



Egypt: Alternative follow-up report to the UN Committee against Torture - 2024

January 2025

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I. INTRODUCTION

1. On 24 October 2024, the Egyptian government submitted its follow-up report to the United Nations Committee against Torture (CAT) in response to the Committee's concluding observations, which required Egypt to report on its progress in implementing Recommendations 12(e), 22(a), and 38(b), one year after its fifth periodic review.
2. Egypt's follow-up report once again reflects the government's systematic policy of denial regarding the widespread human rights violations committed by State authorities. Egypt's legal framework remains largely flawed and falls short of meeting international human rights law and standards, as will be explained below. In addition to failing to address the continuous shortcomings in its legislation, Egypt's follow up report dismisses the stark disconnect between legislative frameworks and actual practices which continue to violate human rights on a large scale—an issue that the CAT has repeatedly highlighted. In light of these shortcomings, this report seeks to critically counter the Egyptian government's follow up report and provide an accurate assessment of the country's failure to implement key CAT recommendations.

II. METHODOLOGY

3. This alternative follow-up report is co-submitted by the World Organisation Against Torture (OMCT), the Egyptian Front for Human Rights (EFHR), and the Cairo Institute for Human Rights Studies (CIHRS) and endorsed by Egyptian independent human rights organizations—the Egyptian Commission for Rights and Freedoms (ECRF), and El-Nadeem Center—as well as international organizations, including the Danish Institute against Torture (Dignity), and REDRESS.
4. The information presented is based on the monitoring and documentation efforts of our different organizations, utilizing both primary and secondary sources. These include victims' testimonies, accounts from victims' families and legal representatives, court documents, media reports, and an analysis of Egyptian legislation.

III. ANALYSIS OF FOLLOW-UP RECOMMENDATIONS

1. State of emergency and counterterrorism (Recommendation 12 (e))

5. The Egyptian government's response to Recommendation 12 (e)¹ of the CAT emphasizes, in paragraph 1, the cessation of the state of emergency since October 2021, 'therefore, Emergency Act No. 162 of 1958 is no longer in effect.' In contrast to the government's claims, the institutional practices established during the enforcement of Emergency Act No. 162 persist, and the legacy of its measures continues to undermine guarantees of fair trial rights and judicial independence.

¹ The State party should: [...] (e) Consider amending Emergency Act No. 162 of 1958 to ensure that state of emergency restrictions are expressed in clear and precise terms to guarantee respect for non-derogable rights, including due process and fair trial rights and the prohibition of torture. The State party should refrain from the blanket removal of legal safeguards and judicial review, in particular review of the legality of arrest and detention.

6. Despite the formal lifting of the state of emergency, Emergency State Security Courts (ESSCs) continue to exercise jurisdiction over the cases referred to them during its enforcement. Article 19 of Emergency Act No. 162 permits these trials to proceed,² in direct violation of the principle that ordinary courts should have primary jurisdiction over criminal cases. As a result, defendants prosecuted before the ESSCs—including those sentenced to death, individuals tried in absentia, and those whose cases were reopened by presidential order—remain subjected to exceptional judicial proceedings that lack fundamental fair trial safeguards and constitutional guarantees,³ in violation of Article 4 of the ICCPR, which strictly limits derogations from fundamental rights even in times of emergency.
7. Emergency Law No. 162 grants the President sweeping executive, legislative, and judicial powers, including appointing judges, halting investigations, ordering retrials, and altering sentences.⁴ Article 20 allows the President to order retrials before ESSCs even after the emergency's end and to confirm, modify, annul, or suspend verdicts issued by these courts before its termination. This blatant violation of the separation of powers further entrenches executive control over the judiciary and undermines judicial independence and due process.
8. In paragraph 2, the government references Supreme Constitutional Court rulings 1/2015⁵ and 74/2023⁶ as affirming the constitutionality of the Emergency Act and framing it as a necessary tool for addressing extraordinary threats. While these rulings may have implicitly validated the legal framework, they also emphasized that emergency measures must adhere to the principles of proportionality, legality, and temporality. However, in practice, the application of emergency powers has repeatedly violated these principles and served instead to bypass legislative and judicial oversight,⁷ which directly contradicts Egypt's claim that it upholds judicial safeguards in its implementation of emergency measures.
9. The government also claims that administrative detention was abolished after Article 3 of the Emergency Act was ruled unconstitutional and replaced by judicially sanctioned pretrial detention under Law No. 12 of 2017. However, this amendment introduced Articles 3 bis (b) and 3 bis (c), which effectively reinstate broad detention powers. Article 3 bis (b) allows security forces to arrest individuals and conduct searches without prior judicial approval, requiring only *post-facto* notification to the Public Prosecution within 24 hours, with detention extendable for up to seven days. Article 3 bis (c) permits State Security District Courts (SSDCs) to detain individuals deemed a '*danger to public security*' for renewable one-month periods, allowing indefinite detention without trial—an unconstitutional practice that lacks due process safeguards. These provisions,

² “Stop the Death Penalty in Egypt” campaign, Death sentences under the emergency law (A legal analytical paper), see <https://www.ec-rf.net/wp-content/uploads/2024/10/EN.pdf>.

³ *ibid.*

⁴ *ibid.*

⁵ Supreme Constitutional Court, Case No. 1 of 15, Interpretation, Session 1/30/1993.

⁶ Supreme Constitutional Court, Case No. 74 of 23, session 1/15/2006.

⁷ same as 2.

with their vague definitions, enable arbitrary arrests and prolonged detentions,⁸ violating Article 9 of the ICCPR and UNCAT's prohibition of arbitrary detention.

10. In addition, administrative detention has also been replicated in Anti-Terrorism legislation. Initially introduced to combat terrorism, Anti-Terrorism Law No. 94 of 2015 remains in force and incorporates provisions similar to those under the Emergency Act. It grants sweeping powers to security forces, including the right to arrest individuals, monitor communications, freeze assets, and impose travel bans without adequate judicial oversight.
11. The Anti-Terrorism Law's vague definitions of '*terrorist groups*,' '*terrorist crimes or acts*,' and '*terrorism financing*' have been systematically misused to target peaceful activists and suppress actual or perceived critics of the government.⁹ This has provided law enforcement and security forces with unchecked powers to commit human rights violations under the guise of counterterrorism and effectively extended a *de facto* state of emergency. Civilians continue to be tried in special terrorism circuits where due process guarantees are minimal or entirely absent.¹⁰ Despite the absolute prohibition of torture under international law, coerced confessions remain admissible as evidence,¹¹ in clear violation of Article 15 of UNCAT.
12. In addition, the adoption of Law No. 3 of 2024 further expands military authority over civilians by allowing military trials for offenses related to public facilities. The law's vague terms and broad powers granted to the armed forces risk further eroding civilian oversight and fair trial rights and reinforcing military control over the justice system.¹²
13. Despite the performative termination of the state of emergency, Emergency Act No. 162 remains functionally in effect, with exceptional powers granted during the emergency becoming the norm. Egypt has failed to amend Emergency Act No. 162, as recommended by CAT in Recommendation 12 (e). Without substantive reforms—including amending Emergency Act No. 162 of 1958, Anti-Terrorism Laws No. 94 and No. 8 of 2015, and other repressive legislation—the Egyptian government continues to perpetuate a cycle of repression and impunity and remains non-compliant with CAT's recommendations.

⁸ Egypt: Alternative report to the UN Committee against Torture – 2023, October 2023, see https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FCSS%2FEGY%2F56387&Lang=en.

⁹ Amnesty International, Egypt: Repression intensifies ahead of human rights record review, 27 January 2025, see <https://www.amnesty.org/en/latest/news/2025/01/egypt-repression-intensifies-ahead-of-human-rights-record-review/>.

¹⁰ OHCHR, Egypt: Special Rapporteur concerned about use of anti-terrorism legislation against human rights defenders, 15 January 2025, see <https://www.ohchr.org/en/press-releases/2025/01/egypt-special-rapporteur-concerned-about-use-anti-terrorism-legislation>.

¹¹ Amnesty International, Egypt: Military court sentences eight to death after disappearance and 'confessions' under torture, 29 May 2016, see <https://www.amnesty.org/en/latest/news/2016/05/egypt-military-court-sentences-eight-to-death-after-disappearance-and-confessions-under-torture-2/>.

¹² HRW, Egypt: New laws entrench military power over civilians, 5 March 2024, see <https://www.hrw.org/news/2024/03/05/egypt-new-laws-entrench-military-power-over-civilians>; CFJ, CFJ: New law on securing public facilities in Egypt amounts to 'militarization' of the state, 12 February 2024, see <https://www.cfjustice.org/cfj-the-new-law-on-securing-public-facilities-in-egypt-is-a-militarization-of-the-state-and-calls-for-stopping-it-because-it-violates-international-and-un-conventions/>.

Recommendations

- Amend Emergency Act No. 162 of 1958 to ensure that emergency measures are narrowly defined, time-bound, subject to judicial review, and respect non-derogable rights, including due process, fair trial guarantees, and the absolute prohibition of torture.
- Amend Counter-Terrorism laws No. 94 and No. 8 of 2015 to bring them in line with Egypt's human rights obligations under international law by narrowing the overly broad and vague definitions of terrorism and related crimes, ensuring fair trial guarantees, and strengthening judicial independence.
- Abolish the use of Emergency State Security Courts and special terrorism circuits for civilians, refer all pending cases to the competent ordinary court system, and ensure retrials in civil courts for civilians previously convicted by military courts or special courts when their charges relate to the exercise of basic freedoms.
- Repeal decision No. 8901 of 2021, which allows remote renewal of pre-trial detention without adequate judicial oversight and defendant participation, and ensure any future system guarantees transparency, fairness, and the right to challenge detention.
- Immediately and unconditionally release all individuals detained solely for exercising their rights to freedom of expression, association, and assembly, and ensure the release of those held arbitrarily, including in prolonged pretrial detention without trial or the possibility of judicial review.
- End the practice of charging defendants in new cases based on similar facts, commonly called 'rotation.'
- Establish an independent oversight mechanism to investigate and report on the misuse of Emergency and Anti-Terrorism legislation, including cases of arbitrary detention, unfair trials, and enforced disappearances, and ensure accountability for officials responsible for violations.

2. Detention conditions (Recommendation 22 (a))

14. In its response to Recommendation 22 (a),¹³ Egypt claims progress in addressing prolonged pretrial detention and prison overcrowding through legislative amendments and highlights the drafting of a new Code of Criminal Procedure in December 2022. While the Egyptian government asserts that the law aims to enhance judicial efficiency, its core provisions instead strengthen prosecutorial power at the expense of judicial oversight and reinforce the already unchecked authority of security forces.¹⁴

¹³ The State party should intensify its efforts to bring conditions of detention into line with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), including at the Badr Rehabilitation and Correctional Centre. It should, in particular: (a) Take further measures to reduce overcrowding in prisons, including by making more use of alternatives to detention and continuing to implement plans to develop and renovate the infrastructure of prisons and other detention facilities.

¹⁴ HRW, Egypt's catastrophic draft Criminal Procedure Code codifies abuses, further undermines justice system, 20 December 2024, see <https://www.hrw.org/news/2024/12/20/egypts-catastrophic-draft-criminal-procedure-code>.

15. The proposed legislation poses a serious threat to due process and the integrity of the justice system. It introduces provisions that would normalize warrantless searches, weaken the role of defense lawyers, and criminalize trial monitoring, among other alarming changes,¹⁵ in direct contravention of Egypt's obligations under international fair trial standards, including the ICCPR and UNCAT, and risk further institutionalizing impunity.
16. Despite widespread opposition from both national¹⁶ and international¹⁷ actors, the Egyptian Parliament approved the law 'in principle' in December 2024,¹⁸ signaling a troubling shift away from legal safeguards and accountability. Throughout 2024, our organizations have repeatedly warned that this law could further entrench systematic repression rather than serve as a genuine reform measure.
17. Egypt's claim, in paragraph 11, that its detention facilities align with the Nelson Mandela Rules is contradicted by overwhelming evidence of inhumane treatment, inadequate medical care, and poor living conditions.¹⁹ The Nelson Mandela Rules prohibit torture and require humane treatment of detainees. However, the "*No Statute of Limitations*" Campaign has documented, throughout 2024,²⁰ systematic torture and ill-treatment in both old and newly constructed Egyptian prisons, including prolonged solitary confinement, inappropriate lighting, lack of privacy, and exile through transfers to distant prisons—practices often targeting political prisoners and activists.²¹
18. Deliberate medical neglect and delayed access to essential healthcare in detention have led to at least 50 preventable deaths across police stations, official prisons, and unofficial detention centers in 2024 alone.²² *El-Nadeem Center* has documented cases involving the torture of at least 55 individuals and collective punishment of 94 detainees in places of deprivation of liberty within the same year.²³
19. In paragraph 20, the government cites the establishment of new prison complexes, such as **Badr** and **Wadi Al-Natrun**, as evidence of reform. However, these facilities have replicated the patterns

¹⁵ CIHRS, Egypt: 'Exceptional' Code of Criminal Procedures undermines justice, 15 December 2024, see <https://cihrs.org/egypt-exceptional-code-of-criminal-procedures-undermines-justice/?lang=en>.

¹⁶ Egypt: Reforming arbitrary pretrial detention requires political will over legal formalities, 19 September 2024, see <https://egyptianfront.org/2024/09/egypt-reforming-arbitrary-pretrial-detention-requires-political-will-over-legal-formalities/>.

¹⁷ CFJ, Egypt: (CFJ) welcomes UN letter warning of the dangers of proposed amendments to the criminal procedure law, calls on authorities to amend freedom-restricting legislation, 14 November 2024, see <https://www.cfjustice.org/egypt-cfj-welcomes-un-letter-warning-of-the-dangers-of-proposed-amendments-to-the-criminal-procedure-law-calls-on-authorities-to-amend-freedom-restricting-legislation/>; HRW, Egypt: Reject draft Criminal Procedure Code: Proposed changes threaten fair trial rights, empower abusive officials, 2 October 2024, see <https://www.hrw.org/news/2024/10/02/egypt-reject-draft-criminal-procedure-code>.

¹⁸ same as 14.

¹⁹ "No Statute of Limitations" Campaign, A modern yet ancient punitive philosophy! The situation in prisons/rehabilitation centers in 2024, see <https://www.ec-rf.net/wp-content/uploads/2025/01/A-Modern-Yet-Ancient-Punitive-Philosophy.pdf>.

²⁰ *ibid.*

²¹ *ibid.*

²² *ibid.*

²³ El-Nadeem Center, From the media archive: 356 days of oppression, violations and breaking the law, 2024, see https://drive.google.com/file/d/1TjFN4fy3oIj4cw8GGyG_E1ukxXc68Z7R/view.

of abuse seen in older prisons.²⁴ Throughout 2024, severe restrictions on family visits, denial of medical treatment, and harsh disciplinary measures were thoroughly documented.²⁵ The introduction of new prisons has not resulted in improved detention conditions but rather expanded the infrastructure for ongoing abuses.

20. The inhumane detention conditions, deliberately imposed as punitive measures to dehumanize prisoners and suppress any form of resistance or protest, have driven many detainees in multiple prisons to initiate hunger strikes. In extreme desperation, some have even attempted suicide as a final act of defiance.²⁶ In October 2023, a coalition of local and international organizations submitted to CAT a detailed legal analysis concluding that the Egyptian authorities' use of torture is so widespread and systematic that it amounts to a crime against humanity under customary international law, to which Egypt is bound.²⁷
21. Regarding the reduction of overcrowding through alternatives to pretrial detention, Egypt enumerates, in paragraphs 12 and 13, the alternatives under Article 201 of the Code of Criminal Procedure. However, a closer analysis reveals a stark contrast between these reported measures and the realities on the ground. The systematic overuse of pretrial detention and its application as a punitive measure against political dissidents, journalists, and human rights defenders have rendered these alternatives ineffective in reducing overcrowding.
22. Despite the availability of alternatives, pretrial detention remains the default practice, routinely applied without adequate judicial oversight and is rarely considered in politically sensitive cases or for individuals arrested under vague charges such as '*spreading false news*' or '*joining a banned group*.'²⁸ Thousands of individuals remain in pretrial detention—many for years—without trial or conviction,²⁹ exacerbating prison overcrowding. Judicial oversight of pretrial detention remains weak, which continues to enable authorities to detain individuals indefinitely under politically motivated charges.
23. In paragraph 16, Egypt cites the number of presidential pardons and conditional releases as evidence of efforts to alleviate overcrowding. While these measures have led to the release of some detainees, they fail to address the root causes of mass incarceration and are often applied selectively. Presidential pardons predominantly benefit individuals convicted of non-political offenses, while political prisoners and prisoners of conscience remain behind bars.³⁰ The process lacks transparency and the criteria for selection remain unclear, further demonstrating its arbitrary nature.

²⁴ same as 19.

²⁵ *ibid.*

²⁶ *ibid.*

²⁷ REDRESS, Torture in Egypt: A crime against humanity, October 2023, see https://redress.org/wp-content/uploads/2023/10/Egypt-Torture-Report_WEB_EN.pdf.

²⁸ same as 9.

²⁹ CIHRS, Egypt: Hundreds of political detainees, overdue for release, instead referred to terrorism courts by Supreme State Security Prosecution, 26 January 2025, see <https://cihrs.org/hundreds-of-political-detainees-overdue-for-release-instead-referred-to-terrorism-courts-by-supreme-state-security-prosecution/?lang=en>.

³⁰ *ibid.*

24. Throughout 2024, *EFHR* monitored the performance of terrorism courts during the pretrial phase and found that they had effectively ceased granting releases in State Security cases. Over the course of the year, three terrorism courts held 104 sessions, issuing at least 45,965 detention renewal orders across 3,217 State Security cases. In all these sessions, the courts failed to issue a single release order,³¹ reinforcing the systematic use of prolonged pretrial detention as a punitive measure rather than an exceptional legal safeguard.
25. While Egypt claims compliance with international standards, the absence of independent monitoring and oversight mechanisms over places of deprivation of liberty continues to undermine transparency and accountability. Independent CSOs and international bodies, including the ICRC, are denied access to detention facilities,³² which prevents accurate assessments of detention conditions and cultivates an environment where abuses can thrive unchecked. Moreover, individuals and organizations documenting prison conditions or advocating for detainees' rights are often subjected to harassment, intimidation, and arbitrary detention.³³
26. Egypt's response to Recommendation 22 (a) fails to demonstrate any tangible progress in improving detention conditions or reducing overcrowding. Instead of providing verifiable evidence of substantive reforms, the government merely reiterates the claims from its fifth periodic report. Notably, Egypt has not presented any disaggregated data on key indicators such as the total prison population, the specific offenses leading to arrests, or the number of individuals held in pretrial detention—data that would allow for an objective assessment of compliance.

Recommendations

- Revise the proposed Code of Criminal Procedure to align with international human rights standards, and facilitate meaningful consultations with civil society, legal experts, and international bodies before enacting the law to ensure it strengthens access to justice rather than institutionalizing repression.
- Accede to the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).
- Adopt a system of independent national monitoring of all places of detention, including those run by the National Security Agency and unofficial detention sites, and allow unhindered access for independent national and international human rights monitors, including the *ICRC*.
- End the practice of torture and ill-treatment, ensure effective implementation of anti-torture legislation in line with the UNCAT, and prosecute perpetrators of torture, including those with command or superior responsibility, in accordance with international fair trial standards.
- End the systematic overuse of pretrial detention as a punitive tool, ensure its application is subject to strict judicial oversight and in compliance with international human rights standards, and

³¹ Data retrieved from *EFHR*'s annual monitoring report, which will be published in February 2025.

³² CIHRS, Egypt: Rights groups renew demand for Red Cross oversight of prisons, 17 January 2020, see <https://cihrs.org/egypt-rights-groups-renew-demand-for-red-cross-oversight-of-prisons/?lang=en>.

³³ same as 9.

guarantee access to fair trial rights, including access to legal representation from the moment of arrest.

- Ensure that detention facilities comply with the Nelson Mandela Rules, including adequate sanitation, ventilation, nutrition, access to exercise, meaningful contact with family, and adequate and timely medical care.
- Protect persons in custody from ill-treatment and arbitrary solitary confinement, ensure their regular and unhindered access to family and lawyers, and end the use of disciplinary measures that amount to cruel, inhuman, or degrading treatment.
- Conduct an independent, impartial, and time-bound investigation into allegations of torture, sexual violence, unlawful deaths, and suicide attempts inside Badr Rehabilitation Center III and other prisons and ensure prosecution of those responsible—including officials with command responsibility—and provide full redress and compensation for victims and their families.

3. Death penalty (Recommendation 38 (b))

27. In its response to Recommendation 38 (b),³⁴ Egypt outlines various measures purportedly taken to align the use of the death penalty with international human rights standards. In paragraphs 22 and 24, Egypt highlights recent legislative amendments, particularly adjustments to Law 394 of 1954 on Weapons and Ammunition, which allow courts to mitigate certain punishments. However, despite government claims, Egypt has yet to eliminate mandatory death penalties for other crimes—a practice that directly contradicts international law’s requirement of individualized sentencing. This rigidity undermines judicial discretion and prevents consideration of mitigating factors.
28. The government also asserts, in paragraph 23, that the death penalty is limited to the ‘most serious crimes,’ particularly terrorism and intentional killing. However, Egyptian law continues to define **105 offenses** as punishable by death, including crimes under the **Penal Code** and its amendments (58/1937), **Military Provisions Law** (25/1966), **Weapons and Ammunition Law** (394/1954), **Organ Transplant Law** (142/2017) and **Anti-Narcotics Law** (182/1960).³⁵ Many of these crimes do not meet the ‘most serious crimes’ threshold under international law.
29. Anti-Terrorism legislation also contain vague and overly broad provisions that extend the death penalty beyond cases involving lethal intent, criminalizing acts such as ‘*endangering public order*’ or ‘*disrupting the work of authorities.*’ This allows for arbitrary and politically motivated

³⁴ The State party should: [...] (b) Take all measures necessary, including legislative action, to ensure that the death penalty is never mandatory and revise its legislation, including its counter-terrorism legislation and other relevant laws that may entail the imposition of the death penalty, to restrict the crimes for which the death penalty may be imposed to the most serious crimes, understood to be crimes involving intentional killing.

³⁵ Joint Report on the Human Rights Situation in Egypt: Submission to the 48th Session of the Universal Periodic Review, January 2025, see <https://cihrs.org/wp-content/uploads/2024/12/Human-Rights-Situation-in-Egypt-En.pdf>.

- executions,³⁶ violating Article 6 (2) of the ICCPR and Article 16 of UNCAT. Instead of ensuring the right to life is protected, these laws turn death penalty into the norm rather than the exception.
30. Civilians, including children,³⁷ have been repeatedly tried in military courts,³⁸ where due process rights are severely curtailed. Confessions obtained under torture or coercion are routinely used as evidence in capital cases,³⁹ despite this violating both the UNCAT and ICCPR. In some cases, drug-related offenses—which do not meet the ‘most serious crimes’ threshold under international law—have also led to death sentences.⁴⁰
31. The adoption of Law No. 1 of 2024, introducing criminal appeals in death penalty cases, fails to address the root causes of wrongful convictions—such as coerced confessions, unfair trials, and political influence over the judiciary. The continued use of mass trials and group executions of political opponents, in proceedings lacking even basic legal safeguards,⁴¹ demonstrates the death penalty’s misuse as a tool of repression rather than justice.⁴²
32. Egypt claims that capital cases benefit from procedural safeguards, such as mandatory review and unanimous consent by the Court of Cassation, consultation with the Grand Mufti, and prohibitions against imposing the death penalty on juveniles and pregnant women. However, these safeguards are largely symbolic. The Grand Mufti’s opinion is non-binding and lacks transparency, with decisions perceived as political formalities rather than substantive legal reviews.⁴³ Judicial rulings, particularly in cases involving terrorism or dissent, are heavily influenced by political pressure.
33. Despite legal protections for certain groups, the death penalty disproportionately affects marginalized and vulnerable individuals, particularly those from lower socio-economic backgrounds who lack resources for proper legal representation. While pregnant women are exempt from execution until two years postpartum, this does not address broader gender-based discrimination within the justice system, which often fails to consider domestic abuse and other mitigating factors. In addition, juveniles have been sentenced to death in violation of international standards, with authorities manipulating age documentation or disregarding minors’ rights.⁴⁴
34. In paragraph 25, Egypt asserts that the application of the death penalty is a sovereign matter shaped by societal traditions and cultural values. However, sovereignty does not exempt Egypt from its

³⁶ Middle East Eye, Egypt confirms death penalty for eight opposition politicians after mass trial, 5 March 2024, see <https://www.middleeasteye.net/news/egypt-confirms-death-penalty-eight-opposition-politicians-after-mass-trial>.

³⁷ Reprieve US, Stolen youth: Juveniles, mass trials and the death penalty in Egypt, March 2018, see <https://reprieve.org/wp-content/uploads/sites/2/2018/03/Stolen-Youth-Juveniles-mass-trials-and-the-death-penalty-in-Egypt-.pdf>.

³⁸ HRW, Egypt: 7,400 civilians tried in Military Courts: Torture, disappearances used to elicit confessions, 13 April 2016, see <https://www.hrw.org/news/2016/04/13/egypt-7400-civilians-tried-military-courts>.

³⁹ Amnesty International, Egypt: Military court sentences eight to death after disappearance and ‘confessions’ under torture, 29 May 2016, see <https://www.amnesty.org/en/latest/news/2016/05/egypt-military-court-sentences-eight-to-death-after-disappearance-and-confessions-under-torture-2/>.

⁴⁰ Harm Reduction International, The death penalty for drug offenses: Global overview 2023, 15 March 2024, see <https://hri.global/wp-content/uploads/2024/03/HRI-GO2023-finalfinal-WEB.pdf>.

⁴¹ same as 36.

⁴² ECRF, Legal commentary on some provisions of law 1/2024 concerning the amendment of provisions of the law of criminal procedures, see <https://www.ec-rf.net/wp-content/uploads/2024/06/legal-commentary.pdf>.

⁴³ *ibid.*

⁴⁴ same as 37.

binding obligations under international law. The ICCPR and UNCAT, which Egypt has ratified, impose clear restrictions on the death penalty and require compliance with fundamental human rights standards. Cultural and societal considerations cannot justify violations of these obligations, nor can they serve as a defense against legitimate international scrutiny.

35. Procedural safeguards alone cannot compensate for a fundamentally flawed justice system. **In 2024 alone**, a total of 380 individuals were sentenced to death in 255 different cases, including 31 individuals charged in nine different political cases. In addition, the Court of Cassation upheld the death sentences of 35 individuals, and 13 executions were carried out.⁴⁵
36. Egypt's response to Recommendation 38 (b) fails to demonstrate any tangible progress toward aligning the country's use of the death penalty with international human rights standards. Instead of substantive reforms, the government repeats previous justifications, ignores calls for accountability, and continues to implement the death penalty in a manner inconsistent with its obligations under the ICCPR and UNCAT. Until the structural issues are addressed, Egypt's use of the death penalty will continue to constitute a serious human rights violation.

Recommendations

- Impose an immediate moratorium on all executions in compliance with international human rights obligations and as an urgent measure to prevent irreversible miscarriages of justice.
- Revise Anti-Terrorism and other criminal laws to ensure that the death penalty is applied only in cases of intentional killing with direct lethal intent, and to eliminate vague and overly broad provisions that allow for arbitrary application.
- Abolish mandatory death penalties to ensure individualized sentencing based on the circumstances of each case.
- Ensure that all capital cases adhere to international fair trial standards, including the right to competent legal defense, independent judicial review, and access to appeal, prohibit the use of evidence obtained under torture, and ensure that all trials are conducted before civilian courts with independent monitoring.
- Ensure full transparency by publishing comprehensive, disaggregated data on death penalty cases, including the number of death sentences and executions, the offenses for which they were imposed, the demographic profile of defendants (including age, gender, and socio-economic status), and details on trial and appeal proceedings.

⁴⁵ Data retrieved from *EFHR's* annual monitoring report, which will be published in February 2025.