



ماصت للسلام والتنمية وحقوق الإنسان
Maat For Peace, Development, and Human Rights

The National Strategy for Human Rights: Targeted Goals & Actual Reality

A Documentary Report of the First One Hundred Days After Egypt's
Launch of the National Strategy for Human Rights

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Executive Summary

The National Strategy for Human Rights: Targeted Goals & Actual Reality

The National Human Rights Strategy is Egypt's first comprehensive document on human rights to be launched by President Abdel Fattah El-Sisi on Saturday September 11th 2021. The strategy included four main axes of action: The axis on civil and political rights, the axis on economic and social rights, the axis on women, children, youth, persons with disabilities, and the elderly. Finally the axis on education and capacity-building in the field of human rights. Each of the four axes includes the most important strengths and opportunities available to build on them, in addition to the challenges facing the realization of the goals included in each axis separately. The targeted results in the four axes amounted to 226 targeted results, of which the civil and political rights axis included 71 targeted results, as the largest axes that included targeted results in the strategy, which necessitates the need to address the challenges related to civil and political rights in Egypt, the strategy distributed the achievement of the intended results and goals on five years, which is the time frame for the first phase of the strategy, but it did not set an executive plan of action to achieve these results and define the responsibilities of each party entrusted with implementing the desired goals included in the strategy.

Maat has worked interactively with the passage of one hundred days since the launch of the strategy to release this report to include the efforts made during the period covered by the report, in addition to the urgent issues in which the lack of progress represents a regression from what the strategy entails such as the need to establish a framework for the controls and justifications for pretrial detention, in addition to enhancing the climate and culture of pluralism and diversity of opinions regarding various public issues in the various media, while the report also included the challenges facing the activation of the strategy within a hundred days of its launch. Perhaps the most important challenge is the absence of an executive action plan to achieve the targeted results of the national human rights strategy.

Implementing the vision on which it is based, the National Human Rights Strategy relies on three operational approaches; First, the legislative approach, in addition to the institutional development approach, and finally, the education and capacity-building approach in the field of human rights. Through these approaches, it is possible to achieve the targeted results from the four axes of the strategy, which amounted to 226 targeted outcomes, through the enactment of laws that the strategy considered devoid of Egyptian legislation as a challenge to the advancement of human rights in Egypt, in addition to amending other laws, addressing the loopholes in these laws, and repealing laws that represented an obstacle to enjoying a wide range of civil and political rights guaranteed by the constitution and international treaties ratified by Egypt.

This is with regard to the legislative approach. As for the second approach related to institutional development, it is concerned with executive decisions issued either by the President of the Republic and the Prime Minister or by the relevant ministries related to achieving the objectives of the strategy and integrating these decisions into the general policies of the state, and ensuring their implementation without delaying the achievement of the targeted results in the four axes. Finally, Maat thinks that the third approach related to education and capacity-building in the field of rights is directly related to the previous two approaches, where the application of legal texts and their transition from the state of written speech to the actual implementation and implementation of the desired public policies related to human rights can only be implemented by through a societal awareness first of these rights and how to claim and absorb them, and secondly, public officials and those charged with implementing laws are sufficiently aware of the results targeted by the strategy.

The first hundred days, since the launch of the strategy, several efforts has been made to activate the legislative approach of the strategy, as the two chambers of the Egyptian Parliament proceeded to prepare draft laws targeted by the National Human Rights Strategy in its various axes, the most important of which are; The draft law on the

elderly and the draft law on combating early marriage of children, in addition to this, amending the existing laws to be consistent with the desired goals of the strategy. Perhaps the most important amendments during the first hundred days after the launch of the strategy were the amendment of some provisions of the Labor Law. This amendment came to tighten the penalties included in the law regarding violations of Child labor, to ban employers who violate the law and policies followed regarding child labor in Egypt, the amendment stipulated changing the fine stipulated in Article 248 of the Labor Law, which is estimated at one thousand pounds on the owner of the facility who violates the provisions of child labor to become two thousand pounds, while canceling the extension of emergency cases is another positive step that will limit the crimes that the Supreme State Security Emergency Court has jurisdiction over.

Despite the draft laws submitted by the government and some members of the House of Representatives and the Shura Council that are expected to be approved within weeks, there is still an urgent need to urgently consider passing specific laws targeted by the national human rights strategy, such as the Freedom of Information, Data, and Official Documents Act to allow the right to freedom of the press which enables the state to refute rumors, as ensuring access to information is the best example of confronting misinformation according to the United Nations, in addition to the Law on the Protection of Witnesses, Whistleblowers, and Victims in line with the National Human Rights Strategy and the National Anti-Corruption Strategy. There is also an urgent need to launch a societal dialogue with the participation of specialized national councils, civil society organizations, and legal scholars in order to revise the Penal Code issued in 1937 to comply with the rapid changes in the philosophy of punishment and deterrence with the possibility of looking at the good experiences of other countries and developing legislation, which is a source of concern, and adoption of alternative punishments to punishments depriving of liberty and expressly stating the absolute prohibition of torture in line with the Convention against Torture and acceding to the Optional Protocol to complement it.

This is in the context of the legislative track and the efforts made and the challenges that are still present after the first 100 days of launching the strategy. In the context of institutional development, perhaps the most prominent efforts monitored by Maat have been the establishment of the Reform and Rehabilitation Center in Wadi el Natrun and the initiation of some ministries to establish and modernize human rights units, although other ministries did not move a finger to implement this strategy, such as the Ministry of Health, which was criticized by the Egyptian Parliament for the lack of any progress made towards establishing a human rights unit within the ministry.

The last approach related to education and capacity-building in the field of human rights represents the most important operational tracks to reach the goals targeted by the strategy. Even in the presence of good legislation and government policies that encourage respect for human rights, it is difficult to transform this legislation and policies into a tangible reality if public officials and law enforcement officials remain not sufficiently familiar with this legislation and policies and the importance of their implementation, but through the monitoring of the efforts made by Maat during the first hundred days of launching the National Human Rights Strategy, a clear slowdown was observed in achieving the goals targeted by the strategy in accordance with this axis despite its extreme importance, and the efforts were limited in activating this path on conducting some training courses to prepare trainers specialized in human rights and some other courses aimed at educating judges and police members about some negative phenomena in society, such as the phenomenon of female circumcision.

The report concluded with a set of recommendations, including;

- The need to initiate consultations with all stakeholders in order to formulate a law on the right to free circulation of information and data in accordance with article 68 of the Egyptian Constitution and one of the goals targeted in the axis of civil and political rights in the national human rights strategy;

- Encouraging the government to finalize the executive action plan for the strategy to achieve the results and objectives included in the strategy and to clarify the roles entrusted to each party to implement the strategy;
- The need for conducting a societal dialogue with the participation of specialized national councils, civil society organizations, and legal scholars in order to revise the Penal Code issued in 1937 to conform to the rapid changes in the philosophy of punishment and deterrence, and to provide alternative punishments as an alternative to punishments depriving of liberty for minor crimes that do not involve seriousness.
- The need to consider the creation of a new ministerial portfolio concerned with human rights so that the minister responsible for it would serve as a link between the various ministries and agencies in Egypt to advance human rights as targeted by the national strategy for human rights
- The need for developing a mechanism for consultation, exchange of experiences, and coordination of efforts, to be official between the government and all stakeholders, including civil society organizations and specialized national councils, in order to work on implementing the targeted results of the strategy and setting an executive action plan to achieve these results.
- The need for civil society to periodically implement awareness campaigns to enhance interaction and cooperation between state institutions and members of society, particularly in the issue that needs to be addressed as necessary and related to human rights
- The need for civil society to open channels of dialogue with the executive and legislative institutions during the tour to consult on important issues, particularly those related to the drafting and amendment of laws