

17 September 2019

## **Open letter to EU Member States Ahead of the Universal Periodic Review of Egypt**

Your Excellency,

The next Universal Periodic Review (UPR) of Egypt's human rights record is scheduled for 13 November 2019, under the auspices of the UN Human Rights Council in Geneva. We are writing to strongly urge your government to use this occasion to address the unprecedented levels of repression in Egypt.

Since the last review of Egypt's record in 2014, human rights violations have increased sharply and the undersigned organisations and our partners have documented an unparalleled stifling of human rights organisations and human rights defenders. The UPR is an opportunity for States to contribute to reversing these trends and promoting respect for human rights in Egypt.

We urge your government to take part in **the UPR process** and to **make concrete recommendations** to the Egyptian authorities to urgently address the following issues:

1. Establish a moratorium on the use of the **death penalty** with a view to abolishing it. Review the penal code, code of criminal procedure, military code; the Law on Counter-Terrorism (Law 94/2015), and the Law on Terrorist Entities (8/2015), in line with minimum fair trial guarantees and ensure that civilians are not referred to exceptional or military courts on any grounds; and respect the principle of individual criminal responsibility by putting an end to the use of mass trials.
2. End the use of **torture** and other cruel, inhuman or degrading treatment or punishment, including incommunicado detention and prolonged solitary confinement. Allow detainees requiring urgent medical attention to be transferred to appropriate medical facilities and give them prompt and regular access to their legal representatives and families. Investigate allegations of torture, enforced disappearance and ill-treatment. To ensure accountability, the authorities should allow independent, unrestricted and unannounced visits to all places of detention; adopt a comprehensive anti-torture law in line with the 2014 Constitution and the United Nations Convention against Torture.
3. Amend, adopt and effectively implement legislation to eliminate all forms of discrimination and criminalise all forms of **violence against women and girls**, including by amending the Personal Status Law and introducing legal provisions prohibiting domestic violence, including marital rape, as well as sexual harassment, assaults and rape. Further, the authorities should further effectively carry out the National Strategy to Combat Violence Against Women in partnership with independent civil society organisations with recognised expertise in the field.
4. Immediately and unconditionally release all **human rights defenders, civil society activists** and all those detained or imprisoned solely for exercising their rights to freedom of expression, assembly and association, including lawyers, journalists, labour rights activists, minority rights activists, and LGBTQI activists. Put a stop to excessive police probation measures and the use of prolonged pre-trial detention to punish dissenters, close Case 173/2011 against Egyptian NGOs and **lift arbitrary travel bans on human rights defenders**.
5. Protect **freedom of expression, association and assembly** by immediately repealing or amending, in compliance with the 2014 Constitution and international standards, the deeply restrictive Protest Law (Law 107/2013) to allow gatherings by notifying the authorities in

advance and to limit the use of force by security forces, the Assembly law (Law 10/1914), the Media Law (Law 180/2018), the Cyber-Crime Law (Law 175/2018), and the Law of Associations and Other Foundations Working in the Field of Civil Work (Law 149/2019). Stop closing down human rights organisations by administrative orders. Stop blocking internet sites, especially websites belonging to human rights organisations and news websites.

6. Allow, humanitarian aid organisations, independent observers and journalists access to **North Sinai** and investigate all abuses by the militant groups and government forces. Compensate all residents whose houses were demolished, cease home demolitions until further consultations with local communities and make sure that displaced populations are offered adequate humanitarian aid and support for temporary housing.
7. Support requests by **UN treaty bodies and special procedures** to carry out official missions to Egypt and ensure that no one is subjected to reprisals, such as arbitrary arrest or intimidation, for cooperating with the UN human rights mechanisms.

We urge your government to keep a close watch on the human rights situation in Egypt after the outcome of the review has been adopted. This can be done, for instance, by requesting an update one year down the line. Most of the recommendations Egypt accepted during the previous UPR review have not been carried out. This highlights the need to **follow up on the UPR recommendations** and the importance of this UPR in reiterating to Egypt that its disregard of human rights remains unacceptable.

Finally, as to ensure that this UPR is a forum for effective engagement on Egypt's human rights record, Egypt should lift the arbitrary travel bans imposed on human rights defenders, so that they can participate freely in the UPR in Geneva, and to do so without fear of reprisals.

With assurances of our highest consideration,

EuroMed Rights  
Amnesty International  
Andalus Institute for Tolerance and anti-Violence Studies  
Cairo Institute for Human Rights Studies  
CIVICUS  
Committee to Protect Journalists  
DIGNITY - Danish Institute Against Torture  
International Federation for Human Rights (FIDH)  
Front Line Defenders  
Human Rights Watch  
International Commission of Jurists  
International Service for Human Rights  
Ligue des droits de l'Homme  
People in Need  
Reporters Without Borders  
SOLIDAR  
The Tahrir Institute for Middle East Policy (TIMEP)  
World Organisation Against Torture

## **An Overview of the Human Rights Situation in Egypt**

In utter disregard for its constitutional and international human rights obligations, Egypt has reached unprecedented levels of repression, often in the name of security. In recent years, the authorities have accelerated the use of the death penalty, while denying minimum fair trial guarantees and frequently subjecting detainees and prisoners to human rights violations.

The United Nations Committee Against Torture in 2017 reached the “inescapable conclusion that torture is a systematic practice in Egypt.” In 2018, 75 defendants were sentenced to death in an unfair mass trial in connection with the 2013 Rabaa sit-in. The UN high commissioner for human rights described the trial as “a gross and irreversible miscarriage of justice.”

In contrast, no security official has been brought to justice for the massacre of over 800 demonstrators at the sit-in. This is a clear illustration of the impunity for state-sponsored crimes in Egypt.

The Egyptian authorities are increasingly employing repressive tactics such as prolonged pre-trial detention, enforced disappearance, and judicial harassment to suppress all independent voices, including through unfounded investigations for national security-related charges. Egypt is one of the world’s biggest jailers of journalists and independent human rights groups are being systematically annihilated.

The Egyptian government enacted a new law regulating the work of nongovernmental groups (NGO law) on 22 August, said to be an improved version of the draconian 2017 law. However, the new law maintains the repressive essence of its predecessor, such as imposing large fines for vaguely defined violations and preventing organisations from undertaking any work viewed to be “political.” Human rights defenders have been banned from travelling and had their assets frozen since the 2014 reopening of investigations into the “foreign funding” of their organisations.

Constitutional amendments have further undermined the rule of law, increased unfair trials, enshrined impunity of the armed forces and placed them above all elected authorities. These were hastily adopted through a referendum in April amid a worsening crackdown on freedom of expression that includes the censoring of over 500 websites inside Egypt and severe restrictions on independent media, as well as the arrest of critics and opponents.