



To: Member and Observer States of the UN Human Rights Council
Cc: HRC Bureau and Secretariat

Geneva, 8 March 2017

Re: Concerns regarding respect for human rights in Egypt

Excellencies,

On the occasion of the 34th session of the Human Rights Council (HRC), the signatory organisations would like to draw your attention on Egypt, newly elected as a member for the period 2017-2020.

According to Resolution 60/251, paragraph 8, adopted by the General Assembly on April 3, 2006, “when electing members of the Council, Member States shall take into account the contribution of candidates to the promotion and protection of human rights and their voluntary pledges and commitments made thereto”¹. In this regard, the deteriorating human rights situation in Egypt, as well as its failure to comply with its human rights commitments made in front this very institution during its 28th session in March 2015, is a source of great concern.

During the 2nd cycle of Egypt’s Universal Periodic Review, Egypt committed to take the following steps regarding human rights defenders:

- ensure an **enabling and conducting environment for civil society**, including through a revised NGO law that conforms to the provisions enshrined in the Constitution as well as to international standards;
- ensure the **protection of human rights defenders and other civil society actors** while exercising their human rights, including their freedoms of expression, association and assembly.

Moreover, regarding the fight against torture and ill-treatment, Egypt committed to:

- adopt a **more comprehensive definition of torture** in the national legislation, by amending Article 126 of the Penal Code, in order to harmonise it with Article 1(1) of the UN Convention Against Torture (CAT);
- **submit its reports** to the UN Human Rights Committee and Committee against Torture,
- **strengthen the investigation and prosecution of the crime of torture**, in particular when committed by State security agents;
- ensure that **all detainees are protected by law and physically against torture**.

Nevertheless, two years after making these commitments, the Egyptian authorities have still not taken action.

They have failed to guarantee an enabling environment for civil society and human rights defenders. Two new draft NGO laws released between September and November 2016 contained draconian provisions that violate the Egyptian Constitution and international standards.

¹ See UN Doc. A/RES/60/251 here: http://www2.ohchr.org/english/bodies/hrcouncil/docs/A.RES.60.251_En.pdf.



Egyptian authorities have been cracking down on independent civil society and human rights defenders in the country, including through asset freezes, travel bans and systematic criminalisation within case 173/2011, known as the “foreign funding case”, in which defenders may incur in life sentences for receipt of unauthorised foreign funding. As Member and Observer States of the UN Human Rights Council, you had the possibility to witness the gravity of the situation thanks to the High-Level Panel intervention last week of Ms **Mozn Hassan**, founder and executive director of **Nazra for Feminist Studies**, 2016 “Right Livelihood” Award Laureate and one of the most prominent women human rights defenders in the country.

Moreover, Egypt has not brought the definition of the crime of torture in line with international standards, nor increased the fight against impunity for torture perpetrators and the protection and redress of victims. The case of the disappearance, torture and killing of Italian PhD student Giulio Regeni is an example among many others that has resonated in the world.

Furthermore, the Egyptian authorities have been undermining attempts to fight torture effectively in the country. One such example is the charges brought against human rights lawyer Mr **Negad El-Borai** and the **United Group – Attorneys-at-law**, for presenting a Bill for the prevention of torture to the Egyptian authorities and advocating for its adoption in order to bring the national legislation in compliance with international standards. Moreover, after a year of harassment, **El Nadeem Center for the Rehabilitation of Victims of Torture and Violence** has been recently closed for conducting activities beyond its victims’ assistance mandate, such as producing reports and statistics on torture.

Finally, rather than addressing these human rights concerns, the Egyptian Government has still not submitted any report to the UN Human Rights Committee nor to the Committee against Torture. It has not done so since 2002.

All this happens in the context of a dramatic deterioration of the human rights situation in the country, with a notable increase in cases of torture, deaths in detention and enforced disappearances and highly prevalent gender-based violence. In light of this, the presence of a free and vibrant civil society in Egypt is crucial to seeing these concerns addressed, and to seeing the government effectively implementing its international human rights commitments.

Your Excellencies, we call on you to take our concerns with the most serious consideration and to raise them, jointly and individually, at the current session of the UN Human Rights Council.

We thank you for your attention and we look forward to your reply.

Best regards,

World Organisation Against Torture (OMCT)
Euro-Mediterranean Network for Human Rights (EuroMed Rights)
Front Line Defenders