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Written statement* submitted by Nazra for Feminist Studies, 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.

[10 February 2019]

* Issued as received, in the language(s) of submission only.



Escalation in Targeting of Women Human Rights Defenders in Egypt within an Increasingly Closed Public Sphere.

Women Human Rights Defenders (WHRDs), feminists, and women activists in Egypt continue to be targeted for their activism and defense of various rights. They are facing arrests, judicial harassment, harsh sentences, and some continue to face travel bans, asset freeze orders, and summons on the background of case no.173 for 2011, known as the NGO Foreign Funding Case. It is important to mention that this is happening in an increasingly repressive environment, especially as a parliamentary committee approved constitutional amendments on 5 February 2019 that include extension of the presidential term from four to six years in article 140 of the constitution, and a transitional clause that would allow the current president to start over his presidential terms with the amended period, among other things. The proposed amendments are yet to be approved by the two thirds of the parliament, before being subject to a popular referendum.

A clear example of escalation against WHRDs in Egypt is WHRD Amal Fathy's case, who was sentenced to two years of imprisonment in case 7991/2018 after the Maadi Misdemeanor Court of Appeals upheld the first-instance verdict on 30 December 2018, on charges of spreading false news with the intention of disrupting public peace. Prior to that, Ms. Fathy was arrested on the 11th of May 2018 from her home and detained by the Maadi Prosecution as a reaction to a video she posted on the 9th of May 2018 where she criticized state's failure in protecting women from sexual harassment. The Maadi prosecution detained Ms. Fathy on remand in Case 7991/2018 until 21 June 2018. Yet, she remained in pre-trial detention in a separate case, 621/2018, where she was accused of joining a terrorist group, and using the internet and social media with the intention of promoting ideas and beliefs calling for the commitment of terrorist acts through spreading false news and rumors aiming to disrupt public security and harm general interest, until 18 December 2018, when a Cairo Criminal Court ordered her conditional release. Ms. Fathy is required to visit a police station once a week to fulfill her conditions of release in case 621/2018 and is practically under house arrest, allowed only to leave the house to visit the police station or to receive medical treatment. She can also be taken back to detention at any time to serve the two-year sentence in case 7991/2018.

Moreover, despite the release of all women protestors who were arrested on 12 May 2018 in Metro stations for protesting against a significant rise in ticket prices, 4 of them were released on probation in case 718 for the year 2018 by the State Security Prosecution on charges of: participating in a terrorist group while knowing its intentions, participating in and inciting protest to disrupt public transportation and harm citizens' interests, and using the internet and social media to incite terrorist acts. This means that these 4 women are still required to visit police stations a number of times per week.

The crackdown on civil society organizations, Human Rights Defenders (HRDs), and WHRDs on the background of case 173 for the year 2011 has been marked by summons throughout 2018 by the investigative judge of various staff members and partners in civil society organizations, all released on bail ranging from 5000 to 30000 EGP. One of the most recent summons was that of Egyptian Woman Human Rights Defender (WHRD) Esraa Abdel-Fattah, who appeared twice in front of the investigative judge and was released on bail amounting to 10,000 EGP on 9 October 2018, on charges of being part of an entity that received foreign funding and acted as an association without being registered. Before that, various WHRDs were summoned throughout the year, including feminist activist Mozn Hassan, Founder and Executive Director of Nazra for Feminist Studies, who appeared in front of the investigative judge on 20 June 2018 and was released on bail amounting to 30,000 EGP, on charges of: establishing an entity in violation of the law and conducting activities that do not abide by the purposes of the organization with the intention of harming national security, receiving foreign funding with the intention of harming national security, and tax evasion. This is in addition to WHRDs Dr. Magda Adly and Dr. Suzan Fayad, co-founders of El-Nadeem Centre for the Rehabilitation of Victims of Violence and Torture, both released on bails amounting to 20,000 EGP on 10 June and 19 July 2018 respectively.

In the past, tactics to punish Egyptian WHRDs and HRDs in case 173 included asset freeze orders as well as travel bans against several directors and staff members of various human rights organizations. On 14 December 2016, an asset freeze was issued against Azza Soliman and her law firm “Lawyers for Justice and Peace”. Then on 11 January 2017 an order was issued to freeze the personal assets of Mozn Hassan, those of the company “Nazra for Studies” as well as those of the association “Nazra for Feminist Studies”. The asset freeze order issued against “Nazra for Feminist Studies” is an unprecedented one in the case, as it was the first time the assets of a registered NGO under law 84 for the year 2002 were frozen. Travel bans are also used as a punishment for WHRDs and HRDs, such as Mozn Hassan, Azza Soliman, Esraa Abdel Fattah, Mohamed Zaree, the Egypt Office Director of CIHRS, Hoda Abdel Wahab, the Executive Director of the Arab Center for Independence of the Judiciary and Legal Profession, Dr. Aida Seif Al-Dawla and Dr. Suzanne Fayyad, co-founders of Al-Nadeem Centre, and others. It is worth mentioning that harassment of local NGOs is still ongoing despite the acquittal of all defendants working in foreign NGOs by the South Cairo Criminal Court in December 2018, after the court of cassation ordered their retrial in April 2018.

The retrial of the Ministerial Cabinet Case was concluded. The case includes 1 WHRD who is still detained since March 3, 2015, namely Shaimaa Ahmed Saad who received a sentence of 5 years imprisonment. However, a lifetime imprisonment was confirmed for 43, and a verdict of 10 years imprisonment was issued for 9 juvenile detainees on 25 July 2017. It is important to state that 125 others were not included in the retrial, and they include 7 women. One of these women started a retrial procedure and is awaiting a verdict.

Sexual violence against women in the public space continues to remain a grave problem. Despite the importance of the presence of policies and legislation issued by the state that feminist groups have always called for, continuous crimes show shortcomings in policies and their implementation, making it important to monitor adopted policies, in order to enable combat of sexual violence in a more effective manner. After four years of its publishing, we emphasize the importance of monitoring the implementation of the National Strategy to Combat Violence Against Women, as there is still no transparent monitoring mechanism. Moreover, despite demands and promises to adopt a unified law to combat violence against women, nothing has been achieved on that front. There is also a dire necessity to design and implement policies that combat violence against women in Egyptian syndicates, as journalists, lawyers, and teachers continue to face violations without accountability for perpetrators. For instance, Lawyer Hoda Abdel-Wahab was assaulted on 29 March 2017 in the syndicate by another lawyer, without holding him accountable to date. The same applies to teachers who continue to suffer from sexual violence amid the lack of provision of safety measures for them, whether in places where they teach, or in transportation routes, as well as journalists who suffer from various violations.

Subsequently, Nazra for Feminist Studies urges the United Nations to monitor states’ implementation of the WHRD resolution adopted in 2013, as well as Universal Periodic Review (UPR) recommendations with regards to women’s human rights in Egypt, to ensure protection of women and WHRDs. We also urge the United Nations to call on Egyptian authorities to close case 173, and the persecution of HRDs and WHRDs, as without their empowerment, human rights would be jeopardized and violations would not be exposed.