

# Human Rights Watch

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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This document provides an overview of Human Rights Watch's observations and questions to Egypt in advance of the upcoming pre-session review of Egypt by the UN Human Rights Committee (the Committee).

We hope that it will inform the Committee's consideration of the compliance of the government of Egypt (the government) with its obligations under the International Covenant on Civil and Political Rights (the Covenant) and prove useful as the Committee draws up the List of Issues to seek further clarity from the government on outstanding issues with regard to its adherence to the Covenant. The concerns described below derive from Human Rights Watch's ongoing research on Egypt since the last periodic review in 2002.

Since President Sisi came to power in 2013, Egypt has suffered one of the most intense periods of repression in the country's recent history. Security forces commit widespread abuses with near-absolute impunity, including extrajudicial killings, forced disappearances, arbitrary arrests, torture, and ill-treatment. There are systematic fair trial and due process violations throughout Egypt's justice system. Conditions in Egypt's prisons are abysmal, with prisoners particularly political prisoners often dying due to alleged medical neglect. The government has severely restricted freedom of association and expression. There is zero tolerance for freedom of peaceful assembly. The government fails to adequately protect women and girls from sexual and gender-based violence and punishes some for speaking out. Egyptian authorities arbitrarily detain people based on their sexual orientation or gender identity and [subject them to torture and ill-treatment](#).

### Forced disappearances and arbitrary arrests (Art. 9)

The National Security Agency (NSA) routinely arbitrarily arrests and forcibly disappears suspects with few consequences. National Security officers are responsible for numerous enforced disappearances, often targeting political activists, opposition figures, and journalists.

In April 2020, authorities [disappeared](#) Marwa Arafa for two weeks and Kholoud Said for one week and later detained them on unsubstantiated charges of joining a terrorist group and spreading false news. In May 2020, authorities arrested and held incommunicado journalist [Shaima Samy](#) on charges of spreading false news.

In June 2020, the NSA [arbitrarily arrested](#) Sana Saif when she tried to report being physically assaulted outside Tora Prison where her brother, jailed activist Alaa Abdel Fattah, was being held.

In late January and February 2018, Egyptian authorities [carried out a series of arbitrary arrests](#) against President al-Sisi's peaceful political opponents ahead of the 2018 presidential election. The arrests included persons who called for boycotting the process, such as the 2012 presidential candidate and the head of the Strong Egypt Party, Abd al-Moneim Abu al-Fotouh.

In May 2018, Egyptian police and NSA officers carried out a wave of arrests of critics of President al-Sisi in [dawn raids](#), including Hazem Abd al-Azim, a political activist; rights defender, Wael Abbas; Shady al-Ghazaly Harb, a surgeon; Haitham Mohamadeen, a lawyer; and Shady Abu Zaid, a satirist. There was another series of arrests in August 2018 that included former ambassador [Masoum Marzouk](#), who had called for a public referendum on whether President al-Sisi should resign.

In 2017, security forces [arrested](#) members of the Association of Families of the Disappeared, including Hanan Badr al-Din, a co-founder of the association, in May 2017. Prosecutors charged her with joining a banned group and kept her in pretrial [detention](#). In September 2017, NSA officers [arrested](#) lawyer Ibrahim Metwally, another co-founder of the association, as he was leaving Egypt to meet the United Nations Working Group on Enforced or Involuntary Disappearances in Geneva. Prosecutors [charged](#) Metwally with spreading false news about enforced disappearances and cooperating with foreign entities.

In 2016 Human Rights Watch [documented](#) National Security officers in Alexandria forcibly disappearing 20 people, including eight children, in connection with a protest and an alleged arson attack on a garage and a traffic police vehicle.

Between July 2013 and August 2018, the Stop Enforced Disappearance campaign [documented](#) 1,530 cases of enforced disappearances.

Between April 2014 and June 2015, Human Rights Watch [documented](#) the cases of five forced disappearances and two likely forced disappearances. Three of the five cases resulted in deaths, including Islam Atito, Sabry al-Ghoul, and Al-Sayed al-Rassed.

*We encourage the Committee to ask the government:*

#### **Fair trials, due process, and the death penalty (Articles 2, 6, 9, 10 and 14)**

Judges and prosecutors [hold](#) thousands of people in extended pretrial detention, often solely for exercising their rights to peaceful assembly and free expression, many beyond the two-year limit Egyptian law provides. Even when courts order detainees released, the Supreme State Security Prosecution routinely [adds them to](#) new or different cases involving the same or similar charges to hold them beyond the two-year limit. Judges and prosecutors frequently deprive lawyers and detainees of a meaningful chance to present a defense or review evidence. Egypt's judiciary exhibits serious procedural deficiencies that deprive detainees of basic due process rights.

Authorities have relied on exceptional Emergency [State Security Courts](#) to target dissidents. At least 48 unjustly detained rights defenders, activists, and opposition politicians who had languished in pre-trial detention for months and years were [referred](#) to the emergency courts for trial just before President al-Sisi lifted the nation-wide state of emergency in October 2021. The move indicated the government's determination to subject these detainees to the exceptional rules of these courts.

Former presidential candidate Abd al-Moneim Abu al-Fotouh, [arrested](#) in February 2018 ahead of that year's presidential vote, was recycled into a new case [just days](#) before his detention would have reached the two-year limit in February 2020.

Between March and August 2020, security and judicial authorities exploited [the Covid-19](#) pandemic to renew pretrial detentions without meaningful hearings. Supreme State Security prosecutors and criminal court judges renewed detentions without transporting detainees to hearings or giving lawyers the opportunity to enter pleas.

[Constitutional amendments](#) approved in an unfair referendum in April 2019 extended President al-Sisi's current term from four to six years, allow him to run for one additional term, and named him the head of the Supreme Council for Judicial Bodies and Authorities. Authorities detained those calling for boycotting or rejecting the amendments, [refused to permit](#) opposition protests citing security threats and blocked an independent campaign website, [Batel](#), that urged voters to vote no.

Military prosecutors have [tried](#) thousands of civilians before military courts. In 2013, at least 96 civilians were [tried](#) before military courts. A military court in Suez sentenced 51 Muslim Brotherhood members to imprisonment on charges of assaulting military officer in September 2013. Military trials sentenced two Sinai-based journalists, Ahmad Abu Draa and Mohamed Sabry, to suspended prison sentences in relation to their work as journalists in October and November 2013.

In April 2014, a military court [sentenced](#) a social media manager for the online news website Rassd to one year in prison for helping to leak a tape of remarks by al-Sisi during his time as defense minister. The court acquitted one Rassd employee and handed down three-year sentences to an army conscript and two other men who remain at large.

On October 27, 2014, President Sisi [issued](#) a decree expanding military court jurisdiction to cover crimes that occur on any public, state-owned, or vital property. Since the decree, Egyptian authorities have [tried more than 7,400 civilians](#) in military courts.

#### *Death Penalty*

Egyptian courts impose the death penalty for a wide range of crimes and have sentenced people to death following trials in which defendants' claims of forced disappearance and torture are uninvestigated by judges. Civilian and military courts have [sentenced](#) hundreds of individuals to death each year, often in mass trials in cases that stem from alleged political violence.

In 2021, Egyptian authorities [increased](#) their use of the death penalty and executions.

In September 2018, a Cairo Criminal Court [handed](#) down 75 death sentences, in a mass trial of over 700 defendants that began in 2015, stemming from the Raba dispersal events in August 2013. Many of the defendants were arrested in the dispersal of the Raba sit-in. On June 14, 2021, the Court of Cassation, Egypt's highest appellate court, [upheld death sentences](#) for 12 Muslim Brotherhood leaders, members and sympathizers as well as long prison sentences for hundreds of others convicted in that mass trial. The Cassation Court [commuted](#) 31 of the 75 death sentences to life imprisonment; the remainder had been sentenced in absentia.

Between October 3 and 13, 2020, Egyptian authorities [executed](#) 15 men convicted for alleged involvement in three cases of political violence as well as 2 women and 32 men convicted in criminal cases.

In February 2019, [nine UN experts](#) condemned the arbitrary executions of nine people on the basis of evidence allegedly obtained under torture and after seriously flawed trials.

Between July 2013 and 2017, military courts [issued](#) at least 60 death sentences.

In March and April 2014, a criminal court judge in Minya handed down the death penalty to more than 1,200 people. The case allegedly involved attacks on police that led to the death of one police officer. The judge did not ensure that all defendants had access to counsel nor did he allow for the right to mount a meaningful defense. The first trial lasted less than an hour and resulted in 529 death sentences, yet only 74 of the defendants were present. Some lawyers for the defense were also barred from attending by the court. In the second trial resulted in 683 death sentences and none of the defendants attended.

In December 2014, an Egyptian criminal court in Giza [issued](#) preliminary death sentences to 188 people. The defendants were accused of attacking a police station in August 2013 and killing 11 policemen. An appeals court [overturned](#) the verdict for most of the defendants. In the 2017 retrial, 20 defendants were issued death sentences again by a Cairo Criminal Court, while dozens of others received life sentences. In April 2021, 9 of the men were executed.

*We encourage the Committee to ask the government:*

#### **Prison Conditions and deaths in custody (Articles 7, 10)**

Egyptian authorities jail thousands of prisoners in abysmal conditions: overcrowding and insufficient medical care are systematic and have contributed to the deteriorating health and deaths of scores of [detainees](#). Authorities [routinely deprive](#) sick prisoners of access to adequate health care. These dire conditions are [shielded](#) from independent oversight.

On July 25, 2021, the family of 69-year-old Abd al-Moniem Abu al-Fotouh, the former presidential candidate and leader of the Strong Egypt Party, [reported](#) that he had suffered symptoms resembling a heart attack while in prolonged solitary confinement in Tora Prison. Egyptian authorities have unjustly detained Abu al-Fotouh since 2018 during which time and he has suffered several heart attacks, according to his family. Prison authorities repeatedly [rejected their pleas](#) to admit Abu al-Fotouh to a hospital, despite his chronic medical conditions.

Prominent activist Alaa Abdel Fattah has been in solitary confinement in Toras maximum-security prison since September 2019. He has been deprived of exercise, sunlight, and books and newspapers.

In December 2019, authorities allegedly [withheld](#) life-saving medical treatment for a liver condition resulting in the death of [Mariam Salem](#), 32, in al-Qanater prison. On January 14, 2020, [Mostafa Kassem](#), a 54-year-old Egyptian-American, died in Tora Prison. Kassem, who was diabetic and had a heart condition, went on hunger strike in early January 2020 to protest his 15-year sentence following an [unfair mass trial](#).

In May 2020, [Shadi Habash](#), a 24-year-old filmmaker, died in prison after failing to receive treatment for alcohol intoxication. Egyptian authorities imprisoned Habash for directing a music video mocking President al-Sisi. In August 2020, [Essam al-Erian](#), 66, a senior Muslim Brotherhood leader, died in Toras Scorpion Prison after spending seven years in near-total isolation. In September 2020, five detainees died in different prisons, including [Amr Abu Khalil](#) and [Ahmed Abdelnabi Mahmoud](#), after they spent many months in detention without trial and after authorities allegedly denied them access to adequate medical care.

Former President Mohamed Morsy died on June 17, 2019, in a Cairo courtroom following six years of inadequate [medical care and near-absolute isolation](#) in prison. In November 2019, two United Nations experts said that prison conditions may have directly led to his death and may be placing the health and lives of thousands more prisoners at severe risk. Authorities did not conduct any independent investigation into Morsys death.

The Covid-19 outbreak worsened already terrible detention conditions. Authorities imposed an information blackout on detention sites and ended visits, including from lawyers, from March 10, 2020, to late August 2020. Authorities did not offer any alternatives to in-person visits, such as video or phone calls.

Egypt's overcrowded prisons make social distancing [impossible](#). Between March and July 2020, Human Rights Watch documented several [suspected Covid-19 outbreaks](#) in Egyptian prisons and police stations. At least 14 prisoners during that period likely died due to complications related to Covid-19 and only nine had been transferred to hospitals, in some cases only hours before they died.

*We encourage the Committee to ask the government:*

#### **Torture (Articles 2, 7, 10, 14)**

The Interior Ministry's National Security Agency (NSA) is responsible for the widespread and systematic use of torture to coerce confessions and operates with near-absolute impunity. Prosecutors consistently fail to investigate allegations of torture and rarely dismiss torture-tainted confessions.

Human Rights Watch [documented](#) the widespread and systematic torture of political detainees by regular police and National Security Agency officers involving beatings, electric shocks, stress positions, and sometimes rape. Prosecutors ignore complaints from detainees about ill-treatment and sometimes threaten them with torture. Police and officers of the National Security Agency regularly use torture during their investigations to force perceived dissidents to confess, or divulge information, or to punish them.

Human Rights Watch and the Egyptian rights group Belady: An Island for Humanity [documented](#) the cases of 20 children who were arbitrarily arrested and detained for offenses they allegedly committed between 2014 and 2019. Fifteen of the children, including a boy who was 12 years old at the time, said they were tortured in pretrial detention, usually during interrogation while held incommunicado. Another child was badly beaten by prison guards. Seven children said security officers tortured them with electricity including with stun guns. A boy arrested at age 16 told a relative he was worried he might never marry or be able to have children because of what Egyptian security officials had done to him in detention. In two cases, children said security officials tied their arms behind their backs and suspended them by their arms, which dislocated their shoulders. One of the boys, age 14 at the time, said his joints had to be re-set by another prisoner in his cell who was a doctor.

On April 18, 2021, security forces [arrested](#) the parents of imprisoned dissident [Abdelrahman Gamal Metwally al-Showeikh](#) after the family filed a complaint about al-Showeikh's alleged torture and sexual assault in a Minya prison. As of October 2021, al-Showeikh's mother, [Hoda Abdel Hamid](#), remained in pretrial detention and was deprived from seeing her family or lawyers, after prosecutors accused her of spreading false news and joining a terrorist organization. The charges stem from a [video](#) she posted on Facebook that detailed the alleged torture of her son.

In January 2014, scores of individuals detained in protests [complained](#) of torture, including electric shocks, to coerce confessions.

*We encourage the Committee to ask the government:*

#### **Extrajudicial killings and protester killings (Art. 6)**

Between January 2015 and September 2020 National Security Agency officers killed dozens of alleged terrorists in extrajudicial executions across the country that the authorities contended were shootouts. A Human Rights Watch [report](#) found that those killed posed no imminent danger to security forces or others and in many cases had already been in custody.

In 2017, Human Rights Watch [documented](#) three incidents in which individuals were killed in alleged shootouts after having been detained. There were no known government investigations into these killings and authorities provided little or no information to the families.

Security forces use excessive and lethal force to disperse protests. Human Rights Watch [documented](#) the systematic and widespread killing of at least 1,150 demonstrators in July and August 2013 by Egyptian security forces. Police and armed forces opened fire with live ammunition on crowds of demonstrators at six demonstrations between July 5 and August 17, 2013. The demonstrators opposed the military's ouster of Egypt's first elected civilian president, Mohamed Morsy, on July 3. On August 14, security forces dispersed the Raba al-Adawiya sit-in and killed a minimum of 817 people. The security forces attacked the Raba protest encampment using armed personnel carriers, bulldozers, ground troops and snipers, with no warning to the tens of thousands of largely peace protestors inside the encampment. There was no safe exit for nearly 12 hours. The deaths followed a premeditated plan that authorities later said had envisioned several thousand deaths.

*We encourage the Committee to ask the government:*

#### **Attacks on Freedom of Expression and Assembly (Articles 7, 9, 19)**

The Egyptian government criminalizes peaceful assembly and punishes peaceful critics of the government. Egypt has detained [dozens of politicians and activists](#) solely for peacefully expressing their opinions. Authorities have been using counterterrorism and state-of-emergency laws and courts to unjustly prosecute bloggers, activists, and critics for their peaceful criticism. Police and security forces preemptively round up suspected activists ahead of anticipated protests.

Egypt was the [third](#) worst jailer of journalists in the world in 2021, holding 25 reporters in custody, according to the Committee to Protect Journalists.

In February 2021, National Security officers at Cairo Airport arrested columnist and [journalist Gamal al-Gamal](#) and held him incommunicado for five days upon his return from Turkey. Authorities [released him](#) without trial in July 2021.

In September and October 2020, Egyptian authorities arrested [nearly 1,000](#) protesters and bystanders during scattered anti-government protests across 21 governorates, according to the Egyptian Commission for Rights and Freedoms. Arrests included at least 71 children, some as young as 13.

In August 2020, an Egyptian court [sentenced prominent human rights defender Baheyeddin Hassan](#) to 15 years in prison in absentia for tweets criticizing the government. In September 2019, a court sentenced him to three years in prison in absentia for criticizing Egypt's prosecution office.

In March 2020, authorities [arrested](#) four prominent activists and academics for peacefully advocating the release of unjustly detained prisoners due to coronavirus fears. The four included the academic and activist Laila Soueif; her sister, the novelist Ahdaf Soueif; her daughter, the prominent activist Mona Seif; and political scientist Rabab el-Mahdi.

In June 2020, the Interior Ministry forced the doctors syndicate to cancel a press conference that had planned to address government harassment of doctors in connection with Covid-19 after security forces besieged the building where the press conference was due to take place. Security forces [arrested at least 10](#) healthcare professionals who criticized the lack of personal protective equipment and challenged the official narrative on the pandemic.

Following rare anti-government protests on September 20, 2019, security authorities [arrested](#) more than 4,400 people in a mass crackdown. Those arrested included well-known figures such as political science professors Hazem Hosni and Hassan Nafaa, journalist and politician Khaled Dawood and human rights lawyer Mohamed al-Baker. Khaled Dawood was released in 2020.

Before a referendum on constitutional amendments in April 2019, authorities [arrested](#) over 160 activists and perceived dissidents.

In June 2019, authorities [arrested](#) scores of activists, accusing them of joining, aiding, or funding a terrorist group. The Hope Coalition case, as it became known, involves activists, journalists and opposition politicians who were planning a political coalition to contest the 2020 parliamentary elections. Detainees included well-known former politicians and journalists Ziad al-Elaimy, Hisham Fouad and Hossam Monis. On November 17, 2021, an Egyptian Emergency State Security Misdemeanor Court [sentenced](#) al-Elaimy to five years in prison and Fouad and Monis to four years on charges of spreading false news.

In April 2017, security officers [arrested](#) 190 political activists ahead of the June parliamentary approval of a controversial government decision to cede two Red Sea islands to Saudi Arabia. In earlier protests in April 2016 against that decision police [arrested](#) at least 382 people. Police stopped people riding public transportation or walking in the street, inspected mobile phones without warrants, and arrested phone owners if they found anti-government images.

Police [raided](#) the Press Syndicate headquarters on May 1, 2016, and arrested two journalists whom they accused of belonging to the April 6 Youth Movement.



In February 2016, writer and novelist Ahmed Nagi [received](#) a two-year sentence for what the prosecution described as sexually explicit content in his novel, *Using Life*.

In January 2016, police [raided](#) numerous downtown Cairo apartments, searched them without warrants, and arrested many activists, including Taher Mokhtar, a doctor who had advocated for improved detention conditions.

In 2014, authorities detained dozens of people for possessing flyers with anti-military slogans, rapping in public against the police, and displaying signs commemorating victims of the 2013 Raba dispersal.

In December 2013, police arrested Al Jazeera English journalists Mohamed Fahmy, Peter Greste, and Baher Mohamed. In June 2014, a court handed down multi-year prison sentences after a trial in which prosecutors failed to present credible evidence of criminal wrongdoing. Peter Greste was released and deported to Australia in February 2015, and Mohamed Fahmy and Baher Mohamed were pardoned and released in September 2015.

Since May 2017, authorities have blocked more than [600](#) websites without judicial authorization, including Human Rights Watch's website. The website blocking began when the government blocked 21 websites of political groups and news outlets in a single day.

On August 18, 2018, President al-Sisi approved the Anti-Cyber and Information Technology Crimes Law ([Cybercrime Law](#)). The law grants the government [broad powers](#) to restrict freedom of expression and violate citizens' privacy.

In July 2018, Egypt's parliament passed the [Media Regulation Law](#), which restricts journalistic freedoms, allows censorship without judicial orders, and levies severe fines for violations. The law established the Supreme Council for Media Regulation (SCMR) to monitor and control media. The SCMR issued two sets of by-laws, in [March](#) and [September](#) 2019, that impose drastic restrictions and disproportionate penalties on media outlets, including websites and social media pages, for insulting state institutions, generalization, and harming state interests.

***We encourage the Committee to ask the government:***

#### **Attacks on Freedom of Association and Human Rights Defenders (Article 22)**

Egyptian authorities have severely curtailed space for civil society groups and targeted human rights defenders. The 2019 law on associations authorizes the government to restrict independent human rights organizations (NGOs), threatening their very existence, through incessant judicial harassment. The authorities have shut down leading independent organizations and subjected their staff to assaults, arrests, and lengthy pretrial detention on baseless charges.

In January 2021, the government issued [implementing regulations](#) for the 2019 NGO law, [confirming its restrictive nature](#) and extensive government interference. Existing NGOs must register under the new law or face being dissolved. The government [did not include any critical](#) human rights groups in the consultations around drafting the new law, and the final draft was kept secret until it was passed by the parliament.

The law prohibits a wide range of activities, such as conduct[ing] opinion polls and publish[ing] or mak[ing] their results available or conduct[ing] field research or disclos[ing] their results without government approval. The law also prohibits cooperating with foreign organizations or experts or participating in any political activities or activities perceived to undermine national security. The law permits daily monitoring of NGO activities by government or security officials.

The law allows authorities to dissolve organizations for a wide range of violations and imposes fines of up to one million Egyptian pounds (\$60,000) for organizations that operate without a license or send or receive funds without government approval. Organizations refusing to provide information about their activities can expect fines of half-a-million Egyptian pounds (\$30,000).

In January 2022, the Arab Network for Human Rights Information [announced](#) its closure after nearly 18 years. The group cited the 2019 NGO law, as well as a series of threats and violent attacks against staff and arrests by security officers as reasons for its closure.

In February 2016, security officers and government authorities ordered the closure of the Nadeem Center for the Rehabilitation of Victims of Violence and Torture for allegedly violating the terms of its license.

In June 2015, government investigators [visited](#) the office of the Cairo Institute for Human Rights Studies and asked for registration and financial documents. Also in June 2015, the National Security Agency banned Mohamed Lotfy, executive director of the Egyptian Commission for Rights and Freedoms, from traveling to Germany to attend a roundtable at the German parliament.

On April 28, 2014, the Court of Urgent Matters ~~banned the~~ April 6 Youth Movement. The court authorized the authorities to shut the groups' headquarters on the grounds that it allegedly engaged in espionage and harmed Egypt's image abroad.

In May 2014, authorities raided the office of the Egyptian Center for Economic and Social Rights in Alexandria. They arrested at least 15 activists and lawyers and subjected them to sexual harassment and beatings.

In December 2013, authorities banned the Muslim Brotherhood and [declared](#) it a terrorist organization. The designation followed a bomb attack on a Nile Delta police station that was claimed by Ansar Beit al-Maqdis, a local Islamic State affiliate. No evidence was put forward to support the designation. Deputy Prime Minister Hossam Eisa, in a television statement, cited the following events as justification: the 1948 assassination of Egypt's prime minister and the alleged torture by Brotherhood members of the group's opponents during the pro-Morsy sit-ins in July and August 2013. Authorities [froze](#) the assets of more than 1,000 associations allegedly tied to the Brotherhood, such as the Islamic Medical Association, which served residents of poor neighborhoods, in addition to dozens of Brotherhood-affiliated schools.

The protracted criminal investigation into NGO staff in Case 173 of 2011, known as the foreign funding case, has continued for more

than a decade. Dozens of nongovernment groups were prosecuted for receiving foreign funds. Authorities also froze the assets of leading Egyptian rights organizations and defenders and subjected them to travel bans beginning in 2016.

In December 2018, an [Egyptian criminal court acquitted](#) all 43 defendants in the retrial of case 173 of 2011 in which they had been sentenced to between 1 and 5 years in prison. The [court said](#) that the charges contradict democratic values and the countrys obligations under international law. The ruling applied to staff from four American organizations and one German organization. Authorities continued to impose travel bans and asset freezes on at least 31 leading Egyptian human rights activists.

In 2021 the authorities dropped investigations against several organizations and defenders in Case 173 of 2011 but punitive travel bans, and asset freezes have not been lifted despite a judges orders in [August](#) 2021 and [September](#) 2021 to do so. Several organizations and staff remain charged in the case, including [Gamal Eid](#), director of the Arab Network for Human Rights Information, and Hossam Bahgat, director of the [Egyptian Initiative for Personal Rights](#).

In September 2021, authorities [referred to trial](#) before an Emergency State Security Court Patrick Zaki, a gender-rights researcher at the Egyptian Initiative for Personal Rights, on charges of spreading false news. Authorities [detained](#) him in February 2020 and officers held him incommunicado for 24 hours, during which time he was allegedly tortured, including with electric shocks. Zaki was held in pretrial detention [facing charges](#) that include calling for protests without permission, spreading false news, and incitement to commit violence and terrorist crimes. He was released in December 2021 and his trial is scheduled to take place in February 2022.

In September 2021, a mass trial began before an Emergency State Security Court that included [lawyer Ezzat Ghoniem](#), director of the [Egyptian Coordination for Rights and Freedoms](#), and about two dozen activists who the authorities linked to the group, including lawyer Hoda Abdel Moniem and activist Aisha al-Shater. Security forces detained Ghoniem in March 2018 and most of the others in a [mass arrest campaign](#) that October. They face criminal charges of joining and financing an unlawful group as well as spreading false news.

In November 2020, National Security Agency officers [arrested](#) three directors of the Egyptian Initiative for Personal Rights: Gasser Abdel Razeq, Karim Ennarah and Mohamed Basheer. Under international pressure, authorities released them in early December 2020 but have not dropped the charges, including alleged terrorism-related offenses, and a terrorism court ordered their personal assets frozen.

In December 2019, individuals [believed to be](#) working under the direction of the National Security Agency physically assaulted Gamal Eid, human rights lawyer and co-founder of the Arab Network for Human Rights Information, multiple times in broad daylight. Authorities failed to hold anyone accountable.

In June 2019, Ibrahim Ezz al-Din, a housing rights researcher with the Egyptian Commission for Rights and Freedoms (ECRF), was arrested near at his home. Ezz al-Din was forcibly disappeared for over five months until he appeared at the State Security Prosecution in November 2019. Since then prosecutors and judges have regularly renewed his pretrial detention. ECRF lawyers told Human Rights Watch that officers physically and psychologically tortured him, including with electric shocks, while questioning him about his activism.

In June 2016, an investigative judge interrogated human rights lawyer Negad al-Borai, who had been involved in drafting anti-torture legislation, on charges that he received illegal funding, established an unlicensed entity, and spread false information. Al-Borai has been interrogated on these charges six times to date.

***We encourage the Committee to ask the government:***

### **Freedom of Belief (Articles 18, 26, 27)**

Egypt's 2014 constitution guarantees freedom of religion and the rights of minorities, but authorities prosecute writers and activists on charges of contempt of religion and blasphemy, including. Authorities detain independent activists working on societal and governmental discrimination against Egypt's Christian minority, as well as other religious minorities and atheists.

Christians, the largest religious minority in Egypt, comprise roughly 10 percent of the population and face systematic societal and institutional discrimination.

The government recognizes only Islam, Christianity and Judaism as official religions. Other minorities such as Baha` are regarded as nonbelievers and [face discriminatory obstacles](#) in obtaining national IDs and vital documents such as marriage and death certificates.

Discriminatory laws impede building and renovating non-Sunni Muslim houses of worship. Egypt's 2016 [church-building law](#) does not remove obstacles around building churches. In October, 2021, the Egyptian Initiative for Personal Rights [reported](#) that since 2016, the authorities have legalized only 1,958 churches and service buildings while more than 5,540 Christian worship buildings lack proper legal status. The [government](#) also has not issued any licenses to build new churches except in new desert cities that are subject to different rules.

The 2016 law allows governors to deny church-building permits with no way to appeal. The law requires that churches be built commensurate with the number of Christians in the area, despite the lack of official census statistics. The law contains provisions that allow authorities to deny construction permits if granting them would undermine public safety.

[Ramy Kamal](#), the head of Maspero Youth for Human Rights, was held without trial from November 2019 until January 2021 and accused of joining and financing a terrorist group.

On June 21, 2020, an appeals court in Alexandria [upheld the three-year prison sentence](#) of blogger and activist Anas Hassan and a fine of 300,000 EGP (\$19,000) for insulting religion and misusing social media. Hassan was prosecuted for managing a Facebook page called "The Egyptian Atheists that authorities said published atheistic ideas and "criticism of the divinely revealed religions.

In June 2020, a State Security Misdemeanor Court in Sharqia Governorates [sentenced](#) two young men to a year in jail for promoting the

Shi'a doctrine of Islam. State Security court decisions cannot be appealed.

In February 2016, a juvenile minor offenses court [sentenced](#) four Christian boys to five years in prison for posting a video online mocking the Islamic State armed group. The boys fled Egypt in April 2016.

In March 2016, an appeals court upheld a three-year sentence for contempt of religion against writer Fatma Naout for criticizing the Muslim tradition of slaughtering livestock as a sacrifice on Eid al-Adha.

In February and March 2015, courts handed prison sentences to two men for allegedly supporting atheism online. In June 2015, prosecutors in Beni Suef governorate ordered a local man arrested for posting cartoons online that allegedly insulted the prophet Mohammed.

Authorities regularly fail to protect Christians from sectarian attacks. Authorities typically impose reconciliation sessions that foster impunity and allow Muslim perpetrators to escape prosecution.

In January 2019, two days before Christmas celebrations, a bomb outside a Coptic church in Nasr City killed a policeman.

In August 2018, after rumors circulated that Christian villagers were planning to build a church, mobs [looted](#) Christian homes in Minyas Dimshau Hashim village. Authorities [pressured](#) victims to accept a government-mediated reconciliation. Authorities offered no protections to the worshippers and their families.

On April 9, 2017, Palm Sunday, bombings targeted two churches in Tanta and Alexandria, killing at least 45. The attacks were later claimed by the Islamic State armed group.

In May 2017, an attack on a bus carrying Coptic passengers traveling to a monastery killed 29 in Minya governorate. The attack was claimed by the Islamic State armed group.

Between May and July 2016, a wave of anti-Christian violence killed one person, injured several others, and destroyed many Christian properties. The violence was prompted by suspicion among local Muslims about actual or alleged church construction.

In April 2013, sectarian [violence](#) left five Christians and one Muslim dead in the town of Khosus. The police failed to intervene to halt clashes that broke out after a funeral at the main Coptic cathedral in Cairo. The police themselves shot at Christian protesters inside church grounds.

The aftermath of President Morsys overthrow in 2013, saw a wave of attacks on churches and Christian properties. Following the August 2013 dispersals of Muslim Brotherhood sit-ins in Cairo, mobs [attacked](#) at least 42 churches, leaving 37 burned or damaged and killing 4 people. Security forces failed to intervene to halt the attacks.

***We encourage the Committee to ask the government:***

### **Violence and Discrimination Against Girls and Women (Articles 2, 3, 23, 26)**

Sexual harassment and violence against women are endemic in Egypt and the government fails to adequately protect women and girls from sexual and gender-based violence. In some cases, the government even punishes them for speaking out on these issues.

In 2016, authorities [banned leading women's](#) rights activists including Mozn Hassan, head of Nazra for Feminist Studies and Azza Soliman, head of the Centre for Egyptian Womens Legal Assistance, from leaving the country. The travel bans, asset freezes and court cases against their organizations hampered their work on womens rights.

On May 9, 2018 activist Amal Fathy [posted](#) a video on her Facebook page complaining about sexual harassment in Egypt and criticizing the governments failure to protect women. Authorities arrested her on May 11, 2018, after an extensive smear campaign on Egyptian state media. On September 29, 2018, a criminal court sentenced Fathy to two years imprisonment for publishing false news, as well as a fine of 10,000 Egyptian pounds (\$560) for making public insults. She was released on probation in December 2018. The Court of Cassation confirmed her conviction in January 2022, reducing her sentence to one year imprisonment for time served.

Throughout 2020, Egyptian authorities conducted an [extensive campaign](#) of arrests and prosecutions against female social media influencers. Since April 2020, authorities arrested at least 15 people, including 11 women and a 17-year-old girl, on vague charges of violating public morals and undermining family values, based on videos and photos the women shared on social media apps showing themselves dancing and singing. Security forces arrested the 17-year-old girl after she published a video saying she was raped and assaulted by a group of men.

In 2021, Egyptian courts [sentenced](#) at least four women social media influencers to two and ten years in prison for morality-related offenses for their online videos and posts. In January 2021, an appeals court [acquitted](#) social media influencers Hanin Hossam and Mawada al-Adham on charges of undermining family values and principles. Prosecutors then pursued a separate charge of human trafficking on flimsy evidence amounting to arbitrary prosecution. In June 2021, a court sentenced Hossam in absentia to ten years in prison, and al-Adham and three men in the same case to six years, as well as fines of 200,000 Egyptian pounds (\$12,766) each, [under](#) the 2010 human trafficking law.

The arrests of celebrity TikTokers and Instagrammers in 2020 coincided with scores of Egyptian women taking to social media to speak out about their experiences with gender-based violence, assault, and rape. The authorities [sentenced](#) Ahmed Bassam Zaki to eight years in prison in April 2021 for sexual assault after more than 50 women and girls accused him of harassment and assault online.

After Aya, 17, known on social media as Menna Abdelaziz, spoke out about her assault and gang rape on TikTok in May 2020, authorities [detained](#) her for morality-related offenses for her videos. She was [released](#) in September 2020 after much campaigning by

activists. In May 2021, a criminal court convicted five of the people she accused.

In August 2020, the National Security Agency [arrested](#) four witnesses to a high-profile 2014 gang rape case (known as the Fairmont case) and two of their acquaintances, after womens rights activists exposed the case online. Authorities [encouraged witnesses](#) to the rape to come forward, but then arrested them and accused them of consensual same-sex sexual conduct, inciting debauchery and misuse of social media. Authorities also reportedly forced one woman to undergo a virginity test and two men arrested in the case to undergo anal examinations.

On May 11, 2021, Prosecutor General Hamada al-Sawy [said his office had ended](#) the investigation into the [2014 Fairmont case](#) due to insufficient evidence and ordered the release of the four accused men. The authorities continue to ban the witnesses and their acquaintances from travel.

Sexual harassment and assault of women and girls in public spaces frequently occur despite government efforts to combat the practice, including arrests and prosecutions of some men. Egyptian rights groups [documented](#) at least nine incidents of mob sexual assault and harassment between June 3 and June 8, 2014, in Cairo's Tahrir Square, as demonstrators celebrated al-Sisi's election. In January 2013, Egyptian groups reported at least 19 cases of mob sexual assaults, including one woman who attackers raped with a bladed weapon and cut her genitals. In June and July 2013, womens rights groups confirmed 186 sexual attacks on women in Cairo's Tahrir Square.

On September 5, 2020, President al-Sisi [approved amendments](#) to the Criminal Procedural Code to ensure anonymity and protect the identities of survivors of sexual assault and sexual violence, but lawyers voiced concerns over the absence of penalties for officials that breach such anonymity and protection. The amendments also do not provide adequate protection for witnesses.

There are significant gaps in Egypt's laws on sexual violence and treatment of survivors, including a weak definition of rape. Egyptian authorities practice of questioning women who report sexual assaults about their sexual history and [subjecting](#) them to virginity tests further harm survivors. Virginity tests are internationally discredited practices with no scientific validity, violate medical ethics, and constitute cruel, degrading, and inhumane treatment that can rise to the level of torture and gender-based violence.

The lack of a comprehensive law on violence against women law, including measures to combat domestic violence, continues to leave women at risk. UN Women estimated [that almost a third](#) of Egyptian women experienced intimate partner physical or sexual violence in their lifetime.

Female genital mutilation (FGM) [is widely practiced](#) throughout Egypt and prosecution of perpetrators is rare. Preventative and protective measures against FGM are not prioritized and enforcement of existing laws is weak.

In May 2018, [the Task Force to Combat FGM](#) issued a statement condemning the extremely lax efforts made to advance the National Strategy Against FGM (2016-2020).

In March 2021, the Egyptian parliament [amended](#) the Penal Code to impose tougher penalties for medical professionals and others who perform FGM.

Women in Egypt face discrimination under Egypt's personal status law on equal access to divorce, child custody, and inheritance.

In March 2021, women online launched the social media #GuardianshipIsMyRight campaign to oppose amendments to the Personal Status Law which would further discriminate against women and would have allowed male guardians to seek annulment of their female relatives' marriage if they deemed her husband to be incompetent.

Egypt's Child Law of 2008 sets 18 as the minimum age of marriage, but child marriage remains prevalent.

***We encourage the Committee to ask the government:***

#### **Discrimination, Arbitrary Arrest, Torture and Ill-Treatment on Grounds of Sexual Orientation and Gender Identity (Articles 2, 7, 17, 26)**

Egyptian authorities arbitrarily arrest and detain people based on their sexual orientation or gender identity and expression and [subject them to torture and ill-treatment](#) in detention. Authorities arrest gay men and transgender women for debauchery or insulting public morals and routinely subject them to forced anal exams, amounting to torture, to seek proof of same-sex conduct. Authorities have pursued a ruthless campaign to intimidate, track, and arrest lesbian, gay, bisexual, and transgender (LGBT) people since 2013, including entrapment on social media applications.

In August 2020, the authorities subjected two men [arrested in the Fairmont case](#) to forced anal examinations. Police unlawfully searched the men's phones and, based on private photos they found, detained them for allegedly engaging in same-sex conduct. Pro-government media subjected them to a coordinated smear campaign. They were released pending investigation in January 2021, but charges against them have not been dropped.

In June 2020, Sarah Hegazy, an LGBT rights and feminist activist [took her own life](#) in exile in Canada. Hegazy left Egypt out of fear for her life after authorities [detained](#) and subjected her to ill-treatment in prison for three months in 2017.

In its March 2020 [third](#) Universal Periodic Review at the UN Human Rights Council Egypt [rejected](#) recommendations by several states to end arrests and discrimination based on sexual orientation and gender identity. Egypt [responded](#) that it does not recognize the terms mentioned in this recommendation.

In March 2019, Malak al-Kashef, a transgender woman, was [arrested from her home and](#) accused of [joining a terrorist group](#). She spent four months in pretrial detention in a male prison where she was [sexually harassed and abused](#). She was provisionally released in July 2019.



In January 2019, a TV anchor was [sentenced to one year](#) in prison for interviewing a gay man on television.

In September and October 2017, security forces [arrested](#) at least 75 gay and transgender people and activists after they raised a rainbow flag, a sign of LGBT pride and solidarity, during a concert in Cairo. Egyptian courts sentenced over 40 of those arrested to prison terms of up to 6 years under debauchery laws and the Supreme State Security Prosecution charged two with joining an illegal group aimed at interfering with the constitution.

In February 2015, security forces [arrested](#) seven allegedly transgender people who had met at a Cairo club to celebrate a friend's birthday. Police also [arrested](#) two allegedly transgender people on prostitution charges in May 2015 and 11 allegedly gay men in September 2015 who were also accused of prostitution.

On December 7, 2014, police [raided](#) a Cairo bathhouse and arrested at least 25 men whom they accused of practicing debauchery.

In September 2014, prosecutors [charged](#) eight men with inciting debauchery. The men allegedly participated in a videotaped same-sex wedding that was later circulated on social media. In April 2014, a court sentenced four men to prison for eight years on charges related to debauchery. The charges came after makeup and women's clothing were found in an apartment where they allegedly held parties.

***We encourage the Committee to ask the government:***

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