

THE HUMAN RIGHTS SITUATION IN EGYPT: ANALYSIS AGAINST THE “OBJECTIVE CRITERIA”

The “objective criteria” list the following objective criteria to initiate Council action:

- **whether there has been a call for action by the UN Secretary General, the High Commissioner for Human Rights or a relevant UN organ, body or agency;**

The High Commissioner Michelle Bachelet [expressed](#) her concerns several times over the last years including on [executions](#) following unfair trials and confessions extracted under torture, the [death](#) in custody of the former Egyptian president due to denial of medical care and detention conditions and the [widespread](#) arrests, detention, torture and ill-treatment of activists and protesters. The former High Commissioner made several statements expressing his concern [over the arrests, interrogations and detention](#) of defenders and journalists.

- **whether a group of Special Procedures have recommended that the Council consider action;**

Special Procedures have [deplored](#) executions following convictions based on evidence obtained under torture and disregard of due process. They had previously [called](#) on the Human Rights Council to urgently respond to the situation. They [raised](#) the alarm over the fate of thousands of prisoners at risk of death or irreparable damage to their health. In the last quarter of 2019, they [expressed](#) their concern over the arrests of at least 3000 people following protests, the [state of rule of law](#) in Egypt and the independence of its judiciary and the [use of counter-terrorism](#) legislation to silence human rights defenders and peaceful expression.

- **whether the State concerned has a national human rights institution with A-status; [and whether that institution has drawn the attention of the international community to an emerging situation and called for action];** The Egyptian National Human Rights Institution has A status, however it lacks independence. It has not made an appeal to the international community.

- **whether the State concerned has been willing to recognise that it faces particular human rights challenges and has laid down a set of credible actions, including a time-table and benchmarks to measure progress, to respond to the situation;**

The Egyptian President [said](#) that the Egypt holds no political prisoners which was reiterated by the Egyptian delegation during the UPR in November 2019. National human rights organisations have estimated at least 60,000 persons arbitrarily arrested for their political activity in recent years. The President also [said](#) that the killings of hundreds of anti-government protesters in Rab'a Square in Cairo in August 2013, which he oversaw as defense minister, were justified because there were “thousands of armed people.” However, the Minister of interior at the time [announced](#) in a press conference following the dispersal that security forces had seized 15 guns from the Rab'a sit-in.

- **whether the State concerned is engaging in a meaningful, constructive way with the Council on the situation;**

Acts of intimidation and reprisals are the most flagrant type of non-cooperation. Despite Egypt's assurances during the UPR Working Group in 2019 that reprisals are unacceptable, since 2017, Egypt has been consistently cited in the UN Secretary General's annual reprisals reports. The Special Procedures released several statements in 2019 regarding the pattern of reprisals including detention and torture of defenders for seeking to engage or engaging with the [UPR](#), the [Working Group on Enforced Disappearances](#), the [Forum on Minority Issues and the Special Rapporteur on housing](#).

- **whether the State concerned is effectively cooperating with HRC Special Procedures, including by allowing country visits**

Egypt has 13 outstanding visit requests by Special Procedures, including mandates covering key human rights concerns such as torture, freedom of expression and assembly, arbitrary detention, extrajudicial killings, human rights defenders among others. Egypt invited six Special Procedures to visit. Following the reprisals against those who cooperated with the Special Rapporteur on adequate housing during her [visit](#) to Egypt in 2018, no further visits have taken place since then.

- **whether the State concerned is engaging with OHCHR, including in the field of technical assistance and effective engagement with the UN Human Rights Treaty Bodies;**

There is no OHCHR office in Egypt. Egypt has a number of long-due outstanding reports to treaty bodies. During the UPR Working Group in November 2019, the government [announced](#) that it has submitted 5 reports including to the International Covenant on Civil and Political Rights (due since 2004), Convention Against Torture (due since 2004) and the Convention on the Elimination of Discrimination against Women (due since 2014).

- **whether a relevant regional mechanism or institution has identified a situation as requiring the attention of the international community; or whether the State concerned is cooperating with relevant regional organisations;**

The former Commission's Special Rapporteur on Human Rights Defenders in Africa [expressed](#) his concern by the deteriorating situation of human rights defenders in Egypt. In April 2019, Egypt hosted the 64th ordinary session of the African Commission; NGOs [reported](#) visa denials, physical threats among other hindrances. No independent Egyptian human rights organisations were able to participate due to the threat of reprisals.

- **whether the State is facilitating or obstructing access and work on the part of humanitarian actors, human rights defenders and the media.**

Egyptian human rights organisations have increasingly faced harassment from authorities including travel bans, judicial harassment, asset freezes and closures of offices. Hundreds of journalists and human rights defenders have been detained, disappeared, and judicially harassed for simply exercising their rights to freedom of expression and association. This includes pro-longed periods of pre-trial detention.