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Written statement* submitted by the Maat for Peace, Development and Human Rights Association, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 February 2017]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Egypt's progress in the UPR recommendations implementation, two years after the report adoption

Preface

In November 2014, the Arab Republic of Egypt was subordinated to the Universal Periodic Review, and two years after the adoption of the report, the **"Egyptian Civil Society Coalition for the Universal Periodic Review"** submitted a mid-term report to determine the progress of the Egyptian government in the implementation of the recommendations. MAAT Foundation presents in the following intervention a summary of the report, shedding light on the relative developments during the reporting period.

1) Strengthening the efforts to counter terrorism

Egypt, during the past two years witnessed several terror acts taking the lives of innocent civilians, police and military members, prominent judicial leaders and public figures. The most important incidents were the assassination of the former Prosecutor General Hesham Barakat and the bombing of the St. Peter Church. On the 14th of August 2015, an Anti-Terrorism Law No. 94/2015 was issued to counter terrorism, as one of the most significant laws adopted by the Egyptian governorate in light of its fight against terrorism.

2) Promoting the rights of the child and family

A Prime Minister Decree amending some provisions of the Child Law Regulations allowing the expansion of alternative families' base entitled to adopt unknown descent children. While urgent legislative and procedural reforms to overcome the exploitation of children and minimize the Street Children phenomena are needed.

3) Supporting the people with disabilities

The Ministry of Social Solidarity launched the National Strategy for the Protection and Rehabilitation of the Persons with Disabilities and several ministerial decisions were issued aiming also to strengthen the educational rights of students with disabilities. The Egyptian Parliament is currently discussing a dedicated law for the persons with disabilities, while experiencing challenges limiting the people with disabilities access to many of their legal rights.

4) Combating violence against women

Law No. 78/2016 was issued on the amendment of some of the Penal Code provisions regarding stiffening penalties against the Female Genital Mutilation. Nevertheless, the FGM rates are still high, while the domestic violence against women is increasing, in addition to the prevalence of sexual harassment.

5) Guarantees of fair trials

Some of the cases of killing of demonstrators in the wake of January 2011 revolution, and the prolonged trials for some police members accused in those cases such as the lack of decisiveness in the murder of Shaimaa ElSabagh were highly debated.

6) Protecting the peaceful assembly right

Law No. 107/2013, governing the right to peaceful assembly is an impediment to the realization of the right to demonstrate, which prompted the Constitutional Court to recently deem Article 10 unconstitutional, authorizing the Minister of the Interior or the concerned security director to issue a reasoned decision preventing public meetings or procession, and postponing, moving, or changing demonstration tracks.

7) Protection of minority rights

Law No. 80/2016 on churches building and renovation was issued. However, there are still sectarian practices committed by some citizens against their Christians peers. Other citizens are suffering from restrictions on their freedom to express their religious beliefs, including the arrest of four people belonging to the group «Quranists», in the village of Abu Hariz, Kafr Saqr Center, Sharkeya governorate in July 2015.

8) Protection of freedom of expression

Law No. 92/2016 was issued on the institutional organization of the press and media, with serious legal loopholes that restrict freedom of expression, most notably paragraph "W" in Article 98 of the Penal Code related to the Contempt of religions penalty. While a number of creators, writers and intellectuals faced sanctions for the contempt of religions, along with the arrest of some of the photographers and journalists with charges related to the protest law.

9) Promoting youth rights

The first national youth conference under the auspices of President of the Republic was conducted, it was followed by a monthly conferences for youth, where the discussions has been marked by a high ceiling of freedom and resulted good decisions regarding the discharge for some youth with accusations related to the protest law. Though , the youths in Egypt are suffering economically, according to official data 26.7% of youth are unemployed.

10) Promoting women's rights

Efforts to empower women are still not effective; according to the Central Agency for Public Mobilization and Statistics, the rate of contribution in economic activity reveals significant variation between both males and females, and the representation of women in the political, executive and judicial positions is still very limited.

11) Fight against torture

Although the torture practices were common before the revolution of January 2011, it does not happen in a systematic and widespread manner at the moment, several cases have been disclosed and they are mostly under investigation. The fundamental flaw in this case is the fact of not amending articles 126 and 129 of the Egyptian Penal Code which does not include a definition of the crime of torture that commensurate with what is contained in the Convention on the Elimination of all forms of torture.

12) Combatting Corruption

There is a strong political speech related to the fight against corruption, and there are great efforts made by the Egyptian Administrative Control Authority in controlling the facts of corruption, but the institutional and legislative structure does not guarantee sufficient protection against corruption. For example, there's no independent national anti-corruption body, neither a law to protect informants and witnesses nor a law to ensure the freedom of information.

13) Joining international human rights treaties, compliance with them and withdraw reservations

No steps were taken towards the ratification of the optional protocols to some international conventions joined by Egypt, as well as Egypt's reservations on certain provisions of the conventions.

14) Promoting respect for human rights practices related to law enforcement authorities

Law No. 64 of 2016 was released for the amendment of some provisions of the Police Authority Act, which obliged the officer to abide by the provisions of this law, notably the respect of the constitution and the law and human rights standards in the use of power and the commitment to integrity, transparency and procedural legal standards.

15) Cooperation with international mechanisms to protect human rights

Egypt submitted reports to some human rights treaty bodies, the cooperation with the special rapporteurs is not at the required level yet, there is no steps taken yet regarding the establishment of a headquarter of the OHCHR in Egypt, while there isn't a permanent body responsible of the communication with the international mechanisms to protect human rights.

16) Combating human trafficking and illegal immigration

Law No. 82/2016 was issued to combat illegal immigration and the migrants smuggling, however, the phenomenon of illegal immigration was prominent, and thousands of young people paid their lives during these illegal operations in the travel, the administrative control Authority seized in December 2016 the largest international network of human organs trafficking including Egyptians and Arabs.

17) Promoting the right to social security

A number of positive amendments to the Social Security Act occurred allowing the cabinet to introduce different types of security pensions to the beneficiaries. Basing on this legal amendment, the Council of Ministers issued Decree No. 540/2015, concerning a solidarity and dignity program, to provide conditioned monetary support to families and individuals in return. But the beneficiaries of the aid and security pensions are much lower than the actual beneficiaries of non-existent or low-income groups.

18) Respect of religious tolerance and cultural diversity

No serious step have been taken to reform the religious discourse, the state did not adopt any serious initiatives for the management of a positive and constructive dialogue between members of different religions.

19) Promoting social responsibility for corporations

No legislation or decision were issued to motivate business institutions to implement a social responsibility approach.

20) Improving the working environment for NGOs

The adoption of a new civil work law to substitute the restrictive Law No. 84/2002 was not completed, and despite the fact that the parliament initiated the adoption of a defective civil work law in December 2016, the NGO's pressure pushed the President to ask the Parliament to reconsider the law in accordance with the constitutional authority granted to the President to veto the law, and yet the fate of this new law remained unknown. The same period has seen a severe narrowing of the right of organizations to receive funding for the implementation of its development interventions.

21) Ensuring the right to health and education

Education in Egypt is still strongly suffering from poor quality, as the condition of schools is bad, the rates of overcrowding is very high, and technical education is separate from the actual needs of the labor market, as well as the professional and financial situation of the teachers which is very low. As for the health, the government has not yet made a comprehensive health insurance law for the citizens, and despite the great achievement of the government in eliminating the hepatitis C virus, the rate of disease of endemic morbidity and cancers are extremely high.