



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Arab Republic of Egypt and welcome the constructive engagement of your Government during the 34th session of the UPR Working Group in November 2019.

As the final outcome report on the review of Egypt has been recently adopted by the Human Rights Council at its 43rd session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Egypt – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and/or recommendations made by 133 delegations and the presentation made and responses provided by the delegation of Egypt. I have also considered the actions taken by the Government to implement 224 recommendations fully supported as well as those 23 recommendations that were partially accepted during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I welcome the amendment of the law establishing the National Council for Human Rights to strengthen its mandate and independence, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and encourage to continue supporting its mandate with resources and strengthening its independence.

I also note the reported measures in response to recommendations regarding the Security Forces' obligation to abide by international rules of engagement in the apprehension of suspects and by international norms regulating the use of force. I encourage Egypt to continue revising legislation, policies and practices, including those related to combating terrorism, to align them with international human rights obligations and standards, including with respect to prisons and places of detention.

His Excellency
Mr. Sameh Hassan Shoukry
Minister of Foreign Affairs
Arab Republic of Egypt



I take note of actions taken by adopting a comprehensive plan for economic reform and launching the Strategy 2030 to achieve sustainable economic, social and environmental development, as well as equality and equal opportunity to all citizens. I encourage Egypt to ensure that no one is left behind in these endeavours.

I further encourage Egypt to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate the preparations for Egypt's fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular the National Council for Human Rights and all civil society organizations and, where necessary, with the support of international organizations, including my Office and the United Nations Country Team.

I also note the creation of the Supreme Permanent Committee for Human Rights to report on the implementation of obligations arising from international treaties. I encourage Egypt to develop the necessary legislation and strategies to ensure proper implementation of international human rights mechanisms' recommendations, including UPR recommendations, as well as encourage it to share with my Office the means of strengthening the Supreme Permanent Committee for Human Rights to ensure comprehensive reporting and follow-up on recommendations received from all international and regional human rights mechanisms and on treaty obligations, while linking these to the Sustainable Development Goals, following the OHCHR practical guide on national mechanisms for reporting and follow-up, which is available at: http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf.

Please, kindly note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. An important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I welcome the practice of Egypt to submit a mid-term report and encourage the Government to do so again in follow-up to the third cycle of the review, by 2022.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

Finally, kindly allow me to use this opportunity to express my Office's profound solidarity with your country and all Member States in connection with the negative impact of the COVID-19 pandemic. I hope that despite unprecedented challenges it will soon be over in all countries worldwide, including through implementation of human rights based approaches to our collective response to the pandemic. I look forward to discussing with you ways in which my Office may assist Egypt in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.



Michelle Bachelet
High Commissioner for Human Rights

cc: His Excellency
Chancellor Omar El-Khattab Marawan
Minister of Parliamentary Affairs
Arab Republic of Egypt

Mr. Richard Dictus
United Nations Resident Coordinator
Arab Republic of Egypt

Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Cooperating with international and regional human rights mechanisms and acceding to the international human rights conventions to which Egypt has not yet acceded, including the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.
- Considering the withdrawal of reservations to the Convention on the Elimination of All Forms of Discrimination against Women.
- Strengthening cooperation with the Human Rights Council and its Special Procedures mandate holders, by accepting pending requests to visit the country, inviting additional mandate holders and cooperating with them.
- Enhancing the technical cooperation with the Office of the United Nations High Commissioner for Human Rights.

National human rights framework

- Strengthening national institutions and capacities for the promotion and protection of human rights.
- Reinforcing human rights education and training programmes for public service officials, including police officers, military officers, National Security officers, prison guards, prosecutors and judges.

Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination

- Increasing efforts and adopting the necessary measures to combat all forms of discrimination and introducing a definition of racial discrimination in the national legislation.
- Taking steps to protect the rights of individuals and ensure that they are not subject to discriminatory arrest or prosecution.
- Stepping up efforts to combat discrimination against women and that based on religion, by continuing to raise awareness among the population and religious leaders.

Development, the environment, and business and human rights

- Working closely with all relevant stakeholders in the implementation of the Egypt Vision 2030 Sustainable Development Strategy.
- Strengthening measures to realize the right to development, including through projects aimed at decreasing unemployment, achieving economic growth and increasing living standards, and ensuring the participation of all stakeholders, particularly women, in the country's economic development.

Human rights and counter-terrorism

- Promoting respect for human rights in the context of combating terrorism, by reviewing the definition of terrorism used in the Egyptian law in order to bring it into line with international human rights standards, and ensuring that counter-terrorism measures are undertaken in full respect of human rights and fundamental freedoms.

B. Civil and political rights

Right to life, liberty and security of person

- Ending arbitrary deprivation of life and guaranteeing fair trial, particularly for those accused of crimes punishable by death; ensuring that all death sentences are reviewed; and ceasing immediately the use of the death penalty for those under the age of 18 years at the time of offence.
- Reducing the number of crimes punishable by the death penalty.
- Bringing the definition of torture contained in the Penal Code in accordance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; taking effective legislative, administrative, judicial or other measures to prevent and combat all forms of torture and ill-treatment in all places of detention; promptly and effectively investigating allegations of torture or ill-treatment in detention, including the case of Giulio Regeni; and creating mechanisms for the investigation and punishment of such crimes.
- Reforming laws to ensure that children are not subject to severe or inhumane punishments, such as prolonged detention and death penalty.
- Conducting investigations, in accordance with international standards, into excessive use of force committed by security forces during demonstrations and bringing those responsible to justice.
- Guaranteeing the rights of prisoners to regular family visits, medical treatment and access to lawyers and their relatives, including in high-security prisons.

Administration of justice, including impunity, and the rule of law

- Strengthening the independence of the judiciary and criminal procedures in order to safeguard the right to a defence; guaranteeing the right to a fair trial; and taking measures to ensure access to justice and due process for all persons accused of criminal offences, including those relating to security and terrorism.
- Guaranteeing the right to a fair trial in accordance with international obligations.
- Reforming laws to ensure effective civilian oversight of military and police authorities, with special emphasis on protections against disappearances, military trials of civilians and interference in judicial proceedings.
- Ensuring that the investigation of human rights violations is effective, transparent, impartial and independent; and combating impunity, by investigating allegations of extrajudicial killings, torture and enforced disappearances by security forces, publicly releasing findings and prosecuting those responsible.
- Restricting the excessive use of pre-trial detention and police probation measures, and ensuring that all court proceedings fully comply with article 14 of the International Covenant on Civil and Political Rights.
- Identifying all juveniles tried in adult courts in order to overturn those verdicts and referring all such defendants to juvenile courts.
- Continuing efforts to combat corruption, by ensuring accountability, adopting measures that facilitate the submission of complaints, and guaranteeing the impartiality of investigations and respective trials, as well as adequate punishment and accountability.

Fundamental freedoms

- Ensuring respect for freedom of religion or belief in law and in practice, in full conformity with international standards, and ensuring that local and regional governments take the appropriate measures to protect religious groups from attacks, in particular in rural areas.
- Adopting concrete measures to guarantee the free exercise of the rights of freedom of expression, peaceful assembly and freedom of association, including by reviewing and amending legislation governing them, in line with international human rights law.
- Taking effective measures to create a free and safe environment for civil society organizations and human rights defenders, where they can conduct their legitimate activities without fear; abolishing or amending all laws and policies which limit their activities.
- Taking steps to prohibit, prevent and refrain from all acts of intimidation or reprisal against those who cooperate with the United Nations, its representatives

and mechanisms in the field of human rights, and investigating and punishing cases of threats, reprisals and other acts of violence.

- Expediting the processing of cases of activists and journalists in detention and release them in accordance with the international commitments undertaken.
- Considering effective enforcement of the right to information and reviewing media legislation to ensure it is in accordance with international human rights standards.

Prohibition of all forms of slavery

- Implementing anti-trafficking laws to ensure the protection of all trafficked persons, strengthening efforts to provide assistance to victims, and ensuring prosecution of cases of human trafficking and migrant smuggling.
- Enhancing training programmes and resources to fully implement the National Strategy to Combat Human Trafficking and for training social workers engaged in the rehabilitation of victims of trafficking in persons, especially women and children.

C. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

- Reducing unemployment levels and taking further steps to facilitate access of young people to professional training and employment.
- Improving legislation to protect domestic workers and prohibit their exploitation.

Right to social security

- Making further efforts towards the realization of economic, social and cultural rights, including through strengthening social protection measures and integration programmes for poor families, older persons, orphans and persons with disabilities who are unable to work.
- Continuing implementing socially oriented programmes and improving the accessibility of unemployment and social security schemes.

Right to an adequate standard of living

- Continuing measures to reduce poverty, in particular in rural and underdeveloped areas.
- Intensifying efforts to promote the enjoyment of the rights to adequate housing, employment, development and food, and improving efforts to guarantee access to safe drinking water and sanitation, particularly in rural areas.

- Intensifying efforts to expand agriculture and food production in order to increase food security.

Right to health

- Allocating appropriate funds for health, providing the highest attainable standard of physical and mental health to all, and expanding the new national universal health programme.
- Introducing an integrated reproductive health package for women and expanding the programmes for reproductive health and family planning with the necessary resources and training for its full and effective implementation in rural areas; and including comprehensive education on sexual and reproductive health into the national educational curricula, while ensuring the necessary resources for its effective implementation.

Right to education

- Taking measures to provide basic education to all children and strengthening efforts to promote access to quality education for all; continuing efforts to eliminate illiteracy; continuing programmes aimed at reducing school dropout rates, in particular among girls; and ensuring equal access for women and girls to education at all levels.
- Fostering access to education for vulnerable groups and continuing to increase the number of educational opportunities for vulnerable groups, the elderly, persons with disabilities and minorities.

D. Rights of specific persons or groups

Women

- Amending and effectively implementing legislation to eliminate and criminalize all forms of discrimination and violence against women and girls, while ensuring that they comply with international law and standards; taking concrete steps to duly investigate and prosecute all cases of sexual violence and harassment; and increasing the number of shelters for victims of domestic violence.
- Reviewing the personal status legislation and the Penal Code in order to amend articles that discriminate against women and ensure equal treatment of women and men in all matters relating to marriage and family relations.
- Introducing legal provisions to combat all forms of rape and other forms of sexual violence, in accordance with international standards.
- Enacting laws and strengthening measures to abolish female genital mutilation.
- Strengthening efforts to ensure women's employment and appropriate conditions for enjoyment of their right to work; providing better access for women to the

labour market; and continuing efforts to eradicate discrimination against them in the workplace and ensure a safe environment at work.

- Enhancing the role of women, especially in the political and economic sectors, and continuing efforts to promote women's political representation and participation.

Children

- Intensifying efforts to prevent early and forced marriages through awareness-raising campaigns and reviewing domestic law in order to fully comply with the minimum marriage age for girls of 18 years.
- Taking measures to eliminate and prohibit child labour and ensuring that perpetrators are brought to justice.
- Enacting legislation to prohibit corporal punishment in all settings and repealing all provisions that defend its use in child raising.

Persons with disabilities

- Strengthening national bodies in charge of guaranteeing the rights of persons with disabilities and promoting their full integration into society.
- Increasing employment opportunities and efforts to better integrate persons with special needs into the labour market and prevent their exploitation.

Minorities

- Adopting measures to ensure that Bedouins, Nomads, Nubians and Berbers can fully enjoy their economic, social and cultural rights.
- Continuing strengthening policies to protect and promote the rights of refugees and minorities.

Migrants, refugees and asylum seekers

- Putting in place labour migration policies to protect the rights of migrant workers and ensuring adequate resources and support.
 - Taking measures to protect refugees and migrants from violence, further promote tolerance among local communities, and ensure effective access to protection mechanisms; and reaffirming commitment to the practice of non-refoulement.
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