2018, 33 individuals were executed after they were sentenced to death by military courts in 8 different cases that were marred by violations of the right to fair trial, due process and violations including: enforced disappearance, incommunicado detention which made them vulnerable to torture, ill-treatment and confessions extracted under torture. The organisations [recalled](#) that the military judiciary lacks neutrality and independence as the judges are appointed by the Minister of Defense. Military trials violate defendants’ rights to be tried before an ordinary court, right to defense, and right to public hearings.

**Mohamed Baker and Alaa Abdel Fattah**<sup>15</sup> have been detained since 29 September 2019 pending investigations into charges of “joining a terrorist group”, “funding a terrorist group”, “disseminating false news undermining national security” and “us[ing] social media to commit a publishing offence” under Case No.1356/2019 of the Supreme State Security Prosecution (SSSP), a branch of the Public Prosecution specialized in investigating national security threats. The SSSP opened investigations into similar charges against them under new Case No. 1228/2021 as

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<sup>14</sup> [Ibid](#)

<sup>15</sup> Both are mentioned in the Committee’s list of issues (para. 19)

part of a strategy increasingly used by the authorities, referred to as "rotation", to circumvent the two-year limit for pretrial detention allowed under Egyptian law and indefinitely extend the detention of activists.

The trial of Abdelfattah and Baker in Case No. 1228/2021 started on 28 October 2021, together with blogger and activist **Mohamed "Oxygen" Radwan**, who was also convicted on charges of "spreading false news" in relation to social media posts and sentenced to four years' imprisonment. Proceedings before emergency courts are inherently unfair as their verdicts are not subject to appeal by a higher tribunal. The defendants were also denied their right to adequate defense as their lawyers were prevented from communicating with them in private and photocopying the casefiles, indictments and verdicts. On 3 January 2022, the President ratified the verdict against all three. Abdelfattah and Baker were held in inhumane conditions at the Tora Maximum Security 2 Prison, in Cairo until May 2022. Prison authorities held them in small, poorly ventilated cells and have denied them beds and mattresses. Unlike other prisoners, they were prohibited from exercising in the prison yard and were not allowed to use the prison library or receive books or newspapers from outside prison at their own expense. The prison authorities also denied them adequate clothing, radios, watches, access to hot water and any personal belongings, including family photos. On 12 May, Abdelfattah told his mother that he was beaten while handcuffed by the deputy prison warden at Tora Maximum Security 2 prison. On 18 May 2022, he was transferred to Wadi al-Natrun Prison after significant public pressure. On 2 October, Baker was transferred to Badr 1 Prison. His wife was allowed to visit him for the first time in two years without bars and he was allowed access to sunlight for the first time in three years. Prison authorities banned them from any phone calls in contravention of Article 38 of Law 38 396/1956 on Prisons. Abdel Fattah was [on hunger strike since April 2022](#), moving from partial to complete strike on 1 November 2022, then to water strike as well on 6 November 2022. He broke his strike on 11 November 2022 after a near-death experience and told his family that he would resume his hunger strike after a break, if there continues to be no improvement on his case. Based on his British citizenship, his family and NGOs have been calling for consular access to British officials, but it has not been granted. Radwan's mental health has been deteriorating, which led him to attempt to commit suicide in August 2021. In February 2022, Radwan's mother passed away, which worsened his mental state to the point that he refused to attend her funeral. Now his father suffers from serious health issues which require him to be by his side, and his brother submitted a solicitation to the President for his pardon in [November 2022](#).

**Ibrahim metwally**<sup>16</sup> remains arbitrarily detained since 10 September 2017 and was rotated to two additional cases after receiving release orders in October 2019 and August 2020. He is still facing charges of "joining a terrorist group" and "committing a crime of financing terrorist groups" in case 786 of 2020, under which the two-year legal limit for pre-trial detention has been exceeded.

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<sup>16</sup> Ibrahim Metwally is mentioned in the Committee's list of issues (para. 20)



**h. Freedom of expression, association and right of peaceful assembly (arts. 6–7, 9, 19, 21–22 and 25–26) and right to life (art. 2 (3))**

In connection to calls for protests during COP27, Egyptian authorities arrested at least 700 individuals across 18 governorates between October 1 and November 14, 2022. The authorities targeted Egyptians merely for responding to calls for anti-government protests circulating on social media on November 11, amid an economic crisis triggered by a dramatic currency devaluation. The authorities [detained](#) most of them under terrorism-related charges<sup>17</sup>. These arrests came without a security warrant from the Public Prosecution. Citizens were subjected to enforced disappearance for varying periods, and then brought before the State Security Prosecution with a forged arrest report. Security agents were stopping and frisking citizens without any reasonable suspicion and forcing them to search their smartphones - including social media accounts, personal messages and photos - in public places in search for evidence of their involvement in political activities or criticism of the government. The crackdown has also extended to others beyond those allegedly supporting protests. Mr. **Ahmed Nazir Elhelw**, a lawyer well-known for representing political dissidents was detained on November 7 and on November 13 charged with “joining a terrorist group.” On November 14, the authorities [brought](#) **Ziad Abu Elfadl**, a member of the Bread and Freedom party, before the SSSP on terrorism charges including inciting protest. Abu Elfadl’s party has been participating in the national dialogue process that President Abdel Fattah al-Sisi announced in April, which initially raised hopes that the authorities might ease the crackdown on dissent.

Contrary to the response of the State Party regarding the NGO law and its bylaws (para 94), the [analysis by human rights organisations](#) shows how the implementation of Law No.149 of 2019 (the NGO Law) and its subsequent bylaws issued in January 2021 have [imposed greater limitations](#) on civil society organizations [including](#) limited civil society’s access to funding, regulates their activities and exposed them to supervision and regulation from the executive who have the power to dissolve them. The NGO Law has resulted in CSOs having to suspend activities such as the [Arab Network for Human Rights Information \(ANHRI\)](#). Human rights NGO staff continue to suffer harassment, arbitrary travel bans, asset seizures and reprisals in the form of prosecution and imprisonment. While the NGO law [replaced prison sentences with hefty fines](#), defenders are still facing up to 25 years imprisonment in Case no. 173/2011. This is possible due to an amendment passed in 2014 of Article 78 of the Penal Code on foreign funding. Even when some defenders were acquitted from case 173, they are still facing some punitive

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<sup>17</sup> In its General Comment N°37 on Art.21, the Committee notes that “While acts of terrorism must be criminalized in conformity with international law, the definition of such crimes must not be overbroad or discriminatory and must not be applied so as to curtail or discourage the exercise of the right of peaceful assembly” and that “The mere act of organizing or participating in a peaceful assembly cannot be criminalized under counter-terrorism laws”

restrictions, such as **Azza Soliman**, who is still under asset freeze despite the fact that all charges against her have been dropped. When she appealed the asset freeze, she was referred to a terrorism circuit court instead of a regular criminal court.

Contrary to the State Party's response that the "State guarantees a safe environment for civic work including for NGOs to advance human rights" (para. 93), HRDs continue to be arbitrarily detained, subjected to violations of the right to fair trial, inhuman detention conditions and several cases enforced disappearances and torture. We highlight below a number of emblematic cases to demonstrate the State's policy to criminalize the work of HRDs. In addition, contrary to the State Party's response that "the Public Prosecution investigates all violations and refers the perpetrators to the judiciary for prosecution", there has been no referral by the Prosecution nor action by the judiciary to hold the perpetrators accountable for the violations.

Defenders and NGOs working on documenting torture and enforced disappearances continue to be targeted. At least 31 staff members of the NGO Egyptian Coordination for Rights and Freedoms were [arrested](#) in November 2018, which led the organization to suspend its work. Members of the Egyptian Coordination for Rights and Freedoms, **Ezzat Ghoneim**, **Aisha Al-Shater**, **Hoda Abdelmoneim** (more information on their cases below) and others continue to be arbitrarily detained. The Emergency State Security Criminal Court [announced](#) the hearing for the verdict against them on 5 March 2023. We [recall](#) the violations of the right to fair trial since their arrest including the subjection of several of them to enforced disappearance in National Security premises and torture, as well as their denial to right to defense in the initial interrogations and their detention in inhumane conditions.

[Ezzat Ghoneim](#) remains arbitrarily detained since 1 March 2018. He was [subjected](#) to enforced disappearance for two days before being brought before the State Security Prosecution and interrogated in Case 441 of 2018 State Security. He was charged with joining a terrorist group, deliberately spreading false news at home and abroad, and disturbing public security regarding the country's internal conditions with the aim of weakening confidence in the State and its prestige and disturbing public security. On 4 September, 2018, a decision was issued to release him on probation, and he was transferred to the National Security headquarters in Sheikh Zayed as one of the procedures for his release, but he was then forcibly disappeared for four months, until the Criminal Court decided to cancel the probationary measures and issued an order to arrest him and bring him to appear in court, and the court decided to detain him again for 45 days in connection with the same case (441 of 2018 State Security). On 28 July 2019, he was investigated in a new case, No. 1118 of 2019 Supreme State Security, in which he was accused of joining a terrorist group, and the Public Prosecution decided to stop his detention under this case until he is released from Case 441 of 2018. After completing two years of pre-trial detention in case 441 of 2018, he began his pretrial detention in case 1118 of 2019. On 29 May 2021, and after 3 years of pretrial detention in various cases, the State Security Prosecution investigated him in Case 1552 of 2018, State Security, which is

the case in which he is being tried today. In the three cases, he was deprived of due process, including the right to present a defense and challenge the legality of his detention or even inform him that he is under investigation in Case No. 1118 of 2019 State Security.

[Aisha Al-Shater](#) remains arbitrarily detained since 1 November 2018. She was [subjected](#) to enforced disappearances for 20 days, during which she was severely beaten and subjected to electric shocks. She was charged with joining a banned group, receiving financing for terrorist purposes. On 23 August 2021, the Supreme State Security Prosecution referred her to trial before the Emergency State Security Criminal Court in case 1552 of 2018 State Security on the above-mentioned charges. She is being held in Al-Qanater Women's Prison, in prolonged solitary confinement in a small, poorly ventilated cell, without a toilet, and is only allowed to leave twice a day – for less than 30 minutes – to use the bathroom. The prison administration also prevents her from receiving family visits, communicating with her family and her lawyer in prison. She suffers from aplastic anaemia, a rare and serious condition that affects the blood. Her health deteriorated rapidly, and during her imprisonment, she was exposed to health problems in the spinal cord. She needs specialized treatment, which is not available at Al-Qanater Prison Hospital.

[Hoda Abdelmoneim](#) remains arbitrarily detained since 1 November 2018. She was [subjected](#) to enforced disappearance for 20 days. On August 23 2021, the Supreme State Security Prosecution referred her to trial before the Emergency State Security Criminal Court, pending case 1552 of 2018, State Security. The prosecution charged her with membership in a terrorist group and spreading false news about violations by the security forces through a Facebook page called the Egyptian Coordination for Rights and Freedoms, financing the terrorist group, and possessing publications to promote the group's goals. She is detained in inhumane conditions in Qanater Prison, including poor ventilation, and has been deprived for long periods of her right to visits from her relatives and lawyer. Her pre-existing health problems were significantly exacerbated during her detention, due to being denied necessary medication. In January 2020, she had a heart attack in prison, but the treatment she received was inadequate and her transfer to hospital was delayed. In October 2021, she reported the possibility of her having kidney failure and the need for a heart catheterization.

HRDs, including [AbdelFattah, Bager](#), [Ramy Shaath and Ziad El-Eleimy](#) are placed on Egypt's terrorist entities lists, which entails travel bans and freeze of assets for three to five years, subject to renewal without any substantiating evidence and may be renewed without a conviction for a terrorist crime. This [practice is part](#) of "the Egyptian government's systematic alienation and defamation of peaceful opponents and critics, in which anyone who publicly questions or challenges the state's authoritarian practices is liable to be charged with 'terrorism'".

Contrary to the State Party's response that there are no journalists detained under counter-terrorism charges (para. 92), the head of the journalism syndicate [stated](#) that there are 11 journalists detained. RSF stated that "Egypt is one of the world's biggest prisons for journalists" and has documented at [least 22 journalists](#) currently detained. **Hala Fahmy** (detained since April 2022) was [charged](#) with joining a terrorist

group, incitement to commit a terrorist crime, and spreading false news domestically and abroad; **Hisham Abdelaziz** (detained since June 2019) was [charged](#) with the membership of a terrorist group; and **Tawfiq Ghanem** (detained since May 2021) was [charged](#) with spreading false news, misusing social media, and joining a terrorist group.

The State Party responded to the Committee's questions (para. 25-26) stating the legal framework for protests and use of force but did not provide further information on the other issues. We refer to our [submission](#) in particular regarding the [Rabaa massacre on 14 August 2013](#) which is an emblematic example of the State's political will: to shield security forces from accountability and [use](#) the criminal justice system to exact revenge on survivors, families of victims, and anyone who dares to peacefully criticize the human rights situation in Egypt.

In relation to the **September 2019 protests** (Committee's questions in para, 25), on 15 January 2023, the terrorism Circuit No.1 of the ESSC, issued a [verdict](#) against 83 defendants including 23 children under case No. 653/2021 Emergency State Security - known in media as the "Joker case"- 38 defendants were sentenced to life imprisonment, 11 citizens were sentenced to 15 years imprisonment, 9 to 10 years imprisonment and 24 to 5 years imprisonment. Most of the defendants were subjected to enforced disappearance and torture. However, the court disregarded those violations.

Contrary to the State Party's response that the blocking of websites is according to judicial orders (para. 90), Egyptian human rights organisations have documented the [blocking of at least 549](#) since May 2017. During COP27, HRW website [announced](#) that after a five-year ban, their website was unblocked in Egypt.

**i. Participation in public affairs (arts. 22 and 25)**

In response to the Committee's question on measures taken to foster political pluralism in practice, the State party referred to the national dialogue launched by the Egyptian President in April 2022 (para. 101). Egyptian NGOs have [stressed](#) that the immediate and comprehensive release of all prisoners of conscience and political prisoners is a first step towards ensuring the State's commitment to its [national dialogue](#), and that otherwise, the dialogue will simply remain as 'ink on paper', continuing to fail in effectively alleviating Egypt's current human rights crisis.

Independent media [reported](#) that the United Media Services company - which owns most of the TV channels, newspapers and radios in Egypt and controlled by the intelligence services- issued a directive to their editors to ban any coverage of the “civil democratic movement” (which is a coalition of political parties) on the national dialogue<sup>18</sup>.

### **3. Suggested concluding observations for the State Party to be raised by the Committee:**

1. End impunity of security/military forces and credibly investigate incidents of extrajudicial killing and disproportionate use of lethal force by security/military forces against demonstrators in particular for the 2013 Rabaa massacre.
2. Ensure effective independent and impartial investigation into the unlawful deaths of all detainees/prisoners who had died in custody since 2013, for the prosecution of the alleged perpetrators, and compensation for the victims’ families.
3. Immediately and unconditionally release anyone held for peacefully exercising their rights to freedom of expression, association and assembly; and release others detained arbitrarily, including those held in prolonged pre-trial detention without trial or the possibility to challenge the lawfulness of their detention
4. Provide remedy in line with the Basic Principles and Guidelines on the Right to a Remedy and Reparation and other relevant international standards to all those who have been arbitrarily arrested, physically assaulted or tortured for their human rights work, political opinions, or women arrested for their online content
5. End the practice of charging defendants in new cases based on the same set of facts, commonly called “rotation”
6. Protect those in custody from torture, and other ill-treatment, including solitary confinement, and ensure their regular access to their families, lawyers of their choosing, and adequate medical care
7. Provide adequate ventilation, mattresses, hygienic facilities, clean clothes and adequate spaces in detention centers/prisons
8. Ensure gender-specific measures to meet the needs of women detainees, including end the denial of access to facilities and materials required to meet women’s personal hygiene needs, and guarantee redress mechanisms and accountability for victims of sexual violence
9. Ensure that transgender women are not detained in male detention centers
10. Publicly condemn and order independent, impartial, thorough and effective investigations into arbitrary detention, enforced disappearances, torture, SGBV and other serious human rights violations and crimes under international law, including those committed in custody with a view to bringing those responsible to justice and guarantee the victims’ rights to truth, justice and reparation

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<sup>18</sup> In General Comment N° 25, the Committee recalls that States parties’ obligations under Art.25 imply “a free press and other media able to comment on public issues without censorship or restraint”.

11. End the use of prolonged solitary confinement
12. Prevent the spread of COVID-19 virus in prisons and to protect and treat prisoners, including vaccinations, and guarantee specific measures for those most at risk
13. Implement the recommendations of the Committee against Torture including as part of the confidential inquiry including preventive measures and accountability
14. Ensure effective, thorough, impartial and independent investigations into the National Security Agency's (NSA) practice of subjecting individuals to extrajudicial police probation (NSA monitoring), summoning without written notice or warrant, and any allegations of torture or other ill- treatment in the course of such questioning with a view to holding those responsible to account
15. Publicly denounce and immediately put an end to the extrajudicial harassment and summoning of HRDs and other activists, including prohibiting the use of law of Police Parole (99/1945) against all individuals sentenced for exercising their rights to freedom of association, assembly and expression
16. Ensure that in law and practice the definitions of terrorism and related acts employed by the Terrorism Circuit Courts guarantee Egypt's international obligations under the Convention
17. Ensure that in the Terrorism Circuit Courts, the accused's right to counsel, right to a fair trial and how the systematic imposition of pre-trial detention, particularly in cases of mass trials, is consistent with article 14 of the Convention
18. Ensure that lawyers are able to work without intimidation or hindrance or reprisals
19. Ensure that individuals being investigated by the Supreme State Security Prosecution (SSSP) are afforded fair trial guarantees and investigate independently the role of the SSSP in arbitrary detention, violations of fair trial guarantees and complicity in enforced disappearances and torture
20. Institute a system of independent national monitoring of all places of detention, including those run by the National Security Agency
21. End the crackdown against journalists and independent media, release journalists from detention and unblock news and social media websites
22. Create a safe and enabling environment for human rights defenders, including by effectively protecting them from arbitrary arrest, detention and other forms of reprisal or harassment
23. End the pattern of reprisals, investigate, and ensure accountability and remedy for all acts of intimidation and reprisals against individuals who cooperate or have cooperated with the United Nations, its representatives, and mechanisms in the field of human rights
24. Close Case No. 173 of 2011 and remove all arbitrary measures including travel bans and asset freezes against defenders and their families
25. Quash verdicts against HRDs including those sentenced in their absence, and remove them from the "terrorist entities list"

26. Remove restrictions, amend laws and guarantee the rights to freedom of expression, association and peaceful assembly including Law No.94 of 2015 on counterterrorism, Law No.8 of 2015 on terrorist entities, Law No.175 of 2018 on cybercrime and Law No. 149 of 2019 on NGOs to bring them in line with Egypt’s international obligations
27. End the policing of women’s bodies and behavior as well as prosecutions over vague charges of “indecenty”, “violating family principles and values”, and “debauchery”
28. End arbitrary arrests and prosecutions against LGBTQI+ people, including police entrapment of LGBTQI+ through dating apps or social media, quash the verdicts of anyone already convicted and instruct officials to end forced anal examinations and sex determination tests as they can amount to torture
29. Amend relevant laws to explicitly criminalise domestic violence against women and children as well as marital rape, in addition to ensure that this criminalisation is not hindered in practice by articles 60 and 17 of the Penal Code
30. Amend the penal code to ensure that the definition of rape includes all forms of non-consensual penetration whether vaginally, anally, or orally by any object of organ for all persons regardless of gender
31. Clarify Paragraph 43 of the State’s response with the legal specific articles related to decriminalization of abortion in the listed cases
32. Provide detailed information about FGM cases reviewed in Egyptian courts between January 2020 and August 2022 with the nature of charges, number of defendants and final verdicts. (Paragraph 42 of State’s response)
33. Ensure the protection of human trafficking victims as detailed by the Egyptian Law for Combating Human Trafficking
34. Amend relevant legal articles to ensure that all persons falling under the protection of Child Law, under 18, shall not be charged under the Law No 10 /1961 for “Combating Prostitution”.