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Egypt: COI Compilation

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This report serves the specific purpose of collating legally relevant information on conditions in countries of origin pertinent to the assessment of claims for asylum. It is not intended to be a general report on human rights conditions. The report is prepared within a specified time frame on the basis of publicly available documents as well as information provided by experts. All sources are cited and fully referenced.

This report is not, and does not purport to be, either exhaustive with regard to conditions in the country surveyed, or conclusive as to the merits of any particular claim to refugee status or asylum. Every effort has been made to compile information from reliable sources; users should refer to the full text of documents cited and assess the credibility, relevance and timeliness of source material with reference to the specific research concerns arising from individual applications.

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List of abbreviations

CAPMAS	Egyptian Central Agency for Public Mobilization and Statistics
CSOs	Civil Society Organisations
ESSC	Emergency State Security Courts
ESSSC	Emergency Supreme State Security Court
FGM/C	Female genital mutilation/cutting
GBV	Gender-based violence
ID card	Identity Card
IED	Improvised Explosive Device
IMF	International Monetary Fund
IS-SP	Islamic State Group-Sinai Province
MENA	Middle East and North Africa
NGO	Non-governmental Organisation
NSA	National Security Agency (also referred to as NSS)
NTRA	National Telecommunications Regulatory Authority
SCMR	Supreme Council for Media Regulation
SSSP	Supreme State Security Prosecution
TCC	Terrorism Circuits Courts

1 Background information

1.1 Demographics

According to the CIA World Factbook's estimates, as of 2024, Egypt's population amounts to 111,247,248 people, including 57,142,484 men and 54,104,764 women (CIA, last updated 3 July 2024).

The Egyptian Central Agency for Public Mobilization and Statistics (CAPMAS) notes that as of 1 January 2024, the total population was estimated at 105,914,499 persons, including 54,441,605 men and 51,472,894 women. According to estimates, the most populous governorates are Cairo with a total population of 10,299,821 people, Giza (9,578,680 people), Sharkia (7,961,136 people) and Dakahlia (7,086,788). The majority of the population is living in rural areas (60,454,237 persons), while the urban population amounts to 45,460,262 persons (CAPMAS, March 2024, pp. 4-5). When adding up the numbers of population estimates per age group, more than half of the total population, 57.1 percent, fall into the age group of 0 to 29 years old (CAPMAS, March 2024, p. 6). According to the Ministry of Planning, as cited by Reuters, the country's population grew 1.4 percent in 2023, the lowest growth rate "in decades". Reuters notes that the country has launched a "Two is Enough" family planning campaign in 2019 with the aim of lowering the birth rate, targeting particularly the traditionally large families in rural areas (Reuters, 28 March 2024). The fertility rate reportedly fell from 3.5 children per woman in 2014 to 2.85 children in 2021. About 12 million citizens are estimated to live abroad (Ahram Online, 28 March 2024).

As of July 2023, 112,174 km² of the country's total area of 1,004,516 km² were inhabited, and the country's average population density was 937.6 persons by km², but much higher in some governorates such as Cairo (5,668.4 persons per km²) or Alexandria (3,194.8 persons per km²) (CAPMAS, March 2024, p. 13).

According to 2006 estimates, Egyptians constitute 99.7 percent of the entire population, while 0.3 percent belong to other ethnic groups (CIA, last updated 3 July 2024). The Minority Rights Group (MRG), an international human rights organisation working to promote the rights of ethnic, religious, and linguistic minorities and indigenous peoples, points in a report of February 2023 to Egypt's ethnic minorities, such as Nubians, Amazigh, and Sinai Bedouins (MRG, February 2023, p. 2). Nubians have traditionally inhabited the river Nile valley but have experienced several waves of displacement beginning with the construction of the Aswan Low Dam in 1902 and the subsequent flooding of Nubian villages (MRG, February 2023, p. 6). The Amazigh are living in the Siwa oasis, close to the Libyan border, and are speaking Siwi, a dialect of Tamazight, the Amazigh language (MRG, February 2023, p. 11). Neither the Nubian language nor Siwi are recognised as official languages, nor are they taught at schools (MRG, February 2023, pp. 6, 11). According to Article 2 of the country's Constitution, Arabic is the official language and Islam the state religion (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Article 2; MRG, February 2023, p. 4).

According to the CIA World Factbook, 90 percent of the population are (predominantly Sunni) Muslim, while the remaining 10 percent are Christian. Among Christians, the majority is Coptic Orthodox. Smaller Christian communities include Armenian Apostolic, Catholic, Maronite, Orthodox and Anglican Christians (CIA, last updated 3 July 2024). Other religious minorities reportedly include Jehovah's Witnesses, Baha'i and Jews (USDOS, 15 May 2023, section I).

For further information on religious minorities, see below, [section 3.4.4](#) of this report.

1.2 Political situation

Freedom House, a US-based NGO which conducts research and advocacy on democracy, political freedom, and human rights, notes that President Abdel Fattah el-Sisi has first come to power through a coup in 2013 and has since “governed Egypt in an authoritarian manner” (Freedom House, 2024, Overview; see also Arezki, 26 February 2024). Constitutional amendments, adopted by parliament and approved in a referendum marked by irregularities in April 2019 (TIMEP, 30 April 2019; see also BBC, 24 April 2019) extended the incumbent president’s term from four to six years and allowed him to run for a second term in office, according to The Tahrir Institute for Middle East Policy (TIMEP), a Washington-based think tank (TIMEP, 17 April 2019). In early presidential elections held in December 2023, President el-Sisi was re-elected with 89.6 percent according to the national electoral body quoted by Al Jazeera (Al Jazeera, 18 December 2023) and in “a repressive environment, with genuine opposition candidates prevented from running and the rights to freedom of expression, association and peaceful assembly severely suppressed”, as Amnesty International states in its annual human rights report (Amnesty International, 24 April 2024). In February 2024, one of the potential opposition presidential candidates, Ahmed Tantawy, who ended his campaign after the detention of family members and supporters, was sentenced to one year in prison and a 5-year ban from running in national elections, reportedly for alleged offenses linked to his presidential challenge campaign (HRW, 8 February 2024).

The Bertelsmann Stiftung, a German non-profit think tank based in Gütersloh, states in its country report, which is part of the Bertelsmann Stiftung’s Transformation Index (BTI) of 2024 (covering the period 1 February 2021 to 31 January 2023) that “[d]uring the period under review, [...] the rulers actively worked toward further expanding authoritarianism and state control” (Bertelsmann Stiftung, 19 March 2024, p. 3). Democratic institutions, on the other hand, remained weakened:

“Policymaking remained dominated by anti-democratic actors, with the military and intelligence agencies playing a particularly prominent role. The separation of powers was further limited. The president has extensive powers, while the independence of the judiciary is severely restricted, and parliament¹ remains a rubber-stamp institution consisting almost exclusively of pro-regime figures.” (Bertelsmann Stiftung, 2024, p. 3)

Freedom House makes a similar observation:

“Meaningful political opposition is virtually nonexistent, as expressions of dissent can draw criminal prosecution and imprisonment. Civil liberties, including press freedom and

¹ Freedom House describes the country’s parliament as follows: “The 2019 amendments to the 2014 constitution reestablished the Egyptian parliament as a bicameral body in which members serve five-year terms. The upper house, the Senate, consists of 300 seats and has no significant legislative competencies. Two-thirds of senators are elected (half through closed party lists and half in individual seats) and one-third are appointed by the president. The House of Representatives comprises 568 members, half elected through closed party lists and half in individual seats. The president has the right to appoint 28 additional members to the House.” (Freedom House, 2024, section A2)

freedom of assembly, are tightly restricted. Security forces engage in human rights abuses with impunity.” Freedom House, 2024, Overview)

“Since the 2013 coup, the military and intelligence agencies dominate the political system, with most power and patronage flowing from Sisi and his domestic allies in the armed forces and security agencies.” (Freedom House, 2024, section B3)

The constitutional amendments of 2019 (see above) also expanded the role of the military, for example, by tasking it with protecting “the constitution and democracy” and the “civilian nature” of the state, according to TIMEP (TIMEP, 17 April 2019). Legal amendments in 2021 tasked the military with securing “vital facilities” (Freedom House, 2024, section G2) and criminalised any gathering of information on the military without prior authorisation of the Ministry of Defense (Bertelsmann Stiftung, 19 March 2024, p. 8).

Moreover, “national security cases” continue to be tried before military courts under an emergency court system, according to the USDOS. This system was established during the state of emergency, which ended in October 2021. Emergency court verdicts cannot be appealed and can be ratified, amended, or annulled only by the president or his delegate (USDOS, 23 April 2024, section 1E). The country-wide state of emergency had been introduced in April 2017 after suicide bombings on two Coptic churches on Palm Sunday, killing at least 45 people (HRW, 12 April 2017). Despite a constitutional three-month limit for the state of emergency (renewable only once for another three-month period), President Al-Sisi had effectively kept the state of emergency for more than four years, according to TIMEP. Among the cases that continue to be tried before an emergency state security court (ESSC) is that of academic Patrick Zaki (TIMEP, 10 November 2021). For more information on Patrick Zaki’s case, see below [section 3.4.4.3](#).

Human Rights Watch (HRW), an international human rights organisation, notes that a so-called national dialogue, initiated by President Al-Sisi in May 2023 has not led to any “recognizable policy reforms” by October 2023, and that activists, including members of groups participating in the dialogue, continued to be detained by the authorities (HRW, 11 January 2024; see also The New Arab, 11 September 2023). Sources note that several groups have been barred from participating in the dialogue, including the Muslim Brotherhood (The New Arab, 11 September 2023; Ziada, 9 June 2023) and certain activists and civil society organisations (Ziada, 9 June 2023), while some opposition groups refused to participate. Certain topics have likewise been excluded from the discussion, including the existing constitution, the country’s foreign policy and national security and 31 rounds of discussion have reportedly not resulted in any consensus about how to address existing problems (The New Arab, 11 September 2023; Arab Center for Research and Policy Studies, 2 August 2023). The recommendations compiled during the first round were submitted to President Al-Sisi and a second round of the dialogue was reportedly launched in February 2024, focusing on economic issues such as high prices, high inflation rates, public debt, and others (Asharq Al-Awsat, 27 February 2024; see also Ahram Online, 26 February 2024).

Freedom House explains that since 2013, not only the country’s political system (Freedom House, 2024, section B3), but also its economy has been dominated by the military:

“Under Sisi, military authority is woven into many aspects of Egypt’s economy. The military runs businesses, produces goods, and manages megaprojects and infrastructure that

benefit from tax and customs exemptions, free labor through conscripted soldiers, lack of public budget oversight, and land allocation through presidential decrees.” (Freedom House, 2024, section G2)

Similarly, according to the Bertelsmann Stiftung’s country report of 2024, the “military-industrial complex” is mainly involved in infrastructure and construction projects, but also in the production of a variety of consumer goods (Bertelsmann Stiftung, 19 March 2024, p. 16). The International Institute of Strategic Studies (IISS), a London-based think tank with offices in Washington, Singapore, Bahrain and Berlin, notes that, for example, a company co-owned by the Ministry of Defense is involved in the construction of the New Administrative Capital together with an entity controlled by the Housing Ministry (IISS, December 2023; see also Elsheshtawy, 30 June 2023). Other sectors with military involvement include civilian transportation as well as telecommunication and media sectors (IISS, December 2023). Freedom House similarly notes that “[p]rivate media are generally owned by businesspeople linked to the military and intelligence services” (Freedom House, 2024, section D1). Moreover, the military reportedly has control over strategic assets such as the Suez Canal (Bertelsmann Stiftung, 19 March 2024, p. 16). Military-owned companies are not subject to Egyptian Competition Authority (ECA) oversight, according to the Bertelsmann Stiftung’s country report of 2024 (Bertelsmann Stiftung, 19 March 2024, p. 17; see also IISS, December 2023; Freedom House, 2024, section C3).

The IISS notes that the military’s involvement in the country’s economic sphere has also served another purpose:

“The military’s involvement in civilian life has also enabled the development of clientelist and patronage networks. Military loyalists, for example, have been rewarded with prestigious positions and contracts, while critics are silenced and isolated.” (IISS, December 2023; see also CSIS, 3 October 2023)

Freedom House indicates that most of the country’s provinces are governed by former military or police commanders (Freedom House, section B3). Moreover, former military personnel reportedly often receive senior positions in the country’s Administrative Control Authority (ACA), an oversight body for state institutions and the public sector (Bertelsmann Stiftung, 19 March 2024, p. 11).

While the IISS notes that the Gulf States, who have provided financial support to Egypt, have collaborated with the International Monetary Fund (IMF) to demand the restructuring of military-owned enterprises (IISS, December 2023), economist Khalid Ikram states in an interview with the Center for Strategic & International Studies (CSIS), a Washington-based bipartisan nonprofit policy research organisation, that (for the purpose explained above) authorities might comply solely in formal terms with such demands (CSIS, 3 October 2023). In December 2023, President Al-Sisi reportedly approved a plan to privatise some state-owned – but not military-owned – enterprises; the military, according to Freedom House, continues to have a dominant position in the economic sphere (Freedom House, 2024, section G2).

2 Security situation

2.1 North Sinai

With the Egyptian army battling Islamic militants, the north-eastern part of the Sinai Peninsula, near the border with Gaza, has reportedly been Egypt's most volatile region for years, (Open Doors, January 2024, p. 20). In November 2023, the USDOS reports for 2022 that the Islamic State Group-Sinai Province (IS-SP, or Ansar Bayt al-Maqdis), although "degraded", was still targeting "security forces, pro-government Bedouin groups, and civilians" in North Sinai (USDOS, 30 November 2023(a)). While President Al-Sisi declared in February 2023 that terrorism had been defeated in the region (Amnesty International, 24 April 2024; Open Doors, January 2024, p. 20), sporadic attacks reportedly persist (Amnesty International, 24 April 2024; Crisis24, 11 October 2023; Reuters, 31 July 2023), with concerns that violence could spread further in Sinai (Open Doors, January 2024, p. 20) and the Egyptian army and police forces maintaining "a heavy presence" (Reuters, 31 July 2023).

Throughout 2023, clashes involving government security forces, terrorist organisations such as IS-SP, and various militias and criminal gangs continued to be reported in North Sinai. Rights groups and media reports determined that the main threats to civilians in the region stemmed from gunfire exchanges between state security forces and armed groups and from IEDs [improvised explosive device] left in civilian areas by IS-SP (USDOS, 23 April 2024, Section 1I). In 2022, "tribes who were mobilized under the supervision of the Armed Forces to eliminate remnants of the Islamic State-affiliated Province of Sinai militant group" began to return to their former villages, from which they had been displaced by the conflict. As many villages were still contaminated with IEDs from the conflict, and communities reportedly lacked the necessary support to locate and neutralise the explosives, President Al-Sisi ordered the armed forces to clear IEDs in North Sinai in early 2023. Since then, 7,500 landmines have been removed (Mada Masr, 13 June 2024).

In June 2024, Mada Masr, an Egypt-based online newspaper, reported that 15 people, including 12 children, had been killed and 28 others, including 20 children, injured by IEDs in North Sinai since January 2022 (Mada Masr, 13 June 2024). In May 2023, for example, a 12-year-old boy was reported killed and two other youths injured in the Tuffaha area, in the northwestern Sinai Peninsula, when an IS-SP planted IED exploded (The Meir Amir Intelligence and Terrorism Information Center, May 2023, p. 2; USDOS, 23 April 2024, Section 1I). More recently, in June 2024 two children were killed and six injured when an IED detonated in a field in western Sheikh Zuwayed and a young construction worker was killed in the south of Egypt's Rafah in North Sinai by the detonation of one of two IEDs discovered in the area (Mada Masr, 13 June 2024). According to USDOS reports, official numbers for civilian, military, and terrorist casualties in the region were lacking (USDOS, 23 April 2024, Section 1I; USDOS, 30 November 2023(a)) due to security restrictions in North Sinai and limitations on media and government coverage (USDOS, 30 November 2023(a)). For the period between 1 January 2023 and 24 May 2024, the Armed Conflict Location & Event Data Project (ACLED)² lists 24 security-related incidents in Egypt's North Sinai, coded as battles, explosions/remote violence, violence against civilians, protests

² For detailed information on ACLED's methodology, please see their Codebook (ACLED, 2023)

and strategic developments, resulting in 13 fatalities³ (ACLED, as of 24 May 2024). In regard to civilian casualties caused by the military operations against the insurgency in Sinai, the Arab Reform Initiative, a collaborative think tank, states in October 2023:

“It is difficult to estimate the number of local civilians or insurgents killed in the operations. For instance, when aggregated, the number of ‘terrorists’ killed in Sinai based on official military statements, from August 2011 (Operation Eagle 1) to September 2015 (Operation Martyr’s Right 2), is well over 3,000, which is double or triple any estimates by independent observers given the size of the insurgent force.” (Arab Reform Initiative, 13 October 2023)

In August 2023, the Cairo Institute for Human Rights Studies (CIHRS), an independent human rights advocacy organisation, reports on armed clashes at the National Security headquarters in Al-Arish in July 2023, which led to the deaths of at least four security personnel, including a colonel, according to media sources (CIHRS, 10 August 2023; see also Reuters, 31 July 2023). Reports varied as to the parties involved and whether civilians or militant detainees were injured. As of August 2023, Egyptian authorities had not issued any comments on the incident (CIHRS, 10 August 2023).

In January 2024, the Christian NGO Open Doors reports, citing other sources, that “[i]n recent years, the Egyptian security forces have regularly conducted operations against [...] militant groups, often at no small cost to the local population” (Open Doors, January 2024, p. 20). With regard to abuses committed by both the army and militant insurgents and on the difficulties reporting on them, the CIHRS notes the following in August 2023:

“Despite the restrictions on information, independent media and human rights organizations have documented an array of serious abuses committed in Sinai by Egyptian security forces and aligned militias, as well as the jihadi insurgents. Crimes committed include forced displacement and home demolitions, mass arbitrary arrests, torture, and extrajudicial executions. Residents of Sinai have also suffered severe restrictions on movement and frequent shutting down of internet and communication services. Yet the real scale of the human rights abuses committed in Sinai cannot be uncovered in light of the Egyptian authorities’ crackdown on independent media and civil society, and lack of transparency.” (CIHRS, 10 August 2023)

Lacking official information and a media blackout in North Sinai hinder independent scrutiny of the government’s actions in the area. According to CIHRS, this lack of transparency undermines “the right of citizens to question, investigate and consider whether public duties, including on security and the fight against terrorism, are being performed properly” (CIHRS, 10 August 2023).

For further information on human rights violations in the context of counterterrorism operations please see [section 2.3](#).

Citing a local human rights group, the USDOS mentions in April 2024 that the conflict in Sinai had affected access to education and damaged infrastructure, with government forces, pro-

³ Please note that ACLED does not differentiate between civilian and non-civilian casualties (ACLED, January 2023, p. 3)

government militias and IS-SP using educational facilities for military purposes (USDOS, 23 April 2024, Section 11). In June 2023, the Sinai Foundation for Human Rights (SFHR), an independent, non-governmental human rights organisation, reports:

“Out of the violations we documented against schools in all of North Sinai, 60 schools were demolished or attacked and 39 schools were used as military posts some of which continue to serve as army quarters till the day of publication. A compromised education system arises as thousands of students are left with no education and heightened illiteracy.” (SFHR, 30 June 2023, p. 3)

Egypt is also reported to have “supported progovernment tribal militias in the Sinai that recruited or used child soldiers during the reporting period of April 2022 to March 2023” (USDOS, 23 April 2024, Section 11). In December 2023, the UN Committee Against Torture (CAT) also refers to the alleged recruitment of child soldiers to participate in the ongoing armed violence in North Sinai (CAT, 12 December 2023, p. 11).

2.2 Extremist groups

In January 2024, Open Doors reports that “[r]adical Islamic groups such as the Muslim Brotherhood have nationwide support, but in recent years violent Islamic militants have only been openly active in the north-eastern area of the Sinai Peninsula” (Open Doors, January 2024, p. 27). According to the November 2023 USDOS Country Report on Terrorism (covering 2022) terrorist activity in Egypt declined in 2022 compared to previous years, with IS-SP being the “only group to publicly claim responsibility for terrorist attacks in Egypt during 2022” (USDOS, 30 November 2023(a)). Other extremist groups previously active in Egypt, such as the Harakat Sawa’d Misr (HASM) or the IS-IP aligned Army of Islam (AOI) reportedly did not claim responsibility for any attacks in 2022 (USDOS, 30 November 2023(b); USDOS, 30 November 2023(c)).

In regard to IS-SP’s activities and presence in 2023, the American Enterprise Institute (AEI), a public policy think tank reports in September 2023:

“In North Africa, Egyptian counterterrorism pressure on the Islamic State Sinai Province (ISSP) significantly weakened the group. ISSP has relocated to western Sinai and may have only conducted one attack in 2023: an unclaimed attack on an Egyptian military vehicle in southern Sinai in March 2023.” (AEI, 11 September 2023)

In line with this, by December 2023, IS-SP was reported to be “largely inactive after several intensive operations against it by the Egyptian Armed Forces (EAF) and Sinai Tribes Union” in late 2023, but still considered “the most active and capable jihadist terrorist group operating in Egypt” (Grey Dynamics, 21 December 2023). In November 2023, the USDOS estimates the strength of IS-SP at “500 fighters in the Sinai Peninsula and affiliated cells in the Nile valley” (USDOS, 30 November 2023(d)). A January 2024 report by the Secretary-General to the Security Council the UN Security Council provides the following information:

“The capabilities of the Da’esh-affiliated Ansar Bayt al-Maqdis (not listed) were effectively constrained by Egyptian security forces. The group’s strength was assessed to be only a few hundred fighters. One Member State characterized the group as eradicated, with its remaining elements considered as fugitive violent extremists seeking refuge in desert

areas. Some Member States reported that the group had relocated west of the Sinai, closer to the Suez Canal, where its operations were more opportunistic than strategic.” (UN Security Council, 31 January 2024, p. 6)

In its October 2023 report on the Egyptian army’s counterinsurgency campaign in Sinai, the Arab Reform Initiative notes that the aggression of the Egyptian military and police created a recruitment pool of young Bedouins for the insurgency and led to a degree of communal support for the militants in the course of the counterinsurgency. In 2023, protests were staged against the government in North Sinai due to ongoing grievances (see [section 2.3.2.3](#)) that “may well provide the objective conditions for the resurgence of armed militancy in the future”, as argued by the Arab Reform Initiative (Arab Reform Initiative, 13 October 2023). By way of contrast, the state-owned Egyptian newspaper Ahram Online reports in July 2023 that “Egypt has succeeded in containing all threats to its national security” including terrorist threat and has handled them “in a balanced manner that ensures both the prevention of these threats and the maximisation of strategic gains”. However, Ahram Online notes that this does not mean that all threats have been completely eradicated (Ahram Online, 4 July 2023).

In August 2023 Vladimir Voronkov, Under-Secretary-General of the United Nations Counter-Terrorism Office, notes in relation to the situation in Egypt, among other countries, that “Da’esh has moved to adopt less hierarchical and more networked, decentralized structures, following in Al-Qaida’s footsteps, with increased operational autonomy by its affiliated groups”, leaving the potential of a resurgence (UN, 25 August 2023).

As reported in late 2023 by Crisis24 and Grey Dynamics, a London-based independent intelligence agency, the situation and possible resurgence of militant groups in the Sinai Peninsula also depends on the impact of the ongoing Israel-Gaza conflict (Crisis24, 11 October 2023; Grey Dynamics, 21 December 2023).

In its November 2023 Country Report on Terrorism (covering the year 2022), the USDOS reports at least 95 terrorist attacks in the Sinai Peninsula in 2022⁴, resulting in approximately 260 casualties (USDOS, 30 November 2023(a)). The attacks reported in 2022 and 2023, included gunfire, IEDs, killings (USDOS, 23 April 2024, Section 1I; USDOS, 30 November 2023(a)), kidnappings, complex attacks, ambushes and targeted assassinations (USDOS, 30 November 2023(a)).

In addition to extremist incidents in the Sinai Peninsula, attacks by extremist mobs on Christian churches, homes and property were reported in villages in Minya province in 2023 and 2024 (see, e.g., CSW, 30 April 2024; CSW, 24 April 2024; CSW, 20 December 2023). For more detailed information on the situation of religious minorities, please see [section 3.4.4](#).

No further information on the presence of and human rights abuses by extremist groups during the period covered by this report could be found within the time constraints of the research.

⁴ Please note that at the time of writing this report, the USDOS Country Report on Terrorism covering 2023 was not yet published.

2.3 Human rights violations during counterterrorism operations

In November 2023, the USDOS reports that, although the national state of emergency came to an end in 2021, President Al-Sisi ratified laws the same year incorporating many emergency powers into criminal law. In addition, other laws grant the government special powers in North Sinai, where counter-terrorism operations are concentrated (USDOS, 30 November 2023(a)). According to an August 2023 article by the Cairo Institute for Human Rights Studies (CIHRS),

“Sinai has effectively been under a state of emergency for nearly a decade, including through Article 53 of the Counter-Terrorism Law 94/2015, granting the President the right to take measures to maintain security and public order, including the evacuation or isolation of some areas or imposition of a curfew, which paved the way for presidential Decree 442/2021 through which authorities imposed sweeping security measures in Sinai.” (CIHRS, 10 August 2023)

Since 2013, Egyptian military operations and counter-terrorism policies against Islamist insurgents in Sinai have resulted in the region being consistently treated as a “closed military zone” (CIHRS, 10 August 2023). Although freedom of movement is guaranteed by the Egyptian constitution, in North Sinai restrictions on movement are in place (Freedom House, 2024, Section G; USDOS, 23 April 2024, Section 1I), with curfews, checkpoints and other obstacles to travel for Sinai residents (Freedom House, 2024, Section G).

In addition, media access to North Sinai is reportedly severely restricted (USDOS, 23 April 2024, Section 1I; Arab Reform Initiative, 13 October 2023). As reported by CIHRS in August 2023, the “lack of transparency on Sinai is part of the authorities’ wider restrictions on access to information in Egypt at large”. Under Article 35 of Law 94/2015 on Counter-Terrorism, publishing or distributing news that “contradict the statements” of the Ministry of Defence on militant attacks in Egypt is a crime, effectively reducing information on Sinai and the security situation to the narrative of the authorities. In 2020, Egypt’s top media regulatory body, the Supreme Council for Media Regulations, threatened legal actions against journalists and social media users whose coverage of Sinai deviates from the official line. According to the “loosely defined criteria” outlined in Article 94 of Law 180/2018 on the Regulation of the Press and Media, the council has the power to ban and remove media content (CIHRS, 10 August 2023). As reported by Justice House in a submission to the UN expert mechanism on the rights of indigenous peoples, which was published in January 2023 by the Office of the High Commissioner for Human Rights (OHCHR), since 2013 Egypt has maintained a strict media blackout on operations in Sinai, controlling local media coverage of the region to avoid discussing the forced displacement of Bedouins⁵ from their homes, the mass arrests of people living in North Sinai, the detention of journalists covering the region, and the threat of death or shooting for carrying out their journalistic duties (Justice House, January 2023, p. 2). Likewise, CIHRS mentions that reporting on Sinai is further hindered by restrictions on physical access since 2013, particularly for independent media and civil society organizations, with authorities

⁵ The indigenous Bedouins, who make up the majority of Sinai’s population (ICCT, 7 April 2014) and live along the Egyptian border, are particularly affected by the impact of militarisation in North Sinai (Justice House, January 2023).

sometimes completely barring access to Sinai unless individuals can prove residency or employment there (CIHRS, 10 August 2023). In term of civil society organizations, Justice House further notes:

“The implementation of military laws and policies in the indigenous areas also result the restriction of the Freedom of action of NGOs and human rights defenders. The Egyptian authorities prevent non-governmental organizations, especially those that document human rights violations, from working in indigenous areas and target lawyers and activists collaborating with them [...]. Human rights defenders and activists are quickly accused, arrested, and sentenced for crimes that carry prison sentences in order to intimidate communities and entire peoples.” (Justice House, January 2023, p. 2)

In regard to the Egyptian military approach in North Sinai, the Bertelsmann Stiftung states in March 2024:

“In recent years, security forces have initiated several large-scale counteroffensives [...] However, the long-term implications of the regime’s harsh militarized approach remain unclear as it has done little to tackle the root causes of terrorism. Moreover, obtaining accurate information on developments in Sinai is impossible as the regime does not allow observers to enter the area and tightly controls the narrative of its antiterrorism fight.” (Bertelsmann Stiftung, 19 March 2024, p. 6)

For further information on the situation of human rights defenders, please see [section 3.1.3](#) for more details on the situation of journalists and other media professionals, please see [section 3.1.4](#).

According to CIHRS, under the pretext of counter-terrorism operations (CIHRS, 25 October 2023; see also HRW, 1 November 2023; Zawia3, 28 February 2024), the military has reportedly committed serious crimes against civilians in North Sinai in the course of their operations, in violation of international human rights law (CIHRS, 25 October 2023). These reportedly included arbitrary detention, torture (Justice House, January 2023, p. 2), including of children (Arab Reform Initiative, 13 October 2023), and extrajudicial killings and enforced disappearances (Arab Reform Initiative, 13 October 2023; Justice House, January 2023, p. 2). However, as mentioned in an October 2023 report by the Arab Reform Initiative, the Egyptian military has never acknowledged a single case of wrongful arrest or wrongful killing, nor has it ever publicly released estimates of civilian casualties (Arab Reform Initiative, 13 October 2023). For further information on casualty figures in North Sinai, please see [section 2.1](#).

Above mentioned counter-terrorism measures moreover included the forced displacement of residents starting in 2013 as part of a wider strategy to create buffer zones along the Gaza border to prevent militant activity, resulting in the demolition of homes and agricultural land (Zawia3, 28 February 2024; CIHRS, 25 October 2023) in the cities of Rafah, Sheikh Zuweid, and Al-Arish (CIHRS, 25 October 2023). In its annual report covering 2023, Amnesty International notes that “tens of thousands of North Sinai residents were barred from returning to their homes” and refers to reported house demolitions and forced evictions in the city of Al-Arish (Amnesty International, 24 April 2024).

In October 2023, hundreds of North Sinai residents gathered in villages near the Egyptian border, demanding the right to return to lands they had been forced to leave (Zawia3,

28 February 2024) since 2014 (Amnesty International, 24 April 2024, see also HRW, 1 November 2023). The peaceful protests and sit-ins (Amnesty International, 24 April 2024), aimed at highlighting the government's failure to fulfil promises of return by 23 October 2023, led to the violent dispersal by security forces (HRW, 1 November 2023; Zawia3, 28 February 2024), including the unlawful firing of live ammunition (Amnesty International, 24 April 2024) and arrests, resulting in an increase in tensions and condemnation of the incident by human rights organisations (Zawia3, 28 February 2024; see also CIHRS, 25 October 2023).

In addition, with the escalation of the Israel-Gaza conflict in October 2023, the situation in Sinai is influenced by broader geopolitical developments (Zawia3, 28 February 2024), as also mentioned by the CIHRS in October 2023:

“The recent protests by the population in North Sinai have arisen out of fear due to the repeated media reports about Israeli plans to displace Gazan residents in Palestine to the northern Sinai region. There have also been indications of intense pressure on the Egyptian government to permanently accept Palestinian refugees from Gaza in Sinai. Adding to these fears is the displacement of residents of areas in eastern Sinai, and the complete destruction of their infrastructure, especially in the city of Rafah and several villages in Sheikh Zuweid, as a result of a full decade of military operations against the Sinai Province organization and decisions by the Egyptian president that emptied the region of its population.” (CIHRS, 25 October 2023)

3 Human rights situation

3.1 Freedom of expression

3.1.1 Legal framework

The Egyptian Constitution of 2014 guarantees freedom of thought and expression of opinion through speech, writing, imagery and other forms of expression (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Article 65). It further contains stipulations regarding press freedom (Article 70), prohibition of censorship (Article 71) as well as independence of press institutions and media outlets (Article 72) (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019). In practice, however, the government “frequently did not respect this right” and “[h]uman rights defenders, journalists, activists, and others regularly faced criminal prosecution on charges that observers assessed as retaliation against criticism of the government” (USDOS, 23 April 2024, section 2A).

A press release signed by several human rights organisations and published by the Egyptian Initiative for Personal Rights (EIPR) in July 2023 notes that “the Egyptian Penal Code, which was amended in 2014, as well as the Counter-Terrorism Law and the Terrorist Entities Law, both issued by presidential decree in 2015, have been routinely used to punish peaceful dissent” (EIPR, 24 July 2023).

Penal Code Law No. 58 of 1937

The Egyptian Penal Code contains several restrictions regarding freedom of expression. Article 133 stipulates a prison sentence of up to six months or a fine for insulting a public employee or a police officer while performing their job; or a judicial representative during a session. Article 134 stipulates the same penalty if such defamation occurs through writing or drawing. Articles 171-201 contain penalties for crimes occurring by means of newspapers and others, with Articles 178-179 imposing fines for publishing images that harm the country’s reputation or insult the President. Articles 184-186 contain penalties for insulting public employees, legislators, the army and court authorities. According to Article 188, anyone who publishes false news with the aim of disturbing public peace or harming public interest, shall be sentenced to up to one year in prison and a fine. (Penal Code Law No. 58 of 1937, 21 July 1937, with amendments up to 15 August 2021, Articles 133; 171-201)

Amendments were passed in 2021, tightening punishments for journalists covering criminal trial sessions without prior approval and increasing penalties for disclosing classified information (Freedom House, 2024, section D1, see also Penal Code Law No. 58 of 1937, 21 July 1937, with amendments up to 15 August 2021, Articles 190-193).

Counter-Terrorism Law No. 94 of 2015 and Terrorist Entities Law No. 8 of 2015

In 2015, the Egyptian government adopted two terrorism-related laws, the Counter-Terrorism Law and the Terrorist Entities Law (Counter-Terrorism Law No. 94 of 2015, 15 August 2015, with amendments up to 3 March 2020; Terrorist Entities Law No. 8 of 2015, 17 February 2015). According to a joint report published by the London-based anti-torture advocacy organisation

REDRESS (REDRESS, undated) in cooperation with several other rights organisations, the Egyptian authorities use these laws to silence criticism of state policies and actions (REDRESS et al., October 2023, p. 33).

The Counter-Terrorism Law contains broad and vague definitions of the term “terrorist”, “act of terrorism” and “terrorism financing” (REDRESS et al., October 2023, p. 33), widening the scope of crimes that are considered terrorism and prescribing harsh penalties for nonviolent acts (Freedom House, 4 October 2023, section C2). According to Article 29, anyone creating or using a website to incite terrorist acts or broadcast content misleading the security authorities or provide information related to terrorist actions or terrorist groups shall receive a minimum five-year prison sentence (Counter-Terrorism Law No. 94 of 2015, 15 August 2015, with amendments up to 3 March 2020, Article 29). Article 35 proscribes a fine and a possible temporary professional ban for anyone who publishes information on counterterrorism operations that contradicts official statements made by the Ministry of Defence (Counter-Terrorism Law No. 94 of 2015, 15 August 2015, with amendments up to 3 March 2020, Article 35). Articles 40 and 41 of the law enable enforced disappearances by providing legal cover for holding individuals incommunicado for up to 28 days (EIPR, 24 July 2023; see also CAT, 12 December 2023, p. 3). Article 49 allows the Public Prosecution and investigative authorities to suspend and block websites (CIHRS, 5 December 2023).

Freedom House reports the following regarding amendments passed to the Counter-Terrorism Law in 2020:

“In March 2020, amendments to the antiterrorism law were passed, which prescribe severe penalties for expressing opinions online. Promoting extremist ideology can carry a 10-year prison sentence, while promoting terrorist acts, extremist ideology, or ideas and beliefs that advocate violence can result in imprisonment for up to 15 years.” (Freedom House, 4 October 2023, section C2).

The Terrorist Entities Law allows the Public Prosecution to put individuals and entities on terrorism lists (REDRESS et al., October 2023, p. 33; EIPR, 24 July 2023). For the inclusion into a list, no proof is needed that a specific crime has been committed, which lead to 4,620 citizens, among them human rights defenders, being put on terrorism lists without trial between 2015 and 2022 (EIPR, 24 July 2023). In May 2023, a criminal court in Cairo decided to keep 1,526 citizens on terrorism lists for five more years (CIHRS, 18 May 2023). Being put on a terrorism list entailed a restriction on free movement or travel as well as freezing of assets (CIHRS, 18 May 2023; ElGendy, 5 July 2023). The REDRESS et al. report further explains that “this law has been used as a tool for the persecution of government critics and human rights defenders, as well as to justify arbitrary arrests, torture and other ill-treatment” (REDRESS et al., October 2023, p. 33).

Anti-Cybercrimes Law No. 175 of 2018

In August 2018, the Anti-Cybercrimes Law came into force (Anti-Cybercrimes Law No. 175 of 2018, 14 August 2018). It allows the authorities to block websites that are considered a threat to national security or on other vaguely define grounds (Freedom House, 4 October 2023, section B3, see Anti-Cybercrimes Law No. 175 of 2018, 14 August 2018, Article 7), while service providers who do not comply with a blocking decision face prison sentences and fines (Freedom

House, 4 October 2023, section B3; TIMEP, 19 December 2018). Anyone visiting a banned website can be punished with a prison sentence of at least one year and a fine (Anti-Cybercrimes Law No. 175 of 2018, 14 August 2018, Article 14). According to Article 25, anyone who infringes family values of the Egyptian society can receive a prison sentence of at least six months and a fine (Anti-Cybercrimes Law No. 175 of 2018, 14 August 2018, Article 25).

The Bertelsmann Stiftung states that during the reporting period of its country report February 2021 to January 2023, hundreds of bloggers and social media users were detained “for comments criticizing the ruling elite, sharing atheist views or defending homosexuality, among other issues”, often based on violations stipulated in the Anti-Cybercrimes Law (Bertelsmann Stiftung, 19 March 2024, p. 9).

Law No. 180 of 2018 regulating the Press, Media, and the Supreme Council for Media Regulation (SCMR)

In August 2018, Law No. 180 of 2018 regulating the Press, Media, and the Supreme Council for Media Regulation went into effect (Law No. 180 of 2018 regulating the Press, Media, and the Supreme Council for Media Regulation (SCMR), 27 August 2018). The law requires news sites to obtain a SCMR license (Freedom House, 4 October 2023, section B3). Vague terminology within the law such as “fake news” allows the SCMR to suspend and block websites (CIHRS, 5 December 2023; see also TIMEP, 15 May 2019). It further allows authorities to block any personal website, a blog or a social media profile with more than 5,000 followers for publishing false news and various other reasons (Atlantic Council, 12 June 2024; USDOS, 23 April 2024, section 2A).

In March 2019, a list of sanctions for violations of Law No.180 was published, with sanctions including fines, disciplinary action and banning of content (TIMEP, 15 May 2019, see also Freedom House, 4 October 2023, section B3).

Prosecution for libel and slander

Libel, slander, and defamation are criminalised by the law (USDOS, 23 April 2024, section 2A), with the Penal Code stipulating that if a public statement is made containing defamation, insults or slander attacking the honour of an individual or damaging the reputation of their family members, the penalty is a prison sentence as well as a fine (Penal Code Law No. 58 of 1937, 21 July 1937, with amendments up to 15 August 2021, Article 308). The Anti-Cybercrimes Law stipulates a minimum six-month prison sentence and a fine for violating someone’s privacy without their consent using information technology (Anti-Cybercrimes Law No. 175 of 2018, 14 August 2018, Article 25).

Rights groups reportedly accused the government of using libel and slander laws to silence critics and activists (USDOS, 23 April 2024, section 2A). Moreover, private citizens can file legal complaints for “violation of public morality” on social media, which in turn allows the authorities to censor online content and restrict free expression and actions of internet users (Freedom House, 4 October 2023, section B2). For example, government critic Hisham Kassem was handed a six-month prison sentence for defamation (Mada Masr, 16 September 2023). A former government minister had lodged a complaint of defamation against Kassem due to the latter having criticized him online (Amnesty International, 14 September 2023). Chairman of

Zamalek football club Mortada Mansour in 2023 was sentenced twice to several months in prison for his public slander of a footballer (The New Arab, 9 July 2023).

3.1.2 *Censorship*

Since president Al-Sisi took office in 2013, the country's media landscape has become dominated by progovernment outlets and private media are in the hands of businesspeople with ties to the military and intelligence services (Freedom House, 2024, section D1). Most TV channels, newspapers and radio stations are owned by the United Media Services Company (UMS) which is controlled by the intelligence services (CFJ et al., 30 January 2023, p. 21). TIMEP recounts based on information gained from persons working in UMS-owned media how lists are shared on a daily basis of topics to be covered and in some instances, the security services have reportedly sent ready-made scripts to newspapers and TV channels, which are to be copied or read aloud without any alterations (TIMEP, 28 March 2024).

The April 2024 USDOS report describes government oversight over broadcast, print and online media through the Supreme Council for Media Regulation (SCMR):

"The government regulated the licensing of newspapers and controlled the printing and distribution of most newspapers, including private newspapers. The law designated the Supreme Council for Media Regulation (SCMR) as an independent body with members appointed by the president to regulate the media sector, also overseeing both the National Media Authority (for broadcast outlets) and the National Press Authority (for print outlets). The SCMR issued licenses for media outlets and websites, had the authority to block websites, and monitored media funding and content. More than 20 state-owned media outlets broadly supported official state policy. The National Press Authority held the power to appoint and dismiss editorial leadership of state-owned print outlets. The governmental Egyptian Radio and Television Union appointed the heads of state-owned radio and television channels. Both state-owned and private media (including television and online news sites) occasionally broadcast and published mild criticism of government policies, but dominant media narratives supported the president and his policy initiatives. The law considered websites and social media accounts with at least 5,000 subscribers to be media outlets, required them to pay a licensing fee, and granted the SCMR broad discretion to block their content." (USDOS, 23 April 2024, section 2A)

The government has further tried to control the narrative by muzzling independent media, blocking independent websites and targeting journalists (TIMEP, 28 March 2024). A range of laws are employed "to censor online content without judicial approval and block any website considered to be a threat to national security" (Freedom House, 2024, section D1). More than 600 news, human rights and other websites remained blocked in 2023 (Amnesty International, 24 April 2024). In June 2023, the news websites Soult4 and Masr 360 were blocked, the first presumably due to featuring political news of the opposition Civil Democratic Movement, the latter for criticizing the acquisition by Emirati companies of Egyptian assets (Access Now, 22 June 2023). The independent news website Mada Masr, which has been blocked in Egypt since 2017 (Mada Masr, 24 May 2023), in October 2023 was issued another six-month ban by the SCMR following reporting by the outlet on the Israel-Gaza conflict (CPJ, 31 October 2023). The Egyptian Rights group Association for Freedom of Thought and Expression (AFTE) (Reuters, 3 May 2023; AFTE, undated) in its annual report on freedom of expression in Egypt in 2023

documents two cases in which the SCMR received complaints regarding content published on certain websites, decided to conduct investigations and refer the cases to the Public Prosecutor (AFTE, last updated 30 May 2024). One such case concerned the platform Saheeh Masr in the wake of its election coverage in December 2023 (SCMR, 10 December 2023). AFTE reports that the website Zat Misr had to remove content on its website due to pressure from the authorities and further documented several incidents of hacking after which content disappeared from the same website (AFTE, last updated 30 May 2024).

Content shared on social media was restricted by governmental bodies issuing bans regarding certain topics prepublication, or by the government pressuring users to take content offline (Freedom House, 4 October 2023, section B2). According to Freedom House, “repressive criminal laws and the rising number of arrests for social media posts” prompted not only online journalists or activists, but also private citizens to exercise self-censorship (Freedom House, 4 October 2023, section B4). Amnesty International between January and March 2024 documented four cases in which individuals were arbitrarily arrested for postings on social media in which they criticised the government’s handling of the economic crisis or complained about rising prices. Facing fabricated terrorism-related charges and charges of publishing “false news”, all four remained in pretrial detention as of mid-May 2024 (Amnesty International, 13 May 2024). In May 2024, two students were detained and charged with joining a terrorist group and publishing false news for posting statements on social media in support of Palestine (Amnesty International, 14 June 2024).

3.1.3 Situation of human rights defenders

According to the USDOS, human rights defenders and activists were among those placed under surveillance by the security agencies; subjected to home searches without judicial authorisation and confiscation of personal property (USDOS, 23 April 2024, section 1H) and furthermore faced criminal prosecution for criticising the government (USDOS, 23 April 2024, section 2A) as well as restriction of movement (USDOS, 23 April 2024, section 2D). Throughout 2023, human rights defenders and journalists were among the 820 people put on terrorism lists without trial, leading to their loss of civic and political rights, while 20 human rights defenders remained affected by travel bans and/or asset freezes (Amnesty International, 24 April 2024). Human Rights defenders were furthermore among the dozens of detained persons during the months leading up to the presidential elections (HRW, 18 December 2023).

3.1.3.1 Prosecutions and convictions of human rights defenders

The USDOS in its annual report on human rights in 2023 states that “[h]uman rights defenders (HRDs) and political activists routinely faced governmental and societal harassment and intimidation, including through criminal prosecutions, interrogations by security officers, asset freezes, and travel bans” (USDOS, 23 April 2024, section 5). The International Center for Not-for-Profit Law (ICNL) reports that civil society members faced charges under the 2015 counterterrorism legislation for their advocacy. Charges levelled against them included “disturbing the public order” or “harming national security” with penalties stipulating long prison sentences (ICNL, 11 February 2024). In March 2023, Ezzat Ghoniem, founder of the human rights group Egyptian Coordination for Rights and Freedoms, was handed a 15-year prison sentence for joining and funding a terrorist group (AP, 5 March 2023). The sentence concluded a mass trial held in front of an emergency court (Amnesty International, 12 April

2023). Lawyer and human rights defender Hoda Abdel-Moneim in October 2023 completed a 5-year prison sentence based on falsified terrorism-related charges (EIPR, 30 April 2024). She had worked to expose torture and forced disappearance committed by state forces (ICNL, 11 February 2024). On the last day of her sentence, a new case was immediately opened against her based on the same charges (EIPR, 30 April 2024).

Human rights lawyer Mohamed Al-Baker, who was arrested in 2019 and sentenced to four years in prison in 2021, was released by presidential pardon in July 2023 after having suffered ill-treatment while in detention (REDRESS et al.; October 2023, p. 21). Hossam Behgat, head of EIPR, was exonerated of his charges in March 2024 after 13 years of being under criminal investigation and 8 years of being put under a travel ban and asset freezes without trial (The New Arab, 21 March 2024).

3.1.3.2 Treatment of family members of human rights defenders by state actors

Local and international human rights organisations reported cases of arrests (CPJ, 23 August 2023; The New Arab, 30 August 2023) as well as continued imprisonment of family members of human rights defenders during the reporting period (HRW, 22 February 2024, p. 22; Amnesty International, 3 April 2024). In July 2023, the Egyptian NGO Association for Freedom of Thought and Expression (AFTE) released a research report detailing the cases of family members of human rights defenders and political dissidents who have been imprisoned in Egypt or harassed abroad between 2016 and mid-2023 (AFTE, 25 July 2023).

In August 2023, authorities arrested Gamal Ziada, father of Belgium-based Egyptian freelance journalist Ahmed Ziada, who covers human rights issues in Egypt (CPJ, 23 August 2023). He was subsequently released following a 28-day detention during which he was questioned about his son's work and accused of spreading false news (MEE, 20 September 2023). Further in August 2023, Fagr Eladly, an activist and government critic living in Germany reported that her father had been detained in Egypt. According to her, the family was only informed 48 hours after his arrest that he was accused of "spreading false information", a charge that in her eyes was meant to be a retaliation for her activism abroad (The New Arab, 30 August 2023). Her father was released several weeks later (Der Spiegel, 25 October 2023).

3.1.4 Situation of journalists and other media professionals

In the annual Press Freedom Index⁶ published by Reporters Without Borders (Reporters Sans Frontières, RSF) in 2024, Egypt ranked 170 among a total of 180 countries (RSF, 2024). According to the USDOS, journalists were among those placed under surveillance by the security agencies; subjected to home searches without judicial authorisation and confiscation of personal property (USDOS, 23 April 2024, section 1H) and furthermore faced criminal prosecution for criticising the government (USDOS, 23 April 2024, section 2A) as well as restriction of movement (USDOS, 23 April 2024, section 2D). In its country report on the state of human rights in Egypt in 2023, Amnesty International reports that journalists faced charges such as "spreading false news", "insulting" public officials, misusing social media and belonging to a terrorist group (Amnesty International, 24 April 2024).

⁶ The Press Freedom Ranking is based on a score assigned to each country based on five indicators: political context, legal framework, economic context, sociocultural context and safety (RSF, undated).

AFTE documented the arrest of at least three journalists and the illegal detention of another during 2023, representing a decrease by 14 cases compared to 2022 (AFTE, last updated 30 May 2024), while 21 journalists remained imprisoned (Syndicate of Journalists, February 2024, p. 20; Amnesty International, 24 April 2024). The Egyptian Syndicate of Journalists states that most of the cases of imprisoned journalists (syndicated and non-syndicated) it followed up on were journalists held in pretrial detention (Syndicate of Journalists, February 2024, p. 20). RSF as of March 2024 reported 14 journalists and bloggers imprisoned of which only six had been tried and convicted. The source features a small profile for each journalist, with the date of their imprisonment and the charges levelled against them. Many of the featured journalists have been imprisoned for several years, more than half of them without being sentenced. Charges levelled against them were “disseminating false news” or “publishing false news” (eight cases), and various terrorism-related charges such as “membership of a terrorist group”, “abetting terrorism” and “terrorism and vandalism” among other charges (RSF, last updated 25 March 2024).

The Washington-based think tank The Tahrir Institute for Middle East Policy (TIMEP) reports the following related to terrorism charges brought against journalists:

“Terrorism charges are also routinely brought against individuals deemed as dissenting, including activists, critics, and lawyers, among others. Journalists are no exception. In April 2023, the Cairo Criminal Court added 81 individuals to its terrorism list, including 33 media personnel and employees of Egyptian and foreign media outlets broadcasting from abroad. Among them were nine journalists and presenters from Al Jazeera. In July 2023, 12 more names were added to the list for five more years, including prominent media personalities operating in exile.” (TIMEP, 3 May 2024)

Staff from the independent news outlet Mada Masr were repeatedly subjected to judicial harassment throughout the reporting period (USDOS, 23 April 2024, section 2A; CIHRS, 5 December 2023; Mada Masr, 20 February 2024). In March 2023, three Mada Masr reporters faced criminal prosecution for charges related to “spreading false news”, misusing social media and defaming members of a political party, with the defendants remaining free on bail (USDOS, 23 April 2024, section 2A, see also Reuters, 1 March 2023). In December 2023, editor-in-chief Lina Atallah was summoned for investigation by the Cairo Appeals Prosecution (CIHRS, 5 December 2023), and again in February 2024 on charges of “publishing false news” and “managing a website without a license”. While the investigation into the charges was still pending as of February 2024, Atallah was released on bail and if sentenced could face a fine of up to 3 million EGP (USD 62,526)⁷ for establishing a website without a license, or up to a one-year prison sentence for publishing false news (Mada Masr, 20 February 2024). Meanwhile, in March 2024, another Mada Masr journalist was detained for ten hours and questioned by State Security Prosecution before being released on bail (Mada Masr, 11 March 2024).

In August 2023, Karim Asaad, a journalist working for Matsada2sh, a fact-checking media platform, was arrested following a home raid (HRW, 20 September 2023; TIMEP, 23 August

⁷ All currency calculations in this report are based on the exchange rate from European Commission, Exchange rate (InforEuro), undated, https://commission.europa.eu/funding-tenders/procedures-guidelines-tenders/information-contractors-and-beneficiaries/exchange-rate-inforeuro_de, accessed 3 July 2024

2023). The agents arresting Asaad reportedly assaulted his wife and threatened to harm their child (TIMEP, 23 August 2023; Freedom House, 2024, section D1). The security agents forced Asaad to delete two Facebook posts covering alleged state corruption and he was released two days later (HRW, 20 September 2023).

3.2 Situation of political opposition members

According to the Bertelsmann Stiftung country report on Egypt, the government rationale was mostly geared towards maintaining power, therefore, efforts were made to “to suppress opposition voices across the political spectrum” (Bertelsmann Stiftung, 19 March 2024, p. 28). The government “regularly investigated, detained, and prosecuted individuals for expressing political views or criticism, using charges such as ‘spreading false news,’ supporting a banned group, incitement of violence, insults to religion, insults to public figures and institutions such as the judiciary and the military, or ‘abuse of public morals’” (USDOS, 23 April 2024, section 2A). The military and security apparatus reportedly disregarded due process in cases related to political opponents (Freedom House, 2024, F1) and the number of political prisoners was estimated to be around 60,000 (The New Arab, 21 September 2023). As voicing dissent could lead to criminal prosecution and imprisonment, there was no substantial opposition (Freedom House, 2024, Overview) and the Civil Democratic Movement, an umbrella of various opposition parties, could not agree whether to nominate a presidential candidate to run in the December 2023 elections or boycott the electoral process (Mada Masr, 2 December 2023).

In the months before the December 2023 presidential election, dozens of journalists as well as political and human rights activists were harassed, detained, and prosecuted (HRW, 18 December 2023; see also Amnesty International, 23 November 2023). The authorities especially targeted presidential candidate Ahmad Al-Tantawi and members of his campaign, with human rights group EIPR documenting at least 127 detentions (EIPR, 9 November 2023). Al-Tantawi is a former MP and former head of the leftist Karama party (Ahram Online, 14 October 2023). The authorities further arrested two uncles of Al-Tantawi, ordering their detention for 15 days pending investigation (HRW, 5 May 2023). Al-Tantawi in October 2023 finally ended his campaign after failing to qualify as presidential candidate (HRW, 18 December 2023, Reuters, 14 October 2023). He was subsequently arrested along with his campaign manager and charged with supplying and circulating unauthorised election-related papers, while more than 20 campaign members faced charges of printing and circulating those papers (EIPR, 9 November 2023). In May 2024, an appeals court upheld a one-year prison sentence against Al-Tantawy as well as sentences against 22 campaign members (AFP, 27 May 2024).

Political activist and former spokesperson of the April 6 Youth Movement, Mohamed Adel, remained detained, having spent five years in pretrial detention between 2018 and 2023 and eventually being sentenced in September 2023 to four years for spreading false news on social media (EIPR, 8 May 2024, The New Arab, 21 September 2023). In August 2023, authorities detained political activist and government critic Hisham Kassem on charges of libel and slander related to comments he had made online critical of a former government minister (HRW, 7 September 2023; Mada Masr, 16 September 2023). Kassem was subsequently sentenced to

a six-month prison sentence and a fine of EGP 30,000 (USD 635)⁸ (Mada Masr, 16 September 2023). The United Nations (UN) Committee Against Torture (CAT) in its December 2023 concluding observations on the fifth periodic report of Egypt noted that specifically lawyers involved in political activities or political sensitive cases were allegedly subjected to “threats, harassment, intimidation and reprisals and, in some cases, to prolonged pretrial detention, arbitrary detention, torture, other ill-treatment and enforced disappearance” (CAT, 12 December 2023, p. 9).

Several sources report on state authorities’ so-called “recycling” of cases, especially in cases of perceived dissidents (MEE, 14 February 2023; The New Arab, 21 September 2023; CIHRS, 5 February 2024; EIPR, 30 April 2024; Al-Araby Al-Jadeed, 28 May 2024). This practice meant that additional or similar charges were brought against the defendant upon reaching their legal detention limit, in order to keep the person in question in pretrial detention indefinitely (USDOS, 23 April 2024, section 1C; The New Arab, 21 September 2023). According to the human rights organisation Cairo Institute for Human Rights Studies, at least 251 political detainees were rotated to new cases throughout the year 2023 (CIHRS, 5 February 2024). Mahmoud Hussein, a young man arrested in 2014 for wearing a shirt with an anti-torture slogan, was detained once again based on the same charges for which he had already served a sentence (Zawia3, 30 August 2023; see also Mada Masr, 3 September 2023).

A Human Rights Watch report of February 2024 mentions that Egyptian consulates abroad have since 2015 denied the issuance of identity documents to at least 26 Egyptian citizens, among them dissidents and journalists (HRW, 22 February 2024, p. 29).

For more information on “recycling of cases”, please refer to [section 3.6.1](#).

3.3 Freedom of assembly and freedom of association

The 2014 Constitution guarantees the right to organise public meetings, marches and demonstrations and all forms of peaceful protest upon prior notification (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Article 73). It further allows citizens to establish associations (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Article 75). These constitutional rights, however, are restricted by subsequently passed legislation such as a restrictive protest law and an NGO law which imposes harsh restrictions on civil society work (Bertelsmann Stiftung, 19 March 2024, p. 9). These legislations are further addressed in 3.3.1 and 3.3.2, respectively.

3.3.1 Situation of civil society organisations (CSOs)

3.3.1.1 Legal framework

The establishment and work of civil society organisations is governed by the Law Regulating the Exercise of Civil Work passed in 2019 (Law No. 149 on Regulating the Exercise of Civil Work, 19 August 2019). The Washington-based think tank The Tahrir Institute for Middle East Policy (TIMEP) summarises the stipulations of the law in the following way:

⁸ All currency calculations in this report are based on the exchange rate from European Commission, Exchange rate (InforEuro), undated, https://commission.europa.eu/funding-tenders/procedures-guidelines-tenders/information-contractors-and-beneficiaries/exchange-rate-inforeuro_de, accessed 13 June 2024

“Egypt’s 2019 NGO Law governs the process by which domestic and foreign nongovernmental organizations (NGOs) can achieve legal recognition and sets forth provisions on their activities, oversight and monitoring, funding, and sanctions for violations of the law. In contrast to prior laws, the law does away with all penalties involving jail time, and instead imposes fines ranging between 100,000 and 1 million Egyptian pounds⁹, depending on the violation.” (TIMEP, 21 August 2019, p. 1)

“Domestic and foreign NGOs are prohibited from pursuing activities that breach a number of vaguely worded terms like ‘national security,’ ‘public order,’ and ‘public morals.’ Other provisions prohibit NGOs from conducting political activities; entering into agreements with foreign entities; conducting opinion polls and surveys; relying on foreign persons as experts, employees, or volunteers; and participating in workshops abroad without prior approval.” (TIMEP, 21 August 2019, p. 2)

The law further limits the work of NGOs to “societal development”, a vague term which according to Amnesty International could be used to ban human rights work (Amnesty International, 12 April 2023).

The USDOS reports the following on further regulations coming into effect in April 2023 concerning the registration of NGOs:

“On April 11, a new law governing NGO registration went into effect requiring all NGOs doing ‘civic work’ to register and provide extensive data to authorities, including information on founders and planned activities. All NGOs required the approval of the Ministry of Social Solidarity to register, receive funding, or conduct activities. International NGOs required additional approval from the Ministry of Foreign Affairs to register. Rights groups criticized the approval process and stated the law stripped civil society organizations of the right to work independently and monitor human rights violations.” (USDOS, 23 April 2024, section 2B)

According to the New Arab, human rights workers accepting unauthorised funding from abroad could be imprisoned for life (The New Arab, 21 March 2024). The Penal Code contains a provision stipulating that anyone receiving funding from a foreign state or foreign organisation with the intention of harming national interest or disturbing public security shall be punished with life imprisonment and a fine. It further stipulates life imprisonment or the death penalty if the offender is a public employee (Penal Code Law No. 58 of 1937, 21 July 1937, with amendments up to 15 August 2021, Article 78). The vague wording of Article 78 reportedly led to self-censorship among human rights organisations and activists, who feared the provisions might be used to prosecute them for activities critical of the government (ICNL, 11 February 2024).

⁹ Between USD 2,084 and USD 20,841; see European Commission, Exchange rate (InforEuro), undated, https://commission.europa.eu/funding-tenders/procedures-guidelines-tenders/information-contractors-and-beneficiaries/exchange-rate-inforeuro_de, accessed 3 July 2024

3.3.1.2 Treatment by state and non-state actors

Due to “harsh restrictions on NGOs’ allowed fields of operation and financing possibilities”, the Bertelsmann Stiftung judged the 2019 NGO law to severely restrict the work of civil society organisations (Bertelsmann Stiftung, 19 March 2024, p. 9). According to several sources, many civil society organisations have faced closures in recent years (Bertelsmann Stiftung, 19 March 2024, p. 9; Freedom House, 2024, section E2; see for example DW, 13 January 2022). The USDOS describes the difficult work environment of CSOs in the following way:

“Independent domestic human rights NGOs faced difficulties operating due to reprisals and pressure from the government and security forces. State-owned and state-affiliated media at times depicted NGOs, particularly those that received funds from international sources, as undertaking subversive and even treasonous activities. Extended delays in gaining government approvals and a restrictive legal environment limited the ability of both domestic and international NGOs to operate. Authorities sometimes allowed civil society organizations not registered as NGOs to operate, but such organizations reported harassment and surveillance, along with threats of government interference, investigation, asset freezes, or closure.” (USDOS, 23 April 2024, section 5)

In April 2023, the Minister of Social Solidarity announced that any NGO not having registered under the 2019 law would risk being dissolved after 12 April (Amnesty International, 12 April 2023). According to Democracy for the Arab World Now (DAWN), a US-based nonprofit organisation founded by Saudi journalist Jamal Khashoggi (DAWN, undated), the registration process set out by the 2019 law was lengthy and complicated and the Ministry of Social Solidarity reported that by October 2022 only 32,000 of 52,000 NGOs had managed to register, while some organisations decided to end their operations due to not being able to meet the requirements for registration (DAWN, 28 March 2023).

The Egyptian Ministry of Justice in August 2023 announced it was dropping the criminal charges against 75 organisations prosecuted in a case related to “foreign funding” which had been opened in 2011 (Freedom House, 2024, section E2; Zawia3, 23 March 2024). Only by March 2024, the final five organisations investigated for foreign funding were acquitted due to insufficient evidence, 13 years after investigations had been opened (The New Arab, 21 March 2024; Mada Masr, 20 March 2024). The five acquitted organisations are the Egyptian Initiative for Personal Rights (EIPR), The Arabic Network for Human Rights Information (ANHRI), The Arab Organization for Criminal Reform, the Cairo Institute For Human Rights Studies (CIHRS) and the El Nadeem Center for Rehabilitation of Victims of Violence and Torture, all judged by head of EIPR Hossam Behgat to be considered as “most hostile” by the government, either because of their human rights activities or their stance on the January 2011 revolution. Following the acquittal, Hossam Behgat and lawyer and human rights activist Gamal Eid in statements to the independent website Zawia3 both said that they expected violations against CSOs to continue in the future, Behgat pointing out the restrictive legislation allowing these kinds of violations still being in place and Eid the small number of CSOs operating in Egypt (Zawia3, 23 March 2024).

In May 2023, the government organised a “National Dialogue” intended to bring various sectors of society, among them civil society, together to discuss the country’s political, social, and economic crises (ICNL, 11 February 2024). However, several subjects, such as amending the

constitution, national security and foreign policy, as well as the situation of the approximately 60,000 political prisoners were excluded from the debate (ACW, 7 July 2023). The International Center for Not-for-Profit Law sums up the outcome of the National Dialogue, stating that “few rights activists participated, and an August 2023 report on the Dialogue’s outcomes and recommendations did not meaningfully address critical human rights and civic space challenge” (ICNL, 11 February 2024, see also ElGendy, 5 July 2023).

In February 2024, the Egyptian human rights group Sinai Foundation for Human Rights was subjected to a smear campaign following the publication of a report on the construction of a fortified zone on the border with the Gaza strip (Amnesty International et al., 26 February 2024; MEE, 23 February 2024). A pro-government TV anchor called the head of the organisation an agent linked to terrorist groups, while several pro-government accounts on social media put forth similar allegations (Amnesty International et al., 26 February 2024).

No further information could be found relating to the treatment of CSOs by non-state actors.

3.3.2 Treatment of protesters

In 2013, Law No. 107 on the Regulation of the Right to Public Assemblies, Marches and Peaceful Demonstrations was enacted (Law No. 107 of 2013 on the Regulation of the Right to Public Assemblies, Marches and Peaceful Demonstrations, 24 November 2013; Ahram Online, 25 November 2013). The Tahrir Institute for Middle East Policy (TIMEP) in a 2018 overview summarises the law’s stipulations on protests:

“The Protest Law requires that organizers of protests made up of 10 or more participants notify the police station in whose jurisdiction the protest would take place between three and 15 days in advance of the protest. The law also prohibits ‘violations of general security [or] public order ... as well as calling for disrupting public interests.’ The law grants the Ministry of Interior the authority to cancel, postpone, or change the route of a protest if there is credible information regarding a national security threat; however, a 2017 amendment made it so that the ministry could only enjoy such authority if it first submitted a request to the judiciary that was then affirmed. The Protest Law authorizes security forces to use water cannons, batons, and tear gas to disperse protesters who refuse to leave protests found to be occurring in violation of the law. The law also sets forth a number of punishments, including a penalty of 10,000 to 30,000 Egyptian pounds, for holding a protest without proper prior notification.” (TIMEP, 9 November 2018)

Law No. 107 further sets out potential prison sentences for carrying weapons while participating in a protest (Article 17), financing or receiving funding for protests that violate general security or public order (Article 18), violating general security or public order (Article 19) among other penalties (Law No. 107 of 2013 on the Regulation of the Right to Public Assemblies, Marches and Peaceful Demonstrations, 24 November 2013). According to TIMEP, protesters have been arrested not only for charges stipulated in Law No. 107, but also under a ranger of other vague charges such as belonging to a banned group and disturbing public order (TIMEP, 18 October 2017)

Sources report that due to the thorough implementation of the law, protests rarely occurred (Freedom House, 2024, section E1; Bertelsmann Stiftung, 19 March 2024, p. 9). Freedom House states that according to Until the Last Prisoner, an independent human rights campaign,

more than 2,000 people were arrested between early 2023 and mid-September of the same year for peaceful expression or assembly (Freedom House, 2024, section E1). In October 2023, security forces in Cairo and Alexandria arrested dozens of people for protesting in solidarity with Palestinians in Gaza, at least 67 of them still being in pretrial detention with charges under the Protest Law as well as terrorism-related charges at the end of 2023 (Amnesty International, 24 April 2024). Human Rights Watch (HRW) documented the following regarding what happened after the arrests:

“Security agencies also arrested several activists they believed were connected to the protests at their homes. A family member of a 23-year-old man who took part in the October 20 Tahrir Square protest said that officials arrested him without a warrant at his home on October 21 and held him incommunicado until October 28, when they brought him before a prosecutor. The authorities denied knowledge of his whereabouts when lawyers inquired about him in nearby police stations.

As of October 30, the ECRF [Egyptian Commission for Rights and Freedoms] said that authorities had brought 52 detainees connected to protests before prosecutors, while releasing 14 others without charge after up to three days in detention. The whereabouts of six of these detainees remained unknown, but they are likely being held incommunicado, ECRF director Mohamed Lotfy told Human Rights Watch.” (HRW, 1 November 2023)

Further arrests at pro-Palestinian demonstrations followed in April and May 2024 (AP, 5 April 2024; The New Arab, 6 May 2024). The Egyptian Initiative for Personal Rights (EIPR) documented 120 arrests between October 2023 and end of April 2024, of people participating in pro-Palestinian protests, hanging banners in the street or posting on social media in support of Palestine, 90 of whom were still in pretrial detention at the start of May 2024 (EIPR, 2 May 2024).

An unrelated protest occurred in Marsa Matrouh governorate in October 2023, where people gathered in the street loudly rejecting President Al-Sisi’s bid for a third presidential term, described as a “rare display of public dissent” (The National, 3 October 2023). Reports vary as to how many people were arrested at this protest, between dozens (The New Arab, 3 October 2023) and hundreds (Zawia3, 3 October 2023). The Association for Freedom of Thought and Expression (AFTE) reports the arrest and pretrial detention of a farmer facing multiple charges, among them joining a terrorist group, spreading false news and information, and using an internet account to commit a terrorist crime, because he had called for demonstrations in a Facebook post (AFTE, 18 October 2023).

In January 2023, following a mass trial, 82 people were convicted by the Emergency Supreme State Security Court (ESSSC) to between five years’ and life imprisonment for participating in anti-government protests in 2019 in Suez (Amnesty International, 24 April 2024; France 24, 15 January 2023)

3.3.3 Trade unions

The 2014 Constitution guarantees the right to form syndicates and trade unions (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Article 76-77). However, unions are only allowed to form pending approval by the Egyptian Trade Union

Federation (USDOS, 23 April 2024, section 7A) and the most influential professional syndicates are headed by government supporters (Bertelsmann Stiftung, 19 March 2024, p. 13). A law passed in 2018 led to the dissolution of all independent trade unions and required them to reregister following requirements made by the new law, leading to merely 122 out of 1,000 independent unions managing to reregister within the given timeframe (ITUC, undated). The Brussels-based International Trade Union Confederation (ITUC) in a 2024 overview describes the situation of trade unions in Egypt in the following way:

“[T]he authorities have imposed excessive and absurd registration requirements, such as the need to obtain the employer’s approval and stamp. As of March 2024, at least 14 independent trade unions still awaited official recognition and another 11 were impeded by the authorities from holding their elections, leaving workers without representation and depriving them of their right to collective bargaining. It is estimated that, since 2018, the number of independent trade unions in Egypt has decreased from 1,500 to only about 150.” (ITUC, 2024)

USDOS similarly reports that during 2023, already established independent unions faced pressure to disband, while newly established unions faced obstacles in fulfilling establishment requirements and the Ministry of Labour delayed responding to applications for legal status (USDOS, 23 April 2024, section 7A). The pan-Arab newspaper Al-Quds Al-Arabi reports in January 2023 that independent unions were excluded from discussions on the draft of a new labour law and that the parliament only took into consideration state trade unions (Al-Quds Al-Arabi, 2 January 2023). In December 2023, the Solidarity Federation of Worker Unions was founded, an umbrella organisation consisting of the majority of independent trade unions representing all labour sectors (Al-Araby Al-Jadeed, 10 December 2023, Al-Arab, 23 December 2023). The pan-Arab daily newspaper Al-Arab analyses in a December 2023 article discussing the newly established Solidarity Federation, that the worsening economic crisis has led to the liquidation of many government-held companies, leading to anger among workers and a willingness to organise. The new union did not have legal status at the time of the article’s publication, but according to the statement of a leading figure of an opposition party, there were some positive signs following the presidential elections suggesting a potential of progress in rights and freedoms at a time at which many workers were dissatisfied with the monopoly of the government-aligned Egyptian Trade Union Federation in representing them (Al-Arab, 23 December 2023). Sources report that elections held by several trade unions during the reporting period resulted in a win for the opposition or independent candidate rather than the candidate supported by the government (Freedom House, 2024, section E3; MEMO, 2 April 2024)

In 2023, trade unionists were among the 820 people put on terrorism lists without trial, leading to their loss of civic and political rights (Amnesty International, 24 April 2024). In September 2023, Mohamed Zahran, leader of the teaching union, was subjected to enforced disappearance and sentenced to 15 days of pretrial detention on charges of "joining a provocative group" and "spreading false news" (MEE, 14 September 2023). According to EIPR, Zahran is the founder of the Independent National Union of Egyptian Teachers, and his detention was due to his many years of activism defending teachers’ rights and demanding independence of the Teachers Syndicate. He was released after ten days in custody (EIPR, 18 September 2023).

Workers are required by law to obtain permits before staging sit-ins on public or private property (USDOS, 23 April 2024, section 7A; CTUWS, 8 February 2024). However, strikes were reportedly not tolerated in practice and gatherings that impede labour and production were prohibited by the Protest Law (Freedom House, 2024, section E3). During the reporting period, there were reports of strikes being prevented by the security forces (Amnesty International, 24 April 2024, CTUWS, 8 February 2024), workers being arrested following strike activity (CTUWS, 8 February 2024; Zawia3, 18 March 2024; Al-Manassa, 1 June 2024) and striking workers being held in detention while being investigated on suspicion of joining an illegal organisation and spreading false news (Mada Masr, 27 May 2024). For example, security forces responded with verbal and physical violence to hundreds of teachers staging a sit-in in front of the Ministry of Education (CTUWS, 8 February 2024), and arrested 14 of them accusing them of terrorism (Amnesty International, 24 April 2024).

3.4 Freedom of religion

As mentioned above (see [section 1.1](#)), 90 percent of the population are (predominantly Sunni) Muslim, while the remaining 10 percent are Christian, according to the CIA World Factbook (CIA, last updated 3 July 2024). The US Department of State (USDOS) explains in its annual report on religious freedom (covering 2022) that according to scholars and NGOs, about 1 percent of the population is Shia Muslim, while other Muslim minorities include Dawoodi Bohra¹⁰ and Ahmadi Muslims¹¹. As regards the Christian population, the USDOS states that Christians are living throughout the country and that according to Christian leaders, 90 percent of Christians are Coptic Orthodox. Other Christian communities reportedly constitute less than 2 percent of the population and include Armenian Apostolic, Catholic (Coptic, Armenian, Chaldean, Melkite, Maronite, Latin and Syrian Catholics), Greek and Syrian Orthodox as well as Anglican/Episcopalian and other Protestants. Most of the protestant communities are members of the Protestant Churches of Egypt group, which is also referred to as the General Evangelical Council, according to the USDOS. Other religious communities include Jehovah's Witnesses (an estimated 1,000 to 1,500 persons), members of the Church of Jesus Christ (less than 100 and mostly expatriates), Baha'i (1,000 to 2,000 persons, according to the community's representatives), and Jews (6 to 10 persons living in Alexandria and Cairo, according to a Jewish

¹⁰ The Bohra are an Ismail Shia sect with its origins in 11th century Gujarat, India, following a visit of a missionary from the Fatimid Caliphate in Cairo. The Bohra later split into several sub-groups, with the Dawoodi Bohra being the biggest and most influential among them. The name Dawoodi reportedly derives from the [Indian] Gujarati term "vahaurau", which means "to trade". According to estimates by the Indian embassy, about 600 Bohras live and work in Egypt, not counting Bohras of other nationalities (Ahram Online, 13 August 2023). They have their own style of dress and a distinctive language, according to Al-Hurra, a US-based Arab-language news site (Al-Hurra, 11 May 2024).

¹¹ The Ahmadiyya Movement was founded by the Islamic cleric Mirza Ghulam Ahmad in British India in the late 19th century, when he declared himself mahdi, a figure awaited by Muslims at the end of the world. After his successor's death, the movement split in two factions: one (based in Qadian, India) recognizing Ahmad as the messiah, and one (based in Lahore, Pakistan) that views him merely as a reformer (Encyclopaedia Britannica, last updated 12 April 2024). The Egyptian Dar Al-Ifta, a religious institution and the official body for issuing fatwas (Islamic legal rulings) declared the Ahmadiyya un-Islamic and blasphemous (Ibrahim, 2 June 2021).

NGO quoted by the USDOS) (USDOS, 15 May 2023, section I). In September 2023, in a synagogue in Cairo, the Jewish community was reportedly able to celebrate the Jewish New Year for the first time in 70 years (CSW, 19 September 2023).

3.4.1 Legal framework – the Constitution

The Constitution prohibits discrimination on the basis of religion or belief (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Article 53). The Constitution declares Islam the state religion, and the principles of sharia as the main sources of legislation (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Article 2). For Christians and Jews, their respective religious laws are the main source of legislation as regards their personal status, religious affairs and the selection of religious leaders (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Article 3).

The Constitution states that freedom of belief is “absolute” and notes that the “freedom of practicing religious rituals and establishing places of worship for the followers of revealed religions [i.e., Islam, Christianity and Judaism] is a right organized by law” (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Article 64). Referring to this Article, the Bertelsmann Stiftung’s country report notes that “non-Abrahamic religious or atheist identities” are denied “the right to exist” (Bertelsmann Stiftung, 19 March 2024, p. 7). The UN Human Rights Committee in its concluding observations on Egypt’s fifth periodic report under the International Covenant on Civil and Political Rights makes a similar observation:

“The Committee is also concerned that Egyptian law recognizes only the three Abrahamic religions, namely, Islam, Christianity and Judaism, excluding other religious or belief communities from official recognition, and thereby denying other groups the rights afforded by law to recognized religions.” (UN Human Rights Committee, 14 April 2023, p. 12)

3.4.2 Blasphemy legal framework

The USDOS explains that the Penal Code – while not mentioning the term “blasphemy” – criminalises insulting or disrespecting any of the three “heavenly” religions (Islam, Christianity, and Judaism) or the use of religion to promote “extremist ideology” and makes it punishable with six months to five years imprisonment or a fine of at least 500 Egyptian pounds (EGP) (USD 10.6¹²) (USDOS, 15 May 2023, section II).

The Minority Rights Group (MRG) in a report on the cultural citizenship of the country’s minorities, refers to Articles 98(f), 160 and 161 of the Penal Code as “the blasphemy articles” and notes that these articles are being increasingly used by investigative authorities together with the Penal Code, the Anti-Cybercrimes Law, and the Terrorism Code (MRG, February 2023, p. 17). The Egyptian Organisation for Human Rights (EOHR) in a report to the UN Human Rights

¹² All currency calculations in this report are based on the exchange rate from European Commission, Exchange rate (InforEuro), undated, https://commission.europa.eu/funding-tenders/procedures-guidelines-tenders/information-contractors-and-beneficiaries/exchange-rate-inforeuro_de, accessed 7 June 2024

Committee similarly states that “Article 98 is nothing short of a blasphemy law” (EOHR, 2023, p. 7).

MRG notes that Article 98(f)¹³ does not meet constitutional standards as the “vague formulation” of certain terms could be interpreted in different ways, including in contradiction to the Law’s original objectives. MRG gives examples such as the term “extremist thoughts” (while there is no clear definition of “extremism” in the law) or “exploits religious belief” where it is not clear whether this applies to a person of the same religion or outside of it. MRG states that the law’s “main dilemma” is the fact that it protects only some religions and not all faiths, therefore violating the right to equality as well as the right to equal legal protection of all those who do not adhere to one of the three religions recognized by law (MRG, February 2023, pp. 17-18).

TIMEP explains that the Penal Code criminalizes contempt of religion not only in Article 98(f), but also in Articles 160 and 161:

“Article 160 criminalizes those who perturb or obstruct the holding of religious rituals; destroy, desecrate, or deface buildings established for religious rites; and violate or desecrate graves and cemeteries. Article 161, criminalizes printing a holy text in a way that perverts its meaning; and imitating a religious ritual for the purposes of ridicule.” (TIMEP, 6 January 2022)

MRG again identifies imprecise formulations, noting that also these two Articles are “vague to the extent that they can be used to criminalize beliefs or religions that are contrary to the norm” and are, like Article 98(f), of a discriminatory nature given that only three religions are constitutionally protected and officially recognised and therefore allowed to be practised publicly (MRG, February 2023, p. 18).

The USDOS notes that the country’s Anti-Cybercrimes Law penalises the violation of “family principles” with imprisonment of at least six months and a fine in the amount of EGP 50,000 to EGP 100,000 (USD 1,058.4 to USD 2,116.7) and explains that according to civil society organisations, the term “family principles” is often used to prosecute alleged cases of blasphemy (USDOS, 15 May 2023, section II).

The US Commission of International Religious Freedom (USCIRF) explains in more detail that Article 25 of the Anti-Cybercrimes Law No. 175 of 2018 “forbids the use of technology to ‘infringe on any family principles or values in Egyptian society’” and similarly notes that the law can be used to suppress religious expression (USCIRF, August 2023, p. 6).

The USDOS points to other religion-related competencies by the authorities:

“The Prime Minister has the authority to stop circulation of books that ‘denigrate religions,’ referring to the three recognized Abrahamic faiths. Ministries may obtain court orders to ban or confiscate books and works of art. The cabinet may ban works it deems offensive

¹³ MRG translates the article as follows: “Article 98(f) states that ‘anyone who exploits religious belief to propagate extremist thoughts verbal or written, with the purpose of fomenting discord, ridiculing a divine religion or its followers, or damaging national unity shall be liable to imprisonment for a term of not less than six months and not more than five years and a fine of not less than 500 [Egyptian] pounds, and not more than 1,000 pounds.’” (MRG, February 2023, p. 17).

to public morals, detrimental to religion, or likely to cause a breach of the peace. The Islamic Research Academy of al-Azhar has the legal authority to censor and confiscate any publications dealing with the Quran and the authoritative Islamic traditions (*sunnah*) and to confiscate publications, tapes, speeches, and artistic materials deemed inconsistent with Islamic law.” (USDOS, 15 May 2023, section II)

MRG indicates that laws restricting freedom of expression, such as the Anti-Cybercrimes Law, have “intensified” and are “contributing to the wider expansion of terrorism charges in cases that used to be classified as blasphemy cases” (MRG, February 2023, p. 19).

3.4.3 *Application of blasphemy laws*

The UN Human Rights Committee expresses in its concluding observations on the country’s fifth periodic report under the International Covenant on Civil and Political Rights in April 2023 concern over the “varying forms of discrimination” that religious and faith minorities were facing, including, among others, the prosecution under blasphemy laws (UN Human Rights Committee, 14 April 2023, p. 12).

The Egyptian Taskforce, a group of several Egyptian human rights organisations, points to a “selective implementation of the ‘defamation of religion’ charge”, that continues to be used against Christians and other non-Muslim minorities but also against certain Muslim minorities (Egyptian Taskforce, January 2023, pp. 20-21). USCIRF similarly notes the “blasphemy statute and other laws” continue to be used against persons with a variety of religious faiths and beliefs (USCIRF, May 2023, p. 54).

The USDOS notes in its annual human rights report covering 2023 that persons were “regularly” investigated, detained and prosecuted by the authorities for expressing political views or criticism, on charges of insults to religion, among others (USDOS, 23 April 2024, section 2A).

According to the Bertelsmann Stiftung’s country report on Egypt, “hundreds” of bloggers and social media users have been detained for posting atheist views on social media, among others, often by invoking the “very vague” law on cybercrime (Bertelsmann Stiftung, 19 March 2024, p. 9). In terms of atheism, the Bertelsmann Stiftung further notes:

“The regime combats and demonizes atheism, and many atheists have been detained based on a strict blasphemy law. Society is religiously conservative, a fact that the regime considers when formulating its policies and legislation, despite constantly highlighting its secular character.” (Bertelsmann Stiftung, 19 March 2024, p. 7)

The USDOS mentions the case of Hesham Al-Masry, an atheist who was interrogated by the authorities after an online debate with Ahmad Karima, a professor of Islamic law and comparative jurisprudence at Al-Azhar University in November 2022. In the debate, Al-Masry reportedly criticised Islamic doctrine and the Prophet Muhammad and was subsequently accused by Karima of insulting Islam. The authorities later released Al-Masry without charge, according to the USDOS (USDOS, 15 May 2023, section II).

In May 2024, the Ismailia Misdemeanour Court sentenced YouTuber Sherif Gaber reportedly to five years in prison on charges of contempt of Islam and incitement to atheism, according to local media quoted by Asharq Al-Awsat, a Pan-Arab newspaper owned by Saudi Arabian media group SRMG. Gaber reportedly reacted with a video saying that he had already received a 4-

year prison sentence and since then had tried to stay out of prison and to leave the country (Asharq Al-Awsat, 27 May 2024; see also Gaber, 26 May 2024).

In September 2023, Amnesty International points to the case of Abdul-Baqi Saeed Abdo, a Yemeni asylum seeker at risk of deportation to Yemen. He had fled Yemen in 2014, after having been attacked over his conversion to Christianity, which he had announced on social media. In December 2021, he was detained by Egyptian authorities on charges of defaming Islam and joining a terrorist group, according to Amnesty International (Amnesty International, 7 September 2023; see also USDOS, 15 May 2023, section II). According to Christian Daily, an Evangelical Christian US-based online media, he was detained for speaking about his conversion on a Christian TV program and participating in a group for converts on social media (Christian Daily, 5 June 2024) and, as of May 2024, continues to be imprisoned (USCIRF, May 2024).

USDOS reports with reference to a statement by EIPR that in January 2022, the Cairo Economic Court sentenced Marco Gerges (also: Girgis), a Coptic Christ, to five years in prison for “exploiting religion to promote extremist ideas, contempt for Islam and infringing on the values of the Egyptian family”. Gerges was reportedly detained in June 2021 for allegedly having some photographs with pornographic content deemed offensive to Islam on his mobile phone and having discussed religion in private text messages. USDOS notes that according to the defence, no photos were published on the internet and the investigation was based on an illegal search (USDOS, 15 May 2023, section II; see also EIPR, 1 February 2022). In its statement, EIPR (which was involved in Gerges’ defence) – specifies that Gerges was charged for violating several provisions of the Penal Code (including, among others, Article 98(f)) and the Anti-Cybercrimes Law (including Articles 25 and 27) and sentenced to five years in prison with labour and was also obliged to pay criminal expenses (EIPR, 1 February 2022). The sentence was upheld by the Appeals Chamber of the Cairo Economic Court in September 2022 (USDOS, 20 March 2023, section 2a; see also MRG, February 2023, p. 19) and by the Court of Cassation in March 2024 (EIPR, 7 March 2024). EIPR notes that the Court of Cassation’s verdict was the fourth verdict in cases of contempt of religion since the beginning of 2024. Other cases included the composer Ahmed Hegazy, who was sentenced to 6 months in prison and payment of a bail after appearing in a video clip reading the Qur’an to melodies played on the oud, and Cyril (Kyrillos) Refaat Nashed, who received a six-month suspended prison sentence and a fine. Moreover, the Court of Cassation upheld the sentence of five years in prison against Abdel Rahman Gamal Al-Jadi (EIPR, 7 March 2024)¹⁴

In February 2024, the court renewed the pretrial detention of Nour Fayez Ibrahim Gerges – thereby exceeding the legal maximum period of pretrial detention, as EIPR notes in a statement in March 2024. According to EIPR, Nour Fayez Ibrahim Gerges had been detained in 2021 on charges of contempt of religions (EIPR, 3 March 2024), reportedly for having created a Facebook group to support people wishing to convert to Christianity, according to USCIRF. USCIRF also notes that the courts in 2023 had invoked both, blasphemy and counterterrorism laws when ruling on a [previous, note ACCORD] extension of pretrial detention (USCIRF, August 2023, p. 5).

¹⁴ Further information on the individual cases, see The Fourth Estate, 21 April 2024 (on Ahmed Hegazy), Daraj, 7 February 2024 (on Cyril Refaat Nashed), and EIPR, 26 February 2024 (on Abdel Rahman Gamal Al-Jadi).

Relating to another blasphemy case, in March 2023, the Cairo Criminal Court reportedly extended the pretrial detention of Ahmed Mohamed Ahmed Khalifa, detained in 2022 on charges of contempt of the “divine” religions (EIPR, 22 March 2023; see also USCIRF, undated). In February 2023, a TikTok content creator acting under the name “Al-Prince Al-Masry” (“Egyptian Prince”) was reportedly sentenced to three years in prison for insulting Christianity, after having published several videos showing him burning the bible, smashing a cross with slippers and insulting Jesus, according to the USDOS (USDOS, 23 April 2024, section 2A). In December 2022, EIPR reports on the case of student Youssef Hany Helmy, who was sentenced to one year in prison with labour for violating Article 98(f) of the Penal Code and reiterates its call for a halt to trials for contempt of religion:

“On December 25, the Ismailia Misdemeanor Court of Appeal upheld the judgment issued by the Ismailia Third Misdemeanor Partial Court, in Misdemeanor No. 490 of 2022, of the Third Division of Ismailia. The decision ruled an imprisonment of Youssef Hani Helmy for a year with labor against accusation of exploiting religion to promote extremist ideas for contempt and transgression of the Islamic religion, upon a religious dispute with a female citizen on Facebook. [...]

EIPR reiterates its view that many penal provisions contain ill-defined, vague, and loose phrases, including Article 98(f) of the Penal Code (contempt of religion). EIPR also condemns the prosecution of citizens who express religious ideas different from those prevailing in society or adopted by the state and calls for guaranteeing freedom of belief and freedom of expression as rights guaranteed by the constitution; it also calls for an immediate halt to trials for ‘contempt of religion’ in accordance with Article 98 (f) of the Penal Code.” (EIPR, 26 December 2022)

3.4.4 Treatment of religious minorities

Freedom House notes that religious minority groups often face persecution for expressing their beliefs (Freedom House, 2024, section D2) and the UN Human Rights Committee similarly points to discrimination experienced by religious minorities, including, among others, Christians, Shia Muslims and Baha’i:

“While taking note of the State party’s stated aspiration to promote religious tolerance and diversity, as outlined in the National Human Rights Strategy, the Committee is concerned that religious and belief minorities, including Coptic Christians, Shi’a Muslims, Jehovah’s Witnesses, Baha’is and atheists, continue to face varying forms of discrimination, such as restrictions on the building and operation of places of worship and burial sites, restrictions on the public practice of their faith, including prosecution under blasphemy laws, as well as acts of violence and sectarian attacks carried out with impunity, including by armed groups.” (UN Human Rights Committee, 14 April 2023, p. 12)

3.4.4.1 Shia Muslims

As mentioned before, according to estimates, Shia Muslims constitute about 1 percent of a population of – as of midyear 2022 - about 107.8 million people (USDOS, 15 May 2023, section I).

Freedom House and the Bertelsmann Stiftung note that Shia Muslims, among other minority groups, continue to experience discrimination (Freedom House, 2024, section B4; Bertelsmann Stiftung, 19 March 2024, p. 11).

The Egyptian Taskforce notes that “defamation of religion” charges continue to be used to prosecute non-Muslim religious minorities, but also “Muslims who adopt opinions that differ from those supported by official religious institutions”, such as, among others, Shia Muslims (Egyptian Taskforce, January 2023, pp. 20-21).

USDOS notes in its report on international religious freedom in 2022 that members of the Shia community again pointed to the risk they faced of being accused of blasphemy when practising their faith:

“Members of the country’s Shia community again said that they risked accusations of blasphemy for publicly voicing their religious opinions, praying in public, or owning books promoting Shia thought.” (USDOS, 15 May 2023, Section III)

The Minority Rights Group (MRG) also notes that prosecution of Shia Muslims was often based on their ownership of books and other texts considered blasphemous:

“As far as other minorities like Shi’a Muslims are concerned, possession of books or pamphlets is often the reason for prosecution. These publications are sent to the Al-Azhar Research Council¹⁵ to check for conformity with the approved interpretation of Islam according to Al-Azhar; in some cases, the publications were considered to violate Islamic doctrine and thus, representing incriminating evidence of blasphemy. The prosecutors would also interrogate the defendants on their beliefs and methods of prayer, which is an infringement on their religious freedom.” (MRG, February 2023, p. 20)

The authorities reportedly allowed religious minority groups, such as Shia Muslims, to worship in private and in small groups but did not allow for public religious gatherings nor the construction of houses for this purpose (USDOS, 15 May 2023, Executive summary; see also TIMEP, 6 January 2022). MRG makes a similar observation in its submission to the UN Human Rights Committee in 2023:

“Non-Sunni Muslims, such as Shi’a and Ahmadis are also unrecognized and face serious restrictions in their ability to worship freely. There are currently no Shi’a congregation halls

¹⁵ According to the Constitution, “Al-Azhar is an independent scientific Islamic institution, with exclusive competence over its own affairs. It is the main authority for religious sciences, and Islamic affairs. It is responsible for preaching Islam and disseminating the religious sciences and the Arabic language in Egypt and the world”. It is financed by the state and the institution’s Grand Sheikh “is independent and cannot be dismissed” (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Article 7).

in Egypt, for example, and Shi'a practitioners continue to be harassed by police and security officials." (MRG, 2023, p. 5)

The USDOS quotes a member of the Shia community as saying that the authorities prevented Shia pilgrims to meet at shrines that are valued by Shia Muslims, such as the Al-Hussein Mosque in Cairo, during Ashura and other religious festivities by scheduling repair works for these days (USDOS, 15 May 2023, section II).

The UN Committee on the Rights of the Child (CRC) notes in its concluding observations on Egypt's fifth and sixth state reports in May 2024 that children of religious minorities, including, among others, Shi'a Muslims, continue to face "varying forms of discrimination" and therefore recommends that such children should be free to manifest their religion and should have places to worship (CRC, 30 May 2024, p. 5).

Education on Shia Islam continues to be banned in schools by Al-Azhar, according to a Shia Muslim quoted by the USDOS (USDOS, 15 May 2023, section II). Researcher Ishak Ibrahim notes that while there have been improvements, the current school curriculum "continues to be discriminatory, and elevates Sunni Islam at the expense of other religions and faiths, instead of promoting and emphasizing on pluralism and human rights as the basis of citizenship" (Ibrahim, 17 September 2023). The Institute for Monitoring Peace and Cultural Tolerance in School Education (IMPACT-se), an Israeli NGO that monitors and analyses school textbooks worldwide, notes in a report on textbooks published and used by the Al-Azhar religious seminary that the seminary's curriculum "also touches upon issues of religious heresy, notably expanding on the emergence of sects within Islam (Shi'ism and Isma'ilism) and thereout (Druze, Baha'i faith, Ahmadiyya)" - issues, which, according to IMPACT-se, are not covered in Egypt's public school curriculum (IMPACT-se, November 2023, p. 10).

MRG mentions the case of Shia activist Haidar Kandil (also: Kandeel): He was the founder and coordinator of the Egyptian Shi'a Youth Coalition and was reportedly detained in December 2019 and forcibly disappeared for several months. In May 2020 he re-appeared before the State Security Prosecution and was charged with violation of Article 98(f) of the Penal Code, namely "blasphemy and spreading Shi'ism and anti-state thoughts as well as establishing an outlawed group". MRG notes that although he was released, he "was ordered to receive weekly police monitoring visits from August 2020 until the time of writing"¹⁶, lost his job and was banned from travelling abroad as his passport was seized (MRG, February 2023, p. 20; see also USDOS, 15 May 2023, section II).

USDOS notes that in March 2022, the Supreme Administrative Court confirmed a 2020 ruling requiring the National Telecommunications Regulatory Authority (NTRA) to block Shia websites, in particular the Ibn Al-Nafis news website. The NTRA had appealed against the decision, arguing it was not within its mandate to monitor the content of websites (USDOS, 15 May 2023, section II; see also The Arab Weekly, 8 March 2020).

The Egyptian Taskforce notes that religious groups that are not officially recognized, including, among others, Shia Muslims, face the violation of fundamental rights such as freedom of religion and belief, but also practical violations, such as that they are not able to document their marriage contracts or litigate personal status matters (Egyptian Taskforce, January 2023, p. 21).

¹⁶ USDOS writes about mandatory weekly check-ins with the local police (USDOS, 15 May 2023, section II).

The USDOS indicates that “[m]arriages between Shia are recognized as Muslim marriages” (USDOS, 15 May 2023, section II).

With regard to employment, the USDOS quotes Shia Muslims as saying that they were often working in informal or gig economy jobs since private employers would refuse to hire them (USDOS, 15 May 2023, section III). Moreover, some Shia reportedly claimed that they were excluded from service in the armed services as well as in the security and intelligence services (USDOS, 15 May 2023, section II).

In August 2023, in the context of the renovation and reopening of the Al-Sayeda Nafisa Mosque in Cairo and the visit of Sultan Mufaddal Saifuddin, the spiritual leader of the Bohra community worldwide, who came to Cairo for that occasion, several sources report on the Bohra community’s history and presence in the country (e.g., Ahram Online, 13 August 2023; Al Jazeera, 10 August 2023; MEMO, 10 August 2023). Ahram Online explains that the Bohra, a Shia Muslim minority, have financially contributed to the renovation of a series of historic mosques throughout the country, especially the Dawoodi Bohras, a Bohra subgroup that believes to be directly related to the Fatimids (Ahram Online, 13 August 2023), a dynasty that ruled in Cairo from 969 to 1171 (Encyclopaedia Britannica, last updated 13 June 2024). According to the BBC, some have expressed dissatisfaction over the Bohra community’s involvement in the renovation of mosques, as the buildings’ features allegedly are altered by these works (BBC, 12 May 2024).

3.4.4.2 Baha’i

Freedom House and the Bertelsmann Stiftung point to the discrimination that religious minorities, including, among others, the Baha’i, continue to experience (Freedom House, 2024, section F4; Bertelsmann Stiftung, 19 March 2024, p. 11).

Amnesty International notes that the Baha’i community continues to live “in the shadow”, as their “public activities” are banned by law – more specifically Law 263 of 1960, which bans Baha’i forums (Amnesty International, 14 August 2023, p. 7; see also Law No. 263 of 1960 concerning the Dissolution of Baha’i Assemblies, 19 July 1960). Following the promulgation of the law, Baha’i temples had to be closed and the community’s property was confiscated (Harvard Divinity School, undated; see also MRG, 2023, p. 5).

The USDOS states that according to “multiple” local sources, the Baha’i (and other religious minorities) are allowed to worship in small, private meetings, while their requests for public religious meetings continue to be denied by the authorities (USDOS, 15 May 2023, section II). USCIRF explains that the Church Construction Law of 2016 (see below, [section 3.4.4.3](#)) does not offer a legalisation process for houses of worship of Baha’i and other religious groups (USCIRF, May 2024, p. 54).

The Egyptian Taskforce observes that Baha’i are not only deprived of the right to peaceful assembly but faces also other difficulties:

“Other religious groups lack any official recognition, including Baha’is, Shi’ites, Quranists, Ahmadis, and Jehovah’s Witnesses, and are deprived of fundamental constitutional rights including freedom of religion and belief, freedom of opinion and expression, and peaceful assembly. They are unable to obtain official papers stating their religion or belief; any official paper they would obtain would attribute to them a belief or religion that differs

from their own. These groups are unable to document their marriage contracts or litigate personal status matters.” (Egyptian Taskforce, January 2023, p. 21)

In a joint submission to the Committee on the Rights of the Child (CRC) in April 2024, MRG and the Egyptian Front for Human Rights (EFHR), a Czech non-governmental organisation focused on the human rights situation in Egypt, explain that every Egyptian is required to obtain a national identity card (ID card) by the age of 16. In the application process, individuals are required to register their religious identity. However, only registration as one of the three officially recognized religions (Muslim, Christian, or Jew) is possible, otherwise the applicant faces the risk of being denied an identity document (MRG & EFHR, 19 April 2024, p. 3).

Researcher Amr Ezzat explains in an article for TIMEP that this problem appeared only in the early 2000s with the introduction of an electronic system to issue identity papers. While older paper identity documents had “Baha’i” or “Other” entered in the “religion” section, or had that section left empty, the electronic system did not allow for such options. Applicants were left with no other option than to choose one of the three official religions as mentioned above. In 2009, the Supreme Administrative Court granted the Baha’i the right to have an ID card with the “religion” section marked with a dash (-) or left empty (Ezzat, 30 December 2021), however, with limitations as MRG & EFHR explain:

“However, this compromise is restricted only to those Bahá’í who have had their previous IDs registered as ‘Bahá’í’ or ‘other’. Muslims or Christians who convert to Bahá’ism, on the other hand, are denied this right. Hence, a number of Bahai’s still cannot get ID cards with correct information stipulated on their religious affiliation or cannot access ID at all, resulting in subsequent documentation obstacles for their children.

Newborns whose parents do not have IDs where the registered religion is left blank or as a dash, are often unable to access birth certification as the religion of the child to be written on the birth certificate is unclear. This has resulted in a risk of statelessness for many Bahá’í children who remain without documentation.” (MRG & EFHR, 19 April 2024, p. 3)

USCIRF notes that Baha’i community members also cannot legally get married since there is no personal law for Baha’i. Some couples have reportedly married abroad and upon return have asked to have their foreign civil marriages recognised by the authorities. At first the Ministry of Interior accepted some, but not all such requests, according to USCIRF, but later changed its policy:

“While Egypt’s Ministry of Interior originally accepted these marriages in certain cases, it has done so inconsistently, denying marital status to some applicants. In May 2023 the Ministry countersued a Baha’i person who pursued this track on the grounds the individual did not disclose his or her Baha’i identity while asking for this marriage recognition. As the deadline for potential objections to the ruling in favor of this recognition has passed, the Ministry is appealing broadly to ‘general order’ as the basis for its claim.” (USCIRF, August 2023, p. 3)

MRG explains that in the past, marriage certificates issued by the Baha’i community’s administrative body, the so-called Spiritual Assemblies, were accepted by the Egyptian authorities. This, however, changed with the promulgation of Law No. 263 of 1960 and

subsequent dissolution of the Baha'i assemblies – since then, Baha'i have not been able to register their marriages. Moreover, MRG points to articles in the Law on Civil Status Matters and the Regulation for the Real Estate Registry that directly or indirectly discriminate against the registration of marriages of members of the Baha'i community (MRG, 2023, pp. 13-14).

Daraj, a Lebanon-based digital media platform, founded by journalists and publishing in Arabic and English, describes the case of Hazem Al-Hadi, a Baha'i man who married a woman of the same faith abroad and then tried to have his marriage registered in Egypt. After three years of unsuccessful attempts with the Civil Status Authority, he filed a lawsuit in 2019 and in 2020, a ruling was issued confirming the marriage. However, the Ministry of Interior appealed to overturn the ruling. A lawsuit filed by Al-Hadi in 2023 against the Ministry's appeal was still pending as of June 2024, according to Daraj (Daraj, 12 June 2024).

Since a marriage certificate is needed to register the birth of a child, many Baha'i parents are not able to register their children, which also prevents them from register their children for schools, get health insurance, or other forms of documentation, as MRG and EFHR explain. Many families have therefore taken legal action to have their marriage registered or documents for their children issued (MRG & EFHR, 19 April 2024, pp. 3-4). One woman, quoted by Daraj, says that seven schools refused to enrol her child due to religion and that in one case she was even threatened by the director (Daraj, 12 June 2024).

Daraj also points to another difficulty that Baha'i are facing – the lack of cemeteries for the community. A family living in Aswan Governorate had to travel to Cairo to bury a family member at the cemetery in the city's Bassatine area as there was no other Baha'i cemetery available (Daraj, 12 June 2024). According to USDOS, the Bassatine Cemetery in Cairo is Egypt's only cemetery where Baha'i can be buried (USDOS, 15 May 2023, section II). Researcher Amr Ezzat notes that this was one of the remaining cemeteries that was allocated to the community before the 1960s, when official attitude towards the Baha'i was still "relatively tolerant". All other cemeteries have reportedly been allocated for other purposes and are no longer available (Ezzat, 30 December 2021).

Legal action against the authorities to get land for a cemetery dedicated to religious minorities was unsuccessful, as the USDOS explains:

"Baha'is continued to pursue legal action to have the government designate a cemetery for persons whose national identity cards showed a dash ['-'] under religious affiliation (i.e., all those whom the government considered not to be Muslim, Christian, or Jewish). In December, the Supreme Administrative Court, responding to an appeal by the Baha'i community to a previous lower court decision in March, ruled that the government of Alexandria was not obligated to grant land for a cemetery for members of unrecognized religious groups. In the earlier ruling, Alexandria's Administrative Court cited the religious opinion of al-Azhar's Islamic Research Academy, which stated that allocating land for a Baha'i cemetery would 'lead to discrimination, further division, fragmentation, and rupture of the fabric of...society.' Also in December, the Port Said Administrative Court rejected a petition by members of the Baha'i community to allocate land for a cemetery there." (USDOS, 15 May 2023, section II)

USCIRF makes a similar observation (USCIRF, August 2023, p. 4) and EIPR issued a statement shortly after the rulings in December 2022 condemning the rulings:

“The Egyptian Initiative for Personal Rights condemns the two rulings issued on December 20, 2022 refusing to oblige the state to allocate cemeteries for the ‘fourth category’ of citizens, which contains those who do not belong to the three officially recognized religions, and whose IDs carry a dash sign (-) in the field for religion in the governorates of Port Said and Alexandria. EIPR [Egyptian Initiative for Personal Rights] considers this an endorsement to ignoring the most basic rights, which is the right to allocate cemeteries for all diversity of society.” (EIPR, 23 December 2022)

3.4.4.3 Copts/Christians

Exact data on the number of Christians living in Egypt is not available. However, according to estimates, 10 to 15 percent of the country’s population of almost 109 million are – predominantly Coptic Orthodox – Christians, with almost one third of them living in Minya Governorate (The New Arab, 24 April 2024).

State actors

Freedom House notes in its Freedom in the World report for 2023 that Christians, as well as other religious minorities, face “various forms of discrimination and harassment” (Freedom House, 2024, section F4; see also Freedom House, 2024, section B4). Moreover, Coptic Christians had been particularly affected by the blocking of church construction in recent years (Freedom House, 2024, section D2). Amnesty International writes that Christians continue to be discriminated against “in law and practice” by the authorities (Amnesty International, 24 April 2024).

The New Arab, a London-based English-language news website with a focus on the MENA region, notes that Copts are reportedly banned from holding “sovereign ministerial positions or sensitive posts at security agencies”. They are also by law banned from running for presidential elections (The New Arab, 24 April 2024).

Several Christians have been charged under Article 98(f) of the Penal Code for allegedly insulting Islam, including Marco Gerges (USDOS, 15 May 2023, section II; EIPR, 7 March 2024), Abdulbaqi Saeed Abdo, a Christian Yemeni asylum seeker (USDOS, 15 May 2023, section II; EIPR, 23 February 2023) and Nour Fayez Ibrahim Gerges (USCIRF, August 2023, p. 5; EIPR, 23 February 2023). For further information on these cases, see above [section 3.4.3](#).

USCIRF also mentions the case of a Coptic attorney, Hani Farouk Gibran, who was detained on charges of “spreading false news” for posting messages on social media calling for an end to church attacks, the burning of homes and the abduction of girls. He was reportedly later released (USCIRF, May 2023, p. 55).

USDOS points to the case of Patrick George Zaki, an Egyptian researcher, who was detained on charges of spreading false news, based on an article about the discrimination of Copts that he wrote in 2019 (USDOS, 15 May 2023, section II). REDRESS, an international human rights organisation that helps survivors of torture, in a joint report with several Egyptian human rights organisations, points to Zaki’s mistreatment in detention and his trial before an Emergency Court. In July 2023, he was sentenced to 3 years in prison but pardoned by the president:

“Further, the Egyptian government’s repressive campaign has targeted students, researchers, and other professionals who monitor, document and address human rights

issues, or analyse and report on the government's policies. Patrick Zaki, a Gender and Human Rights Researcher at the EIPR [Egyptian Initiative for Personal Rights] and Master's student in Italy, was arrested while on a visit to Egypt in February 2020 and subjected to enforced disappearance, torture, and sham criminal proceedings before an ESSSC [Emergency Supreme State Security Court] for 'disseminating false information' based on a 2019 article on the human rights of the Christian minority in Egypt. He was released in December 2021 pending trial, was re-arrested upon being convicted and sentenced to three years in prison in July 2023, and finally released by a presidential pardon a few days later." (REDRESS et al., October 2023, p. 23)

Christian Solidarity Worldwide (CSW), a Christian advocacy organisation for religious freedom, notes that Zaki was pardoned one day after being sentenced:

"Egyptian Christian human rights defender Patrick George Zaki was pardoned by President Abdel Fattah El-Sisi on 19 July, a day after being sentenced to three years in prison by an Emergency State Security Court in Al Mansoura Governorate. [...]

Sentences handed down by Emergency Courts are final and not contestable by appeal or any other legal procedure. However, they require ratification from the president, who has the authority to either approve them, or to pardon the person sentenced." (CSW, 20 July 2023)

He reportedly returned to Italy a few days later (The New Arab, 24 July 2023).

CSW reports in January 2023, that three men accused of assaulting Suad Thabet, an elderly Christian woman, in 2016 were acquitted by the Court of Appeal (Court of Cassation). The woman, who was 72 years old at the time of the attack, was beaten and stripped naked in public in the village of Al-Karm by a mob, after her son was accused of having a relationship with a divorced Muslim woman. He was sentenced to two years in prison for adultery; the sentence was later reduced to one year and he was released in October 2018. Five houses had been destroyed during the mob attack on Mrs. Thabet. Three men had originally been sentenced in absentia to ten years in prison by a criminal court but had appealed the verdict and later been acquitted. The decision was appealed but later confirmed by the Court of Appeal, whose verdict is final (CSW, 17 January 2023). EIPR condemned the acquittal (EIPR, 12 January 2023). Mada Masr notes that this decision not only means the perpetrators will go unpunished but that, according to a member of Ms. Thabet's legal team, she might even have to compensate the three men as they had filed a civil compensation suit against her. Mada Masr quotes civil society organisations and lawyers saying that the verdict "highlights the continued failings of the state to provide meaningful justice to Copts in sectarian violence cases" (Mada Masr, 16 January 2023).

In its annual report for 2023, Amnesty International points to sectarian attacks on the Christian population in the village of Ashruba in Minya Governorate in January 2023 and notes that nobody was held accountable for the attack (Amnesty International, 24 April 2024).

Watani, an online news site focussing on Coptic issues, and CSW explain that the conflict started with a dispute between a Muslim Tuk Tuk driver and a Christian car driver, but quickly turned into an attack on the village's Christian population by a Muslim mob, who attacked Christian homes and the village church and looted shops (Watani, 17 January 2023; CSW, 17 January

2023). According to Watani, some Christians were brought to hospital with minor injuries but could go home the following day. Several persons were reportedly detained by the police, but later released (Watani, 17 January 2023). Watani and CSW note that a reconciliation session was held in the village a few days later (Watani, 17 January 2023; CSW, 17 January 2023), however, Watani states that no compensation for the losses suffered by the Copts was included in the reconciliation agreement and that the practice, in general, was disadvantageous to the Christian community:

“It is a tradition followed mainly in rural communities, and is notorious when Copts are involved since the terms of settlement are usually unfair and oppressive to the Copts who are more often than not pressured or threatened to accept them. Upon signing a ‘conciliation agreement’ they automatically sign off all legal rights.” (Watani, 17 January 2023)

USCIRF similarly notes that reconciliation councils remain in use in rural areas, that they sometimes are tolerated or actively supported by local authorities and thus contribute to the further discrimination of victims from minority groups (USCIRF, May 2024, p. 55).

CSW’s founder and director is quoted as saying that reconciliation sessions in general “embolden perpetrators of sectarian violence”, since they are not held accountable for their actions, and calls for the authorities to investigate the incident in Ashruba village (CSW, 17 January 2023). MRG makes a similar observation:

“Coptic Christians face a number of violations regarding their right to access to justice, particularly because of the persistence of the recourse to intercommunal customary sessions of reconciliations following incidents of communal violence against Coptic Christians, instead of having recourse to ordinary justice that can hold perpetrators accountable, punish them and offer reparation to victims. A number of reconciliation sessions took place in a coerced manner, taking into consideration the balance of power of religious communities in certain localities. These reconciliation sessions often fail to offer effective remedies to victims and to offer a pathway for justice and accountability, and they can be mobilized for grave crimes, including murder, torture, theft, bullying or collective violence that should not be addressed exclusively through reconciliation sessions. The recent case of the reconciliation session that took place after the attacks in the Ashruba village in Beni Mazar Al Minya in January 2023, is a case in point. Coptic homes and shops were hit with stones, and some shops were looted, and the Church in the village was also attacked with stones leading to 6 victims injured. However, in the case of these attacks, the parties involved were allowed to walk away, after a few days of detention, without any prosecution.” (MRG, 2023, pp. 8-9)

In a brief report on the country’s legal framework with regard to religious minorities, TIMEP notes already in January 2022 that sectarian violence often goes unpunished while authorities “encourage” reconciliation:

“Egypt’s religious minorities, particularly members of the Christian faith, have consistently been subject to sectarian violence, including attacks directed at churches and other houses of worship. However—save for a few prominent cases—perpetrators of sectarian violence are rarely held to account, whether through Articles 160 and 161 of the Penal Code or

otherwise. Instead, authorities often resort to and encourage customary reconciliation sessions, which tend to favor the Muslim majority and increasingly occur as a substitute to the formal justice system, further marginalizing Christian communities as a result.” (TIMEP, 6 January 2022)

Journalist Eman Adel describes in an investigation for the organisation Arab Reporters for Investigative Journalism (ARIJ) that testimonies of Christians are “regularly rejected in family courts on religious grounds”, thereby reinforcing the feeling among Christians of being “second-class citizens” (Adel, 5 May 2024).

Freedom House notes that different personal laws apply to Muslims and Christians, with Christians often being discriminated against (Freedom House, 2024, section F4). MRG similarly explains that personal status law is different for each of the three recognized religious groups and operates according to the respective group’s religious principles (MRG, 2023, p. 12; see also Bertelsmann Stiftung, 2024, p. 7). However, religious minorities that are not officially recognised are subject to Muslim family law, according to Memory & Knowledge for Studies (MKS), an Egyptian non-governmental organisation founded in 2021 that focuses on the history and development of the country’s justice system. The same applies in case of mixed marriages if one of the parties involved is Muslim, but also in case the partners belong to different communities or denominations such as, for example, Coptic Orthodox and Armenian Catholic (MKS, 10 June 2024, p. 9). As non-religious or civil marriages are not recognised for Egyptians, marriages of religious minorities are only recognised once they have been registered by a religious ceremony, which, as MRG notes, also gives religious authorities the power to “vet marriages according to their own regulations” (MRG, 2023, p. 12).

According to the New Arab, Christians are “legally forced” to abide by Islamic Sharia Law, except in cases of marriage and divorce, and Christian women have fought for a long time – yet unsuccessfully – to have equal shares in inheritance with men (The New Arab, 24 April 2024). Amnesty International similarly notes that, in general, judges apply the Personal Status Law for Muslims, which is discriminatory to women in matters of inheritance. In a positive development, however, as Amnesty International notes, in March 2023, a family court in Cairo ruled in the case of a Christian woman fighting for an equal share in inheritance, that Christian law has to be applied in her case (Amnesty International, 24 April 2024). Egypt Independent, an Egyptian English-language news website, explains that the ruling was taken by the Cairo Family Court of Appeals, overturning the court of first instance’s ruling, where the woman’s claim had been rejected (Egypt Independent, 11 April 2023).

The Egyptian Taskforce explains that in custody cases where the father is Muslim, but the mother is not, the mother often loses custody of her child when the child turns 7, to prevent the child from turning to a religion other than Islam (Egyptian Taskforce, January 2023, p. 22). MRG and the Egyptian Front for Human Rights (EFHR), in their joint report of April 2024, make a similar observation:

“In legal custody claims concerning children with parents of different faiths – specifically Muslim men and Christian women – custody is typically granted to the father. It is believed that if the mother is non-Muslim, her custody over the child can end when they become ‘religiously aware’, previously determined by a court ruling to be seven years of age if it is thought that the mother will be a negative influence over the child’s religion. In the case of interfaith marriages where there is an absence of civil marriage, Sharia law is applied to

legal disputes relating to the child. As a result, in cases of dispute over child custody, the child is likely to be placed under the custody of the Muslim parent (often father) over the non-Muslim parent (often mother).” (MRG & EFHR, 19 April 2024, p. 5)

According to the Bertelsmann Stiftung’s country report, drafts on a new personal status law for Muslims have been presented by the government in 2021 and by women’s rights groups in 2022 (Bertelsmann Stiftung, 2024, p. 7). Christian media sources quote a Coptic Christian bishop as saying that a new law for the personal status of Christians is “practically complete” but that there was a delay in submitting it to Parliament for approval (La Croix International, 28 June 2023; Agenzia Fides, 27 June 2023) – indicating that this was because a personal status law for Muslims was scheduled to be issued at the same time, according to the Egyptian newspaper Al-Dostor (Al-Dostor, 24 June 2023). According to La Croix International, the international version of the French Catholic media outlet La Croix, five Egyptian churches, including Orthodox, Catholic, Evangelical, Syriac Orthodox and Greek Orthodox, have been permitted to draft new personal status legislation in accordance with Christian principles (La Croix International, 28 June 2023).

EOHR points to the Church Building and Restoration Law of 2016, which regulates the construction of Christian churches and creates ways to legalise churches that in the past had been built without permits. EOHR notes that until “late 2022”, about 2000 unlicensed churches and affiliated buildings have been legalised (EOHR, 2023, p. 7). According to the prime minister quoted by Amnesty International, as of May 2023, the legalisation of 2,815 churches has been approved by the government - about half of all submitted requests (Amnesty International, 24 April 2024; see also Ahram Online, 15 May 2023).

USCIRF notes that while the law has given Christian worship sites the chance to legally achieve status as churches, it has also “reinforced an inherently discriminatory system”: Christians have a separate set of requirements and all other religious minorities, such as Baha’i and Shia Muslims, are not entitled to apply at all (USCIRF, May 2024, p. 54).

MRG similarly points to “problematic articles” in the law:

“Previous research by MRG has shown how the law had many problematic articles including the stipulation that churches must reflect the size and demand of the surrounding Christian population (Article 2), the requirements of approval from the governor within four months (Article 5) and the relevant administrative authorities (Article 6). These vague and onerous requirements are in contrast with the much simpler and less restrictive requirements contained in the 2001 law on the building of mosques.” (MRG, 2023, p. 6)

USCIRF mentions a series of fires inside Christian churches in August 2022. The government reportedly attributed these incidents to “faulty electrical setups” and structural deficiencies, which human rights organisations consider the consequence of systemic discrimination of Coptic Christians (USCIRF, May 2023, p. 54). According to the USDOS, 41 persons were killed in one such fire in the Abu Sefein Church in Giza (USDOS, 15 May 2023, section II).

Non-state actors

Freedom House notes in its Freedom in the World report for 2023 that Coptic Christians were particularly affected by “forced displacement, physical assaults, bomb and arson attacks [...] in recent years” (Freedom House, 2024, section D2). According to the New Arab “[d]iscrimination against Christians is relatively subtle in main cities like the capital, Cairo, or Alexandria but becomes much more pronounced in the south” (The New Arab, 24 April 2024). MRG similarly points to the harassment that Christians are facing:

“Copts are subjected to different form of hate speech, in addition to the incitement of hatred by religious elites who portray them as unbelievers and ‘kafirs’. This in turn exposes them to different forms of verbal and physical assault. Additionally, the repeated calls to avoid congratulating Christians on their holy feasts and disallow prayers for their deceased contribute to further incitement to enmity.” (MRG, February 2023, pp. 22-23)

Al-Arab, a London-based Arab-language newspaper, similarly points to “extremist” voices trying to incite hatred between Christians and Muslims in an article of June 2024. In the article, Al-Arab describes the Ministry of Religious Endowments’ announcement that Christian churches and priests would participate, together with Muslims, in the Sukuk Al-Adahi (the sacrificial distribution of meat among the poor) as an act of solidarity that has nothing to do with faith. At the same time, Dar Al-Ifta¹⁷ announced that non-Muslims were allowed to participate together with Muslims in the sacrifice. These announcements reportedly caused some “extremist” voices on social media to try to undermine social cohesion by inventing fatwas that prohibit participating together in the sacrifice, according to Al-Arab (Al-Arab, 15 June 2024).

In its annual report for 2023, USCIRF notes that some local communities reacted with violence to Christians’ attempts to construct or repair church buildings under a new legal permit, and points to an attack on a construction site for Christians in Abu-Qurgas in September 2023 and an attack on Coptic Christians, who were trying to build a church under a new legal permit in Samalout in December 2023, both in Minya Governorate (USCIRF, May 2024, p. 54).

CSW similarly describes attacks on Christian homes and churches in Minya Governorate, including an arson attack on a Christian church in the village of Misha’at Zaafaranah on 6 January 2024, an attack on a Christian church and the homes of Christians in Al-Azeeb village in Samalout on 18 December 2023, and an attack on a Christian man and his home in Beni Khyar in November 2023 (CSW, 11 January 2024; for the attack in Al-Azeeb village, see also CSW, 20 December 2023).

On 23 April 2024, Muslims reportedly burned down the houses of local Christians in Al-Fawakher village in Minya Governorate. The New Arab quotes a source saying that the attack was triggered by the Christians’ attempt to build a new church in the village, which was rejected by the village’s Muslim population. When attempts by religious extremists to expel the Christians from their homes failed, they reportedly set the houses of the local Christians on fire while they were still inside (The New Arab, 24 April 2024). Only a few days later, on 26 April, extremists reportedly attacked the construction site of a new Evangelical church in Al-Kom Al-

¹⁷ A religious institution and the official body for issuing fatwas (Islamic legal rulings) to Muslims worldwide (Dar Al-Ifta, undated).

Ahmar village, also in Minya Governorate, only a few days after construction of the building had begun. The extremists reportedly also attacked homes and properties of Christians, but no one was injured in the attack; several attackers were reportedly arrested by the police (CSW, 30 April 2024; see also Christian Daily, 26 April 2024). In a statement following the attacks, EIPR criticised that security forces failed to prevent the attacks although they knew about “growing sectarian tensions and incitement” (EIPR, 29 April 2024).

In their joint report, MGR and EFHR point to incidents of enforced disappearance of Coptic Christian girls and/or forced religious conversion to Islam:

“A number of incidents of enforced disappearances of Coptic Christian underage girls have been reported by Coptic families. In many cases, abducted children have only been found after they have reached adulthood and converted to Islam. Police forces frequently fail to respond adequately to reports of disappearances of Christian girls, often failing to investigate cases brought before them and to take steps to assist the families of the victims. Similarly, in instances where forced religious conversions are alleged to have taken place, little is done by law-enforcement authorities to determine whether the conversion was free or forced.” (MRG & EFHR, 19 April 2024, p. 6)

Coptic Solidarity, a US-based international non-profit organisation advocating for equal rights for Coptic Christians in Egypt, states in June 2024 that since the beginning of the year, there have been 20 known cases of disappeared Coptic women and girls. The organisation notes that while many of them could be returned “reasonably quickly”, in no case were the perpetrators held accountable and in many cases the families were asked to remain silent on the matter (Coptic Solidarity, 11 June 2024; see also Coptic Solidarity, 27 September 2023).

Coptic Solidarity points to the case of Irene Ibrahim Shehata, a 21-year-old medical student, who disappeared in January 2024 between mid-term exams and whose parents accuse a Muslim Brotherhood network of being behind her disappearance (Coptic Solidarity, 29 February 2024).

USCIRF describes another form of forced conversion:

“Against the backdrop of Egypt’s intensifying economic crisis, community liaisons in rural Upper Egypt described an increase in exploitation of women based on their religion, such as lenders pressuring resource-limited Christian widows to convert to Islam in exchange for debt forgiveness.” (USCIRF, May 2024, p. 54)

The New Arab reports in March 2023 that a five-year-old boy was returned to his Coptic Christian foster family after an Islamic fatwa issued by the Dar Al-Ifta. The boy had been found in 2018 as a few-day-old baby inside a church and, with the knowledge of the church’s priest, had been raised by a Christian couple as their own and named “Shenouda” (The New Arab, 29 March 2023). A relative of the family, for personal reasons, later informed the authorities about the child with the result that the child was taken away from the foster parents by force in 2022, since according to Islamic state law any unidentified child is considered Muslim by default and adoption is prohibited (while it is allowed under Christian law). The boy was put in an orphanage, his name changed to “Youssuf”, and he was to receive Islamic instruction (Fanack, 23 November 2022). However, a year later, following a custody battle and the Dar Al-Ifta’s fatwa, according to which an abandoned child should follow the religion of the person

who found him or her, the boy was returned to his Christian foster family, according to the New Arab (The New Arab, 29 March 2023).

3.5 Arrest procedures and detention

According to the October 2023 report by several NGOs, targeting of activists and dissidents in Egypt followed a “clear pattern of arbitrary arrest, often followed by incommunicado detention or enforced disappearance” at which point detainees would be subjected to torture or ill-treatment and subsequently charged with offences linked to national security (REDRESS et al., October 2023, p. 14). Human rights and advocacy organisations throughout the reporting period raised awareness concerning individual cases which had followed the above-described pattern (EFHR, 28 March 2024; Amnesty International, 9 June 2023, p. 1), and involved victims still in detention years after their arbitrary arrest (RSF, 24 May 2023; EIPR, 30 April 2024). The United Nations (UN) Committee Against Torture (CAT) in its December 2023 concluding observations on the fifth periodic report of Egypt addresses the vaguely worded counter-terrorism legislation allowing for long periods of pretrial detention and that persons accused of terrorism face various human rights abuses:

“[T]he Committee is concerned that the Counter-Terrorism Act (No. 94 of 2015) and the Terrorist Entities Act (No. 8 of 2015) contain a definition of terrorism that is vague and overly broad, including ‘harming national unity’ and ‘disturbing the public order’, and that those laws have reportedly been used to silence actual or perceived critics of the Government. It is also concerned that persons suspected or accused of involvement in terrorist acts can be held in police custody for a maximum period of 28 days and that they have allegedly been held in custody for longer periods without charge. It is further concerned about allegations that persons accused of terrorism are often subjected to arbitrary arrest, unlawful detention, torture, ill-treatment and enforced disappearance and that court proceedings in terrorism cases often lack fundamental procedural safeguards to ensure fair trial.” (CAT, 12 December 2023, p. 3)

“The Committee is concerned by the reportedly widespread use of incommunicado detention under counter-terrorism laws, which presents a significant systemic risk of short-term enforced disappearance, and by the reported rising trend in such disappearances. It is also concerned by reports of the enforced disappearance of individuals whose release has been mandated in a court order. It is further concerned by the persistently high number of cases of enforced disappearance submitted to and pending before the Working Group on Enforced or Involuntary Disappearances. Lastly, it is concerned by the lack of availability of official data on documented cases of enforced disappearance and on the investigations carried out in those cases (arts. 2, 11–13 and 16).” (CAT, 12 December 2023, p. 4)

3.5.1 Arbitrary arrests

During 2023, security forces continued to exercise illegitimate force with impunity, with counterterrorism legislation providing them with wide-ranging powers and immunity in enforcement (Freedom House, 2024, section F3). They rarely present a warrant upon arrest, especially not if the person in question faces terrorism-related charges, with the warrant usually being issued by a judge following the arrest (Alkarama, 2 October 2023, pp. 7-8).

USDOS reports the following regarding enforced disappearances, arbitrary arrests and incommunicado detention:

“International and local human rights groups reported large numbers of enforced disappearances, alleging authorities utilized this tactic to intimidate critics. Authorities sometimes detained individuals without producing arrest or search warrants. According to local nongovernmental organizations (NGOs), authorities detained many of these individuals in unspecified National Security Agency (commonly referred to as NSS) offices and police stations, but they were not included in official registers of detainees. Authorities routinely held detainees incommunicado and denied their requests to contact family members and lawyers for periods ranging from a few days to several years. [...]

On February 20, six leading domestic human rights groups denounced the government’s use of enforced disappearances and the public prosecutor’s failure to investigate them. The statement followed the appearance at the Supreme State Security Prosecution (SSSP) of at least 40 detainees whom authorities had held incommunicado for up to three years. According to the rights groups, many of the detainees were subjected to torture while in NSS custody. The statement criticized the public prosecutor for failing to investigate complaints regarding the disappearances and dating their arrests from their first court appearance rather than when they were detained. The rights groups condemned these actions as failing to uphold the law and contributing to impunity for the security services.” (USDOS, 23 April 2024, section 1B)

Stop Enforced Disappearance, a campaign launched in 2015 by the human rights organisation Egyptian Commission for Rights and Freedoms (ECRF), recorded 821 cases of enforced disappearance between August 2022 and August 2023, the whereabouts of 55 persons remaining unknown by the time of the publication of the report. The campaign further notes the duration of disappearance, with 614 persons being disappeared for between several days and six months, 96 between six months and more than a year, with arrests taking place at the persons’ homes, in the street or after having been summoned for questioning to a NSS headquarters (Stop Enforced Disappearance, 10 September 2023). For example, the Egyptian Front for Human Rights (EFHR) reported the arrest of an activist at a checkpoint in August 2023, whereupon he reportedly was forcibly disappeared for five days without a lawyer (EFHR, 28 March 2024). Similarly, activist Moaz Al-Sharqawy was reportedly arrested in May 2023 at his home and subjected to enforced disappearance for 23 days, during which time he was interrogated without a lawyer present (Amnesty International, 9 June 2023, p. 1).

For more information on arbitrarily prolonged pretrial detention, please refer to [section 3.6.1](#).

According to the USDOS human rights report covering 2023, there were numerous reports of arbitrary or unlawful killings being committed during arrests or while holding people in custody, with investigations into these deaths not including forensic examinations or concluding death of natural causes (USDOS, 23 April 2024, section 1A). In June 2023, security forces reportedly used excessive force while arresting a man at his home in Alexandria governorate, severely beating him and taking him to an undisclosed location where he died (CFJ, 20 July 2023).

3.5.2 *Use of torture and inhuman, cruel or degrading treatment*

While the Egyptian Constitution (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Articles 52, 55) as well as the Penal Code (Penal Code Law No. 58 of 1937, 21 July 1937, with amendments up to 15 August 2021, Articles 126, 282) prohibit torture, the UN Committee Against Torture (CAT) highlights the following issues contained in the legislation:

“(a) torture is not defined as ‘any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person’; (b) the notion of torture being inflicted ‘with the consent or acquiescence of a public official or other person acting in an official capacity’ has not been incorporated into the State party’s definition; and (c) acts of torture are criminalized only when they are committed against an accused person and for the purpose of coercing the person into making a confession.” (CAT, 12 December 2023, pp. 2-3)

According to the October 2023 report by several NGOs, there are no official statistics available on torture and civil society has difficulties collecting data because lawyers in state security cases are regularly kept from meeting their clients privately or torture takes place during incommunicado detention. Moreover, there reportedly is no independent oversight of detention facilities, no proper records of detention and release, no timely access to doctors or contact with family members and no effective complaints mechanism (REDRESS et al., October 2023, p. 11)

Several reports refer to the common occurrence of torture in detention, calling the use of torture “widespread” (REDRESS et al., October 2023, p. 11), a systemic practice (El Shehab for Human Rights, 26 June 2024, p. 7), stating that torture and other ill-treatment are “routine in prisons, police stations and NSA-run facilities” (Amnesty International, 24 April 2024) and that “[i]mprisoned activists, bloggers, and journalists frequently experience abuse and torture while in detention” (Freedom House, 4 October 2023, section C7). Contrary to that, an organisation named HumanAct, about which no information could be found online, in a report submitted to CAT in October 2023 states that torture was no longer a systematic practice but rather limited to individual incidents, but further argued that the continued use of detention pending trial might lead to the reoccurrence of such practices (HumanAct, October 2023, p. 1).

El Nadeem Against Violence and Torture, an NGO that has been working to rehabilitate victims of torture and monitored violations in custody and in prisons, leading to a government-enforced closure of their premises in 2017 (Mada Masr, 7 December 2018), on its Facebook profile publishes monthly figures on violations by state forces based on monitoring media coverage. For the year 2023, it documented 38 cases of death in custody, 52 cases of torture, 274 cases of enforced disappearance and 1,668 cases of reappearance following enforced disappearance (El Nadeem Against Violence and Torture, 25 January 2024). For the first quarter of 2024, it documented ten cases of death in custody, 15 cases of torture, 139 cases of enforced disappearance and 605 cases of reappearance following enforced disappearance (El Nadeem Against Violence and Torture, 18 May 2024). El Shehab for Human Rights, a voluntary human rights organisation which in 2006 started its work in Egypt and later moved to the United Kingdom (El Shehab for Human Rights, undated) in June 2024 published a report on torture and impunity in Egypt. The report describes seven cases between June and September 2023, in

which torture in detention resulted in the death of the detained person (El Shehab for Human Rights, 26 June 2024, pp. 8-9). It further documents five cases in which detained or imprisoned persons died due to lack of medical attention (El Shehab for Human Rights, 26 June 2024, pp. 10-11).

The USDOS referring to reporting by local and international rights organizations names beatings, electric shocks, psychological abuse, and sexual assault, including as part of interrogation, as forms of torture employed during detention (USDOS, 23 April 2024, section 1C). The report by the El Shehab for Human Rights features several cases of 2024 involving intentional medical neglect, violent assault, beatings while restrained by handcuffs leading to broken bones and heavy bruises (El Shehab for Human Rights, 26 June 2024, pp. 11-12). The USDOS report further states that according to multiple human rights groups, “authorities subjected prisoners accused of crimes related to political or security matters to physical and verbal abuse and prolonged or indefinite solitary confinement” (USDOS, 23 April 2024, section 1C).

Individual cases of persons subjected to torture were reported for detainment facilities during enforced disappearance as well for prisons during the reporting period: In January 2023, lawyer Shaaban Mohamed was arrested in the street, forcibly disappeared to an NSA facility for six weeks and subjected to beatings, being suspended and receiving electric shocks (Amnesty International, 24 April 2024). Lawyer Mohamed Baker, who had represented an activist in the past and was himself imprisoned, in April 2023 was reportedly stripped, beaten and put in solitary confinement in Badr 1 prison (Amnesty International, 8 August 2023, p. 2). Anas al-Beltagy, son of a Muslim Brotherhood leader, was being held in prolonged solitary confinement and denied family visits since his transfer to a different prison in June 2023 (Amnesty International, 11 January 2024, p. 1; see also Al-Araby Al-Jadeed, 30 December 2023). Imprisoned activist Hala Fahmy reported during a hearing that she suffered frequent physical assaults, as well as verbal abuse and threats from the prison administration (CFJ, 17 July 2023). Blogger Mohamed Radwan, also known as Mohamed Oxygen, was held in isolation in a very small cell infested with rodents and insects since July 2023 (RSF, 26 April 2024; El Shehab for Human Rights, 26 June 2024, p. 14).

For information on confessions obtained under torture, please refer to [section 3.6.1](#).

According to several sources, security forces largely enjoyed impunity (USDOS, 23 April 2024, section 1C; Freedom House, 4 October 2023, section C7; Alkarama, 2 October 2023, p. 17). The USDOS report refers to figures published by the quasi-governmental National Council for Human Rights (NCHR) covering December 2020 to May 2023, according to which 4.5 percent of more than 2,000 complaints to the Ministry of Interior and Public Prosecutor’s Office involved allegations of torture or mistreatment. The USDOS continues that only in a small number of cases reports of abuse led to investigations and charges against security officials (USDOS, 23 April 2024, section 1C)

3.5.2.1 Use of anal and vaginal exams

Sources report forced anal examinations of members of the LGBTI community following arrests (USDOS, 23 April 2024, section 6; Amnesty International, 14 August 2023, p. 7; UN Human Rights Committee, 14 April 2023, p. 2). In its December 2023 report, the United Nations (UN) Committee Against Torture (CAT) notes its concern about reports of persons being subjected

to forced anal examinations to prove homosexuality and reports of vaginal examinations to prove sexual acts such as extramarital relations and acts of prostitution (CAT, 12 December 2023, p. 12). The USDOS report refers to human rights organisations stating that the Public Prosecutor's Office ordered these forced examinations primarily in connection with debauchery charges levelled against transgender women and men who had sex with men (USDOS, 23 April 2024, section 1C). Women reportedly have to undergo vaginal examinations and virginity tests before being placed in prison (TIMEP, 19 April 2023).

No information could be found regarding the documentation of such examinations during the reporting period.

3.5.3 Detention conditions

Sources describe conditions in prisons and detention centres as “very poor” (Freedom House, 2024, section F3), “harsh and life threatening” (USDOS, 23 April 2024, section 1C), and “inhuman” (Bertelsmann Stiftung, 19 March 2024, p. 32). In February 2023, nine mostly Egyptian human rights organisations called on the government to release official figures on the number of detained people in the country in light of a drastic rise in detainee numbers under Al-Sisi's presidency leading to overcrowding (HRW, 28 February 2023). Official figures had reportedly not been released since the 1990s and independent monitoring groups were routinely denied access to prison facilities (MEDC, 8 May 2024). Among the main issues reported were overcrowding, lack of proper sanitation and hygiene as well as insufficient food and potable water (USDOS, 23 April 2024, section 1C; Freedom House, 2024, section F3; CAT, 12 December 2023, p. 6) and a lack of ventilation (USDOS, 23 April 2024, section 1C; CAT, 12 December 2023, p. 6; HRW, 28 February 2023). Middle East Monitor (MEMO) in a January 2024 article refers to information gathered by the Egyptian NGO El Nadeem Centre, listing different forms of ill-treatment in prison and detention facilities registered between October and December 2023:

“Among the forms of individual or collective harassment in prisons and various detention centres are: ‘Deprivation of appointments, deprivation of prison food, cutting off water for days, preventing visits for years, reducing visitation times and reducing food and supplies brought during visitation to a bare minimum, preventing the entry of medicine and clothing, stripping the cells, shaving prisoners’ hair by force, group beatings, preventing exercise and leaving cells and imprisoning large numbers in overcrowded cells.’” (MEMO, 6 January 2024)

Some prisoners reportedly staged hunger strikes to demand better conditions (Amnesty International, 24 April 2024; ECRF, 11 June 2024; MEE, 18 September 2023).

Sources report the use of solitary confinement (CAT, 12 December 2023, p. 6; Amnesty International, 24 April 2024; MEDC, 8 May 2024), which according to a TIMEP analysis is still the most common punishment in prisons (TIMEP, 11 March 2024), as well as the restriction or denial of visits (CAT, 12 December 2023, p. 6; Amnesty International, 24 April 2024, MEDC, 8 May 2024).

Several sources further highlight the lack of access to adequate medical care (USDOS, 23 April 2024, section 1C; Freedom House, 2024, section F3; CAT, 12 December 2023, p. 6). USDOS reports that “[h]uman rights groups and the families of some deceased prisoners claimed prison authorities denied prisoners access to potentially life-saving medical care and in some cases denied requests to transfer the prisoners to the hospital” (USDOS, 23 April 2024, section 1A). Throughout the reporting period, rights groups reported cases of political prisoners being denied health care treatment and access to specialised doctors (RSF, 24 May 2023; AFTE et al., 22 January 2024, p. 1; Amnesty International, 3 April 2024, p. 1; EIPR, 8 May 2024). El Nadeem Against Violence and Torture documented 144 cases of medical negligence by state forces during 2023 and the first quarter of 2024 (El Nadeem Against Violence and Torture, 25 January 2024; El Nadeem Against Violence and Torture, 18 May 2024). According to Till the Last Prisoner (@SajeenSiyasy), a campaign launched by human rights defenders in July 2022 (Al-Araby Al-Jadeed, 2 July 2022), 38 people died in detention centres due to medical neglect between January and mid-September 2023 (@SajeenSiyasy, 14 September 2023).

Between 2013 and 2021, the Egyptian government built dozens of new prisons (HRW, 28 February 2023; MEE, 1 March 2023). These new prisons, among them the Badr Prison Complex, are called reform and rehabilitation centres, and upon their establishment were promoted by the government as adhering to human rights standards (TIMEP, 11 March 2024). However, several sources mention the Badr complex specifically as employing new forms of violations, such as 24-hour lighting as well as camera surveillance in the cells (ECRF, 11 June 2024; TIMEP, 11 March 2024). Based on information provided by families of prisoners in these new prison facilities as well as former inmates, TIMEP reports that all cells are equipped with an intercom as well as camera surveillance, allowing prison authorities communication without direct contact. According to one former inmate, even the report of an emergency over the intercom was not responded to for hours. TIMEP further reports that pretrial renewal hearings in the new Badr Prison Complex can be conducted remotely via video conference, further isolating the prisoners inside the complex and preventing individual meetings with their lawyers (TIMEP, 11 March 2024). A fact sheet on conditions in the Badr Prison Complex published by the Middle East Democracy Center (MEDC) in May 2024 reports at least three deaths in Badr Prison in 2023 as well as four deaths in January 2024 alone due to lack of medical care (MEDC, 8 May 2024). A joint appeal by several human rights organisations in January 2024 describes the detention conditions of a political prisoner named Badr Mohamed, who is held in Badr Prison Complex:

“Badr Mohamed is detained in Badr 1 prison, known for its cruel and inhumane detention conditions which violate international law. He is only allowed short family visits once a month which is far from enough to spend time with his daughter. Prison guards often deny or delay written correspondence between him and his loved ones and ban any phone calls. He is held in a small, poorly ventilated cell, which lacks any natural light, together with another 20 detainees. Prisoners are subjected to camera surveillance and fluorescent lights round the clock, which causes severe pain and suffering and violates the absolute prohibition of torture and other ill-treatment. Badr Mohamed also complained about the failure of prison authorities to provide him and other prisoners with sufficient and nutritious food and potable water. Prison authorities also ban books, paper, pens, and climate appropriate clothes, with prisoners complaining of bitter cold in the winter months.

These prison conditions have had a detrimental impact on his physical and mental health with his family reporting that he lost significant weight since his detention. Badr Mohamed has also complained about his vision worsening, toothaches, and inability to sleep. Despite this, he has not had access to any healthcare.” (AFTE et al., 22 January 2024, p. 1)

TIMEP in April and November 2023 published two briefs that focused on women’s prisons in Egypt, containing women’s testimonies of enforced disappearance, pretrial detention and being held in detention facilities. Former inmates recount being held in overcrowded, unsanitary cells, and being subjected to beatings and insults during interrogation as well as strip searches among other abuses (TIMEP, 19 April 2023, TIMEP, 16 November 2023).

3.6 Trial procedures

3.6.1 *Legal protections and due process*

Independence of judiciary

According to the March 2024 country report on Egypt published by the Bertelsmann Stiftung, a German non-profit think tank, the country’s judiciary has long been somewhat independent, with the 2014 Constitution bringing further improvements. Since then, the report notes, the judiciary has come under "tighter control through new laws and constitutional amendments" severely restricting its independence (Bertelsmann Stiftung, 19 March 2024, p. 10). The US Department of State (USDOS) notes in its 2023 report on human rights that, while the Constitution provides for an independent judiciary, the courts occasionally appear to lack impartiality, particularly in cases involving criticism of the government (USDOS, 23 April 2024, section 1E). The executive reportedly exerts influence over the judiciary (Bertelsmann Stiftung, 19 March 2024, p. 10; Freedom House, 2024, section F1). Several sources note that constitutional amendments in 2019 further strengthened the president's powers over the judiciary and compromised its independence (Freedom House, 2024, section F1; UN Human Rights Committee, 14 April 2023, p. 11; Finnish Immigration Service, 8 April 2024, pp. 1-3). The president has effectively been given the power to appoint the heads of the main judicial bodies (Bertelsmann Stiftung, 19 March 2024, p. 10), including the Constitutional Court, the Court of Cassation, the Council of State (Finnish Immigration Service, 8 April 2024, pp. 1-3) and the prosecutorial authority (UN Human Rights Committee, 14 April 2023, p. 11; Finnish Immigration Service, 8 April 2024, pp. 1-3). He further has the power to decide on promotions, transfers, or disciplinary measures against members of the judiciary (UN Human Rights Committee, 14 April 2023, p. 11; Finnish Immigration Service, 8 April 2024, pp. 1-3).

The end of the country’s state of emergency in October 2021 meant the end of the so-called special Emergency State Security Courts (ESSC), which severely restricted procedural rights and banned appeals (Bertelsmann Stiftung, 19 March 2024, p. 10; see also EFHR, October 2022, p. 5; USDOS, 23 April 2024, section 1E). EIPR notes in July 2023 that ESSCs, together with the Terrorism Circuits established in December 2013, “are officially tasked with handling terrorism-related cases” (EIPR, 24 July 2023). With the ESSC’s cessation, no new cases can be referred to them, while all ongoing cases stay within their jurisdiction (Bertelsmann Stiftung, 19 March 2024, p. 10).

Due process and fair trial

Several sources report violations of due process (Freedom House, 2024, F2; USDOS, 23 April 2024, Section 1E; CIHRS, 2 February 2024; CAT, 12 December 2023, pp. 9, 10; CFJ, 2 October 2023, p. 8; HRW, 26 May 2023), even though it is enshrined in Article 96 of the Egyptian Constitution (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Article 96). According to several sources, the Egyptian judiciary does not adhere to fair trial standards (Freedom House, 2024, section F2; Amnesty International, 24 April 2024; USDOS, 23 April 2024, section 1E; OHCHR, 3 April 2024; HRW, 5 March 2024; CAT, 12 December 2023, pp. 9, 10; CFJ, 2 October 2023, p. 8; EIPR, 24 July 2023). The United Nations (UN) Committee Against Torture (CAT), a UN body of independent experts that considers reports submitted by UN member states on their compliance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, reports in December 2023 that court proceedings in terrorism cases were often characterised by a lack of fundamental legal guarantees and unfair trials. In the CAT report, the Committee expresses concern about “consistent reports indicating that, in practice, persons in custody, in particular persons detained for terrorism-related offences or during states of emergency, are not routinely afforded all fundamental legal safeguards from the very outset of deprivation of liberty” (CAT, 12 December 2023, p. 5).

A press release signed by several human rights organisations and published by the Egyptian Initiative for Personal Rights (EIPR), an Egyptian non-governmental organisation, in July 2023 notes that “4,620 Egyptian citizens, including peaceful politicians and human rights defenders, have been placed on the terrorism lists by the courts between 2015 and 2022, without a trial and on the basis of [...] state security investigations”. According to the press release, the Supreme State Security Prosecution (SSSP), which was established in 1953 and investigates matters of national security (Amnesty International, 27 November 2019), has continuously “misused counter-terrorism to prosecute thousands of peaceful dissidents” (EIPR, 24 July 2023).

The US Department of State (USDOS) notes in its 2023 report on human rights in Egypt that the right to a public trial was often violated by the judiciary, although the law provided for this right. Referring to a number of human rights groups, the USDOS states that in cases involving criticism of the government, the courts “arrived at politically motivated outcomes or without individual findings of guilt” (USDOS, 23 April 2024, section 1E). Freedom House notes in its 2024 report on Egypt that courts normally act in the interests of the government, the military, and the security apparatus while they fail to respect due process and other basic safeguards in cases involving criticism of the government and “all forms of independent expression” (Freedom House, 2024, section F1). In April 2023, the UN Human Rights Committee reports that it is concerned by a number of reports “indicating the politicization of judicial and prosecutorial authorities, resulting in politically motivated cases [...] characterized by prolonged pretrial detention and violations of fair trial guarantees” (UN Human Rights Committee, 14 April 2023, p. 11). In April 2024, Amnesty International notes that “[f]air trial guarantees were systematically flouted in political cases” (Amnesty International, 24 April 2024), while Freedom House points out that since 2013, members of the opposition, journalists and activists have increasingly been held in pretrial detention for months or sometimes years. This, according to

Freedom House, has in effect led to a normalization of “the use of the justice system for political purposes” (Freedom House, 2024, section F2).

Sources report violations of due process and fair trial standards such as: the right of defendants to be informed of the charges brought against them (CAT, 12 December 2023, p. 5; USDOS, 23 April 2024, section 1E) and the reasons for their arrest (CAT, 12 December 2023, p. 5), the right to access a lawyer (OHCHR, 3 April 2024), particularly during the investigation period (CAT, 12 December 2023, p. 5) and to adequate defence (Amnesty International, 24 April 2024; ECRF et al., October 2023, p. 23; see also AFTE et al., 22 January 2024, p. 1), including lawyers’ access to defendants in detention (USDOS, 23 April 2024, section 1E; UN Human Rights Committee, 14 April 2023, p. 12; ECRF et al., October 2023, p. 23) as well as lawyers access to documents relevant for the defence (USDOS, 23 April 2024, section 1E; UN Human Rights Committee, 14 April 2023, p. 12; EIPR, 24 July 2023) and the limited ability of defendants in detention to communicate with lawyers (USDOS, 23 April 2024, section 1E; AFTE et al., 22 January 2024, pp. 1-2). USDOS further notes that according to rights groups authorities in some cases rejected lawyers access to hearings and trials of clients in ESSC and that long delays before starting a trial were reported (USDOS, 23 April 2024, section 1E). In addition, the CAT report notes that the right to inform a person of one’s choice of the detention was “often delayed and sometimes denied”, the systematic and consistent documentation of detained persons in registers at all stages of detention was not ensured, and arrested individuals were often presented to the authority in charge well beyond the legal 24-hour period required by Egyptian law (CAT, 12 December 2023, p. 5). With reference to human rights groups, the USDOS further reports that defendants were routinely not permitted to present evidence during trials or call or question witnesses (USDOS, 23 April 2024, section 1E; see also AFTE et al., 22 January 2024, pp. 1-2).

According to the USDOS, defendants are normally promptly informed by authorities of charges against them while human rights lawyers and organizations state that this is not always the case for defendants during interrogations and detentions. As for the presence of defendants during legal proceedings, USDOS reports that defendants, according to the law, had to be present when charged with felonies, while their attendance was optional in cases of misdemeanours. With reference to information obtained by human rights lawyers and organizations, the USDOS indicates that “defendants were not always present during legal proceedings, particularly during renewal hearings for pretrial detention” (USDOS, 23 April 2024, section 1E).

The Egyptian Commission for Rights and Freedoms (ECRF), a human rights organisation based in Cairo, et al. in October 2023 note that Article 42 of the Counter-Terrorism Law “violates the right to seek assistance from a lawyer after the arrest or detention of a suspect of a terrorist crime” as the notification of the family of the defendant or “seeking the assistance of a lawyer was suspended as required by the interest of evidence”. According to the report, particularly in “cases of a political nature”, lawyers were prevented by authorities from taking part in investigations and from interrogating the defendant (ECRF et al., October 2023, p. 23). Sources also report cases of lawyers being deliberately prevented from defending their clients, particularly in political cases, by the Egyptian state, which reportedly harassed and assaulted them, did not allow them to attend hearings (ECRF et al., October 2023, p. 23), and in some cases arbitrarily detained them or subjected them to prolonged pretrial detention, torture or ill-treatment, or enforced disappearance (UN Human Rights Committee, 14 April 2023, p. 12; see also Amnesty International, September 2022, p. 19).

Prolonged pretrial detention

Several sources mention prolonged pretrial detention (Amnesty International, 3 April 2024, p. 1; EIPR, 24 July 2023; Bertelsmann Stiftung, 19 March 2024, p. 11; CFJ, 2 October 2023, p. 7; CAT, 12 December 2023, pp. 5-6), particularly for critics of the government (CAT, 12 December 2023, p. 5), including through the so-called practice of "rotation" (CAT, 12 December 2023, p. 5; Amnesty International, 3 April 2024, p. 1; MENA Rights Group, 14 December 2021; EFHR, October 2022, p. 5; Mada Masr, 15 May 2022), also referred to as "recycling" (CFJ, 2 October 2023, p. 7) or "tadweer" (MENA Rights Group, 14 December 2021). In a February 2021 article, The Tahrir Institute for Middle East Policy (TIMEP), a Washington-based think tank, describes "rotation" as a practice, under which a completely new case is brought against a defendant who is "ordered released from a case, reaches their maximum detention limit for a case, or has served their sentence", which creates a new basis upon which defendants are kept in pretrial detention. Meanwhile, TIMEP notes that it "is not a formalized mechanism regulated by the law" but rather "something that has been developed and increasingly normalized by Egyptian national security authorities". Two different rotation types are to be distinguished: rotation that happens during or following pretrial detention and rotation that occurs after a person has completed a sentence (TIMEP, 9 February 2021).

Prolonged pretrial detention occurs despite the fact that the Egyptian law limits pretrial detention to a maximum of two years for serious indictable offences (CAT, 12 December 2023, p. 5; EIPR, 24 July 2023; TIMEP, 9 February 2021). Under the law it is "meant to be a measure of last resort" and can only be extended by a court without limit in cases of detainees sentenced to death or life imprisonment (TIMEP, 9 February 2021; see also CAT, 12 December 2023, p. 5). In this regard, the CAT report notes that the SSSP circumvents release orders issued by judges or prosecutors for defendants in prolonged pretrial detention by issuing new detention orders based on similar charges which result from secret investigations conducted by the National Security Agency (CAT, 12 December 2023, p. 5). According to Amnesty International, the SSSP "routinely renewed pretrial detention orders for thousands of detainees without allowing them to meaningfully challenge the legality of their detention" (Amnesty International, 24 April 2024). In a December 2021 report, the MENA Rights Group notes that "'rotation' [...] is now often being used as a punitive measure against peaceful dissenting voices in Egypt by subjecting them to de facto indefinite detention". With reference to sources on the ground, the MENA Rights Group states that the interrogations at the SSSP

"[...] happen in an almost theatrical fashion: The prosecutor reportedly asks questions about the accusations, and the accused generally denies them. Then their lawyers submit a short defence statement. In practice, the intervention of the defence lawyer and the accused has no impact on the outcome of the interrogation, which systematically ends with a renewal of the detention. The sole aim of such hearings is to legitimise the defendant's continued detention." (MENA Rights Group, 14 December 2021)

According to TIMEP, a second mechanism is used to extend pretrial detention. Individuals in pretrial detention for one case are brought in by authorities to be questioned and detained pending a second case. This happens before their detention period ends or expires and keeps detainees who receive a release order in one case in pretrial detention pending another case. However, TIMEP indicates that often it is not clear, "if the charges in the second case are being

brought in relation to an alleged crime that occurred prior to detention or during detention from inside the prison cell” (TIMEP, 9 February 2021). With reference to human rights organizations, CIHRS notes that in 2023, at minimum of 251 defendants were “rotated to new cases”, while 620 defendants were rotated in 2022 (CIHRS, 5 February 2024). In a 2024 annual report of the Egyptian Front for Human Rights issues (EFHR), EFHR tracks the performance of Terrorism Circuits Courts (TCC) in the pretrial phase and monitors decisions to renew detention and release detainees in 2023. In the light of the reactivation of the Presidential Pardon Committee since April 2022, the report compares the performance of TCC in the pretrial phase between 2020-2023. The EFHR notes in that regard:

“According to the monitoring conducted by the EFHR during 2023 regarding the performance of Terrorism Circuits Courts (TCC) in the pre-trial phase, TCC almost stopped releasing suspects in state security cases. During 2023, 3 Circuits held 127 sessions, reviewing no less than 35,966 detention renewal orders distributed among 3,166 state security cases (with an unknown number in 13 sessions). The TCC issued no more than 3 release orders for detainees, accounting for less than 0.1% of the total detention orders reviewed before them. Meanwhile, they automatically issued detention renewal orders for 45 days for the rest of the detainees, marking a significant decrease in the number of releases compared to the past three years.” (EFHR; 16 February 2024)

Remote detention renewal hearings (HRW, 11 January 2024) and pretrial detention renewal hearings via videoconference with detainees connected from prisons under police supervision are also reported (Amnesty International, 24 April 2024; Freedom House, 2024, section F2; HRW, 11 January 2024). With reference to media reports, the international non-governmental organization Human Rights Watch (HRW) notes that authorities began using the system in October 2020, during the Covid-19 pandemic, on a small scale and widely deploy it since 2022 (HRW, 26 May 2023). HRW further notes:

“The system is inherently abusive as it undermines detainees’ right to be brought physically before a judge to assess the legality and conditions of detention, and it curtails their ability to speak to the judge directly and to their lawyers in private. In June, the Supreme State Security Prosecution, which usually investigates political cases, started holding the detention renewal sessions remotely via videoconference as well, with detainees attending the sessions from prisons under police custody.” (HRW, 11 January 2024)

Confessions obtained under torture

Several sources report allegations of torture (Amnesty International, 18 March 2024, p. 1; USDOS, 23 April 2024, section 1E; Bertelsmann Stiftung, 19 March 2024, p. 11; OHCHR, 3 April 2024), forced confessions (OHCHR, 3 April 2024) and of confessions obtained under torture used as evidence against defendants in court (CAT, 12 December 2023, pp. 8, 10; EIPR, 24 July 2023) in violation of Article 55 of the Constitution and Article 302 of the Code of Criminal Procedure which provide that evidence obtained under torture or coercion is inadmissible. The December 2023 CAT report states that it is concerned about continuing reports about complaints of this kind not being investigated by the courts (CAT, 12 December 2023, p. 8). Please see [section 3.5.1](#) for further information regarding the use of torture and inhuman, cruel

or degrading treatment in arrest procedures and detention and [section 3.5.3](#) regarding detention conditions.

Death sentences and mass trials

Regarding death penalty verdicts and mass trials, the CAT report, in December 2023, expresses concern that a high number of crimes were punished with the death penalty in Egypt, “including relatively less serious crimes that do not involve intentional killing and that the death penalty is mandatory for certain crimes”. The UN Committee against Torture further expresses concern about reports suggesting that death sentences “are prevalently handed down under the counter-terrorism legislation and are often accompanied by a lack of due process and fair trial guarantees.” A particular concern was related to alleged instances of death sentences imposed based on confessions retrieved “under duress or torture, including in the context of mass trials and trials in military courts”. According to the CAT report, sources reported instances of children who have been sentenced to death “for offences allegedly committed before they attained the age of 18 years” (CAT, 12 December 2023, p. 10). REPRIEVE, a legal action non-governmental organisation based in London, and The Advocates for Human Rights, a human rights organisation based in Minneapolis, report in October 2023 that almost all cases of death sentences against children resulted from “extremely short” mass trials (REPRIEVE & The Advocates for Human Rights, July 2023, p. 10). According to the report, mass trials took place on charges of the Assembly Law and Protest Law which disregarded to the right to fair trial, due process as well as the right to individual defence (REPRIEVE & The Advocates for Human Rights, July 2023, p. 9; see also OHCHR, 3 April 2024; HRW, 5 March 2024). As HumanAct reports in October 2023, with the launch of the National Human Rights Strategy in September 2021, the Egyptian government recognised the need to review laws that provide for the death penalty. According to the report, the strategy also aimed to fill a pre-existing legal gap created by Law No. 57 of 1959 on Cases and Procedures for Appeals to the Court of Cassation, which does not require the appointment of a lawyer for those sentenced to death. In addition, Law No. 57 of 1959 does not allow persons sentenced to death who are financially incapable to appeal to the Court of Cassation. The National Human Rights Strategy reportedly aimed to introduce a legal amendment that establishes the necessity to appoint a lawyer for individuals sentenced to death and allows financially unable individuals sentenced to death to appeal before the Court of Cassation (HumanAct, October 2023, p. 4).

According to UN experts, death sentences handed down to seven individuals charged with terrorism offences, which were the result of unfair trials, were upheld by the Supreme Court in January 2024 (OHCHR, 3 April 2024). The UN Committee against Torture is also concerned by reports about a number of executions “carried out in secret and without allowing family visits or timely notification” (CAT, 12 December 2023, p. 10).

3.6.2 Corruption

Egypt's score on the global Corruption Perceptions Index (CPI) of Transparency International (TI), an international NGO working to fight corruption – where 100 is free of corruption and 0 is highly corrupt – was 35 in 2023 (TI, January 2024, pp. 2-3). In the 2023 Rule of Law Index, published by the international civil society organization World Justice Project (WJP) with focus on the rule of law worldwide, Egypt globally ranked 102 out of 142 in the “absence of

corruption” factor, with 1 indicating high absence of corruption and 142 indicating low absence of corruption. The factor considers “bribery, improper influence by public or private interests, and misappropriation of public funds or other resources” (WJP, 2023, p. 29) as forms of corruption. They are examined in relation to government officials in the executive, the judiciary, the military, police and the legislative branch (WJP, 2023, pp. 29, 77).

According to the abovementioned Bertelsmann Stiftung report, “[c]orruption thoroughly pervades all aspects of any Egyptian’s life” (Bertelsmann Stiftung, 19 March 2024, p. 28). The UN Human Rights Committee reports in April 2023 that “corruption remains pervasive in many sectors of public life, including the judiciary” (UN Human Rights Committee, 14 April 2023, p. 2). The Institute for Security Studies (ISS), a regional human security policy think-tank based in Pretoria, notes in a 2023 paper that corruption remains widespread at all levels of government and is a growing problem in Egypt (ISS, 2023, p. 5). The Bertelsmann Stiftung further notes that while the administrative infrastructure for the rule of law is provided by the Egyptian state, “law enforcement is very selective, in part due to widespread corruption” (Bertelsmann Stiftung, 19 March 2024, p. 8).

The government has reinstated a national strategy to fight corruption (State Information Service, 15 December 2022; see also Bertelsmann Stiftung, 19 March 2024, p. 11; UN Human Rights Committee, 14 April 2023, p. 2). The role of the state in the fight against corruption is highlighted in Article 218 of the Egyptian Constitution:

„Competent oversight bodies and organizations commit to coordinate with one another in combating corruption, enhancing the values of integrity and transparency in order to ensure sound performance of public functions, preserve public funds, and develop and following up on the national strategy to fight corruption in collaboration with other competent control bodies and organizations, in the manner organized by law” (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Article 218).

According to a January 2024 article in the Middle East Monitor (MEMO), a non-profit organisation which analyses and translates media products and monitors media, over 26 regulatory bodies were tasked with fighting various forms of corruption in Egypt (MEMO, 31 January 2024), including the Administrative Control Authority (ACA) (Bertelsmann Stiftung, 19 March 2024, p. 11; MEMO, 31 January 2024; UN Human Rights Committee, 14 April 2023, p. 2; CGRS-CEDOCA, 6 July 2023, p. 5). The ACA, which is under the president’s authority, is tasked with pursuing administrative and financial violations inside official bodies and the public sector. Regarding the ACA, the Bertelsmann Stiftung report further notes:

“Traditionally, former military personnel are appointed to the senior positions of the ACA, while the investigation units are led by army and police officers. As a result, the ACA is influenced by the regime and can be utilized to either punish or reward individuals. Furthermore, it lacks the authority to investigate possible misconduct within the military.” (Bertelsmann Stiftung, 19 March 2024, p. 11)

In its April 2024 report on Egypt, the USDOS notes that while criminal sanctions for corruption by public officials are provided for in the law, they are not consistently enforced by the government. The report goes on to say that a number of high-ranking officials, civil servants,

and former judges were convicted in 2023 of abuse of office, bribery, and similar charges (USDOS, 23 April 2024, section 4). According to the Bertelsmann Stiftung report, the implementation of anti-corruption policies between 1 February 2021 and 31 January 2023 “remained selective, with both prosecution and judicial judgments appearing to be influenced by economic and political elites’ networks” (Bertelsmann Stiftung, 19 March 2024, p. 29). ISS indicates that the country’s weak and ineffective official mechanisms for the investigation and punishment of corruption are a reflection of a “lack of transparency and accountability”. ISS also questions the government’s commitment to the fight against corruption “due to its lack of transparency about spending and the military’s budget and economic activities” (ISS, 2023, p. 5). In the period between 2019 to 2022, only a few persons were charged for corruption according to the Bertelsmann Stiftung, which notes that “the prosecution of office abuse is neither consistent nor rigorous, and it appears that those prosecuted are primarily individuals who have lost the backing of the regime” (Bertelsmann Stiftung, 19 March 2024, p. 11). The Belgian Office of the Commissioner General for Refugees and Stateless Persons (CGRS-CEDOCA) reports that since Al-Sisi’s presidency, magistrates have been brought to justice for corruption slightly more often (CGRS-CEDOCA, 6 July 2023, p. 8).

3.6.3 Use of military courts

The Bertelsmann Stiftung and the Cairo Institute for Human Rights Studies (CIHRS), a regional human rights organisation based in Tunis, note that the Egyptian military effectively stands above the other institutions, including the Supreme Constitutional Court (Bertelsmann Stiftung, 19 March 2024, p. 10; CIHRS, 2 February 2024). The Bertelsmann Stiftung report further elaborates that “military courts have jurisdiction over all crimes committed by military personnel and over civilians who have attacked either the military or public facilities”. The report explains that the latter has been increasingly used to direct cases to military courts (Bertelsmann Stiftung, 19 March 2024, p. 10). In the December 2023 CAT report, the UN Committee against Torture expresses concern over “extended jurisdiction of and increasing recourse to military courts to prosecute individuals, including civilians, under overly broad provisions of counter-terrorism and other legislation” (CAT, 12 December 2023, p. 9).

After the cessation of the state of emergency, a number of legal amendments were enacted, through which the military courts were granted permanent jurisdiction over a series of additional public facilities (Bertelsmann Stiftung, 19 March 2024, p. 10). On 28 January 2024, the Egyptian parliament passed Law No. 3 of 2024 on Securing and Protecting the State’s Public and Vital Facilities (CIHRS, 2 February 2024; HRW, 5 March 2024; see also The Arab Weekly, 30 January 2024; Freedom House, 2024, section F2), which replaced and annulled Law No. 136 of 2014. The latter had originally applied for two years and was extended in 2016 for five more years, before it was made permanent in 2021 (HRW, 5 March 2024), when it was also amended (CIHRS, 2 February 2024). According to a February 2024 report by the Committee for Justice (CFJ), a non-governmental organization based in Geneva, the law “had a significant impact on the surge in military trials in Egypt, as it transformed military courts to mirror natural courts” (CFJ, 12 February 2024). Successive Egyptian constitutions have enabled military trials of civilians (EIPR, 24 July 2023) and while the trial of civilians in military courts is constitutionally limited (Freedom House, 2024, section F2; USDOS, 23 April 2024, section 1E) to cases of attacks on military personnel or facilities (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Article 204), Law No. 136 of 2014 applies to crimes

committed on the premises of public and vital facilities, including public roads, electricity stations, gas pipelines, and railroads, which came under the jurisdiction of military courts (CIHRS, 2 February 2024; Ahram Online, 31 October 2021; see also Bertelsmann Stiftung, 19 March 2024, p. 10; EIPR, 24 July 2023). Law No. 3 of 2024 includes the same provisions as Law No. 136 of 2014 (CIHRS, 2 February 2024). It tasks the armed forces with “‘assisting, and fully coordinating with the police, in guarding and protecting public and vital facilities and buildings including power stations, electricity lines and towers, oil fields, railway tracks, roads, bridges,’” and “‘other comparable facilities’” (HRW, 5 March 2024) and grants the military the power to arrest civilians and try them before military courts (CIHRS, 2 February 2024; HRW, 5 March 2024). An additional article in Law No. 3 of 2024 gives military personnel powers to “‘face acts and transgressions that undermine the work of the state’s public facilities, or the services it provides, especially crimes that harm the society’s basic needs of goods and commodities’” (CIHRS, 2 February 2024). CFJ and CIHRS explain in February 2024 that the determination of what constitutes basic societal needs is at the discretion of the President or an individual delegated by him (CIHRS, 2 February 2024; CFJ, 12 February 2024; HRW, 5 March 2024), and after consulting with the National Defense Council (CFJ, 12 February 2024; HRW, 5 March 2024). According to CIHRS, this gives the President unlimited powers to “determine the military’s jurisdiction to arrest civilians and refer them to military courts” (CIHRS, 2 February 2024).

Sources report that since 2013/2014, thousands of civilians, including children (CAT, 12 December 2023, p. 9; UN Human Rights Committee, 14 April 2023, p. 11), have been tried before military courts (Freedom House, 2024, section F2; HRW, 5 March 2024; CFJ, 2 October 2023, p. 7; EIPR, 24 July 2023; see also UN Human Rights Committee, 14 April 2023, p. 11), where they have been denied due process and fair trial standards have been violated (USDOS, 23 April 2024, section 1E; CIHRS, 2 February 2024; CFJ, 2 October 2023, p. 8; EIPR, 24 July 2023; UN Human Rights Committee, 14 April 2023, p. 11). The USDOS reports that in 2023, a number of national security cases continued in military courts under the ESSC system that expired in October 2021 (USDOS, 23 April 2024, section 1E). Freedom House notes in its 2024 report that “[c]harges brought in military courts are often vague or fabricated, defendants are denied due process, and basic evidentiary standards are routinely disregarded” (Freedom House, 2024, section F2). In July 2023, EIPR reports to have documented at least 363 cases of violations to the right to fair trial in military court cases since 2014 (EIPR, 24 July 2023; see also CIHRS, 2 February 2024). Convictions before the military court have reportedly been handed down in mass trials (CAT, 12 December 2023, p. 9; UN Human Rights Committee, 14 April 2023, p. 11) and the UN Human Rights Committee in April 2023 expresses concern over “the frequent application of the death penalty by such courts” (UN Human Rights Committee, 14 April 2023, p. 11). The USDOS elaborates:

“Military courts were not open to the public. The military judiciary had wide discretion to curtail defendants’ rights on public security grounds and regularly did so. Military courts often tried defendants in a matter of hours, frequently in groups, and sometimes without access to an attorney, leading lawyers and NGOs to assert military courts did not meet basic standards of due process and undermined fair-trial assurances. Defendants in military courts had the right to consult an attorney, but sometimes authorities denied them timely access to counsel. According to rights groups, authorities permitted defendants in military

trials visits from their attorneys only once every six months, in contrast with the civilian court system, where authorities allowed detained defendants attorney visits every 15 days. [...] Rights groups and lawyers stated defense attorneys in military trials had difficulty gaining access to their clients and to documentation related to the cases.” (USDOS, 23 April 2024, section 1E)

3.7 Situation of women and girls

3.7.1 Discrimination against women and girls

Article 9 of Egypt’s 2014 Constitution stipulates that the “state ensures equal opportunity for all citizens without discrimination” (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Article 9) and Article 11 stipulates that the “state commits to achieving equality between women and men in all civil, political, economic, social, and cultural rights” (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Article 11). The March 2024 Bertelsmann Stiftung report notes that while Egypt has signed the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the government does very little to effectively implement gender equality (Bertelsmann Stiftung, 19 March 2024, p. 32). Even though Egypt has launched the National Strategy for the Empowerment of Egyptian Women 2030 (State Information Service, 9 November 2023), sources note that in practice women “still face challenges in obtaining equal rights” (Bertelsmann Stiftung, 19 March 2024, p. 11), describing discrimination of women as extensive (Freedom House, 2024, section F4) and widespread (USDOS, 23 April 2024, section 6). According to Freedom House’s 2024 report on Egypt, discrimination against women, which they encounter in employment and the justice system in particular (Freedom House, 2024, section F4), “remains a serious problem” (Freedom House, 2024, Overview) and interests of women, in practice, are “not prioritized in Egyptian politics” (Freedom House, 2024, section B4; see also WSJ, 9 March 2024).

In the Women Peace and Security Index 2023/24,¹⁸ published by the Georgetown Institute for Women, Peace and Security (GIWPS), an academic institute at Georgetown University, which explores the roles and experiences of women in global peace and security, Egypt ranked 110 out of 177 countries worldwide (GIWPS, October 2023, p. 2). According to a March 2024 article published by Ahram Online, the English-language news website of the state-run Egyptian newspaper Al-Ahram, Egypt has moved up 28 places since 2016 (Ahram Online, 26 March 2024). While acknowledging that “the government took some steps” to improve the situation of women, the USDOS elaborates, that women did not “enjoy the same legal rights and opportunities as men” and “[a]spects of the law and traditional societal practices disadvantaged women in family, social, and economic life”. According to the USDOS, the social and economic advancement of women in Egypt is hampered by widespread discrimination in society, threats to physical safety, and bias in favour of men in employment (USDOS, 23 April 2024, Section 6).

¹⁸ Based on 13 indicators measuring women’s status, including political participation, protection from violence and discrimination, empowerment through education and employment and others, which are divided into the three areas of inclusion, justice and security (Ahram Online, 26 March 2024).

In March 2023, the World Bank Group reports that “Egypt has made significant investments in closing the gender gaps in health and education” over the last decades, which “has not been translated into increased female labor force participation”, indicating that the COVID-19 pandemic affected women in particular, who were forced to completely drop out of the labour market (World Bank Group, 7 March 2023). In the World Economic Forum Gender Gap report of 2023, Egypt ranked 140 out of 146 countries in the Economic Participation and Opportunity subindex, 119 out of 146 in the Educational Attainment subindex (World Economic Forum, June 2023, p. 17) and 90 out of 146 in the Health and Survival subindex (World Economic Forum, June 2023, p. 18). Regarding parity, Egypt ranks 134 and reaches a 62.6 percent parity (World Economic Forum, June 2023, p. 30). According to the report, the Economic Participation and Opportunity subindex parity increased by 1.7 percent since the 2022 edition of the report to reach 42 percent. This was due to an increase by 6.8 percentage points since 2022 in the share of female senior officers (share of 12.4 percent) and of 4.3 percent in the share of women in technical positions (share of 35.1 percent) (World Economic Forum, June 2023, p. 30).

Education

According to GIWPS’s Women Peace and Security Index 2023/24, the average number of education years attained by women aged 25 and older grew from 5.2 in 2017 to 9.8 in 2023 (GIWPS, undated). Regarding pre-university education of all stages, including pre-primary but excluding Al-Azhar education¹⁹, the total number of students (25,494,232) in the school year 2022/2023 according to The Egyptian Central Agency for Public Mobilization and Statistics (CAPMAS) included 12,391,810 female students or 48.6 percent and 13,102,422 male students or 51.4 percent (CAPMAS, 2024, p. 140). A March 2024 Wall Street Journal (WSJ) article notes that comparable numbers of girls and boys attend school while more women than men are enrolled in Egyptian universities (WSJ, 9 March 2024). On the Educational Attainment subindex, the World Economic Forum report observes a 3 percent decline in parity since 2021 due to a slight reduction in female enrolment in secondary and tertiary education (World Economic Forum, June 2023, p. 30). Regarding education, the Bertelsmann Stiftung report notes:

“[...] the gender gap in education has been narrowing, and there are no significant differences in enrollment or dropout rates at present. As per the 2017 census, illiteracy rates were 30.8% for women and 21.2% for men.” (Bertelsmann Stiftung, 19 March 2024, p. 22)

¹⁹ “The general education system in Egypt consists of primary (six years), preparatory (three years), and secondary (three years) levels. Alongside this general education provided by the Ministry of Education, there is another provided by institutes managed by Al-Azhar University, that is, Al-Azhar system. Al-Azhar schools / institutes consist of six years of primary stage, a three-year preparatory stage and finally three years of secondary stage. In this system as well, there are separate schools for girls and boys. Al-Azhar Supreme Council which is nominally independent from the Ministry of Education but is ultimately under supervision by the Egyptian Prime Minister is responsible for supervising this chain of schools and institutions within Egypt. These schools at all stages teach religious and non-religious subjects. Al-Azhar schools are all over the country, especially in rural areas.” (Abdel Fattah, December 2019, p. 151)

In March 2024, the Global Partnership for Education (GPE) notes that although Egypt “has achieved gender parity in school enrolments, 53% of girls drop out of school at secondary level due to child marriage and harmful gender norms” (GPE, 21 March 2024).

Access to health care

According to the 2021 Egyptian Family Health Survey (EFHS) conducted by CAPMAS,²⁰ about 7 in 10 ever-married women identified at least one major barrier to accessing health care services for themselves at the time of the survey and only 9 percent of them were covered by some type of health insurance. Reported challenges were, for example, a lack of drugs (54 percent), the availability of a health care provider (45 percent), not wanting to go alone (28 percent) and the concern that no female health care provider would be available (24 percent) (CAPMAS, December 2022, pp. 203-204).

According to the Socio-Economic Survey 2023 on Egypt of the Country of Origin Information Unit “Staatendokumentation” of the Austrian Federal Office for Immigration and Asylum²¹, 59 percent of a total of 291 female respondents said they always have access to primary health care and can afford a visit, 29 percent have access but cannot afford it, 11 percent of the female respondents do not have access to primary health care and 1 percent did not answer. In comparison, 70 percent of a total of 309 male respondents said they always have access to primary health care and can afford a visit, 21 percent have access but cannot afford it, 7 percent have no access and 2 percent did not answer. Regarding specialists, including dentists, gynaecologists, urologists etc.), 58 percent of the female respondents said they always have access and can afford a visit, 30 percent have access but cannot afford it, 11 percent of the female respondents have no access to specialist medical care and 1 percent did not answer. In comparison, 64 percent of the male respondents said they always have access to a medical specialist and can afford a visit, 27 percent have access but cannot afford it, 7 percent have no access and 2 percent did not answer (BFA Staatendokumentation, 2023, pp. 50-51).

According to the USDOS, some women's ability to make decisions about reproduction and contraception is hampered by social, cultural, economic and religious barriers, as well as gender norms. In addition, access to reproductive health information is not available to all women, and while many women prefer female health providers for social and religious reasons, their availability is limited. As a result, access to skilled health care is limited for pregnant women and women who have given birth (USDOS, 23 April 2024, section 6).

²⁰ For the survey 34,240 households were selected nationwide, of which 30,667 were successfully interviewed, including 20,481 ever-married women aged 15-49, between October 2021 and January 2022 (CAPMAS, December 2022, pp. 4, 7, 8).

²¹ For the socio-economic survey data collection in Egypt took place between 4 and 22 December 2023. 600 respondents were surveyed, including 200 residents in Cairo, 200 residents in Alexandria, and 200 residents in Port-Said of the ages 16 to 35 (BFA Staatendokumentation, 2023, p. 11).

Access to employment

According to GIWPS's Women Peace and Security Index 2023/24, the percentage of women of the ages 25 to 64 employed in the formal or informal sector in 2023 was 17.7 (GIWPS, undated). In a 2023 report to the UN Human Rights Committee, the Egyptian Center for Women's Rights (ECWR) notes that "despite the high rates of girls in the various stages of education, there is a gap between education and work, as the women's work arena witnesses a decrease in their participation rates" (ECWR, 2023, p. 4). The CAPMAS reports in April 2023 that 12.2 percent of women compared to 65.7 percent of men in Egypt were employed in 2022, with an overall employment rate of 39.6 percent (CAPMAS, April 2023, p. 27). As for the unemployment rate, which was 7.2 percent overall, 18.4 percent of women were unemployed in 2022 compared to 5 percent of men (CAPMAS, April 2023, pp. 20, 25). In the first quarter of 2023, 19.2 percent of women and 4.5 percent of men were unemployed, while the overall unemployment rate was 7.1 percent (ECWR, 6 November 2023, p. 3). In 2022, the youth unemployment rate for Egyptians aged 15 to 29 was 42.1 percent for women and 11.2 percent for men (CAPMAS, April 2023, p. 35). With reference to national surveys, the abovementioned WSJ article notes that the female employment rates have "remained flat for the past quarter of a century; among some groups, such as college graduates, it has actually fallen" (WSJ, 9 March 2024). Regarding low female employment rates, the WSJ article further notes:

"Resistance to female employment, in Egypt and much of the region, remains grounded in a specific idea about male dignity. When a woman works outside the home, her family and community often interpret this act as a failure on the part of her husband." (WSJ, 9 March 2024)

Regarding women's participation in the labour market, the Bertelsmann Stiftung report notes:

"Traditional gender roles, which are widely accepted in society and reflected in state policies, result in persistent gender inequalities that limit women's opportunities. Consequently, the rate of women's labor market participation was 15.4% in 2021, compared to 67.1% for men. Additionally, the GNI [Gross National Income] per capita for men stood at \$19,741 (PPP, 2017), while women's GNI per capita was only \$3,536." (Bertelsmann Stiftung, 19 March 2024, p. 22)

3.7.2 Gender-based violence (GBV)

Freedom House notes in its 2024 report that domestic violence and sexual harassment are still among the most pressing problems in Egyptian society (Freedom House, 2024, section G3; see also CRS, 2 May 2023, p. 11; BAMF, 31 December 2023, p. 3; CAT, 12 December 2023, p. 14). In 2023, ECWR reports a spread of violence against women and girls in Egypt (ECWR, 6 November 2023, p. 2) and an increasing rate of violence against women in the public sphere (ECWR, 2023, p. 3). In April 2024, Amnesty International reports gender-based violence in Egypt by state and non-state actors (Amnesty International, 24 April 2024).

According to GIWPS's Women Peace and Security Index 2023/24, the percentage of women in Egypt who have experienced physical or sexual violence committed by an intimate partner as of 2023 was 15 (GIWPS, undated). A March 2024 Ahram Online article reports that the domestic violence index, measuring the percentage of women older than 15 who have experienced

physical or sexual intimate partner violence, has fallen from 26.5 percent in 2016 to 15 percent in 2023 (Ahram Online, 26 March 2024). With reference to CAPMAS statistics cited in media reports, the USDOS notes that in Egypt, “eight million women and girls were subjected to some form of physical, sexual, or psychological abuse annually” (USDOS, 23 April 2024, section 6). In December 2023, Zawia3, an independent analytical and investigative website founded in Belgium, reports that statistics collected by Egyptian NGOs reveal “a consistent rise in violence against women” between 2020 and 2023, particularly related to homicides. According to the article, this trend coincided with a deteriorating economic situation that accompanied the COVID-19 pandemic and continues to persist (Zawia3, 5 December 2023).

According to the EFHS,²² issued by CAPMAS in 2022, three out of ten ever-married women aged 15-49 reported that they had been exposed to some form of violence from their husbands. 26 percent reported that they had been exposed to physical violence, 22 percent had been exposed to psychological violence, and 6 percent had been exposed to sexual violence. The survey further found that the husband was the most common violence perpetrator, while other perpetrators such as mother/stepmother or father/stepfather were also named (CAPMAS, December 2022, p. 225). With reference to statistics on domestic violence cases of the Ministry of Justice for the specialised prosecutions for 2021 to 2022, HumanAct reports that around 90 percent of the 9,500 domestic violence cases at governorate level were filed by wives against the provider. The reported “forms of violence included severe beating, insults, slander, threats, and blackmail” (HumanAct, October 2023, p. 6; see also ECWR, 6 November 2023, p. 2). In November 2023, ECWR notes that it receives 30,000 requests in total for legal assistance and support annually. First come consultations related to domestic and household violence and second come sexual harassment, including online. According to ECWR, online violence poses a big challenge (ECWR, 6 November 2023, p. 2). With reference to figures provided by a local rights organization, the USDOS reports 471 incidents of violence against women in the first half of 2023 (USDOS, 23 April 2024; see also Zawia3, 5 December 2023) aged up to 90 years (Zawia3, 5 December 2023). These include 158 homicide incidents and 239 domestic violence incidents. (USDOS, 23 April 2024, section 6). Data collected by two Egyptian NGOs according to the Zawia3 article reveal that the femicide rates have doubled in 2022 compared to 2021 and have not gone down in the first quarter of 2023. The Zawia3 article indicates that official statistics on the matter, particularly from CAPMAS, “are largely absent” (Zawia3, 5 December 2023).

In February 2023, consultations between the Ministry of Social Solidarity and the Senate reportedly “recognized the spread of violence against women, especially in rural areas” (HumanAct, October 2023, p. 6).

Several sources note that local media reports on series of violent crimes against women in the reporting period (ECWR, 2023, p. 3; Amnesty International, 24 April 2024) drew popular attention and sparked outrage (Freedom House, 2024, section G3; USDOS, 23 April 2024, section 6). The women were reportedly attacked by family members (Amnesty International, 24 April 2024) or rejected suitors (Amnesty International, 24 April 2024; ECWR, 2023, p. 3), colleagues and former or actual partners (USDOS, 23 April 2024, Section 6; ECWR, 2023, p. 3;

²² According to a December 2023 Zawia3 article, the survey is one of two only statistics published by CAPMAS since 2015 that focus on the topic of violence against women (Zawia3, 5 December 2023).

see also Zawia³, 5 December 2023). According to a statement to the media by a women's rights activist quoted by the USDOS, "a woman's refusal to comply with a man's request could lead to her death" (USDOS, 23 April 2024, section 6).

A number of recent legislative developments, including the issuance of various laws and decisions at all levels, addressed violence against women in Egypt (ECWR, 6 November 2023, p. 2; UN Human Rights Committee, 14 April 2023, p. 4), for example by establishing increased prison terms and fines for convicted perpetrators of sexual harassment (USDOS, 23 April 2024, section 6). However, according to ECWR, "this has not prevented the spread of violence and the reduction of discriminatory practices against women". ECWR sees "a missing link between the issuance of laws and the high rates of these incidents that women are exposed to, which indicates the necessity of speedy and fair enforcement mechanisms" (ECWR, 6 November 2023, p. 2). According to ECWR, "the continued neglect of domestic violence and the establishment of firm mechanisms to reduce it", have resulted in "more permissiveness of women and girls" (ECWR, 2023, p. 3). The UN Human Rights Committee notes in April 2023 in that regard that it is:

"[...] concerned that a number of gaps remain in the scope and coverage of legislation as well as in enforcement mechanisms. [...] While welcoming the amendments made to the Penal Code (Act No. 141 of 2021) to define sexual harassment as a felony offence, the establishment of a national referral mechanism for reporting cases of violence against women and the increased availability of support for victims, the Committee remains concerned that heightened sentences for sexual harassment have not reduced its prevalence; reporting rates regarding violence against women have not increased; [...]" (UN Human Rights Committee, 14 April 2023, p. 4)

While national legislation does still not explicitly criminalize domestic violence (UN Human Rights Committee, 14 April 2023, p. 4) or spousal abuse (USDOS, 23 April 2024, Section 6), domestic and intimate rape are criminalized by the law (Penal Code Law No. 58 of 1937, 21 July 1937, with amendments up to 15 August 2021, Article 267; USDOS, 23 April 2024, section 6). Several sources note that this was not explicitly the case for spousal rape (USDOS, 23 April 2024, section 6; Freedom House, 2024, section G3; Justice for All International, 2 October 2023, p. 4; UN Human Rights Committee, 14 April 2023, p. 4). The USDOS reports that rape, "although not explicitly of men" (USDOS, 23 April 2024, section 6) is criminalized by the law (Penal Code Law No. 58 of 1937, 21 July 1937, with amendments up to 15 August 2021, Articles 267, 268, 289, 290), which foresees penalties of 15 to 25 years' imprisonment, and for cases of rape that involve armed abduction, life imprisonment (USDOS, 23 April 2024, section 6). Meanwhile, a number of human rights groups were of the opinion that a comprehensive definition of rape was not provided in the law. The USDOS further notes that "corrective rape was believed to be criminalized under the Penal Code but there were no known instances of prosecution" (USDOS, 23 April 2024, section 6). Regarding domestic abuse, the USDOS notes that:

"[...] authorities could apply provisions relating to assault with accompanying penalties. The law required an assault survivor to produce multiple eyewitnesses, often difficult for domestic abuse survivors. Police often treated domestic violence as a matter for private family resolution and declined to pursue criminal charges. Canonical laws governing family

matters among Coptic Christians did not recognize domestic violence as grounds for divorce.” (USDOS, 23 April 2024, section 6)

According to the USDOS, the law does not specifically address “honour” crimes and authorities treated them as any other crime. The USDOS further reports that the “law allowed leniency towards men who killed their wives upon discovering them in an act of adultery” (USDOS, 23 April 2024, section 6). Sources furthermore report a “leniency” for so-called “honour crimes” (UN Human Rights Committee, 14 April 2023, p. 4; CAT, 12 December 2023, p. 14; CRC, 30 May 2024, p. 7).

In addition, the UN Human Rights Committee reports revictimization of women who pursue complaints “by intrusive and negative media attention, intimidation by defendants and the prosecution and drawn-out investigations” (UN Human Rights Committee, 14 April 2023, p. 4), and victim blaming as recurring issues (ECWR, 6 November 2023, p. 2; Amnesty International, 14 August 2023, p. 7). With reference to civil society organizations, the USDOS reports that there have been instances where the police pressured rape and domestic violence victims not to pursue charges (USDOS, 23 April 2024, section 6). In an August 2023 report, Amnesty International notes in that regard that “[a]uthorities have failed to adequately prevent and investigate violence against women and girls or end abusive practices by the police, and have violated the confidentiality and privacy of survivors who seek to report rape or other sexual violence.” (Amnesty International, 14 August 2023, p. 7)

According to UN CAT, revictimization, together with cultural barriers and fear of stigmatization and impunity were the reason why cases of gender-based violence were underreported (CAT, 12 December 2023, p. 14). Justice for All International concludes that the “absence of details on medical examinations and psychological support for victims further indicates a lack of comprehensive safeguards and accountability mechanisms” (Justice for All International, 2 October 2023, p. 4). The USDOS notes a limited availability of information on “government assistance to survivors of sexual assault, including whether emergency contraception was available as part of clinical management of rape” (USDOS, 23 April 2024, section 6).

3.7.3 Female genital mutilation/cutting (FGM/C)

Freedom House notes in its 2024 report that Female Genital Mutilation/Cutting (FGM/C) is still among the most pressing problems in Egyptian society (Freedom House, 2024, section G3; see also CAT, 12 December 2023, p. 15; CRC, 30 May 2024, p. 7). The UN Committee on the Rights of the Child (CRC) elaborates in May 2024 that FGM/C is a widespread practice in rural areas and in Upper Egypt and expresses concern over “the low awareness among the public of its harmful effects on the health and wellbeing of girls” (CRC, 30 May 2024, p. 7).

According to the above-mentioned 2021 CAPMAS Egyptian Family Health Survey (EFHS), 86 percent of ever-married women aged 15-49 surveyed had been circumcised (CAPMAS, December 2022, p. 191) compared to 92 percent in 2014 (USDOS, 23 April 2024, section 6). Half of the women surveyed in 2021 reported that they were seven to ten years old at the time of circumcision, while virtually all women were younger than 15. The survey also showed a decline in the practice, with 14 percent of daughters aged 0 to 19 having undergone the procedure in 2021 (CAPMAS, December 2022, p. 191) compared to 21 percent in 2014 (USDOS, 23 April 2024, section 6; HumanAct, October 2023, p. 5). According to the results of the 2021 EFHS, the percentage of women, who oppose FGM/C has increased with “slightly more than

one-quarter of women” believing that FGM/C is a religious requirement and 3 in 10 women thinking that the practice should continue (CAPMAS, December 2022, p. 191). In its 2024 report, Freedom House identifies “societal resistance” as one factor hindering the implementation of relevant laws (Freedom House, 2024, section G3).

In 2021, the Penal Code Law No. 58 of 1937 was toughened regarding FGM/C (Penal Code Law No. 58 of 1937, 21 July 1937, with amendments up to 15 August 2021, Articles 242-bis, 242-bis(a); Freedom House, 2024, section G3; Reuters, 21 January 2021; CAT, 12 December 2023, p. 15; CRC, 30 May 2024, p. 7; see also Ahram Online, 26 March 2024). Law No. 10 of 2021, which amended Penal Code Law No. 58 of 1937, provides for more severe penalties regarding FGM/C (CAT, 12 December 2023, p. 15; see also HumanAct, October 2023, p. 5), including a higher minimum and maximum punishment, additional penalties for health professionals, individuals performing FGM/C and any person who incites to perform FGM/C, as well as aggravated imprisonment of between 15 to 20 years in case of the death of a girl due to FGM/C. Furthermore, references allowing “the use of medical justification” to perform FGM/C were deleted (HumanAct, October 2023, p. 5; see also CRC, 30 May 2024, p. 7). The USDOS notes that although FGM/C is illegal in Egypt, it is a serious problem due to inconsistent reporting of incidents and inadequate law enforcement (USDOS, 23 April 2024, section 6). Freedom House in 2024 notes that, besides above-mentioned “societal resistance”, the “laws’ implementation is hindered by [...] poor enforcement, police abuses, and lack of adequate protection for witnesses, all of which deter victims from contacting authorities” (Freedom House, 2024, section G3). Furthermore, UNICEF notes in December 2023, that “Egypt still ranks first in the rates of FGM medicalization”²³ (UNICEF, 17 December 2023). In addition, despite the abovementioned legal amendments, sources report that medicalized FGM/C has increased in the country (CRC, 30 May 2024, p. 7; FGM/C Research Initiative, undated). The 2021 EFHS found that it was much more likely for circumcision to have been performed by medical personnel among daughters (83 percent) than among the surveyed women themselves (43 percent) (CAPMAS, December 2022, p. 191).

In 2022, the Egyptian National Plan to Eliminate Genital Mutilation 2022-2026 was launched (UNFPA & UNICEF, October 2023, p. 8; HumanAct, October 2023, p. 5; CAT, 12 December 2023, p. 15). With reference to international and local observers, the USDOS notes that in 2023 steps have been taken by the government to enforce the law regarding FGM/C, “including maintaining hotlines to inform authorities of doctors who performed the operations” and a public awareness campaign launched in February 2023 with the title “FGM is a crime” in regions where the practice is prevalent (USDOS, 23 April 2024, section 6). HumanAct notes that the evaluation of the progress made in implementing the National Plan was hampered because the plan has not been published in a written form as of October 2023 (HumanAct, October 2023, p. 5). Despite the abovementioned steps taken by the government, UN CAT “[...] regrets the lack of information on the impact of the awareness-raising campaigns conducted by the State party to eradicate female genital mutilation” (CAT, 12 December 2023, p. 15).” Similarly, the UN Human Rights Committee, while welcoming the steps taken by the government against FGM/C under the National Plan to Eliminate Genital Mutilation, remains concerned that:

²³ FGM/C as a surgical procedure is not mentioned in medical textbooks and considered a medical crime according to the World Health Organization (WHO) (UNICEF, 17 December 2023).

“[...] awareness-raising initiatives have not sufficiently penetrated economically and socially marginalized demographic groups and isolated rural communities and that female genital mutilation continues to be underreported and practised on a significant scale. The Committee is also concerned that response and support services are not sufficiently available, particularly at the local level [...]” (UN Human Rights Committee, 14 April 2023, p. 5)

Sources in 2024 reported the existence of a Restore FGM clinic in Cairo, which was established in 2020 to address complications of the procedure and offer reconstruction surgery (GGI, 26 April 2024; africanews, 14 June 2024; see also The New Arab, 6 February 2023). According to the clinic’s website, it also offers psychosexual counselling and therapy as well as non-surgical treatments (Restore FGM, undated).

3.7.4 Early/forced marriage

Despite marriage becoming legal at the age of 18 (Child Law No. 12 of 1996, with amendments up to 2008, Annex, p. 52; USDOS, 23 April 2024, section 6; CRC, 30 May 2024, p. 7), early/forced marriage below that age is reportedly practiced in Egypt (CRS, 2 May 2023, p. 11; Zawia3, 16 November 2023; CRC, 30 May 2024, p. 7; Al-Monitor, 16 January 2023). According to Article 31-bis, which was added to Civil Status Law No. 134 of 1994 by Law No. 126 of 2008 (Child Law No. 12 of 1996, with amendments up to 2008, Annex, p. 52), documenting a marriage contract is prohibited for both genders if the individuals concerned are below the age of 18. Any individual, who sets up a marriage contract between people who are younger, shall be punished according to that law (Child Law No. 12 of 1996, with amendments up to 2008, Annex, p. 52; Zawia3, 16 November 2023;). Zawia3 notes in a November 2023 article that the law “leaves room for natural guardians to exploit the law by not documenting the marriage contract until the girl reaches the legal age” and allows for marriages to take place unofficially as so-called customary marriages “with the presence of witnesses and the religious official taking a written commitment from the groom to complete the marriage when the girl turns 18” (Zawia3, 16 November 2023; see also Child, Early & Forced Marriage & Unions and Sexuality Working Group, November 2023, p. 2). In a 2023 report, the Egyptian Coalition for Child Rights (ECCR), a coalition of NGOs working in the field of children’s rights, notes that “the law was limited to not ‘documenting’ only and did not prohibit marriage textually, resulting in undocumented early marriages, and consequently some born children that are not registered until the mother reaches the legal age of 18 years” (ECCR, 2023, p. 13; see also Al-Monitor, 16 January 2023). Zawia3 notes in that regard:

“A recent study revealed that 74% of child marriages occurred in prohibited forms according to the law, with 9,531 violations of documenting marriages below the legal age. Cairo had the highest number of cases at 4,102, followed by Mansoura in the Dakahlia Governorate with 3,383 cases, and then Tanta in the Gharbia Governorate with 934 cases. Most cases are challenging to track officially because they occur through undocumented customary contracts with religious officials.” (Zawia3, 16 November 2023)

As of November 2023, Zawia3 notes that “there is no penalty for the man marrying a young girl, highlighting a legal loophole” (Zawia3, 16 November 2023). Several sources report of a draft law approved by the Egyptian Cabinet in April 2022, which bans child marriage. According

to this draft law, individuals officiating early marriages, the minors' parents as well as any adult older than 18, who marries a minor shall be punished (Al-Monitor, 16 January 2023; LOC, 2022; see also Edraak Foundation, 19 May 2024; Arab News, 3 December 2022). Additionally, the draft law would require marriage officiators to report to the Public Prosecution any customary marriage involving one party below the age of 18 at the time of the conclusion of the marriage contract. It also punishes with imprisonment any individual who incites a minor to marry an adult (LOC, 2022). Democracy for the Arab World Now (DAWN), a US-based nonprofit organisation founded by Saudi journalist Jamal Khashoggi, in a July 2022 article cites a member of the women-led advocacy group Barah Amen/Barrah Aamen saying that the "draft law positively tackles a lot of the shortcomings of the previous law and policy". However, Barah Amen criticises a legal "loophole" in the draft law, that allows a rapist "not only to marry a child but also to receive a reduced sentence, as is the case in rape cases where the offender is marrying the victim". Furthermore, the draft law, according to the DAWN article does not sufficiently address the issue of "tourism marriages" (DAWN, 8 July 2022). As of December 2022, the draft law was pending before the parliament, because the country's Islamic scientific body Al-Azhar Al-Sharif still had to determine the draft law's compatibility with the Islamic Sharia (Al-Monitor, 16 January 2023; Arab News, 3 December 2022) and it was still pending as of February 2024, according to the Egyptian Center for Strategic Studies (Egyptian Center for Strategic Studies, 12 February 2024). More recent information on the draft law could not be found within the time constraints of this report.

One form of customary marriage is the so-called "tourism", "summer" or deal marriage, in which adolescent girls are married off to wealthy foreign men (USDOS, 23 April 2024, section 6; Zawia3, 16 November 2023) temporarily (DAWN, 8 July 2022). Another form is the tribal marriage. Zawia3 notes that in tribal marriages relatives are married to each other, which is "considered a fundamental pillar in tribal society, disregarding the compatibility or age of the spouses", while the girl's guardian decides whom the girl is married to. Zawia3 elaborates that the "concept of tribalism is prevalent in Egypt, especially in the Sinai, Matrouh, and the oases in the western desert near the capital, as well as in some Upper Egyptian governorates" (Zawia3, 16 November 2023). For further information on tourism marriages, please refer to [section 3.9](#), which deals with human trafficking.

Marriages, which are not registered, according to the USDOS, "could lead to contested paternity and leave women and girls without alimony or other benefits available to women with registered marriages" (USDOS, 23 April 2024, section 6). According to GPE, child marriage is one of the reasons for girls' dropping out of school at secondary level (GPE, 21 March 2024; see also CRC, 30 May 2024, p. 7).

With reference to recent official statistics, Zawia3 in November 2023 reports 117,000 cases of child marriages involving girls between 10 to 17. The article further notes that according to the 2017 census in Egypt, around one in every 20 girls or 4 percent aged 15 to 17 was either married or has been married. As for girls aged 15 to 19, the rate went up to one in ten girls (Zawia3, 16 November 2023; see also Al-Monitor, 16 January 2023; UNICEF, updated February 2022, p. 2). In an undated entry on its website, Girls not Brides, an international network of over 1,400 civil society organisations from more than 100 countries committed to ending child marriage, reports that 2 percent of girls were married by the age of 15 while 17 percent were married by the age of 18 (Girls not Brides, undated; see also UNICEF, updated February 2022, p. 2). The USDOS notes in April 2024 with reference to a government study published in 2020 that 2.5

percent of the population in Upper Egypt at the time had married between 15 and 17, with higher rates among girls than boys (USDOS, 23 April 2024, section 6). According to the beforementioned 2021 EFHS conducted by CAPMAS, overall, a trend to marry later and a reduction in early marriages is observable (CAPMAS, December 2022, p. 90):

“The percentage of women married by exact age 15 has dropped from 5% among women aged 40-44 to 2% among women aged 20-24. The percentage of women married by exact age 18 has also fallen from 24% among women aged 45-49 to 16% among women [aged] 20-24. The median age at first marriage among women in the age group 25-49 is 20.8 years, same figure observed in the 2014-EDHS.” (CAPMAS, December 2022, p. 90)

Sources report a remarkable difference between rural and urban areas regarding the occurrence of child and early marriages with significantly higher rates in rural regions (Zawia3, 16 November 2023; CRC, 30 May 2024, p. 7; Al-Monitor, 16 January 2023; UNICEF, updated February 2022, p. 2).

3.7.5 State protection

In October 2023, HumanAct notes that the Egyptian government has started to “take more positive measures to eliminate violence against women in all its forms”. In September 2021, the acting Prime Minister issued a decision to create the Council of Ministers affiliated combined unit for the protection of women from violence. The unit’s responsibilities include receiving reports and complaints related to violence against women. Furthermore, units for combatting GBV were established by the National Council for Women (NCW) (HumanAct, October 2023, p. 5), which is responsible for the coordination of government and civil society efforts to empower women (USDOS, 23 April 2024, section 6). The total number of units to combat violence against women reached 26 at Egyptian university level according to HumanAct. The source further notes that, other than this, three additional medical response units within safe women’s clinics in public and private university hospitals were being opened during 2022, with which the total number of safe units reached eight. The medical staff of these units is specially trained to deal with cases of violence against women (HumanAct, October 2023, p. 5; see also Justice for All International, 2 October 2023). The UNFPA in June 2023 lists ten safe women’s clinics at university hospitals nationwide and eight safe women’s clinics established by NCW and UNFPA in cooperation with the Ministry of Health and Population at primary care level (UNFPA Egypt, 8 June 2023). Justice for All International, in October 2023, questions the effectiveness of mechanisms such as a hotline established by the NCW or the special units within universities and hospitals “in ensuring confidentiality, victim safety, and accountability”. According to Justice for All International, the hotline, having served around 100,000 women “leaves questions about the adequacy of investigations and outcomes, as it does not elaborate on how these referrals have been handled or their results” (Justice for All International, 2 October 2023, p. 4).

In April 2024, Amnesty International reports a failure of the authorities to prevent gender-based violence by state and non-state actors adequately, in the face of a series of Egyptian media reports of women, who were killed by family members or rejected suitors. Furthermore, according to the report, prosecution of women “for speaking out against sexual violence or on ‘morality’ grounds” occurred (Amnesty International, 24 April 2024). In August 2023, Amnesty International notes that

“Authorities have failed to adequately prevent and investigate violence against women and girls or end abusive practices by the police, and have violated the confidentiality and privacy of survivors who seek to report rape or other sexual violence. In some cases, the police publicly blame victims of sexual violence, accusing them of ‘inappropriate’ clothing or behaviour, further entrenching impunity for these crimes.” (Amnesty International, 14 August 2023, p. 7)

According to a joint study by the National Center for Social and Criminal Research and the NCW, published in 2022, “‘women shelters’ in their current state are merely places that provide shelter and basic needs for women victims of violence in a short period of time” and are financially, administratively and culturally challenged, lacking coordination and cooperation (ECWR, 6 November 2023, p. 2). According to a January 2023 Egyptian Taskforce report, eight women’s shelters are provided nationwide, while the report notes that their numbers are “limited” and that the shelters are “unable to fulfill their role” (Egyptian Taskforce, January 2023).

According to the April 2024 USDOS report, the National Council for Childhood and Motherhood (NCCM) as well as child protection units in the governorates identified attempts of early marriages and the government oftentimes enforces the law. The USDOS notes that individuals can report child marriages to the national helpline. The USDOS reports instances of impeded attempts of child marriages in 2023. With reference to officials from Giza governorate, the USDOS notes that 312 potential child marriage cases were reacted to by the governorate through the national helpline. In one early marriage case, which took place in Fayoum, the NCCM reportedly referred the father of the girl and a local official for prosecution to the Ministry of Justice (USDOS, 23 April 2024, section 6).

3.8 Situation of persons of diverse SOGIESC

Detailed information on the situation and treatment of persons of diverse SOGIESC (Sexual Orientation, Gender Identity and Expression, and Sex Characteristics) in Egypt as described in sources published between 1st January 2020 and 31st July 2023 can be found in the following query response:

- ARC – Asylum Research Centre: Egypt: Query response on the situation and treatment of the LGBTQI+ community, August 2023
https://www.ecoi.net/en/file/local/2096388/ARC-Query-response_LGBTQI-Egypt_August-2023.pdf

According to the 2024 Bertelsmann Stiftung report, Article 9 of the 2014 Constitution, which notes that the “state ensures equal opportunity for all citizens without discrimination” (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Article 9) in theory grants all citizens equal rights without discrimination, while in practice “citizens who do not fit the societal expectation of a ‘normal Egyptian,’ such as homosexuals, transgender individuals” and other groups “still face challenges in obtaining equal rights” (Bertelsmann Stiftung, 19 March 2024, p. 11). In its 2024 report, Freedom House notes that discrimination against LGBTI people and other groups “remains a serious problem” (Freedom House, 2024, Overview) and, like harassment, takes many forms (Freedom House, 2024, section F4). Amnesty International reports in April 2024 that “authorities continued to harass

and prosecute individuals on the basis of their actual or perceived sexual orientation or gender identity” (Amnesty International, 24 April 2024). Authorities did not use antidiscrimination laws to protect LGBTI individuals and the USDOS reports “widespread public support for discrimination against the LGBTQI+ community” (USDOS, 23 April 2024, section 6).

Sources further note that same-sex sexual activity is not explicitly prohibited (Freedom House, 2024, section F4; BAMF, 30 June 2023, p. 3) or criminalized by law (USDOS, 23 April 2024, section 6; ILGA World, undated). However, Act No. 10 of 1961 on combating prostitution is used to prosecute individuals for their sexual orientation or gender identity (ILGA World, undated; UN Human Rights Committee, 14 April 2023, p. 2; CFJ et al., 30 January 2023, p. 7; HRW, February 2023, p. 16). According to Freedom House and the USDOS, authorities regularly arrest people suspected of same-sex sexual conduct under charges of prostitution or “debauchery” (Freedom House, 2024, section F4) and “violating family values”, for which sentences of up to 10 years imprisonment and/or fines are foreseen by the law (USDOS, 23 April 2024, section 6).

Amnesty International notes in August 2023 that LGBTI individuals and activists are consistently targeted by authorities “through arbitrary arrests and prosecution for their real or perceived sexual orientation on charges of ‘habitual debauchery’, a term used to criminalize consensual same-sex sexual relations between adults and penalize those engaging in such activity” (Amnesty International, 14 August 2023, p. 7). According to reports of a local human rights group, charges were brought against over 50 defendants in a minimum of eight debauchery cases during 2023 (USDOS, 23 April 2024, section 6). Furthermore, prosecutions also occur for “misuse of social media”. The USDOS notes that this results in “de facto criminalization of same-sex conduct and identity” (USDOS, 23 April 2024, section 6). The International Lesbian Gay Bisexual Trans and Intersex Association (ILGA World) notes in an entry on its website, last updated in June 2023, that Article 25 of the Anti-Cybercrimes Law (Law No. 175 of 2018) is used to target LGBTI individuals and activists, “as per this provision ‘anyone who publishes online content that threatens society’s and family’s values shall be punished for at least six months of prison and a fine of at least fifty thousand pounds’” (ILGA World, updated 30 June 2023). In April 2024, the Hong Kong Dignity Institute, an NGO based in Hong Kong which assists refugees, survivors of human trafficking and victims of forced marriage, notes:

“In addition to prosecutions under the Prostitution Law, there has also been an uptick in recent years in the use of cybercrime and telecommunication laws to prosecute LGBTQ+ cases. This trend can be interpreted as a response to the digitization of daily lives, and in particular the use of online dating apps by members of the LGBTQ+ communities. Furthermore, cases involving cybercrimes and telecommunication laws are tried in Egyptian economic courts, which are specialized courts generally focused on resolving economic and commercial disputes. In practice, this has allowed Egyptian prosecutors to pursue harsher sentences against the LGBTQ+ community. [...] Although the Telecommunication Regulation Law and Anti-Cybercrimes Law are targeted at privacy infringements arising out of commercial activities, the vague terms of ‘misuse’ and ‘family principles or values’ mean that these laws can be (and in practice, often are) broadly interpreted and applied to LGBTQ+ cases.” (Hong Kong Dignity Institute, 10 April 2024, pp. 12-13)

According to a January 2024 article by Egyptian human rights researcher Nora Noralla, published by Cairo52, a legal research institute based in Cairo, the Economic Court in Alexandria has emphasized through multiple rulings that Article 25 of the Anti-Cybercrimes Law, which specifies that whoever violates social and family values faces punishment, “explicitly criminalizes homosexuality”. Noralla notes that this was “a significant judicial move from a de-facto criminalization of LGBTQ+ identities to an explicit one” (Noralla, 24 January 2024). In the March 2024 abstract for a law and policy guide on laws impacting LGBTI persons’ rights in Egypt, human rights researcher Nora Noralla notes:

“Egypt has a complex legal framework, policies, and case laws that govern the human rights of LGBTQ+ individuals. While the focus is often on laws used by Egyptian authorities to criminalize LGBTQ+ identities, the situation is more nuanced. Whether explicitly or de facto, through policies, laws, or case laws, the Egyptian authorities consistently employ various methods not only to criminalize LGBTQ+ identities but also to erase them from society and public life. These methods include denying legal gender recognition for transgender individuals through case law and implementing new education policies purportedly aimed at ‘protecting youth from corrupt LGBTQ+ identities.’ The tools utilized by Egyptian authorities are numerous and intricate.” (Noralla, 11 March 2024)

Sources report online targeting of members of the LGBTI community by state actors (USDOS, 23 April 2024, section 6; BAMF, 30 June 2023, p. 3; PinkNews, 23 March 2023; BBC, 30 January 2023; HRW, February 2023, p. 6) as well as online extortion by organised gangs (HRW, February 2023, pp. 4, 42; BBC, 30 January 2023; see also USDOS, 23 April 2024, section 6). In a January 2023 article, the BBC reports that “[c]riminal gangs are using the same tactics as the police to find LGBT people. They then attack, humiliate and extort them by threatening to post the videos online” (BBC, 30 January 2023). Social media, dating websites and mobile phone apps were reportedly used by security forces to track down and arrest LGBTI persons. This led the online platform Grindr to issue a warning to its users in Egypt to be cautious when using the platform (USDOS, 23 April 2024, section 6; PinkNews, 23 March 2023). HRW notes in a February 2023 report on digital targeting, based in large parts on interviews conducted between February 2021 and January 2022 with LGBTI people in several countries, including Egypt, that in Egypt 29 arrests and prosecutions, including of foreigners, suggest a coordinated policy, which is “either directed or acquiesced to by senior government officials—to persecute LGBT people” (HRW, February 2023, p. 3).

Reported police harassment according to rights groups and LGBTI activists included physical assault, forced solicitation of bribes to avoid arrest, being forced to share information concerning other LGBTI individuals (USDOS, 23 April 2024, section 6) and beatings and other abuse in police custody (Amnesty International, 24 April 2024). Abuses of LGBTI individuals in detention by authorities were also reported by HRW, including imposing solitary confinement, denial of food and water, denial of contact with family members or medical services, sexual assaults and other forms of physical violence (HRW, 11 January 2024). Sources further report forced anal examinations of members of the LGBTI community during arrest (CAT, 12 December 2023, p. 11; USDOS, 23 April 2024, section 6; Amnesty International, 14 August 2023, p. 7; UN Human Rights Committee, 14 April 2023, p. 2). According to a January 2023 report by CFJ et al., a central feature of persecutions under Act No. 10 of 1961 on combating prostitution “is forced anal examinations, performed by the Justice Ministry’s Forensic Medical Authority

(FMA) upon referral from the prosecution, against individuals accused of ‘habitual debauchery’” (CFJ et al., 30 January 2023, p. 7). Abuse by co-inmates in detention is also reported (HRW, 11 January 2024).

In a March 2024 article published by Cairo52, Nora Noralla states that Egypt's Supreme Administrative Court, the highest court in the Egyptian administrative court system, upheld a lower court ruling in the case of an employee of Egypt's public broadcaster that his dismissal from public office on suspicion of involvement in homosexual activities was justified. The employee was reportedly accused by his former spouse of participating in homosexual acts (Noralla, 7 March 2024). The USDOS reports that “the disciplinary court that issued the original judgement considered the employee's conduct, as depicted in an explicit video clip, as “a violation of civil service ethics” (USDOS, 23 April 2024, section 6).

In its April 2023 report, the UN Human Rights Committee expresses its concern over a lack of investigations and punishments of cases “of discrimination, stigmatization, harassment and violence, including by law enforcement officials, against persons on the basis of their real or perceived sexual orientation or gender identity” (UN Human Rights Committee, 14 April 2023, p. 2). The USDOS reports that government efforts to address potential discrimination did not exist and that LGBTI persons seldom report discrimination for fear of being intimidated and arrested. With reference to local human rights groups and media reports, the USDOS notes that several domestic and street violence incidents or threats against LGBTI persons occurred in 2023, “including extortion attempts by criminal gangs entrapping members of the community via photographs or videos and threatening to expose the victims to family members or employers”. Moreover, local contacts reported several cases where landlords or neighbours tried to force LGBTI individuals to leave their homes by threatening to report them to the police. Furthermore, the USDOS notes that so-called conversion therapy “was available and widely publicized by well-known therapists and religious leaders in both the Christian and Muslim communities” and marketed to LGBTI individuals' families (USDOS, 23 April 2024, section 6). The USDOS notes the following concerning the lack of possibility to address their issues in public and lack of societal acceptance:

“Legal discrimination and social stigma impeded LGBTQI+ persons from organizing or advocating publicly in defense of their rights. State-controlled media did not allow the expression of opinions supporting LGBTQI+ rights. Talk show hosts frequently discussed such rights in homophobic terms and described them as an imposition of Western values on other cultures. LGBTQI+ civil society organizations could not register officially, and the LGBTQI+ community and its supporters faced severe limits on their ability to advocate for their rights due to the government's general restriction on peaceful assembly and failure to provide the community any protection against violence or harassment.” (USDOS, 23 April 2024, section 6)

Regarding sex reassignment surgery (SRS) in Egypt, sources note that the Egyptian Medical Syndicate (EMS) is the responsible entity and that the approval of a special doctors' committee and religious leaders from Al-Azhar are required for an individual to undergo SRS (USDOS, 23 April 2024, Section 6; Hong Kong Dignity Institute, 10 April 2024, p. 22). The Hong Kong Institute notes that a Code of Ethics adopted by the EMS in 2013 defines the medical and legal process for SRS in Egypt. “Article 43 of the Code prohibits Egyptian physicians from carrying out gender change operations, but allows SRS subject to the approval of the Sex Reassignment Committee

at the National Doctors Syndicate” (Hong Kong Dignity Institute, 10 April 2024, p. 22). However, individuals who wish to undergo SRS have to run through a “long and complex process” requiring two years of psychotherapy, after which a psychiatric report is issued (Hong Kong Dignity Institute, 10 April 2024, p. 23). The Hong Kong Institute further elaborates:

“The psychiatric report must state that the individual has either gender identity disorder or gender dysphoria. Once the psychiatric report is issued, the individual can apply to the Committee [Sex Reassignment Committee at the National Doctors Syndicate] requesting approval for SRS, following which SRS can be completed at a government hospital. Provided the SRS was performed at an Egyptian government hospital, the transgender individual can then submit the EMS report and the final medical report to the Civil Status Service to proceed with changes to official government documents such as national identity cards.

However, since the adoption of the Code of Ethics in 2013 by the EMS, very few Egyptians have been authorized to undergo SRS. This is because, since at least 2019, Al Azhar has had no designated representative on the Committee. Without this representative, the Committee cannot proceed to approve SRS.” (Hong Kong Dignity Institute, 10 April 2024, p. 23)

With reference to human rights groups, the USDOS reports that SRS is “allowed only for intersex persons and the process existed more on paper than in practice, leaving transgender individuals to seek treatment from unregulated and often unsafe clinics”. The USDOS also notes that doctors who perform gender-affirming surgery without the approval of the committee are subject to criminal prosecution. Without the ability to meet the required conditions, individuals cannot change their identification documents as needed (USDOS, 23 April 2024, section 6).

3.9 Trafficking in persons

The Egyptian Constitution criminalizes human trafficking. Article 89 of the Constitution reads: “Slavery and all forms of oppression and forced exploitation against humans are forbidden, as is sex trafficking and other forms of human trafficking, all of which are punishable by law”. (Constitution of the Arab Republic of Egypt, 19 January 2014, with amendments up to April 2019, Article 89). In its report on human trafficking (reporting period April 2023 to March 2024), the USDOS reports that domestic and foreign victims are exploited by human traffickers in Egypt, while victims from Egypt are also exploited by human traffickers outside the country (USDOS, 24 June 2024). The December 2023 CAT report lists various persisting forms of human trafficking in the country, such as the exploitation of women migrant workers for labour and sexual purposes, the exploitation of children, for example for begging and labour purposes, trafficking for the purpose of removing organs, including of children living on the street as well as the sexual exploitation of women and girls in general by “transactional, seasonal and contractual marriages” (CAT, 12 December 2023, p. 15; see also UN Human Rights Committee, 14 April 2023, p. 10). According to the USDOS, children are subjected to sex trafficking, drug trafficking, quarrying and agricultural labour, while an NGO report indicates an increase in forced begging by children due to the difficult economic situation. NGOs report that, due to a lack of economic and educational opportunities, family members “subject women and girls to sex trafficking or forced labor in domestic servitude to supplement family incomes” (USDOS, 24 June 2024). Furthermore, Sub-Saharan migrants as well as migrants from Asia and Syrian

refugees are vulnerable to human trafficking for the purpose of forced labour and sexual exploitation (Freedom House, 2024, section G4; USDOS, 24 June 2024). The USDOS notes that “[t]raffickers reportedly subject men and women from South and Southeast Asia and East Africa to forced labor in domestic servitude, construction, cleaning, and begging, as well as sex trafficking,” while “male refugees and migrants are vulnerable to exploitative labor practices, including forced labor”. With reference to an NGO report, the USDOS notes that women and girls fleeing conflict were coerced to perform sex acts by unidentified perpetrators in order to receive visas to enter the country. Furthermore, unaccompanied and separated children were reportedly targeted by Sudanese gangs and forced or coerced to sell drugs or commit different petty crimes (USDOS, 24 June 2024).

In November 2023, Zawia3 notes that a number of unofficial customary marriage forms have emerged in Egypt, which are not legally recognized, including “temporary” marriages (Zawia3, 16 November 2023), also known as “transactional” marriages (USDOS, 24 June 2024), tribal marriages (or Sunni or gift marriages) and deal (or tourist) marriages (Zawia3, 16 November 2023), also known as “summer” marriages (USDOS, 23 April 2024, Section 6). Sources report that these undocumented marriage forms have emerged as a form of human trafficking, especially of women, including young girls, who are sexually exploited or engaged in forced labour (Zawia3, 16 November 2023; USDOS, 23 April 2024, Section 6). Regarding tourist marriages, Zawia3 further notes:

“Young girls are treated as commodities, bought and sold in transactions facilitated by what is known as tourist marriage brokers. A lawyer or official writes the customary marriage contract, usually involving the legal guardian of the girl and a foreign husband, often from a Gulf Arab country, typically much older than her. The wealthy Arab suitor offers material incentives or promises job opportunities abroad for the girl’s male relatives. [...] Deal marriage involves marrying girls or women temporarily in exchange for material benefits, making it religiously invalid and classified as forced marriage, a form of human trafficking, and a gender-based discrimination, forcing the girl into marriage and sacrificing for the better livelihood of her family.” (Zawia3, 16 November 2023)

According to the USDOS, the legal requirement for a foreign man, who wants to marry a citizen woman over 25 years younger than him, is to pay her 50,000 EGP (1,042 USD²⁴). With reference to women’s rights organizations, the USDOS notes that this requirement represented a form of trafficking by allowing foreign men to marry much younger women, including children, for money (USDOS, 23 April 2024, section 6). Commercial child abuse and sexual exploitation by individuals from the Arabian Gulf reportedly occur mainly in Giza and Cairo. While an NGO and the government report a decrease of “temporary marriages” since 2022, the practice continues according to the USDOS (USDOS, 24 June 2024).

According to the USDOS report on human trafficking in Egypt, in 2023, the government initiated 89 new investigations (compared to 76 in 2022) into alleged cases of sex, labour and other trafficking. In addition, 194 prosecutions of alleged perpetrators (compared to 96 in 2022) were

²⁴ All currency calculations in this report are based on the exchange rate from European Commission, Exchange rate (InforEuro), undated, https://commission.europa.eu/funding-tenders/procedures-guidelines-tenders/information-contractors-and-beneficiaries/exchange-rate-inforeuro_de, accessed 4 July 2024.

initiated by the government, and 82 traffickers were convicted in court in 28 cases (compared to 95 traffickers in 28 cases in 2022). In addition, the cases of two allegedly complicit officials were investigated for trafficking offences, while six were prosecuted. The USDOS further notes that the Egyptian government “does not fully meet the minimum standards for the elimination of trafficking”, while it “is making significant efforts to do so”, including by “doubling prosecutions of alleged sex and labor traffickers, increasing investigations, and investigating and prosecuting allegedly complicit officials” (USDOS, 24 June 2024). Meanwhile, the CAT report notes a “low rate of prosecutions and convictions for trafficking in persons” (CAT, 12 December 2023, p. 15)

The Egyptian government adopted Act. No. 64 of 2010 on combatting trafficking in persons and launched the Third National Strategy on Combating and Preventing Trafficking in Persons (2022–2026) (CAT, 12 December 2023, p. 15; see also NCCPIM & TIP, undated) and established the National Coordinating Committee for Combating and Preventing Illegal Migration and Trafficking in Persons (NCCPIM & TIP) in 2017 (CAT, 12 December 2023, p. 15; see also USDOS, 24 June 2024). Act. No. 64 of 2010 criminalizes sex and labour trafficking and prescribes penalties of up to 15 years’ imprisonment in cases involving adult victims and up to life imprisonment in cases involving children, as well as a range of fines (USDOS, 24 June 2024). The Act, according to a government report submitted to the UN Committee on the Rights of the Child (CRC) furthermore “excludes the possibility that victims or the persons responsible for them may give their consent to being exploited in human trafficking in any of the forms set forth in the Act” (Government of Egypt, 22 March 2023, p. 18). According to the USDOS, the “penalties were sufficiently stringent” (USDOS, 24 June 2024).

The UN Committee Against Torture expresses its concern that Act No. 64 of 2010 is not adequately enforced and the national referral mechanism as well as the national assistance trust fund for victims of trafficking were not fully operationalized (CAT, 12 December 2023, p. 15; see also UN Human Rights Committee, 14 April 2023, p. 10). Referring to government reports, the USDOS notes that the drafted decree for the establishment of the fund was pending with the Prime Minister’s Office as of March 2024. The USDOS further describes the government’s protection efforts as “uneven”. According to the USDOS, the government reported to have identified 217 trafficking victims of sex, labour and other unspecified forms of trafficking (compared to 212 in 2022), including 27 women, 26 men and 164 children. Five of the victims were foreigners while all the others were Egyptian. Furthermore, the USDOS, referring to government reports, notes that 151 trafficking victims were referred to services. However, the government reportedly did not specify which type of assistance was provided to the included adult victims, while 70 boys and 76 girls were referred to governmental children’s shelters and received psychological support. The USDOS also notes that an existing high trafficking risk for foreign nationals in Egypt is rarely met by proactive identification by authorities and describes a lack of services for non-Egyptian trafficking victims (USDOS, 24 June 2024).

Meanwhile, sources report that Egyptian authorities continued to punish persons for offenses that were the direct result from their circumstances as victims of trafficking (Freedom House, 2024, section G4; USDOS, 24 June 2024). This reportedly led to a distrust in authorities and contributed to a reluctance to report cases of human trafficking. According to the USDOS, the government, in 2023, renovated a new specialized trafficking shelter and expunged “prostitution-related” charges from 51 sex trafficking victim records (USDOS, 24 June 2024).

It further notes that “[g]overnment-provided victim services and shelter remained insufficient, as officials relied on international organizations and NGOs to provide some services, especially for men and foreign victims, without financial or in-kind support” (USDOS, 24 June 2024; see also Maat for Peace, Development and Human Rights, September 2023, p. 6). At the same time, the government does not provide financial assistance to international and civil society organizations, which had an effect on their ability to offer victims protective services. The government's only specialised shelter for trafficked persons is reportedly a collaboration between the NCCPIM & TIP and the Ministry of Social Solidarity (MoSS), the National Council for Childhood and Motherhood (NCCM) and an NGO. Furthermore, ten MoSS shelters for violence against women in nine governorates can also receive female and child trafficking victims, including foreigners. Moreover, 78 additional shelters (18 for girls, 28 for boys, 19 for men, and 13 for women) were operated by MoSS throughout the country. The USDOS further mentions a shelter for child victims of abuse, including trafficking, which is operated by the government in collaboration with an NGO. The report also notes that NGOs report that “MoSS shelters do not meet the specific needs of some trafficking victims because of concerns about security, privacy, and a lack of adequately trained staff” (USDOS, 24 June 2024). Maat for Peace, Development and Human Rights, an Egyptian civil society human rights organization, in September 2023 reports that the government opened a shelter for women and girls who are victims of human trafficking (Maat for Peace, Development and Human Rights, September 2023, p. 5).

In a report published in 2023, ECCR notes that hotlines have been established in cooperation with governmental institutions to help children and receive complaints regarding early marriage and economic or sexual exploitation, which the NCCM has the power to report to the Public Prosecution. However, ECCR further notes:

“Awareness of the importance of telephone helplines among service and childcare providers [is] still insufficient, in addition to the fact that the provision of services that are requested from these lines depends entirely on civil associations, which weakens their impact according to the status of the association. The community organisations noticed the ineffective coordination between the helplines and the Ministry of the Interior with regard to reports submitted by citizens regarding children at risk, and the lack of workers and budget allocated for this matter [...]” (ECCR, 2023, p. 16)

The National reports that as of January 2024, persons who have not reached the age of 18 and want to travel outside the country by plane have to formally request a permission to do so at the country's passport authority. The presence of a parent or guardian is also required. According to the article, this step “is a bid to curb illegal immigration and human trafficking” (The National, 1 January 2024).

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