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Preamble

The current report seeks to follow-up the progress in the implementation of the (partly accepted – accepted) recommendations by the Egyptian government during the second cycle of the UPR process, in which its report was adopted in March 2015, where the report covers the relative developments during the period between January – August 2016.

The most prominent features of the period represented in the Convening of the Egyptian Parliament elected by the end of 2015, to complete the structure of the constitutional institutions in Egypt for the first time since January 2011, during the reporting period, the Egyptian Parliament finalized its 1st Convening Period, with a five years parliamentary session ending by 2020. Since the beginning of 2016, the absolute legislation authority moved to the elected parliament, and for the first time in the Egyptian history since the 1952 revolution, the authority to grant or withhold confidence in the government was granted to the elected parliament, along with a package of the inherited authority by the Egyptian parliamentary institution represented in the adopting of the state's general budget and public policy, and utilizing a varied package of oversight tools in the face of the executive authorities.

During the reporting period (January-August 2016), Egypt witnessed extremely difficult economic pressures, on the backdrop of the global economic crisis, the declining trade movement and the slowing rates of global economic growth, which negatively affected the national income sources linked to the world trade movement, in parallel, terrorism played a negative effective role in overheating economy, through its direct impact on the main sector for providing foreign currency to the country represented in the tourism sector.

During the reporting period, Egypt had witnessed serious repercussions for the downing of a Russian airplane by terrorism groups in October 2015, hitting the tourism sector hard, and negatively affected the local currency price, along with unemployment rates, inflation and other economic aspects.

Those aspects had a tangible impact on the government's capacity to fulfill some of the relative recommendations to economic and social rights, especially in light of the state's engagement in a program for economic reform with the support of the International Monetary Fund (IMF), aiming at reducing government expenditure, resulting in side effects led by the partial removal of subsidies of some of the social services, leading to increased inflation and increasing the citizens' realization of the economic crisis.

On the level of civil and political rights, the Egyptian street has a considerable debate relative to the evaluation of the government and parliament performance, and the commitment to the UPR relative recommendations, while terrorism and violence represents a key challenge continuously pushing the state to take precautionary measures that might affect the rights and public freedoms, at the same time, some violations take place by law enforcement authorities, along with abuses in using some regulatory laws for some civil and political rights especially regarding the demonstration and anti-terrorism laws, while numerous cases for using violence by some of the junior police officers against citizens, those cases caused uproar and their offenders were referred to investigation.

In the same context, the regional deteriorating situation and their impact on human rights in Egypt could not be overlooked, the failure of the Arab Spring revolutions in the neighboring countries and their transformation into raging civil wars, and the negative interventions by international and regional powers, led to "low" demand on democratic reform, and prioritizing human rights for large segments of citizens, some have concerns regarding meeting the same fate, which had been utilized by some of the affiliated parties to the regime to postpone and defer some urgent refer cases to a later stage.

The report would present an evaluation to the progress in different human rights aspects, which were topics for numerous recommendations presented to the Egyptian government during the second cycle of the Universal Periodic Review.

The relative procedures to the legislative and institutional contexts¹

The Egyptian constitution adopted in January 2014 includes articles providing protection to a wide range of public freedoms and rights, where many of those articles meets with the recommendations accepted by the Egyptian government, hence, the Egyptian parliament was relied on to transform those constitutional articles into laws and legislations during its first convening period ended the beginning of September 2016.

The reality indicates that the parliaments did not adopt majority of the required laws and legislative reforms, except for the Churches Construction and Renovation Law which was a constitutional demand, a whole set of other laws were not finalized especially the Non-Governmental Association and Institutions Law, Transitional Justice Law, the Independent Election Commission Law, Professional Associations Laws, Anti-Discrimination Commission Law, Labor Unions Law, while the parliament did not amend the Demonstration and Peaceful Assembly Law, and the Anti-Terrorism Law causing evident congestion between the Egyptian political forces.

The Right to Life and Counterterrorism²

Despite the widespread of terrorism organizations in the region, the recent period witnessed relative noticeable success for the Egyptian state authorities in limiting terrorism and violence that had spread post June 2013 revolution, along with reducing the incidents frequency, and achieving concrete successes regarding deconstructing the terrorist organizations capacity in Sinai, those organizations were proved to be politically, logistically, financially and on the media level supported by regional powers and Islamic political groups inside and outside.

Nevertheless, terrorism is still considered the key source for the abuses of the Right to Life and the Right to Development, where terrorism aims at weakening the economy and affecting tourism activity that is considered one of the most significant pillars for national economy especially regarding the provision of foreign currency, while the impacts of downing the Russian airplane in October 2015 is the best evidence.

During the reporting period (January – August 2016), the Egyptian arena witnessed several terror attacks led by:

- The group shooting at Israeli tourists bus in front of the Three Pyramids Hotel, the shooting did not result in any casualties and was adopted by DAESH;
- Youth attack on a hotel in Hurghada using white weapons, leading to the injury of three tourists and the murder of the attacker;
- The attack on Aletlawy checkpoint in the middle of Arish, North Sinai, by terrorist elements affiliated to DAESH using firearms, leading to the murder of 8 police member and injury of 10 police members;
- A terrorist group entrapped the Egyptian security forces via luring them to an apartment in Haram district, Giza governorate, and bombing the apartment upon the security forces entering, leading to

¹ 53 recommendations were presented to Egypt in this regards, from which 36 recommendations were accepted, one recommendation was partially accepted, two recommendations were noted, and 14 recommendations were declined.

² 8 recommendations were presented to Egypt in this regards, all of them were accepted,

the murder of 10 police members and injury of 20 others, the attack was adopted by The Islamic State - Sinai Province affiliated to DAESH;

- The existent terrorist elements in North Sinai, Egypt, targeted a security point for the armed forces in Sinai via an explosive device that went on in the check point stationed at Sheikh Zowaid, leading to the murder of three soldiers;
- DAESH elements bombed a gathering for police forces near Oman Cultural Center in Cairo, Egypt, without any casualties;
- Affiliated elements to Ansar Beit al-Maqdis terror group attacked a Alsafa check point in the third district, Arish, Sinai, where the attack started with a car bombing with RPG bombardment and shooting at the check point till the destruction of the check point, followed by the robbery of the police weapons and their IDs, leading to the murder of 18 police members, where the terror attack was adopted by Ansar Beit al-Maqdis;
- A group called Helwan Bridges targeted a car transferring police officers and members during an official mission, where the terrorist group fired at the car, leading to the murder of 8 police officers.

Cooperation with the international mechanisms for human rights³

The Egyptian constitution in article No. 93 enhanced this orientation, as the article stipulated that "The State shall be bound by the international human rights agreements, covenants and conventions ratified by Egypt, and which shall have the force of law after publication in accordance with the prescribed conditions". In this regards, Egypt joined the Convention against Torture Initiative, which is considered an informal international forum to promote the world efforts to eliminate the torture crime along with encouraging the states that did not join the Convention against Torture to ratify and implement the Convention.

Despite Egypt's acceptance to a group of recommendations presented in the context of its ratification to a new package of international treaties and conventions, Egypt did not activate those recommendations till now including presenting the late reports to the relative Treaty bodies.

Egypt also did not join some international Conventions despite the human rights advocated demands for the government to join them to fulfill its commitments before the Human Rights Council, while the regional office for the Office of High Commissioner for Human Rights in Cairo has not been established yet, and the government till now has not been keen to cooperate with the Special Procedures Mandate Holders.

Liberty and security of person⁴

The Egyptian constitution in the rights and freedoms chapter in many articles including number "51, 52, 5, 54", guaranteed the protection of liberty and security of person, as well as preserving those public freedoms to maintain the person's security and safety, while in fact, some violations for those rights continue, making a major challenge regarding the right to freedom and enjoying personal safety, led by the significant expansion of remand, with the continuity of mistreatment of detainees in some detention facilities.

The negative aspects that had been documented during the reporting period includes the emergence of some abuses by low rank policemen towards citizens leading to their death, where a police officer killed a citizen in Aldarb Alahmar area downtown Cairo, while another one murdered a citizen at Alrehab city on

³ 14 recommendations were presented to Egypt in this regards, where 8 recommendations were accepted, and 6 recommendations were noted.

⁴ 55 recommendations were addressed to Egypt in this regards, of which 30 recommendations were accepted, 13 were partially accepted, one was declined, and 11 were noted.

the outskirts of Cairo, as well as some cases for detainees death along with accusations addressed to police officers and members of attacking them.

Despite most of these cases were referred to investigation authorities, and deterrent penalties were issued against the offenders, the organizing legal framework for police apparatus, and the Penal Code articles guaranteeing minimizing those practices seems too fragile, and in need to amendment to guarantee eliminating the phenomena and the victims and their families access to mechanisms of redress along with ensuring deterrent penalties for the perpetrators to eliminate the possibility of re-occurrence.

Enforced disappearance cases

Due to the adoption of violating detention rules by some members in the security apparatuses deliberately delaying the investigation and referring detainees to public prosecution, as well as the non-disclosure of the detainees whereabouts by some security authorities, in violation to the law and constitution, leading to the emergence of enforced disappearance term causing numerous families to file reports to some human rights institutions to address this topic, where the National Council for Human Rights received 266 reports claiming the absence or disappearance of family members, leading to the NCHR reach for the Human Rights Sector at the Ministry of Interior, where the MOI declared the situation of 238 reports, with the continuity of examination and follow-up of the rest of the cases, it was indicated that 143 persons whom were reported missing are in custody, 27 were released upon checking their situation and the lack of their involvement in any violating actions to the law, the MOI also indicated that 44 cases were not arrested or had any legal action taken against them, explaining that their absence might be attributed to their concerns of security prosecution or joining takfiri groups, according the MOI statement, "upon the field investigations, 8 cases were located at their families' and the reports indicating their enforced disappearance were not validated", 9 cases were for fugitives 6 of them were wanted persons, and the 3 remaining cases were for young women whom left their families, 6 others were reported missing by the police and 4 were found dead during their attack to police check points at Alarish.

Refugees' conditions

The problematic increasing refugees' numbers in Egypt escaping the armed conflicts in some Arab and African states represents a major challenge for human rights especially the right to life and personal security is still growing.

Generally, the number of Arab and African refugees escaping conflict areas and armed civil wars increased, the President in the beginning of 2016 indicated that the number of refugees in Egypt exceeds 5 millions, many of them suffers living, social, and security difficulties, despite the constitution's adoption in articles number 91 and 93 to the state adherence to the international human rights agreements regarding the treatment of refugees and prohibition of extradition of political refugees. The refugees sufferance represent in the difficulties in renewing their residency or obtaining them in the first place, which made them a victim to the fraud mafia claiming Irregular Migration to South Europe resulting in major danger on their right to life, a large number of refugees were detained in primary divisions and police stations for holding forged documents, despite the positive orientation for the public prosecutor and competent security apparatuses represented in releasing the refugees and refraining from deportation, they are not allowed to recover their documents or obtain any identification papers threatening the possibility to life and access to livelihood or benefit from the Aid, with the continue threaten linked to re-arrest due to the lack of identification papers.

The Right to Education⁵

During the reporting period, Egypt worked on the education development and advancement according to the constitution stipulation in articles number "19-25, 238", on the level of facilities and curricula, launching the outstanding schools for science and technology, as well as establishing a center for creation and innovation for outstanding students and innovative with the creation of a scientific database for pre university scientific research, the state also implemented literacy programs leading o decreasing the literacy rates for the age group 10 years old and more during the current year by 1% to reach 20.6% of the population. On the university education level, the security stability was recovered inside universities, and 69 bilateral agreements were signed between Egyptian and foreign universities to exchange practical experiences.

Despite the state's efforts to conduct essential reform on education, the growth in schools numbers is poor, and the educational process sill halts due to the teachers poor efficiency and concern, mismanagement, uncontrollable educational behavior, poor curricula, absence of cultural and sports activities, and the growing phenomenon of private tutoring burdening the Egyptian families.

The reporting period also witnessed the official high school exam papers leakage during examination, where the Ministry of Education lost control on the issue leading to the absence of equal opportunities and justice achievement, jeopardizing national security due to the fact that the high school examination determines the future and nature of work for the future generations.

On the level of university education and graduate studies, the problems regarding fulfilling the faculty members salaries continue, especially the major differences between different sectors inside the college members in the same university and same college, while political issues still overshadows universities, in addition to favoritism towards some sectors and facilitating their enrollment in universities, a new crisis was emerged as well relative to student freedoms upon the student union elections invalidation.

The right to health⁶

The Egyptian constitution 2014 ensure the right to health to all citizens without exceptions, article number (18) ensures every citizen's right to health and to comprehensive health care, in this context, the government announced a law draft for comprehensive health insurance to cover all citizens in all age groups across the republic. With the state providing subscriptions for the unable whom are covered by the insurance, still, the law draft has not been sent to the parliament yet, and the parliament did not assume its legislative role in the adoption of the law till the issuance of this report.

The state also launched a large scale national campaign to eradicate liver diseases and Hepatitis C Virus via a comprehensive work system including expanding the civil society institutions role, when "Long Lives Egypt" fund launched via a rapid implementation strategy to eradicate and cure Hepatitis C Virus in coordination with the Ministry of Health and Population.

The lack of transparency in health sector, and absence of true vision and specific time plan for development, are still the most significant issues leading to the loss of citizens confidence in the governmental health services and their turn out to private sector burdening them with vast sums, which could not be afforded by the vast majority of the people.

The absence of the high council of health registered by a presidential decree and headed by the Minister of Health, regarding determining the direction of the health policy and comprehensive coordination between the health sector and other sectors concerned inside and outside the health sector.

⁵ 7 recommendations were presented to Egypt in this regards, and were accepted.

⁶ Two recommendations were presented to Egypt in this regards and were accepted.

Despite the country constituents that could be utilized in developing an effective and efficient health insurance, the reality shows serious decline in every aspect of the health services, either incurred by the public budget or not. In many cases, the patients have to turn to private doctors to facilitate the reception of their unaffordable treatment via one of the free/moderate public hospitals, especially concerning the simple and complex surgeries procedures, obtaining adequate health care inside the hospital, including beds for the patients in need for long-term treatment. And despite the poor quality and service level, the medical services costs continue to increase in a manner that shouldn't be affordable by most of the people in light of the absence of governmental oversight, which urges the able community sector to travel in demand for decent health services and medical care, to ensure the quality of the service and to minimize the cost in comparison to their similar inside the country.

In the same context, the parliament adopted the state public budget for the new financial year 2016-2017, with the lack of the government adoption for the stipulated percentages for health in the constitution in article No. 18, where the article stipulated that the State shall allocate a percentage of government spending to health equivalent to at least 3% of Gross National Product (GNP), which shall gradually increase to comply with international standards. Article No. 238 stated that the State guarantees gradual performance of its obligation to allocate the minimum government expenditure rates on education, higher education, health and scientific research that are stipulated in this Constitution as at the date on which it enters into effect, provided it is fully compliant in the State budget of the fiscal year 2016/2017 (meaning that the state should have allocated 3% of the GNP in the 2016-2017 public budget). And since the Gross National Product is the value of goods and services in the national economy produced by the state inside its territory and borders, while the Gross National Product (according to the budget presented by the Ministry of Finance) is approx. 3.24 trillion pounds, thus, the health budget should not be less than 97 billion pounds in the 2016-2017 budge, unfortunately, the health allocations did not exceed 48.9 billion (almost half the constitutionally stipulated percentage), which is considered a breach of the constitution by the government, and was adopted by the parliament unfortunately.

The right in housing⁷

The housing problem in Egypt is considered one of the most significant social and economic problems, which was worsened during the past four decades with intervening and linked reasons, and what accompanied it of diverse phenomena and spread of random housing and informal settlements including graves, shops, and garages residents etc, in addition to the spread of building collapse .

Despite the state continues its efforts according to article No. 78 of the constitution, to guarantee the right in housing, and to implement the president's project to build a new million housing unit by 2020 with an average of 200.000 housing unit annually, still, the applicants for average housing units and social housing complain of the high value of housing units despite the payment installment system, where the square meter value in the unit is estimated 4400 pounds, making them unaffordable for many of the intermediate segments of society, whom are the most needy, indicating the state's need to direct a greater attention to social housing in an inclusive approach to the lower society segments.

The state continued to provide building land for the capable in the new societies to establish independent houses, which is in high demand and attracts many of the wealthy.

Egypt also witnessed frequent and repeated increase in the value of electricity, drinking water and sanitation services, which was complained about by large segments of citizens, despite the government's backtrack on these services prices between September-November 2015, it re-adopted the increase this year.

⁷ One recommendation was presented to Egypt and was accepted.

The reporting period also witnessed the implementation of "Long Lives Egypt" project at Alasmrat district in Mokattam, including 11.000 housing units dedicated to the transfer of the residents of Douika, Ezbet Khairalla and Establ Antar informal areas, this project is considered a recognition of the Egyptian state of the informal areas residents rights that has been neglected for years and decades, and the fact that this project is a renewal of trust in a state respecting the citizens rights in decent life.

The right to work⁸

The constitution guaranteed the citizens right to work in article No. 12, which stipulated that "Work is a right, duty and honor guaranteed by the State. No citizen may be forced to work except as required by Law and for the purpose of performing a public service for a fixed period in return for a fair consideration, and without prejudice to the basic rights of those obliged to carry out such work.", while article No. 13 stipulated that "The State shall protect workers' rights and strive to build balanced work relationships between both parties to the production process. It shall ensure means for collective negotiations, protect workers against work risks, guarantee the fulfillment of the requirements of security, safety and occupational health, and prohibit unfair dismissal, all as regulated by Law."

Despite those articles, the unemployment rates continues to increase, especially between youth and new graduates, where the Central Agency for Public Mobilization and Statistics estimated unemployment rates by 12.8% after previous rates between 9%-11%, while the unofficial estimates reaches more than 20%.

The unemployment rates between youth and women reached 25%, especially between university graduate and postgraduate studies holders.

Some state and public sector workers are still not included in the minimum wage system based on procedural subjective considerations, estimated by 800.000 workers out of 6.5 million workers.

In a different context, the very slow adoption of a new work act or the amendment of the Trade Union Act in line with article No. 76 of the constitution is considered a strong reason to weaken those trade unions representing workers, which affects their role in advancing their capacity to protect workers' rights along with organizing and arranging their interest and communicating with legislative and executive authorities to protect workers' rights. Despite the high growth rates, the lack of education and structural inertia in the labor market led to slowing down employment growth and led to increasing unemployment rates and worsen social conditions as a result of the political situation especially in light of the severe slowdown in foreign tourism leading to the shutdown of several tourism establishment and employers layoff.

Freedom of speech⁹

The Egyptian constitution guaranteed the freedom of speech, freedom of scientific research, and freedom of press in three articles number "65-67", as well as dedicating articles "70-72" to the freedom of press, its independency, prohibiting to censor or confiscate Egyptian newspapers and media outlets in any way, along with ensuring the freedom to issue newspapers and the journalists right to obtain information.

Despite the constitutional articles guaranteeing the freedom of speech, there are multiple accumulations of challenges that hinder the promotion of the freedom of speech, including some state authorities attempts to minimize the available margin of freedom and re-implement custodial penalties, along with the slowdown in the establishment of the responsible media entities in light of the elimination of the Ministry

⁸ 7 recommendations were presented to Egypt in this regards and were fully accepted.

⁹ 30 recommendations were presented to Egypt in this regards, out of which 23 recommendations were accepted, and 7 recommendations were partially accepted.

of Information deepening the media controversy, while political and religious hisba cases continued against some politicians and intellectuals.

Undermining media and journalism attempts appeared in July 2015, and on the backdrop of some terror attacks, the Ministry of Justice adopted a draft law minimizing media freedoms and bringing back custodial penalties in violation to the constitution and law, despite the Cabinet declined the law draft based on opposition by the Journalists Syndicate and human rights groups, the financial fines were stiffened in publishing crimes, and the criminalizing text was too inaccurate allowing the criminalization of any violations to the army and security official statements, which is considered a limitation to the freedom of information, and the state never responded to the calls on the significance of adjusting the legal wording for the text. The legal authorities at the Ministry of Legal Affairs and the Legislative Reform Committee finalized a law draft of the freedom of information, while narrowing the consultations on the supposed law to establish for transparency, and calling for extensive consultations with greater community sectors especially the stakeholders.

2014 constitution stipulated the establishment of an independent national council for media, two authorities for journalism and visual, audio media. In addition to what was proposed by the future map announced in 3 July 2013 regarding the necessity to put and activate a code of ethics for media professionals with the society consensus to prevent the prevailed media chaos. The media performance crisis deepened during the reporting period in a manner preventing the community to form free opinions regarding public concerns, where the private media outlets efforts dominating high rates of audience continued to adopt a unilateral discourse mostly aiming at protecting the state and its political system from popular criticism, along with over re-acting to the criticism of foreign media means concerning the state performance, and sometimes attacking specific government decisions in case of violating the media outlets owners interests, all of these elements contributed to a great deal on controversy in the Egyptian street.

The right to peaceful assembly¹⁰

Article No. 54 of the constitution stipulated that personal freedom is a natural right, shall be protected and may not be infringed upon. And article No. 55 state that every person who is either arrested, detained, or his freedom is restricted shall be treated in a manner that maintains his dignity. Article No. 65 stated that freedom of thought and opinion is guaranteed. Every person shall have the right to express his/her opinion verbally, in writing, through imagery, or by any other means of expression and publication. And article No. 73 stipulated that citizens shall have the right to organize public meetings, marches, demonstrations and all forms of peaceful protests, without carrying arms of any kind, by serving a notification as regulated by Law. The right to peaceful and private assembly is guaranteed without need for prior notification. Security forces may not attend, monitor or eavesdrop on such meetings.

While article No. 74 stated that all citizens shall have the right to form political parties by notification as regulated by Law. No political activity may be practiced and no political parties may be formed on the basis of religion or discrimination based on sex, or origin, or on sectarian basis or geographic location. No activity that is hostile to democratic principles, secretive, or of military or quasi-military nature may be practiced. Political parties may not be dissolved except by virtue of a court judgment.

Despite the arsenal of laws restrictive to this rights, which were used against the peaceful movements and demonstrations long time ago until the current time, the Egyptian government headed by Mr. Ady Mansour the interim president in November 2013 issued Law No. 2017/2013, preventing the practice of the right to demonstrate and peaceful assembly along with breaching the contents of the law, where the law is loaded with general terms that could prevent the right, such as disrupting public order or obstructing production, or call for it, or hamper citizens' interests or harm them or subject them to danger or prevent them from

¹⁰ 14 recommendations were presented to Egypt in this regards, out of which 9 recommendations were accepted, and 5 recommendations were partially accepted.

exercising their rights and work, or affecting the course of justice, public utilities, or cutting roads or transportation, along with extending imprisonment punishment to be between 2-7 years for breaching the law articles.

The current president Abdel Fattah Alsisi issued a decree in October 2014 on the protection and security of public and government facilities allowing the armed forces to contribute with the police apparatus in the protection and security of those facilities, this decree was valid for two years, and according to the new law, the crimes committed against those facilities are referred to the military prosecution to be reviewed by military judiciary.

Despite Egypt's accepting to some recommendations regarding the amendment of some of Law No. 107 texts known as the protest organization law, the state did not take any concrete actions towards the law amendment, while it was applied on numerous citizens during their protesting against some of the current system policies especially regarding the protests against the state decision to cede sovereignty over Tiran and Sanafir islands.

The right to freedom of activity of civil organizations¹¹

The Egyptian constitution guaranteed non-governmental associations and foundations establishment and the establishment of syndicates and federations on democratic basis in articles number 75-76, despite those articles, the Egyptian community was exposed to repeated crises since the January 2011 revolution, where an intense controversy emerged between the sufferance of the associations and foundations established according to Law No. 84/2002 of the law articles and some of the non-profit companies, law firms and medical clinics working on the rehabilitation of abused men and battered women, which do not recognize the law and refuse to function according to the law articles from one side, and the insistence of the successive governments lack of recognition to the harassment against civil society, with the insistence on the government's right to legalize the institutions working in work fields matching civil society work, along with the accusations against civil society organizations of receiving funds without the oversight authorities authorization in works that might harm the state national security.

The Egyptian community suffered the government harassment, where the successive systems took legal procedural decisions against some institutions claiming their conduct to activities that might affect national unity, or claiming that those institutions activities might harm national security with the lack of a clear identification for national security concept and precautions, hence, many of them were accused especially those registered as non-profit companies or law firms on the basis of covering the intervention off foreign states in the internal affairs.

The relationship between the government and civil society institutions was complicated by the fact that some states systematically financed many of those institutions and provided them with huge sums to influence the political practice, which created a confusion between human rights and political work.

In Egypt, security plays a significant role in the approval of civil society institutions registration and work based on some articles in Law No. 84/2002, which conditioned that the institution or association should not violate public order or morality or threaten national security, which is used as a pretext by the security to interfere in the organization's work or even decline their registration.

Civil society organizations in Egypt suffers from the lack of independence on every level, where the governing legislation, Law No. 84/2002 gave the government the authority to control the organizations making them subject to intransigence of the administrative authority officials due to the obstacles hindering the associations' independency. Despite numerous non-governmental associations and institutions demanded the amendment of Law No. 84/2002 even before the January 2011 revolution, where several NGOs established coalitions for this purpose and prepared law drafts in line with the international

¹¹ 17 recommendations were presented to Egypt in this regards out of which 11 recommendations were accepted, 3 recommendations were partially accepted, and 3 recommendations were declined.

conventions and recommendations accepted by Egypt during the Universal Periodic Review two cycles in 2010 & 2014.

The non-governmental organizations are affiliated to different state authorities oversight, led by the Central Agency for Accounting the leading responsible authority for auditing financial resources and spending, the Ministry of Social Solidarity, which enjoys complete authority to supervise and oversight administrative, financial, technical and social aspects of the associations and institutions and heir different activities, along with being responsible for the violations and holding the NGOs accountable. From the legal point of view, the law granted the administrative entity represented in the Ministry off Social Solidarity the right to shut down and association or integrating it with others on basis of ambiguous reasons that could not be validated or standardized including the activity's violation to public order, threatening national security, and violating public morals, which are general terms that should be rationalized and clearly identified.

The right to a fair trial¹²

The constitution in the Rule of Law chapter stipulated articles guaranteeing the right to a fair trial, article No. 94 stated that " The rule of law shall be the basis of governing in the State. The State shall be governed by Law. The independence, immunity and impartiality of the judiciary are essential guarantees for the protection of rights and freedoms.", article No. 95 stipulated that "Penalties are personal. There shall be no crime or punishment except pursuant to a law, and a penalty may only be inflicted by a court judgment. Penalty shall only be imposed for acts committed after the effective date of the law imposing it.", article No. 96 stated that "The accused person is presumed innocent until proven guilty in a fair legal trial in which the right to defend himself is guaranteed. The law shall regulate the appeal of judgments passed on felonies. The State shall provide protection to victims, witnesses, accused and informants as necessary and in accordance with the Law.", and article No. 97 stated that "Litigation is a right that is safeguarded and an inalienable right for all. The State shall guarantee the accessibility of judicature for litigants and rapid adjudication on cases. It is prohibited to immunize any administrative act or decision from judicial review. No person may be tried except before the ordinary judge. Exceptional courts are prohibited."

Despite those constitutional articles in line with the international conventions and Universal Periodic Review, some abuses concerning the right to fair trial are still taking place, whilst Egypt is one of the most known countries for independent judiciary on the legislative level and on the level of judiciary independence, where judges themselves are very keen to be independent and not to be favoring for the ruling regime in a definite matter, the crisis to a fair trial emerge from the continuity to implement military trials on civilians, and despite limitations they are still considered a cause of concern, especially due to maintaining this practice according to the 2014 constitution concerning the attack on the armed forces and their facilities, giving the chance for evading the limitations via interim laws classified civil facilities as military facilities upon the military's contribution in their securing with the police such as some gas stations, the Television building, and some other civilian facilities. Whilst military trials are used in some terrorism crimes aiming at failing the state.

On the level of litigation, the fulfillment of what has been imposed by the constitution regarding facilitating the right to litigation and addressing the issues emerged before the January 2011 revolution by facilitating the right to litigation comes as a natural result for the nature of the role of courts, associate employees behavior, the decline in law profession appreciation, and professional efficiency considerations linked to different sectors.

The right to a fair trial is also challenged by the lack of issuance of the Judicial Authority Act, considered the key factor in facilitation the right to litigation via guaranteeing the judiciary's complete capacity to

¹² 20 recommendations were presented to Egypt in this regards, out of which 11 recommendations were accepted, 3 recommendations were partially accepted, one recommendation was declined, 4 recommendations were noted, and one recommendation was considered inaccurate.

manage its affairs in full independence, along with developing its facilities and means, and reforming its internal issues via the establishment of an independent judiciary police, which shall not happen under the current legislations.

Litigation before criminal courts represents one degree of the litigation procedures, and because the Court of Cassation is known as the unusual way for appeals and is not considered one of the litigation degrees as its mission is to oversight the courts application for the law on the reviewed cases for the first time, and according to article No. 240 of the constitution, the State shall ensure providing financial and human resources necessary to appealing the judgments issued by criminal courts on felonies within 10 years from the date on which this Constitution comes into effect.

It's worth mentioning that 2014 & 2015 witnessed more than 500 death sentences, which were cancelled by the Court of Cassation along with referring the defendants to trial before different circuit courts.

Misdemeanors articles and Civil Law Disputes occurring on two levels to achieve the utmost legal guarantee for defendants and prosecutor in these cases are still the most important matter.

Treatment of prisoners and other detainees¹³

This issue occupies a great deal of human rights abuses as the detention centers general and primary detention centers specifically witnessing detainees overcrowding on the backdrop of political and criminal cases more than their capacity at least three times in the primary detention centers, and double times in the detention centers, representing an important source for abuses prohibited by the International Convention against Torture.

Those abuses comes despite the Egyptian constitution stipulation in article No. 56: "A prison is a place of correction and rehabilitation. Prisons and places of detention shall be subject to judiciary supervision, where actions inconsistent with human dignity or which endanger human health shall be prohibited. The Law shall regulate the provisions of reform and rehabilitation of convicted persons and facilitating decent lives after their release."

Its worth mentioning that the Ministry of Interior responded to some of the human rights groups advices including the National Council for Human Rights, where the MOI installed air conditioning equipments inside some primary detention places in some districts and centers especially under the continuous rise in temperature during the summer.

Another violation to detainees rights represents in the MOI's detention to some detainees outside the official detention places along with the detention of some citizens on the backdrop of protesting cases in the national security camps, which is considered a grave violation to the detainees rights.

The MOI adopted building new prisons consistent with the international standards, in less than three years, the MOI established 10 prisons across the republic namely: "Gamasa prison complex, Minya prison, Minya high-security prison, Salehia prison in Sharkia, Giza central prison, renaissance prison in Cairo, 15 May prison South Cairo, Asyut prison, Behira new central prison, and Qalioubia security directorate central prison", with the aim of decreasing the continuous overcrowding due to expansion in detention cases.

Some testimonies by detainees upon their release or fining stated that the place of their detention was inhumane and not suitable even for animals, neither had a rest room, nor beds/sheets, where they used to sleep on the floor.

The abuses also included the lack of sufficient deportation vehicles from and to detention places during their presentation to the public prosecution or moving them to the trial headquarters, serious overcrowding cases were documented in deportation vehicles reaching sometimes to carry over 70 individuals inside a vehicle taking up to 30 individuals only.

¹³ 16 recommendations were presented to Egypt in this regards, out of which 9 recommendations were accepted, 6 recommendations were partially accepted, and one recommendation was declined.

The human rights violations towards detainees also included their right to meet their families, this was confirmed by the families of some detainees in different prisons, where the families confirmed that shutting down visits at the Scorpion Prison is the dominant feature, whilst opening the visits is the exception, and during opening the visits, they last between 2-3 minutes at most.

Some of the detainees families indicated that visits usually takes place behind glass barriers and via telephone, for all detainees including those in custody in violation to the laws and constitution.

Fighting corruption¹⁴

The Egyptian constitution in article No. 218 stipulated that "The State shall fight corruption, and the competent control agencies and organizations shall be identified by Law. Competent control agencies and organizations shall coordinate their activities in combating corruption, enhancing the values of integrity and transparency in order to ensure the sound performance of public functions and preserve public funds, and shall develop and follow up execution of a national strategy to combat corruption in collaboration with other competent agencies and organizations, as regulated by Law."

Till the moment, there is no existing law on fighting corruption in Egypt, with existing articles in the Egyptian Penal Code criminalizing bribes, abuse of position, using public resources to achieve private gain, and extortion.

Despite the article stipulated by the constitution, Transparency International most recent report stated that Egypt order in the Corruption Perceptions Index reached 88 out of 168 states around the world, with an advance of 6 places from the previous CPI.

In December 2014, Egypt prepared the National Strategy to Fight Corruption, a committee headed by the Prime Minister, and composing ministers, and heads of fighting corruption authorities, at the end, the committee is an official governmental committee and associated by a coordination committee composing legal experts with no active role, and part of it is to launch corruption fighting committees in each ministry, which has not been implemented yet.

Corruption fighting mechanisms despite their increasing, they lack for effective mechanisms to protect the whistleblowers, in addition to the poor mechanisms to implement the laws and regulations, lack of transparency and access to public information, shortage of following-up programs, and the government harassment to civil society organizations and freedom of media, which are considered the most significant reasons for the spread of corruption.

The executive authority questioning before the parliament is one of the rare matters to happen, there's no specific law to hold ministers accountable unless after the withdrawal of confidence or their resignation, the witnesses and whistleblowers protection procedures are very complicated which makes it even harder to protect them and the lack of testify or report in corruption cases as a result.

Despite the numerous oversight authorities reaching to 22 oversight authority, eliminating corruption has become a serious problem, the problem is that the oversight authorities with their size and potentials have no authority to file lawsuits, request investigations, reservation of funds, or referring the cases to criminal courts directly. The corruption rates in Egypt do not exceed 4%.

Despite the powerful political discourse against corruption, the legislative procedures do not keep pace with it, hence, the legislative gab stand still, weakening the state capacity to fight corruption.

Combating trafficking in human beings¹⁵

The Egyptian constitution in articles number 60 & 89 prohibited all forms of slavery, oppression, forced exploitation of human beings, and sex trade, which is consistent with Law No. 64/2010 on combating and preventing trafficking in human beings and its executive regulations included all the rules and regulatory controls ensuring the effective implementation of the law, the Egyptian government took several actions

¹⁴ 7 recommendations were presented to Egypt in this regards and were completely accepted.

¹⁵ 12 recommendations were presented to Egypt in this regards and were fully accepted.

regarding combating the traffic in human beings, including joining the Convention to Combat Slavery, United Nations Convention against Transnational Organized Crime, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. The Egyptian government also established constitutional frameworks to combat and prevent trafficking in human beings, via the establishment of the National Coordination Committee for combat and prevent trafficking in human beings, the establishment of a fund to assist the victims of trafficking in human rights, along with preparing a national strategy to combat trafficking in human beings, and the state's cooperation with civil society in the framework of a plan to increase the capacity to communicate with different community sectors.

Despite the procedures taken by the Egyptian governorate, an important issues faces Egypt especially on the level of Syrian refugees settled in Egypt and still increasingly exposed to exploitation, including enforced work for children, sex trafficking, marriage and sexual exploitation and enforced work for women, the case is the same for illegal immigrants and asylum seekers passing by Egypt in their way to Europe due to the lack of their registration at the UN High Commissioner for Refugees in Egypt.

Women rights¹⁶

Women rights are considered the most rights committed to by the state via proposing constitutional and legislative proposals for their implementation, women for the first time occupied a significant space of the president's discourses and meetings, despite those facts, women conditions are still suffering on the level of political empowerment, violence, and discrimination against them as per international and official statistics.

Women concrete gains during the reporting period included their access to the bench, for the first time the Egyptian judiciary appointed in February 2015 women judges upon the approval of the High Court Council on the appointment of a new batch of administrative prosecution and State Lawsuits Authority female members as judges in the felonies, misdemeanors and cassation courts. Women situation in the State Council did not differ, where women are still excluded from any positions in the State Council, due to its refusal to handle job occupation files as associate delegate in the Council for women. Despite the excluded young women lawsuit claiming their right in appointment, the State Council appointed the 2013 graduates in 18 September 2015, along with including men only as per presidential decree No. 356/2015.

Women also had the highest percentage of representation in the history of the Egyptian parliament, with more than 15% of the seats by the quota system granted to them in the elections law, in addition to 14 women appointed by the president within the 5% appointed by the president.

Despite that, the violence against women and girls in Egypt did not stop, they were exposed to psychological and physical abuses inside the family, in the streets, inside educational institutions and work places, according to the National Council for Women reports, and the Economic Survey for Gender-based Violence 2015.

Women representation in the successive governments headed by Eng. Sherif Ismaeel was poor and didn't meet the hopes and aspirations of women human rights groups and human rights groups in general, where the number of female ministers in his first government was decreased from 5 to 3 female ministers, then was increased to 4 female ministers out of 35 ministers, representing 11.4%, and in the reshuffle announced in March 2016, one female minister was appointed out of 10 new ministers.

Women stayed out of the Egyptian regime considerations regarding the appointment as governors which is still limited to men.

Women misrepresentation in public offices wasn't limited to ministerial positions, where men in leading positions in the state administrative apparatus are double the women, with the existence of a quality gap in wages for men by 13.8%.

¹⁶ 77 recommendations were presented to Egypt in this regards, out of which 74 recommendations were accepted, and 3 recommendations were partially accepted.

Despite the positive legislations adopted by the legislator represented in stiffen penalties for female genital mutilation, Egypt still takes the lead regarding the spread of FGM, despite the government's efforts to fight and decrease the process, those efforts lack for effective field application in villages and countryside, making the phenomenon a nightmare threatening the girls future.

The Egyptian government also advanced its situation towards sexual harassment, the legislator adopted the punishment of the offender based on articles 306 (a-b) of the Penal Code, where some offenders actually went on trial based on the two article, the harassment map emphasizes on the need to continue with the application of those two articles. The penalty for verbal, behavioral, physical, and via phone and internet could be imprisonment between 6 months up to 5 years, in addition to a fine up to 50.000 ponds.

Child rights¹⁷

The Egyptian constitution in article No. 80 stated that "Anyone under the age of 18 shall be considered a child. Each child shall have the right to a name, identity documents, free compulsory vaccination, health and family or alternative care, basic nutrition, safe shelter, religious education, and emotional and cognitive development. The State shall ensure the rights of children with disabilities, their rehabilitation and their integration in the society. The State shall provide children with care and protection from all forms of violence, abuse, mistreatment and commercial and sexual exploitation. Every child shall be entitled to acquire early education in a childhood center until the age of six. It is prohibited to employ children before the age of completing their preparatory education (six years of primary and three years of preparatory) or in jobs which subject them to danger. The State shall also develop a judicial system for children that have been victims and or are witnesses. Children may not be held criminally accountable or detained save as provided in the Law and for the period of time specified therein. In such a case, they shall be provided with legal assistance and detained in appropriate locations separate from those allocated for the detention of adults. The State shall endeavor to achieve the best interest of children in all measures taken against them."

Violent abuses were documented during the reporting period including: 49 poisoning cases, 11 fire shot cases, 13 school violence cases, 5 explosive devices cases, 17 child labor cases, 8 fighting cases, 67 road accident cases, 15 fire cases, 1 electrocuted cases, 3 cases bitten by predators, and 5 additional incidents registered other than the cases that has not been documented".¹⁸

Violence against children included murders reaching up to 70 children, 3 out of them resulted from domestic violence, 2 from fire shot, 1 from child labor, 1 from school violence, 25 from road accidents, 15 from fire cases, 5 from rocket-propelled grenade, 12 from different incidents, 3 from fights, and 3 from poisoning.

In the same context, violence against children included sexual exploitation cases, one of the documented cases was inside school, and two others were within a prostitution network.

¹⁷ 4 recommendations were presented to Egypt in this regards and were accepted.

¹⁸ The Egyptian Foundation for Advancement of the Childhood Conditions report issued in June 2016