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Universal Periodic Review

Information presented by the National Council for Human Rights of Egypt*

Note by the Secretariat

The Secretariat of the Human Rights Council hereby transmits the communication submitted by the National Council for Human Rights of Egypt**, reproduced below in accordance with rule 7(b) of the rules of procedures described in the annex to Council resolution 5/1, according to which participation of national human rights institutions is to be based on arrangements and practices agreed upon by the Commission on Human Rights, including resolution 2005/74 of 20 April 2005.

* National human rights institution with “A”-status accreditation from the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights.

** Reproduced in the annex as received, in the language of submission only.

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Annex

[English only]

Information presented by the National Council for Human Rights of Egypt

Universal Periodic Review

The National Council for Human Rights (NCHR) of Egypt would like, on the occasion of the session on the outcomes of the Universal Periodic Review of Egypt on 20 March 2015 in the frame work of the Human Rights Council 28th Session, to refer to the important mission it is undertaking to promote and protect human rights in Egypt, within its mandate, especially in view that it is the demand of the people that has been expressed strongly and with persistence in the two revolutions of 25 January 2011 and 30 June 2013.

The new constitution issued on 18 January 2014 is the expression of these demands which called for a descent life, freedom, social justice and human dignity.

It represents a substantial development and is unprecedented compared to previous Egyptian constitutions in confirming the respect, fulfillment and protection of rights and freedoms.

As a matter of fact, the constitution emphasizes the principles of equality and justice to all citizens. It also confirms the State commitment to provide equal opportunities to all citizens without discrimination, to ensure equality between men and women in all civil, political, economic, social and cultural rights according to the provisions of the Constitution and to protect women from all kinds of violence. It provides that the right of belief is absolute and the right of thought, expression and creativity is ensured. It also provides the right of organizing peaceful general meetings, rallies, demonstrations and all types of protest upon notification, as well as the right to establish associations upon notification and that torture is a crime punishable by the law.

The constitution has shown a great interest in guaranteeing economic, social and cultural rights. It stipulates for the first time a precise percentage of the gross national income to be increased gradually till it reaches the universal rates, for expenditure on health, education and scientific research. It also ensures the rights of women, children, youth, persons with disabilities and dwarfs.

The National Council for Human Rights recommends that the Egyptian Government accepts the Universal Periodic Review recommendations regarding human rights in Egypt issued in the report of the Working Group of the Universal Periodic Review dated 7 November 2014 in its 20th Session (doc.A/HRC/28/16).

The National Council for Human Rights commends the measures taken by the Government to promote and protect human rights, among which holding the legislative elections in March 2015 which are organized and held by the High Commission of Elections, an independent body, until the establishment of the National Body of Elections, according to the constitution, as soon as the House of Representatives is composed.

These elections will be monitored by the National Council for Human Rights. Egyptian and Foreign NGOs approved by the High Commission will also monitor these elections in which the Egyptians abroad will participate.

The NCHR also commends issuing the law on criminalization of harassment, as well as the law severing the punishment of crimes of violence against women (Law no 50 of the year 2014) and the amendment of both the criminal law (Article 306 bis a & b) and the law on preventing the conflict of interests of the State officials to counter corruption (Law no 106 of the year 2013) in the frame work of anti-corruption measures, as well as preparing the draft law amending article 126 and 128 of the Egyptian criminal law , amending the definition of torture to be in line with the Convention on Anti-Torture in order to submit it to the House of Representatives as soon as it is composed.

However, the National Council of Human Rights is of the view that the Government must double its efforts in the field of human rights. In this regard, the NCHR demands the Egyptian Government to amend the law on the right to organize peaceful general meetings, rallies and demonstrations to be in conformity with both the Constitution of 2014 and the reservations made by the NCHR on the draft law and on the law after it has been promulgated. The NCHR demands also the amendment of the law on NGOs (Law no 84 of the year 2002) to enable them to operate upon notification to be in line with the same constitution and NCHR eagerness to promote the role of the NGOs. Furthermore, the NCHR is playing an effective role in this regard by bridging between the points of view of the Government and the NGOs in order to reach the desired law.

The National Council for Human Rights (NCHR) calls upon the Egyptian Government to improve the conditions of the prisons and places of detention and to establish a mechanism to visit the prisons that can be undertaken by the NCHR.

The NCHR also urges the Government to take steps to amend and develop both the criminal law and the criminal procedure law to promote the public rights. It calls upon the Government to double its efforts in order to eliminate poverty, illiteracy and enhance the quality of health and education and prepare the new laws and amended laws necessary to fulfill what is stipulated in 2014 constitution as regard to economic, social and cultural rights including the rights of women, children, youth and persons with disabilities.

The NCHR also calls upon the Government to respond to the requests of the special rapporteurs to visit Egypt and presents its reports to the treaty bodies in charge of the follow up of the implementation of the international conventions of human rights.

The NCHR urges the Egyptian Government and the Office of the High Commission for Human Rights to reach arrangement regarding the Agreement on its Regional Office in Cairo and sign it.