

# EGYPT 2021 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

According to its constitution, Egypt is a republic governed by an elected president and bicameral legislature, with the upper house reconstituted in 2020 as the Senate after a six-year absence. Presidential elections were held in 2018. Challengers to incumbent President Abdel Fattah al-Sisi withdrew ahead of the election, citing personal decisions, political pressure, legal troubles, and unfair competition; in some cases they were arrested for alleged abuses of candidacy rules. Domestic and international organizations expressed concern that government limitations on association, assembly, and expression severely constrained broad participation in the political process. A progovernment coalition won an overwhelming majority of seats in multistage, multiround elections for parliament's reconstituted Senate and House of Representatives. Domestic and international observers said government authorities professionally administered parliamentary elections in accordance with the country's laws and that their results were credible. Observers noted restrictions on freedom of peaceful assembly, political association, and expression significantly inhibited the political climate surrounding the elections.

The Interior Ministry supervises law enforcement and internal security, including the Public Security Sector Police, the Central Security Force, the National Security Sector, and the Passports, Immigration, and Nationality Administration. The Public Security Sector Police are responsible for law enforcement nationwide. The Central Security Force protects infrastructure and is responsible for crowd control. The National Security Sector is responsible for internal security threats and counterterrorism along with other security services. The armed forces report to the minister of defense and are responsible for external defense, but they also have a mandate to assist police in protecting vital infrastructure during a state of emergency. On October 25, President Sisi announced he would not renew the state of emergency that expired on October 24 and had been in place almost continuously nationwide since 2017 after terrorist attacks on Coptic churches. On November 11, President Sisi ratified legislation allowing the president to take appropriate measures, not to exceed six months, to maintain public order and

security, such as curfews or evacuations of specified areas, in the event of a natural disaster or terrorism event. The amendments also authorize the military to assist local authorities in protecting critical infrastructure. Defense forces operate in North Sinai as part of a broader national counterterrorism operation with general detention authority. The Border Guard Forces, under the Ministry of Defense, are responsible for border control. Civilian authorities maintained effective control over the security forces. Members of the security forces committed numerous abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings by the government or its agents, and by terrorist groups; forced disappearance by state security; torture and cases of cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary detention; political prisoners or detainees; politically motivated reprisals against individuals located in another country; arbitrary or unlawful interference with privacy; serious abuses in a conflict, including reportedly enforced disappearances, abductions, physical abuses, and extrajudicial killings; serious restrictions on free expression and media, including arrests or prosecutions of journalists, censorship, site blocking, and the abuse of criminal libel laws; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations; restrictions on freedom of movement, including travel bans imposed on human rights defenders, journalists, and activists; serious and unreasonable restrictions on political participation; serious government restrictions on domestic and international human rights organizations; and crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons and use of the law to arrest and prosecute arbitrarily such persons.

The government failed to consistently punish or prosecute officials who committed abuses, whether in the security services or elsewhere in government, including for corruption. In most cases the government did not comprehensively investigate allegations of human rights abuses, including most incidents of violence by security forces, contributing to an environment of impunity.

Attacks by terrorist organizations caused arbitrary and unlawful deprivation of life. Terrorist groups conducted deadly attacks on government, civilian, and security targets. Authorities investigated terrorist attacks and prosecuted alleged perpetrators. Terrorists and other armed groups abducted and killed civilians in North Sinai. There were incidents of societal sectarian violence against Coptic Christians.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were numerous reports the government or its agents committed arbitrary or unlawful killings that occurred while making arrests or holding persons in custody or during disputes with civilians.

There were also reports of civilians killed during military operations in North Sinai.

There were reported instances of persons tortured to death and other allegations of killings in prisons and detention centers by security forces. The government charged, prosecuted, and convicted perpetrators in some cases, but lack of accountability remained a problem.

On May 25, an Italian judge ordered four senior members of the country's security services to stand trial in Italy concerning their suspected role in the killing of Italian graduate student Giulio Regeni, who was found dead in Cairo in 2016 bearing what forensics officials said were signs of torture. On June 15, the prosecutor general gave the Italian ambassador a document for the Italian court outlining a lack of evidence in the case. On October 14, the Italian judge suspended the trial and sent the case back to a preliminary hearings judge to determine whether the defendants knew they had been charged. According to Italian media, a hearing before the preliminary hearings judge was scheduled for January 2022.

There were several reports of groups of suspected terrorists and other suspected criminals killed during security raids conducted by security forces. On August 5,

Amnesty International called on the country's Public Prosecution to investigate a video released on August 1 by the armed forces spokesperson allegedly showing two extrajudicial killings in North Sinai.

ISIS-Sinai Province (formerly known as Ansar Bayt al-Maqdis) conducted deadly attacks on government, civilian, and security targets in North and South Sinai. Other terrorist groups, including Harakat al-Suwad Misr, reportedly continued to operate. There were no official, published data on the number of victims of terrorist violence during the year. A combination of local and international press reporting, government press releases, and social media accounts tracking events in Sinai suggested terrorist groups killed or wounded more than 90 civilians in 2020. Approximately 15 of these civilians were reported to have been killed by booby traps left by ISIS-Sinai Province between October and December 2020.

## **b. Disappearance**

International and local human rights groups reported continuing large numbers of enforced disappearances, alleging authorities utilized this tactic to intimidate critics.

Authorities detained individuals without producing arrest or search warrants. According to a local nongovernmental organization (NGO), authorities detained many of these individuals in unspecified National Security Sector offices and police stations, but they were not included in official registers. Authorities held detainees incommunicado and denied their requests to contact family members and lawyers.

Photojournalist Hamdy al-Zaeem was arrested on January 4 and held without knowledge of his whereabouts by his family or attorneys until he appeared on January 17 before the Supreme State Security Prosecution (State Security Prosecution), a branch of the Public Prosecution specialized in investigating national security threats, who ordered his detention pending investigation into charges of spreading false news, joining an unspecified banned group, and misusing social media. Journalist Ahmed Khalifa was arrested on January 6, the day after he covered a labor protest, and was held without knowledge of his whereabouts by his family or attorneys until he appeared on January 16 before the

State Security Prosecution, who ordered his detention pending investigation into the same allegations as al-Zaeem. Khalifa was released in July, while Zaeem remained in pretrial detention at year's end.

On June 25, 1,000 days after the 2018 disappearance of former parliamentarian Mustafa al-Naggar, 15 local and international organizations called on the government to investigate and disclose information on his whereabouts, as ordered by the Administrative Court in 2020.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution states that no torture, intimidation, coercion, or physical or moral harm shall be inflicted upon a person whose movements are restricted or whom authorities have detained or arrested. The penal code forbids torture to induce a confession from a detained or arrested suspect but does not account for mental or psychological abuse against persons whom authorities have not formally accused, or for abuse occurring for reasons other than securing a confession. The penal code also forbids all public officials or civil servants from “employing cruelty” or “causing bodily harm” under any circumstances. Nonetheless, there were reports that government officials employed them.

Local rights organizations reported torture was systemic, including deaths that resulted from torture. According to domestic and international human rights organizations, police and prison guards resorted to torture to extract information from detainees, including minors. Reported techniques included beatings, electric shocks, psychological abuse, and sexual assault. On July 15, Human Rights First issued a report documenting alleged abuses, including torture, by security forces based on testimony from prisoners released between 2019 and 2021. Human Rights First characterized torture and other abuse as pervasive in prisons.

On March 1, detained activist Alaa Abdel Fattah, who was sentenced to five years in prison on December 20, claimed during a pretrial detention hearing that he had been subjected to incidents of intimidation after he reported hearing fellow prisoners being subjected to torture with electric shocks.

The government released journalist Solafa Magdy and her photographer husband Hossam el-Sayed on April 14 and journalist Esraa Abdel Fattah on July 18 from pretrial detention. International organizations reported that Magdy and Abdel Fattah were abused while in pretrial detention following their 2019 arrests. The abuse reportedly included beatings and suspension from a ceiling.

On September 17, a local human rights attorney said that secretary general of the Foundation for the Defense of the Oppressed, Ahmed Abd-al-Sattar Amasha, had been deprived of visits, exercise, sunlight, and access to health care for more than a year. He had been detained since his June 2020 arrest and was previously arrested in 2017, allegedly abused, and released in 2019. He joined an international campaign in 2016 urging authorities to close the maximum-security branch of Tora Prison and cofounded the League of Families of the Disappeared in 2014.

There were reports that prisoners detained on politically motivated charges were held in prolonged and indefinite solitary confinement. Local media reported that the state detained Strong Egypt party deputy president Mohamed el-Kassas in solitary confinement and had prevented him from exercising, reading, or listening to the radio since his initial arrest in 2018 on allegations of joining an unspecified banned group and spreading false news. El-Kassas was re-arrested in three new cases during continuous confinement without release, all on similar charges in 2019, in August 2020, and again on July 28.

According to human rights activists, impunity was a significant problem in the security forces. The Prosecutor General's Office (for Interior Ministry actions) and the Military Prosecution (for military actions) are responsible for pursuing prosecutions and investigating whether security force actions were justifiable.

On April 4, the Court of Cassation upheld as a final verdict a 2019 acquittal of six police officers and two noncommissioned police personnel charged with torturing to death a citizen and forging official documents inside a police station in 2017. According to local media, the victim was arrested with his brother on charges of murdering and robbing their grandmother.

On April 10, a criminal court reconvicted, in absentia, two noncommissioned police personnel on charges of torturing to death Magdy Makeen, a donkey-cart

driver, in a Cairo police station in 2016. In December 2020 a criminal court sentenced a police officer and eight other noncommissioned personnel to three years in prison in this case. A police corporal also charged in the case was acquitted.

On August 5, a criminal court acquitted 11 police officers in a retrial that challenged their suspended one-year prison sentences and their convictions for the killing of protesters during the January 25 revolution in 2011.

On December 28, a court ruled that the family of Khaled Said, who died of police brutality in 2010, would receive one million Egyptian pounds (EGP) (\$62,500) in compensation. Two police officers were convicted of the crime in 2011.

According to the Conduct in UN Field Missions online portal, there were two allegations submitted during the year of sexual exploitation and abuse by the country's peacekeepers deployed to the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA). This follows one allegation of attempted transactional sex in 2020 and another of sexual assault in 2016, both of which also occurred in MINUSCA. As of September investigations into the three most recent allegations were pending. A separate investigation substantiated the 2016 allegation, leading to the repatriation and, imprisonment of the perpetrator.

Human rights organizations said the Public Prosecution continued to order forced medical exams in "family values" or "debauchery" cases. On July 5, the *New York Times* published testimony from women who claimed sexual abuse in detention by police, prison guards, and state-employed doctors, including forced stripping, invasive examinations, so-called virginity tests, and forced anal examinations in front of onlookers (see section 6).

### **Prison and Detention Center Conditions**

Prison conditions were harsh and life threatening due to widespread overcrowding and lack of adequate access to medical care, proper sanitation and ventilation, food, and potable water.

**Physical Conditions:** According to domestic and international NGO observers,

prison cells were overcrowded On April 11, a local human rights organization estimated the total prison population at more than 119,000 located in an estimated 78 prisons, including approximately 82,000 convicted prisoners and 37,000 pretrial detainees. Human rights groups and international observers maintained the government detained or imprisoned between 20,000 and 60,000 individuals on politically motivated grounds.

Authorities did not always separate juveniles from adults and sometimes held pretrial detainees with convicted prisoners. In a March 24 report based on research conducted between February 2020 and November 2020 from the experiences of 67 individuals (10 of whom had died in custody) in 16 prisons (three for women and 13 for men) in seven governorates, a local human rights organization reported that conditions in prisons and detention centers included medical negligence; solitary confinement; and the denial of visits, telephone calls, academic studies, and the provision of outside food, or some kinds of foods, to prisoners and detainees.

In July, Human Rights First released a report alleging recruitment by ISIS in the prison system. The report said that prisoners were more susceptible to recruitment in part because of poor prison conditions.

The large number of arrests and the use of pretrial detention during the year exacerbated harsh conditions and overcrowding, contributing to a significant number of deaths in prisons and detention centers. Human rights groups and the families of some deceased prisoners claimed that prison authorities denied prisoners access to potentially life-saving medical care and in some cases denied requests to transfer the prisoners to the hospital, leading to deaths in prison.

On January 5, an Interior Ministry security source denied social media accounts of the spread of COVID-19 among prison inmates and the deaths of several inmates from COVID-19. On May 17, the Minister of Health announced the government's intent to give COVID-19 vaccines to prisoners across the country. On June 26, the Interior Ministry filed a court document in response to several lawsuits, stating that it had vaccinated 5,000 prison inmates, officers, and those working in prisons, according to local media. On August 23, the Administrative Court denied a request for COVID-19 vaccines for researcher Patrick Zaki, lawyer Mohamed Elbakr, and other high-profile detainees and prisoners, according to local media.

Zaki was released on December 8 pending trial (see section 2.b.). At year's end it remained unclear whether Elbakr had received the COVID-19 vaccine.

On July 24, imprisoned former presidential candidate and Strong Egypt Party leader Abdel Moneim Aboul Fotouh survived a "severe heart attack" but did not receive medical treatment despite calling out for help, according to statements by Aboul Fotouh's son on social media. Aboul Fotouh's son said that in the weeks prior to his heart attack, Aboul Fotouh had been prevented from buying anything from the prison canteen and from receiving injections for spinal pain. According to an August 18 report by four international organizations, 10 detainees died in custody between July 6 and August 11. Activist Mona Seif quoted her brother, imprisoned activist Alaa Abdel Fattah, saying that one of his prison mates, Ahmad Sabir, died in prison on July 11 after Sabir became ill and his cellmates shouted to guards for medical help without any response for five hours.

Inmates often relied upon outside visitors for food and other supplies or were forced to purchase those items from the prison canteen at significantly inflated prices, according to local NGOs. In September a local human rights organization reported that skin diseases were widespread among prisoners in high security prisons due to unhygienic conditions and a lack of sunlight, and in the Qanater women's prison due to lack of clean water and overcrowding. Provisions for temperature control and lighting generally were inadequate. Reports that guards abused prisoners, including juveniles in adult facilities, were common. Prison conditions for women were reported to be marginally better than those for men. Media reported some prisoners protested conditions by going on hunger strikes.

Local media reported that the Interior Ministry's social protection sector sent medical providers from various specialties to eight prisons (male and female) in July and August to provide medical services to prisoners. According to reports, 55 prisoners received medical evaluations and medications at Mansoura prison and 39 prisoners received limb prostheses at the Borg al-Arab prison.

There were reports authorities sometimes segregated prisoners accused of crimes related to political or security matters from other prisoners accused of nonpolitical crimes and subjected the former to verbal or physical abuse and punitive solitary confinement. On May 11, Amnesty International called for the release of political

activist Ahmed Douma after what it called a “grossly unfair and politically motivated” trial that resulted in a 15-year prison sentence in 2020. Since his arrest in 2015, Douma had been held in solitary confinement for more than 2,200 days.

The law authorizes prison officials to use force against prisoners who resist orders.

**Administration:** Prisoners could request investigation of alleged inhuman conditions, but NGO observers claimed prisoners were reluctant to do so due to fear of retribution from prison officials. The government did not investigate most of these allegations. As required by law, the public prosecutor inspected prisons and detention centers.

The criminal procedure code and the law regulating prisons ostensibly provide for reasonable access to prisoners, but according to NGO observers and relatives, the government regularly prevented visitors’ access to detainees. Rights groups also claimed that state security emergency court hearings and trials were not accessible to family or legal counsel and detainees lacked full access to legal counsel and documents related to their charges. Authorities cited restrictions put in place during the year as part of COVID-19 preventive measures.

**Independent Monitoring:** The government arranged visits between January and May for delegations of local and foreign media correspondents, representatives of human rights organizations, religious leaders, and the National Council for Human Rights to Tora Prison, Borg al-Arab Prison, El Marag General Prison, Wadi al-Natroun Prison, Fayoum Prison, and three prisons in Minya Governorate.

**Improvements:** In October the country opened its new Wadi al-Natroun Reform and Rehabilitation Center, which included new medical facilities, vocational training spaces, and worship areas including a mosque and a church. Officials stated inmates from 12 aging prisons planned for closure would be transferred to the new prison, and the new prison will provide improved onsite medical care, including treatment for addiction and mental health, psychological therapy and services, dialysis, dental treatment, dermatology, and computerized tomography scans.

#### **d. Arbitrary Arrest or Detention**

The constitution prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court but reported incidents of arbitrary arrests and detentions remained frequent, according to local and international rights groups.

#### **Arrest Procedures and Treatment of Detainees**

For persons other than those apprehended in the process of committing a crime, the law requires that police act based on a judicial warrant issued either under the penal code or the code of military justice, but there were numerous reports of arrests without a warrant.

Ordinary criminal courts and misdemeanor courts hear cases brought by the prosecutor general. Arrests under the penal code occurred openly and with warrants issued by a public prosecutor or judge. There was a functioning bail system, although some defendants claimed judges imposed unreasonably high bail.

Criminal defendants have the right to counsel promptly after arrest, and usually, but not always, authorities allowed access to family members. The court is obliged to provide a lawyer to indigent defendants. Nevertheless, defendants often faced administrative and, in some cases political or legal obstacles, and could not secure regular access to lawyers or family visits. A prosecutor may order four days of preventive detention for individuals suspected of committing misdemeanors or felonies. In regular criminal cases, the period of preventive detention is subject to renewal in increments of 15 days by the investigative judge up to a total of 45 days, for both misdemeanors and felonies. Before the 45th day, the prosecutor must submit the case to a misdemeanor appellate court panel of three judges, who may release the accused person or renew the detention in further increments of 45 days. In cases under the jurisdiction of the State Security Prosecution, prosecutors may renew preventive detention in increments of 15 days up to a total of 150 days, after which the prosecutor must refer the case to a criminal court panel of three judges to renew the detention in increments of 45 days.

Detention may extend from the stage of initial investigation through all stages of criminal judicial proceedings. The combined periods of prosecutor- and court-

ordered detentions prior to trial may not exceed six months in cases of misdemeanors, 18 months in cases of felonies, and two years in cases involving the death penalty or life imprisonment. After the pretrial detention reaches its legal limit without a conviction, authorities must release the accused person immediately. Rights groups claimed accused persons may face additional charges after their detention limit was reached, thereby “recycling” the accused person into indefinite pretrial detention. Legal experts offered conflicting interpretations of the law in death penalty or life imprisonment cases once the trial has commenced, with some arguing there was no time limit on detention during the trial period, which may last several years.

Charges involving the death penalty or life imprisonment, such as joining an unspecified banned group that is claimed to undermine state institutions, sometimes were added to cases related to expression or other politically motivated cases. As a result, authorities might hold some individuals charged with nonviolent crimes by prolonging the duration of their trial or rearresting them into new cases to avoid the two-year pretrial detention limit.

**Arbitrary Arrest:** The constitution prohibits arrest, search, or detention without a judicial warrant, except for those caught in the act of a crime. These rights are suspended during a state of emergency, the most recent of which expired in October. There were frequent reports of arbitrary arrest and detention. Local activists and rights groups stated that hundreds of arrests did not comply with due-process laws. For example, authorities did not charge the detainees with crimes or refer them to prosecutors and denied access to their lawyers and families (see section 1.b.).

According to a local human rights attorney, police arrested journalist Gamal el Gaml on February 22 upon his return from his “voluntary” exile since 2017 in Istanbul. Local media noted el Gaml had gained limited notoriety in 2014 when President Sisi called him directly regarding el Gaml’s assertions that the country did not provide basic services; *al-Masry al-Youm* newspaper halted his regular column in 2015. On July 18, el Gaml was released pending trial.

In 2019 Ramy Kamel, a Coptic Christian human rights activist, was arrested in his home in Cairo. On June 22, the Criminal Court renewed for 45 days his pretrial

detention on accusations of joining an unspecified terror group and spreading false news. An international organization stated Kamel had been held in solitary confinement since his arrest. He remained in custody at year's end.

Inmate Abdulrahman el-Showeikh's mother, father, and sister were arrested on April 27, which international human rights organizations claimed was in retaliation for his mother's reports in early April that el-Showeikh had been abused in Minya Prison, as well as his brother's April 26 social media posts from Turkey condemning the alleged abuse. El-Showeikh's father and sister were released shortly after their arrest and his mother was accused of joining a terrorist group and publishing and broadcasting false news. On December 30, a human rights organization reported that el-Showeikh's mother remained in pretrial detention in solitary confinement without visits or medical care for certain medical problems, according to a son's social media post. Kholoud Said, the head of the translation unit of the publication department at Bibliotheca Alexandria, was charged on January 11 in a new case with joining an unspecified terrorist group, spreading false news, and misusing social media, the same charges as in the original case for which she had been arrested in April 2020. Despite a December 2020 order for her release in the original case, Said was not released and remained in pretrial detention. Freelance translator Marwa Arafa remained in pretrial detention after her April 2020 arrest on similar charges. Representatives of a women's rights organization said they could not identify any apparent reason for these arrests.

On March 17, a criminal court convicted activist Sanaa Seif, sister of imprisoned activist Alaa Abdel Fattah, and sentenced her to 18 months in prison for broadcasting false news by making allegations the government asserted were false concerning the spread of COVID-19 in prisons, defaming and insulting a public employee, and using an electronic account to commit a crime. Seif was arrested in June 2020 outside the New Cairo Public Prosecutor's office where her family was filing a complaint seeking to receive communications from Abdel Fattah. On December 23, Seif was released after serving the entirety of her sentence.

**Pretrial Detention:** The government did not provide figures on the total number of pretrial detainees. Rights groups and the quasi-governmental National Council for Human Rights alleged excessive use of pretrial detention and preventive detention during trials for nonviolent crimes. Authorities sometimes held pretrial

detainees in the same facilities as convicted prisoners. Large backlogs in the criminal courts contributed to protracted periods of pretrial detention. Estimates of the number of pretrial and preventive detainees were unreliable. According to human rights organizations, the government sometimes rearrested detainees on charges filed in new cases to extend their detention beyond a two-year maximum.

Media reported that after four years of pretrial detention, *al-Jazeera* journalist Mahmoud Hussein was released on February 6 with precautionary measures that required him to report to a police station two days per week. Hussein continued to face charges in several cases pending trial, including spreading false news and receiving foreign funds to defame the state's reputation. On August 21, Reporters Without Borders called for the release of *al-Jazeera* journalist Rabie el Sheikh, who was arrested at Cairo International Airport on August 1, and three other *al-Jazeera* journalists in pretrial detention since 2019 and 2020. All were charged with spreading false news and membership in a terrorist group.

On August 23, the State Security Prosecution referred human rights lawyer and executive director of the Egyptian Coordination for Rights and Freedoms Ezzat Ghoneim to trial before the Emergency State Security Criminal Court on charges including joining and financing the Muslim Brotherhood, deliberately broadcasting false news, and disturbing security. Ghoneim had been in pretrial detention since his 2018 arrest and was added to second case in May 2020 and a third case on May 29, all on similar charges.

Political activist Sameh Saudi, whom authorities arrested in 2018 and added to new cases in 2019 and 2020 remained in pretrial detention.

On November 20, the State Security Prosecution released journalist Ahmed Shaker after exceeding the maximum limit of 24 months of pretrial detention, according to local media. Security forces had arrested Shaker in 2019 and charged him with spreading false news and participating in a terrorist group.

The Public Prosecution released Ola Qaradawi on December 12, according to local media. Authorities had arrested Qaradawi and her husband, Hosam Khalaf, in 2017 on charges of communicating with and facilitating support for a terrorist group. At year's end Khalaf remained in pretrial detention.

### **Detainee's Ability to Challenge Lawfulness of Detention before a Court:**

According to the constitution, detainees have the right to challenge the legality of their detention before a court, which must decide within one week if the detention is lawful or otherwise immediately release the detainee. Authorities regularly deprived individuals of this right, according to international and local human rights groups. The constitution also defers to the law to regulate the duration of preventive detention.

From July 11 to 13, the Cairo Criminal Court ordered the release of 128 detainees and renewed the pretrial detention of more than 2,100 detainees, who a human rights attorney said, "were involved in various political cases," including human rights defender Ibrahim Ezzedine, who remained in pretrial detention.

### **e. Denial of Fair Public Trial**

The constitution provides for an independent judiciary. Individual courts sometimes appeared to lack impartiality and to arrive at outcomes that were politically motivated or without individual findings of guilt. The government generally respected court orders. Human rights organizations claimed the State Security Prosecution bypassed court orders to release detainees by arresting them again in a new case, in some instances on the same charges.

The law imposes penalties on individuals designated by a court as terrorists, even without criminal convictions. The government has designated the Muslim Brotherhood a terrorist group and prosecutes individuals for membership in or support for the Muslim Brotherhood group. The effects of a designation include a travel ban, asset freeze, loss of political rights, and passport cancellation. The court designation may be appealed directly to the country's highest appeals court, and authorities do not inform most individuals of their impending designation before the court rules.

The constitution states: "Civilians may not stand trial before military courts except for crimes that represent an assault against military facilities, military barracks, facilities protected by the military, designated military or border zones; military equipment, vehicles, weapons, ammunition, documents, military secrets, public funds or military factories; crimes related to conscription; or crimes that represent

an assault against its officers or personnel because of the performance of their duties.”

Under the state of emergency that expired on October 24, authorities regularly used military courts to try civilians accused of threatening national security. Public access to information concerning military trials was limited. Military trials were difficult to monitor because media were usually subjected to restraint orders. Rights groups and lawyers said defense attorneys in military trials had difficulty gaining access to their clients and to documentation related to the cases.

Authorities released journalist Moataz Wadnan on July 18. Police arrested Wadnan in 2018, after he conducted a press interview with the former head of the Central Audit Organization, and charged Wadnan with joining an unspecified banned group and spreading false news. Two days after a court ordered Wadnan’s release in May 2020, the State Security Prosecution added him to a new case with the additional charges of inciting terrorist crimes. Before his July 18 release, Wadnan had been in continuous pretrial detention for more than three years. Journalist Mostafa al-Asaar, who was also arrested in 2018, and lawyer Mahienour al-Masry, who was arrested in 2019 after she defended detainees arrested during street protests, were released on July 18. Police charged all three with joining a banned group and spreading false news.

Some trials involving hundreds of defendants continued, particularly in cases involving demonstrators sympathetic to former president Morsi and the Muslim Brotherhood in 2013 and 2014.

On April 8, Mahmoud Ezzat was sentenced to life in prison for inciting violence and other terrorism-related charges, stemming from clashes outside the Muslim Brotherhood headquarters in 2013 that resulted in the killing of nine persons and injuring of 91 others.

On June 14, the Court of Cassation issued a final ruling upholding the death penalty sentences for 12 members of the Muslim Brotherhood, including three senior Brotherhood leaders: Mohamed El-Beltagy, Safwat Hegazy, and Abdel-Rahman El-Bar. The court also commuted the death sentences to life imprisonment for 31 others in the same case, the 2013 Rabaa sit-in.

On July 11, in a separate case, the Court of Cassation upheld the 2019 sentencing of 10 Muslim Brotherhood leaders, including Mohamed Badie, to life imprisonment on charges of killing policemen, organizing mass jail breaks, and undermining national security by allegedly conspiring with foreign militant groups, including Hamas and Hezbollah, during 2011 unrest. The Court of Cassation in the same case also overturned the convictions of eight mid-level Muslim Brotherhood members who had been sentenced in 2019 to 15 years in prison. It remained unclear at year's end whether they were released or were held pending charges in other cases.

In an August 23 statement, a local human rights organization said the Public Prosecution refused to allow attorneys to visit blogger Mohamed Ibrahim (aka "Mohamed Oxygen") after Ibrahim reportedly attempted suicide in pretrial detention in July. According to his attorneys, Ibrahim had been suffering mentally from mistreatment, including because of authorities depriving him family visits for a period exceeding 15 months, which the government said was due to COVID-19 preventive measures. Ibrahim had been in pretrial detention between his 2019 arrest and his December 20 conviction on allegations of joining an unspecified banned group, spreading false news, and misusing social media, after he tweeted a list of protesters and journalists detained in 2019 who had protested alleged military corruption. On October 16, the State Security Prosecution referred Ibrahim, activist Alaa Abdel Fattah, and human rights lawyer Mohamed Elbaker to trial before an emergency court. On December 20, an emergency court sentenced Abdel Fattah to five years in prison, and Ibrahim and Elbaker to four years in prison. Human rights groups and activists said the trial lacked due process and called for presidential commutation or pardon for all three individuals; at year's end their sentences remained in place.

Khaled Lotfy, founder of the Tanmia bookstores and publishing house, remained in custody at year's end. He was arrested in 2018 and sentenced to five years in prison by a military court for distributing the Arabic edition of *The Angel: The Egyptian Spy Who Saved Israel*, as well as charges of spreading false news and allegedly divulging military secrets.

## **Trial Procedures**

The law provides for the right to a fair and public trial, but the judiciary often failed to uphold this right.

The law presumes defendants are innocent, and authorities usually inform defendants promptly of charges against them. Defendants have the right to be present at their trials. Attendance is mandatory for individuals charged with felonies and optional for those charged with misdemeanors. Civilian criminal and misdemeanor trials usually are public. During the year authorities denied entrance to representatives of civil society, media, foreign embassies, and family members attempting to attend trial and pretrial detention hearings. Defendants have the right to consult an attorney, and the government is responsible for providing counsel if the defendant cannot afford a lawyer. Defendants have the right to free interpretation by a court-assigned interpreter from the moment charged through all appeals. The law allows defendants to question witnesses against them and to present witnesses and evidence on their own behalf. Defendants generally have adequate time and facilities to prepare a defense. The constitution provides for the right of an accused person to remain silent in his own trial. Defendants have the right of appeal up to the Court of Cassation. Judicial and executive review is available to individuals sentenced to the death penalty. Judges must seek the nonbinding review of the grand mufti on all death sentences, and the president must confirm all such sentences.

The law permits individual members of the public to file charges with the prosecutor general, who is charged with deciding whether the evidence justifies referring the charges for a trial. Observers reported, however, that due to unclear evidentiary standards, the Prosecutor General's Office investigated and referred for trial most such cases, regardless of the strength of the evidence.

On June 15, President Sisi ratified law 70/2021, which criminalizes, with a fine, the filming, photographing, or recording of criminal court hearings without prior permission from the presiding judge and prosecutor general.

On November 11, the president ratified amendments to a 2015 terrorism law that ban the photography, recording, or live broadcasting of trial sessions involving any

terrorism crimes without prior approval.

On May 24, an international human rights organization said there had been at least 53 mass trials since 2011, in which 2,182 persons were sentenced to death.

On August 13, Amnesty International said the government had executed at least 81 persons in 2021. On July 4, authorities executed engineering student Moataz Hassan, who was convicted of participating in the 2018 attempted assassination of Major General Mustafa al-Nimr. A human rights organization claimed security forces had coerced Hassan's confession with torture and threats after his 2018 arrest.

Military courts are not open to the public. Defendants in military courts nominally enjoyed the same fair trial assurances as those in civilian courts, but the military judiciary has wide discretion to curtail these 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 they did not meet basic standards of due process.

Consequently, the rapid rulings by military courts sometimes prevented defendants from exercising due process rights and undermined fair trial assurances.

Defendants in military courts have 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 defendants in detention attorney visits every 15 days.

The military judiciary law governing the military court system grants defendants in the military court system the right to appeal up to the Supreme Military Court of Appeals. The president or his delegate must certify sentences by military courts. There were limited media reports concerning the ratification of military court sentences. In 2019 local independent media reported that the military ruler ordered the retrial of one military case presented for ratification. State security emergency courts, which were activated pursuant to the nationwide state of emergency in effect between 2017 and October, had jurisdiction concerning cases related to the state of emergency, which had been broadly interpreted to include several politically motivated cases. By law verdicts in state security emergency courts

have no avenue for judicial appeals and require ratification, annulment, amendment, or an order for retrial by the president or his delegate.

On June 13, the *Cairo 24* private news website asked the prime minister not to ratify the June 10 state security emergency misdemeanor court's convictions against journalists Islam Saadi and Moamen Samir for publishing and spreading false news. Local media had reported on June 12 that their arrests came after they took photographs of Saadi's mother in a government hospital where she was being treated for COVID-19.

On June 22, the state security emergency misdemeanor court convicted Central European University researcher Ahmed Samir Santawy and sentenced him to four years in prison and a fine for joining a terrorist group and publishing false news. International and local human rights organizations condemned the action and called on the president, in the absence of the possibility for judicial appeal, to commute the sentence. At year's end Santawy's conviction remained subject to ratification by the president or his delegate. According to local media, Santawy was questioned in December 2020 upon his arrival in the country to visit family, regarding his research on women's rights for his graduate studies program in Vienna. On January 23, security forces searched his family's apartment in South Sinai and ordered Santawy to report to the National Security office in Cairo. Santawy voluntarily reported to a police station in Cairo on February 1 and appeared before the State Security Prosecution on February 6. Local human rights organizations reported that Santawy and former member of parliament Ziyad el-Aleimy, whose five-year emergency court prison sentence on November 17 was ratified on November 24 (see section 2.a.), were physically abused in detention by security forces on May 21.

### **Political Prisoners and Detainees**

There were reports of significant numbers of political prisoners and detainees, although verifiable estimates of their total number were not available. Human rights groups and international observers maintained the government detained or imprisoned between 20,000 and 60,000 persons solely or chiefly because of their political beliefs or activities.

**Amnesty:** The government periodically issued pardons of prisoners, sometimes including individuals whose cases human rights organizations considered to be politically motivated. Local press reported that the Interior Ministry Prisons Authority ordered the release of thousands of inmates based on presidential decrees in April, May, July, and October on the Eid al-Fitr, Eid El Adha, Sinai Liberation Day, and Armed Forces Day holidays.

### **Politically Motivated Reprisal against Individuals Located Outside the Country**

**Threats, Harassment, Surveillance, and Coercion:** According to local media and international human rights organizations, on February 10, police raided a house in Luxor belonging to the family of Germany-based academic and political activist Taqadam al-Khatib, seizing personal property and documents belonging to Khatib's parents. Khatib previously served in the National Association for Change in Egypt and had posted recollections of Mubarak's overthrow in the weeks leading up to the Luxor raid. In February security forces raided the homes of six relatives of a prominent human rights activist based abroad. Two family members were arrested, while others were questioned regarding their contact with the activist.

On February 11, Human Rights Watch called on the government to reverse its December 2020 decree, published in the official gazette, that revoked the citizenship of Ghada Naguib, a political activist and frequent critic of the government who lived in Turkey. The government's decision stated Naguib falsely claimed she was born in Cairo and cited Law 26 of 1975, which gives the government the power to revoke citizenship without judicial review. Naguib denied any false statements and said she was born in the country to a Syrian father.

### **Civil Judicial Procedures and Remedies**

Individuals had access to civil courts for lawsuits relating to human rights abuses and filed such lawsuits during the year. Nonetheless, courts often dismissed such cases or acquitted defendants claiming insufficient evidence or conflicting witness testimonies. Individuals and organizations may appeal adverse domestic decisions to the African Commission on Human and Peoples' Rights.

## **Property Seizure and Restitution**

The Supreme Standing Committee for Human Rights (Standing Committee) and the National Council for Human Rights (National Council) released reports in April and February, in part to review grievances faced by North Sinai residents following government counterterrorism operations in 2018 that resulted in demolition of homes and commercial buildings and seizure of farmland to establish a buffer zone in North Sinai Governorate, which authorities stated was needed to interdict weapons smuggling and incursions, including to and from the Gaza Strip. The government implemented plans to expand the commercial and military capacity of the Arish Airport, south of al-Arish, which local NGOs said threatened to displace 4,000 families.

The Standing Committee reported \$224 million (out of a total \$260 million budgeted) in government expenditures as of April 2020 used to compensate North Sinai residents for houses or land lost or damaged in counterterrorism operations, compensation for the families of “martyrs” and injured, as well as for humanitarian and medical aid and social assistance. The Standing Committee report detailed \$196 million in housing and agricultural compensation. The Ministry of Planning’s Citizen Investment Plan for North and South Sinai governorates was established to provide \$548 million to further develop housing infrastructure and public services in the area.

According to the National Council, North Sinai residents complained that slow compensation distribution coincided with rising construction costs and inflation, which complicated efforts to use reimbursements to acquire a comparable house or plot of land elsewhere. Residents also complained of lack of documentation regarding ownership, maximum compensation limits, the government’s inability to conduct assessments due to security problems, and rent previously owed to the government for farming on government land.

On March 17, Human Rights Watch alleged the military’s continuing home demolitions and forced evictions during the armed conflict in North Sinai were abuses of international humanitarian law and likely amounted to war crimes.

On March 19, local media reported that police detained five residents of Tersa

district in Giza during a small gathering of 30 residents to protest the February cabinet decision to demolish 27 legally registered residential buildings. According to local media, local officials tried to persuade the residents to sign eviction notices, which most refused to do without sufficient guarantees of compensation. On March 20, local media reported the administrator of a Facebook page campaigning against the government actions, also a Tersa district resident, was detained at his home.

In December a Cairo governorate source told media that the government paid 454 million EGP (\$28.4 million) to residents in compensation for demolishing their homes to accommodate a highway expansion project.

#### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution provides for the privacy of the home, correspondence, telephone calls, and other means of communication. Nevertheless, there were reports that security agencies placed political activists, journalists, foreigners, and writers under surveillance; monitored their private communications; screened their correspondence, including email and social media accounts; examined their bank records; searched their persons and homes without judicial authorization; and confiscated personal property in an extrajudicial manner. Ahead of planned protests or demonstrations, there were reports police stopped young persons in public places and searched their mobile phones for evidence of involvement in political activities deemed antigovernment in nature.

The constitution protects the right to privacy, including on the internet. The constitution provides for the confidentiality and “inviolability” of postal, telegraphic, and electronic correspondence; telephone calls; and other means of communication. They may not be confiscated, revealed, or monitored except with a judicial order, only for a definite period, and only in cases defined by law. The law allows the president to issue written or oral directives to monitor and intercept all forms of communication and correspondence, impose censorship prior to publication, and confiscate publications.

Surveillance was a significant concern for internet users. The constitution states

that private communications “may only be confiscated, examined, or monitored by causal judicial order, for a limited period of time, and in cases specified by the law.” Judicial warrants are required for authorities to enter, search, or monitor private property such as homes. During a state of emergency, warrantless searches are allowed provided the Public Prosecution is notified within 24 hours, and police may detain suspects for up to seven days before handing them over to the prosecution. The government’s surveillance operations lacked transparency, potentially violating the constitution’s privacy protections. There were credible reports the government monitored private online communications without appropriate legal authority, including cyberattacks to gain access to devices and accounts belonging to critics of the government.

On February 5, the government released film director and screenwriter Moamen Hassan from detention pending trial on allegations of using social media for the purpose of “promoting a terrorist act.” Local media reported that on January 25, security forces arrested Hassan after stopping his taxi in the vicinity of Tahrir Square, searching his mobile phone, and alleging he had sent suspicious texts containing inappropriate political comments regarding the government. Hassan reportedly appeared before the State Security Prosecution on January 31, and a court ordered his release on February 4.

On August 9, a local human rights organization claimed the Public Prosecution’s Communication, Guidance, and Social Media Department, established in 2019 to monitor the internet for crimes, facilitated mass surveillance without due process of law.

### **g. Conflict-related Abuses**

The conflict in North Sinai involving government security forces, terrorist organizations, and other armed groups (including militias and criminal gangs) continued. According to press releases and international media reports, at least 135 armed forces soldiers were killed in attacks on government positions or in counterterrorist operations during the year. The government continued to impose restrictions on North Sinai residents’ travel to the country’s mainland and movement within North Sinai Governorate and severely restricted media access to North Sinai.

**Killings:** The government acknowledged no civilian deaths due to security force actions. Human rights organizations alleged that some persons killed by security forces were civilians. According to an international NGO, at least 26 civilian deaths, 51 security force deaths, and 31 terrorist deaths occurred in the conflict in Sinai between January and July. According to an ISIS media affiliate, ISIS-Sinai Province claimed 101 attacks resulting in 206 casualties during the year.

Terrorist and other armed groups continued to target the armed forces and civilians, using gunfire, improvised explosive devices, and other tactics.

According to another international organization's July 31 report covering January through July, ISIS-Sinai Province killed approximately 22 civilians, including a woman and a child; kidnapped 26 civilians; and killed approximately 51 members of the armed forces, including seven from an armed group of North Sinai tribes fighting alongside the army. The same report documented four civilian deaths by security forces.

**Abductions:** Terrorist groups and other armed groups abducted civilians in North Sinai, almost always alleging cooperation with the government as the rationale. According to human rights groups, terrorist groups and other armed groups sometimes released abductees; some abductees were shot or beheaded. According to media and social media reports, at least 30 civilians were abducted by terrorist and militant elements in Sinai between January and August. In June, ISIS-Sinai Province reportedly abducted five construction contractors supporting a government developmental project near the al-Salam canal.

**Other Conflict-related Abuse:** Explosions caused by hidden explosive devices killed at least two children during the year. Approximately 15 civilians died between October and December 2020 due to improvised explosive devices left behind by ISIS-Sinai Province members following an offensive in North Sinai.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution provides for freedom of expression, including for members of the

press and other media, but includes a clause stating, “It may be subject to limited censorship in times of war or public mobilization.” The government frequently did not respect this right. Human rights defenders, journalists, activists, and others regularly faced criminal prosecution on charges that observers assessed were brought in response to criticism of the government. Government failure to investigate or prosecute attacks on human rights defenders and peaceful protesters led to de facto restrictions on freedom of assembly and association. According to the law, newspapers are required to print their issues at licensed printing houses registered with the Supreme Council for Media Regulation; news websites must host their servers in the country; newspapers must submit 20 copies of each printed issue to the council; and news websites and television outlets must keep copies of all published or broadcast material online for one year and submit a copy of their published or broadcast material to the council every month. The law also prohibits any recording, filming, or interviews in public places with the intention of broadcasting them on a media outlet without a permit issued by the council.

**Freedom of Expression:** Citizens expressed their views on a wide range of political and social topics. The government initiated investigations and prosecutions based on allegations of incitement of violence, insults to religion, insults to public figures and institutions such as the judiciary and the military, or abuse of public morals.

The law provides a broad definition of terrorism, to include “any act harming national unity or social peace.” Human rights observers noted that authorities regularly used the ambiguous definition to stifle nonviolent speech and nonviolent opposition activity.

On January 6, the General Authority for Health Insurance banned photography inside hospitals and banned mobile phones from intensive care units. The decision reportedly came after citizens published videos from hospitals showing deaths and suffering of COVID-19 patients due to alleged shortages in the oxygen supplies. The government denied oxygen shortages had contributed to COVID-19-related deaths.

Housing rights researcher Ibrahim Ezzedine remained in pretrial detention since 2019, more than the two years permitted by law. According to a local human

rights organization, he was detained after criticizing the government's urban slums policies and appeared in 2019 before the State Security Prosecution, where he was accused of joining a banned group and spreading false news.

Between January and June, a local organization that tracks freedom of association and speech recorded 65 abuses of the freedoms of media and artistic and digital expression. For example, in 2019 several political figures, including former member of parliament Ziyad el-Aleimy and journalists Hossam Moanes and Hisham Fouad, were arrested on criminal charges of joining a banned group and spreading false news after they met to form the Alliance of Hope political group to run in parliamentary elections. On July 14, they were referred to trial before a misdemeanor emergency court. On November 17, the emergency court sentenced el-Aleimy to five years in prison and a fine, and Moanes and Fouad to four years in prison and a fine, all for spreading false news inside and outside the country. On November 24, the prime minister, as President Sisi's delegate, ratified the sentences. The defense team told local press that "many legal violations took place in this case" and claimed they were not given access to more than 1,000 prosecution documents. Local human rights lawyers said the sentences issued by the emergency court could not be appealed and that only the president or his delegate could choose to annul, amend, or not implement the sentences. At year's end the three remained imprisoned. On July 14, the Court of Cassation upheld an April 2020 ruling to include 13 Alliance of Hope defendants on the terrorism list, including el-Aleimy and activist Ramy Shaath, for alleged collaboration with the banned Muslim Brotherhood.

According to media reports, on February 22, the State Security Prosecution transferred Hazem Hosni, spokesperson for Sami Anan's 2018 presidential campaign and Cairo University political science professor, to house arrest pending further investigations. On June 27, a human rights lawyer announced the criminal court reduced Hosni's house arrest from seven to three days per week. Hosni had been held in pretrial detention since his 2019 arrest.

Sinai activists Ashraf al-Hefni and Ashraf Ayoub were released on May 27, according to local media. Al-Hefni, who advocated for human rights and the rights of residents of Sinai but publicly rejected "normalization" with Israel, was detained in 2019. Ayoub had been detained since August 2020.

After a criminal court ordered human rights lawyer Mohamed Ramadan's release on June 13, Ramadan appeared on June 15, still detained, before the State Security Prosecution in a new case on allegations of joining a banned group and spreading false news. Ramadan had been arrested in 2018 for "inciting social unrest" after he posted a photograph of himself wearing a yellow vest akin to those worn by political protesters in France. As of year's end, he remained in pretrial detention.

**Freedom of Expression for Members of the Press and Other Media, Including Online Media:** Independent media expressed a variety of views but with significant restrictions. The constitution, penal code, and the media and publications law govern media topics. The government regulated the licensing of newspapers and controlled the printing and distribution of most newspapers, including private newspapers. The law does not impose restrictions on newspaper ownership.

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 journalism) occasionally broadcast and published mild criticism of government policies, but dominant media narratives supported the president and his policy initiatives.

Police arrested several journalists during the year for covering politically sensitive topics, some of whom were released, while others remained in detention. Photojournalist Hamdy al-Zaeem was arrested on January 4, one day after he covered worker protests at a chemical plant. Al-Zaeem appeared before the State Security Prosecution on January 16, where he was detained pending trial on allegations of joining a terrorist group and spreading false news on social media, according to local media. At year's end he remained in pretrial detention.

Journalist Hamdy Atef Hashem Abdel Fattah was arrested on January 4, after publishing a video showing lack of oxygen for COVID-19 patients at a hospital in Gharbia Governorate. He appeared before the State Security Prosecution on January 11 and was subsequently detained on charges of joining a terrorist group

and spreading false news on social media, according to media. At year's end he remained in pretrial detention.

According to a local NGO, cartoonist Ashraf Hamdy was released between August and September pending trial on allegations of misusing social media and spreading false information. He was arrested on January 25 after posting a video on the 10th anniversary of the January 25 revolution.

Business News company owner Mustafa Saqr was released on March 8. He had been held in pretrial detention on allegations of colluding with a terrorist organization, spreading false news, and misusing social media since his April 2020 arrest after publishing an article that discussed the impact of COVID-19 on the economy. On March 8, Islam al-Kalhy, a journalist affiliated with *Daarb* news website, who was arrested while covering a demonstration in Monieb, Giza, in September 2020, and freelance journalist Hassan al-Qabbani, who was arrested in 2019, were also released.

On April 13, the State Security Prosecution released journalist and former al-Dostour Party leader Khaled Dawoud pending investigation of charges of colluding with a terrorist group, spreading false news, and misusing social media. Dawoud had been held in pretrial detention since his arrest in 2019.

According to the organization, a plainclothes security officer arrested laborer Ahmed al-Araby on May 12 in Banha based on political social media posts he made. The organization added that during the 19 days after his arrest, al-Araby was subjected to beating and electric shocks, interrogated as to whether he had links to the Muslim Brotherhood, and forced to confess involvement in street demonstrations, which he later recanted. He remained in pretrial detention pending trial on allegations of joining a terrorist group, spreading false news, and misusing social media.

As of December the Committee to Protect Journalists reported 25 journalists were imprisoned in the country.

**Violence and Harassment:** According to media reports and local and international human rights groups, state actors arrested, imprisoned, harassed, and intimidated journalists. The family of detained journalist Mohamed Salah said on

social media that Salah had been subjected to severe physical assault and abuse in pretrial detention on January 9. Human rights organizations added that the abuse included stripping Salah and his cell mates of their clothes, hanging them in a hallway, and beating them with metal objects. Amnesty International reported in May that Salah was arrested in 2019, beaten at a police station in December 2020, ordered released, and rearrested in a new case without release. At year's end he remained in pretrial detention.

**Censorship or Content Restrictions:** Official censorship occurred. The emergency law allows the president to censor information during a state of emergency.

On January 25, an administrative court ordered the Media Regulating Authority to ban YouTube channels that broadcast a film produced in 2013 regarding the Prophet Mohammed that was found to be offensive. On June 30, authorities asked al-Maraya Publishing House to not display and sell a book by imprisoned political activist Ahmed Douma at the Cairo International Book Fair, according to local media.

Media rights organizations said the government blocked thousands of websites, including 127 news websites, including *Mada Masr*, *al-Manassa*, and *Daarb*.

The law considers websites and social media accounts with at least 5,000 subscribers to be media outlets, requires them to pay a licensing fee, and grants the Supreme Council for Media Regulation broad discretion to block their content. On August 23, the council announced that it blocked some websites it said failed to apply for such a license.

The number of arrests for social media posts reportedly had a chilling effect on online speech. Some activists and many journalists reported privately they self-censored criticism of the government or comments that could be perceived as sympathetic to the Muslim Brotherhood, due to the government designating the Muslim Brotherhood as a terrorist organization and the progovernment media environment. Publishers were also wary of publishing books that criticized religious institutions, such as al-Azhar, or challenged Islamic doctrine. Online journalists were also reluctant to discuss sensitive topics.

**Libel/Slander Laws:** Blasphemy is a criminal offense. Local and international rights groups reported cases of authorities charging and convicting individuals with denigrating religion under the so-called blasphemy law, targeting primarily Christians but also Muslims.

**National Security:** The law allows government censors to block the publication of information related to intelligence and national security.

The law imposes a fine on any person who “intentionally publishes...or spreads false news.” The fine is many times the average annual salary of most local journalists. The government maintained hotlines for members of the public to call or leave text messages reporting fake news in either traditional or social media that endangers state security.

On May 29, former ambassador to Venezuela Yehia Negm was arrested on allegations of joining a terrorist group, spreading false news, and misusing social media after he posted a tweet criticizing the government’s management of the Grand Ethiopian Renaissance Dam topic.

Atef Hasballah, editor in chief of *Alkarar Press* website, was released during the year on precautionary measures pending trial, according to a local NGO. Hasballah was arrested in March 2020 following a post on his Facebook page questioning official statistics on the spread of COVID-19 cases in the country.

Judges may issue restraining orders to prevent media from covering court cases considered sensitive on national security grounds. Rights groups stated authorities misused the orders to shield government, police, or military officials from public scrutiny. Citing safety and security measures, the government and military restricted media access to many parts of North Sinai.

### **Internet Freedom**

The constitution prohibits the government from “arbitrarily” interrupting, disconnecting, or depriving citizens seeking to use all forms of internet communications.

Telecommunications services and internet service providers are regulated by the

National Telecommunications Regulatory Authority under the telecommunication regulation law. The law does not guarantee the independence of the National Telecommunications Regulatory Authority. The government centralized internet infrastructure and fiber-optic cables, allowing considerable state control over internet access, including restricting and disrupting user access and censoring online content. Law enforcement agencies restricted or disrupted individuals' access to the internet, and the government monitored social media accounts and internet usage. The public prosecutor prosecuted individuals accused of posting "insulting" material.

The counterterrorism law criminalizes the use of the internet to "promote ideas or beliefs that call for terrorist acts" or to "broadcast what is intended to mislead security authorities or influence the course of justice in relation to any terrorist crime." The law also authorizes the public prosecutor and investigators to monitor and record online communications among suspects in terrorism cases for a period of 30 days, renewable in 30-day increments. The law does not specify a maximum period for this surveillance.

The cybercrime law states, "The relevant investigating authority may, when the evidence indicates that a website is broadcasting phrases, numbers, pictures, videos, or any promotional material that constitutes one of the crimes enshrined in this law and poses a threat to national security or endangers the security or economy of the country, order the blocking of the website."

On January 12, the Cairo Economic Appeals Court annulled the two-year sentences of TikTok influencers Haneen Hossam and Mawada Eladhm and three other defendants. The court also annulled Hossam's fine but upheld the same fine for the other defendants. Charges included violating family values, inciting "debauchery," publishing content deemed inappropriate, and recruiting others to commit similar crimes. On June 20, in a separate case, the Cairo Criminal Court sentenced Hossam in absentia to 10 years in prison and a fine, and Eladhm and three others to six years in prison and fines. All five were convicted on charges of human trafficking, running social media accounts with the aim of recruiting young women for video sharing online, and publishing video content deemed inappropriate by authorities. The objectionable content included dancing and lip-syncing, which are common on the platform. After being sentenced in absentia,

Hossam posted a video on June 22 in which she asked President Sisi to order a retrial and was subsequently arrested in Cairo. On November 4, a court ordered a retrial in her case, which was scheduled for January 18, 2022. In August 2020 a criminal court upheld an administrative decision to freeze the assets of Hossam and Eladhm.

TikTok influencer Manar Samy remained imprisoned serving her September 2020 sentence of three years in prison with hard labor for “inciting debauchery and violating family values” for content she posted on social media. On July 4, the Benha Criminal Court acquitted members of Samy’s family, who had been arrested in 2020 for resisting authorities. On June 13, the Economic Misdemeanor Court of Appeals upheld the Economic Misdemeanor Court’s September 30 convictions of TikTok influencers Sherifa Rifaat, known as “Sherry Hanim,” and her daughter Zumoroda for assaulting family values and inciting prostitution, based on photographs posted to social media. The court of appeals reduced their sentences from six years in prison to five years and fined each of them.

There were reports the government temporarily blocked access to internet messaging applications.

The government attempted to disrupt the communications of terrorist groups operating in Sinai by cutting mobile services, internet, and sometimes landlines.

As part of investigations, security forces may apply for warrants from the prosecutor general to access mobile phone company databases to obtain information regarding activities of specific customers, which observers noted could lead to lack of online anonymity.

There were reports authorities monitored social media and internet dating sites to identify and arrest lesbian, gay, bisexual, transgender, queer or intersex individuals (see section 6, Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity).

On May 3, a local media rights organization reported that the state had blocked hundreds of websites, including 127 news websites. The blocked sites included international NGOs, local human rights NGOs, and numerous virtual private network services. Some blockages appeared to respond to critical coverage of the

government or to disrupt antigovernment political activity or demonstrations.

In 2017 the news website *Mada Masr* sued the government seeking information on why it was blocked. In 2018 the Court of Administrative Justice referred the case for technical review by the Justice Ministry's Authority of Experts. This review remained pending without resolution at year's end. According to a local human rights organization, in April the Media Regulating Authority issued licenses for 40 private news websites, including *Cairo 24*, while not acting on the license requests of 110 other websites. This was part of a legal requirement to regulate the status of electronic press websites in the country.

### **Academic Freedom and Cultural Events**

There were reports of government restrictions on academic freedom and cultural events. The removal of references to the country's 2011 and 2013 revolutions from high school history class curricula continued after a 2017 decree from the Ministry of Education and Technical Education. According to media and local rights groups, a degree of self-censorship, similar to that reported by nonacademic commentators, existed when academics publicly commented on sensitive political and socioeconomic matters. University faculty members and Ministry of Education employees (including teachers) needed security agency approval to travel abroad for academic or professional purposes. Faculty and officials at public universities and research centers also had to obtain Ministry of Foreign Affairs' permission to travel abroad for any reason. Some public universities restricted campus visits of foreign speakers or delegations or required a faculty chaperone for delegations of university students traveling to the United States.

In May the prosecutor general renewed University of Washington doctoral student Walid Salem's travel ban, according to a statement by local and international human rights organizations. Their statement added that Salem was also prevented from traveling in May 2020 when authorities at Cairo International Airport confiscated his passport. Salem had been on probation since 2018 pending trial on charges of spreading false news and belonging to a terrorist group.

On July 12, authorities released Alia Mossallam, a postdoctoral fellow at the Alexander von Humboldt Foundation in Berlin, on bail pending trial on allegations

of joining a terrorist group, spreading false news, and misusing social media after they arrested her at the Cairo International Airport on July 11 upon her arrival from Berlin, according to a human rights lawyer. Mosallam was researching the history of the country's social and political movements through popular memory, according to local media.

On November 17, authorities reportedly released Ayman Mansour Nada pending trial on allegations of insulting the president of Cairo University and several university officials and using social media to commit the crime. Nada, a Cairo University media professor, was arrested in September after he criticized the government-appointed president of Cairo University and government-aligned media professionals.

There was censorship of cultural events. A prime ministerial decree declares it unlawful to hold a special event or festival without “prior license from the Ministry of Culture and liaising with relevant state entities.” This requirement adds to existing regulations, under which organizations must obtain a permit from the Ministry of Culture’s Censorship Board, as well as permits from the Interior Ministry and the relevant artists’ union for concerts, performances, and other cultural events. The Ministry of Culture must approve all scripts and final productions of plays and films. The ministry censored foreign films to be shown in theaters but did not censor the same films sold as DVDs.

On June 27, the Musicians Syndicate banned five singers of Mahraganat music, a popular street-music genre, from performing in the country because they did not obtain a permit to work or belong to the syndicate. The syndicate banned nine others on November 17 for the same reasons.

On July 25, the Administrative Court ordered the Central Administration for Censorship of Audio and Audiovisual Works to grant the film *The Last Days of the City*, which deals with the January 25 revolution, a license to be shown inside the country. According to local media, the ruling was final and had to be implemented. The film, which was produced in 2016 and won several international film festival awards, was first denied presentation in the country at the 2016 Cairo International Film Festival.

## **b. Freedoms of Peaceful Assembly and Association**

The government restricted the freedoms of peaceful assembly and association.

### **Freedom of Peaceful Assembly**

The constitution provides for freedom of assembly “according to notification regulated by law.” The demonstrations law includes an expansive list of prohibited activities, giving a judge the authority to prohibit or curtail planned demonstrations after submitting an official memorandum. Domestic and international human rights organizations asserted the law did not meet international standards regarding freedom of assembly. A government-imposed exclusion zone prohibits protests within 2,600 feet (790 meters) of vital governmental institutions.

The Prison Regulation Law prevents the conditional release of those convicted of assembly crimes, among other crimes.

There were protests during the year, mostly small, and some occurred without government interference. In most cases the government rigorously enforced the law restricting demonstrations, in some instances using force, including in cases of small groups of protesters demonstrating peacefully.

On December 8, Patrick George Zaki, a student at the University of Bologna, was released pending trial before an emergency court. He faced charges of inciting individuals to protest in 2019, spreading false news, promoting terrorism, and harming national security. He had been held in pretrial detention since his February 2020 arrest at Cairo International Airport, after which media reported he was beaten and subjected to electric shocks.

According to a local human rights organization, thousands of persons whom authorities arrested during 2013 and 2014 due to their participation in demonstrations (some of which were peaceful) remained imprisoned; however, authorities released others who had completed their sentences. Authorities reportedly held such individuals under charges of attending an unauthorized protest, incitement to violence, or “blocking roads.” Human rights groups claimed authorities inflated or used these charges solely to target individuals suspected of being members of groups in opposition to the government or those who sought to

exercise the rights to free assembly or association.

On June 4, security forces broke up a demonstration in the Shooting Club area in Alexandria and arrested approximately 30 residents protesting government plans to relocate them to a new location in the governorate. While most detained residents were immediately released, 13 remained in detention until June 17 on charges of inciting protests, throwing stones at security forces, and injuring security forces. The 13 were acquitted on December 29.

Since his 2018 arrest, activist Mohamed Adel remained in pretrial detention in three separate cases, related to allegations of violating the protest law, joining a banned group, and spreading false news.

### **Freedom of Association**

The constitution provides for freedom of association. The law governing associations, however, significantly restricts this right.

A 2019 law governing NGOs eliminated prison sentences as penalties and removed formal oversight roles for security and intelligence authorities. On January 14, the government published executive regulations clarifying that NGOs would have exclusive access to and control of NGO funds as well as procedural protections, such as impartial administrative and judicial appeal mechanisms. The 2019 law stipulates that NGOs are established through notification; however, the executive regulations require NGOs to provide extensive data to register with authorities, including information on founders and planned activities. All NGOs must receive the approval of the Ministry of Social Solidarity to register, receive funding, or conduct activities. Further, international NGOs are required to receive approval from the Ministry of Foreign Affairs to register to operate. NGOs must also comply with money laundering and antiterrorism legislations.

The penal code criminalizes the request for or acceptance of foreign funds, materiel, weapons, ammunition, or “other things” by any individual or group from states or local or international nongovernmental organizations “with the intent to harm the national interest.” Those convicted may be sentenced to life in prison (or the death penalty in the case of public officials) for crimes committed during times of war or with “terrorist purpose.”

At year's end lawyer Amr Emam remained in pretrial detention pending investigations on charges of colluding with a terrorist organization, publishing false news, and misusing social media to spread false information. Emam was arrested in 2019 after he began a hunger strike and sit-in to protest the arrests, alleged abuse, and continued detention of journalist Esraa Abdel Fattah, activist Alaa Abdel Fattah, and lawyer Mohamed Elbakr. Esraa Abdel Fattah was released on June 9, while Alaa Abdel Fattah and Elbakr remained imprisoned following their December 20 convictions by an emergency state security misdemeanors court, which sentenced them to five and four years, respectively (see section 1.c.). At year's end their convictions remained subject to ratification by the president or his delegate.

Ibrahim Metwally Hegazy, a human rights lawyer and founder of the Association of the Families of the Disappeared, remained in pretrial detention since his 2017 arrest at the Cairo International Airport while traveling to Geneva to participate in the UN Working Group on Enforced or Involuntary Disappearances.

The government listed the Muslim Brotherhood as a designated terrorist organization. On July 28, the Court of Cassation upheld the life sentences of Muslim Brotherhood supreme guide Mohamed Badie, his deputy Khairat el-Shater, and six others who were convicted in 2019 on charges of collaborating with Hamas.

Authorities continued investigations into local NGOs that received foreign funding under Case 173, originally brought in 2011. On October 21, local media reported that 75 locally organized NGOs had charges dismissed in Case 173 to date, although at least six continued to face charges.

On January 20, the Administrative Court annulled the Cairo Governor's 2016 decision to close the El-Nadeem Center for the Rehabilitation of Victims of Violence and Torture. El-Nadeem was among the local NGOs still facing charges in Case 173 of receiving foreign funds.

On January 28, the Administrative Court ordered the Ministry of Social Solidarity to approve a 1.5 million euro (\$1.76 million) grant from the embassies of Germany, Switzerland, and Norway to the Sadat Association for Development and

Social Care, which was headed by former member of parliament and opposition figure Mohamed Anwar Sadat. This came in response to the Sadat Association's 2018 lawsuit challenging the ministry's denial of the grant based on security grounds. The court ruled a rejection on security concerns, without specifics, was insufficient. The court also declared that the Sadat Association was registered under the 2002 NGO law and the donors were working legally in the country, and that denying the grant would prevent the Sadat Association from exercising its constitutional and international convention rights to operate without restrictions as long as its activities did not disrupt public peace or safety.

On July 31, the Court of Cassation turned down the prosecution's appeal of the 2017 acquittal of spouses Aya Hijazi and Mohamed Hassanein, founders of the Belady Foundation NGO, and their codefendants of torturing children, sexual assault, forcing children to participate in illegal demonstrations, and operating a criminal group for the purposes of trafficking, among other charges.

On February 2, the NGO Egyptian Initiative for Personal Rights announced that it was forced to vacate its office after the landlord suddenly gave the lease to the parliamentary bloc of the Youth Coalition for Parties and Politicians, a body created by President Sisi in 2018. The organization added that troubles with its lease started after the November 2020 arrests and December 2020 releases of its members Mohamed Basheer, Karim Ennarah, and Gasser Abdel Razek on charges of joining a terror group and spreading false news. The three remained subject to court-ordered travel bans and asset freezes.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement and the Right to Leave the Country**

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights, albeit with some exceptions, including the treatment of potential refugees and asylum seekers.

**In-country Movement:** Citizens and foreigners may not travel freely in areas of

the country designated as military zones. The government sought to prevent private individuals, journalists, civil society figures, and international organizations from entering North Sinai on safety grounds, which the government stated were necessary restrictions in response to long-running counterterrorism operations. According to a local human rights organization, security forces set up security checkpoints in downtown Cairo and other locations around the anniversaries of street protests and conducted searches and arrests without warrants.

**Foreign Travel:** The constitution states, “No citizen may be prevented from leaving the State territory.” Nonetheless, men who have not completed compulsory military service and have not obtained an exemption may not travel abroad or emigrate. National identification cards indicated completion of military service.

Authorities required citizens between ages 18 and 40 to obtain permission from the Interior Ministry to travel to 16 countries: Georgia, Guinea, Indonesia, Iraq, Jordan, Lebanon, Libya, Malaysia, Qatar, South Africa, South Korea, Sudan, Syria, Thailand, Turkey, and Yemen. Enforcement of these regulations was sporadic. The government stated it intended these regulations to make it more difficult for citizens to join terrorist groups and to stop the flight of criminals. These regulations also affected the ability of other individuals to travel outside the country. Authorities maintained a “no-fly” list that prevented some defendants in court cases from fleeing the country.

The government imposed travel bans on some human rights defenders and political activists who were under investigation or formally charged. Local human rights groups maintained that authorities used travel bans to intimidate and silence human rights defenders. A 2018 court ruling stated a travel ban “does not require the investigation of certain facts and their certainty,” but there must be “serious evidence that there are reasons for it and that the decision to prevent travel is due to security reasons and the interests of the state.” Case 173 defendants who still had travel bans or asset freezes included Hossam Bahgat, Mohamed Zarea, Bahey Eldin Hassan, Abd El Hafez Tayal, and Mostafa El Hassan. On August 24, political science professor Hassan Nafaa posted on Twitter that hours before he intended to travel abroad that day, he learned that he had been banned from traveling. Nafaa appealed to the prosecutor general to reconsider the list of those

banned from traveling, claiming the ban in general had changed from a precautionary measure into punishment outside the scope of the law. In March 2020 the State Security Prosecution released Nafaa along with 14 others.

**Exile:** There was no government-imposed exile, and the constitution prohibits the government from expelling citizens or banning citizens from returning to the country. Some Mubarak- and Morsi-era politicians lived outside the country by choice and stated they faced threats of prosecution.

On June 6, the Supreme Administrative Court ruled the Ministry of Foreign Affairs did not have to renew the passport of Ayman Nour, the president of the opposition New Ghad Party, who was living abroad. Nour had filed a lawsuit when the ministry refused to renew his passport at the country's consulates in Turkey and Lebanon.

#### **e. Status and Treatment of Internally Displaced Persons**

Not applicable.

#### **f. Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees or asylum seekers, as well as other persons of concern.

**Access to Asylum:** The constitution provides for the protection of political refugees, but the law does not provide for granting asylum or refugee status, and the government has not established a comprehensive legal regime for providing protection to refugees. The government granted UNHCR authority to make refugee status determinations. UNHCR does not register Libyan citizens; neither does it register or assist Palestinian refugees in the country.

According to UNHCR, as of August asylum seekers in the country came mainly from Syria, as well as from Eritrea, Ethiopia, Iraq, South Sudan, Sudan, and Yemen.

In 2013 the government began applying a system of visa and security clearance

requirements for Syrian nationals and Palestinian refugees from Syria, thus assuring no direct entries from Syria, since the country lacked consular services there. Following the UNHCR's visit in 2017, the country relaxed its visa requirements for Syrians seeking family reunification.

Reports of irregular movements of individuals, including asylum seekers, and detention of foreign nationals attempting to depart the country irregularly via the Mediterranean by boat, had almost stopped, according to UNHCR, following enactment and enforcement of a law dramatically increasing patrols on the country's Mediterranean coast in 2016.

UNHCR had limited access to detention centers and border areas, except in cases upon approval by authorities. Local rights groups faced continued resistance from the government when trying to interview detainees at Qanater men's and women's prisons outside Cairo, which housed most detained refugees and asylum seekers. Authorities generally released asylum seekers registered with UNHCR but frequently did not release detained migrants, many of whom were Eritrean, Ethiopian, Somali, and Sudanese, who may have had a basis for asylum claims. Authorities often held detained migrants as unregistered asylum seekers in police stations and sometimes sent them to regular prisons alongside convicted criminals or deported them.

The government did not recognize UNHCR's mandate to offer services to Palestinians outside of the fields of operations of the UN Relief and Works Agency, reportedly due to a belief that allowing UNHCR registration would negate Palestinian refugees' right of return. Approximately 2,900 Palestinian refugees from Syria were also present in the country, the majority reportedly in Cairo. The Palestinian Authority mission in the country provided limited assistance to this population. The Swiss Red Cross also provided some humanitarian assistance to Palestinian refugees from Syria.

**Refoulement:** Although the government often contacted UNHCR upon detaining unregistered migrants and asylum seekers, authorities reportedly sometimes encouraged unregistered detainees to choose to return to their countries of origin or a neighboring country to avoid continued detention, even in cases where the individuals expressed a fear of return. The number of these cases was unknown.

On September 10, Amnesty International called on the government to halt the threatened deportation of two Eritrean nationals to Eritrea, where they could face persecution. Local media reported the two had been detained since 2012 and 2013. At year's end they had not been deported. The two men claimed to be Jehovah's Witnesses.

Authorities deported eight Eritrean migrants on October 19, seven on October 31, and 24 on December 30, including several children, to Asmara, where they were detained upon arrival, according to local media and local NGOs. Despite multiple requests, UNHCR said it was not granted access to the detainees to make a refugee determination. Office of the UN High Commissioner for Human Rights issued a statement on November 19 "deploring" the country's abuse of the principle of nonrefoulement.

**Abuse of Migrants and Refugees:** Media, NGOs, and UNHCR staff reported multiple cases of attacks against refugees, particularly women and children. According to UNHCR, refugees sometimes reported harassment, sexual harassment, and discrimination. Refugee women and girls, particularly Sudanese and other sub-Saharan Africans, faced the greatest risk of societal, sexual, and gender-based violence.

According to UNHCR and press reports, police security sweeps continued in neighborhoods known to house Syrian, Sudanese, and other African refugees, as well as migrants, resulting in increased detentions. Detainees at times reported authorities subjected them to verbal abuse and poor detention conditions.

**Employment:** No law grants or prohibits refugees the right to work. Those seeking employment were hampered by lack of jobs and societal discrimination, particularly against Sudanese and other sub-Saharan Africans. Refugees who found work took low-paying jobs in the informal market, such as domestic servants, and were vulnerable to financial and sexual exploitation by employers.

**Access to Basic Services:** Refugees, in particular non-Arabic-speaking refugees from Sudan and the rest of sub-Saharan Africa, faced barriers to accessing some services, including health care and public education. The Interior Ministry restricted access for some international organizations seeking to assist migrants

and refugees in Sinai. UNHCR provided some refugees with modest support for education and health care, as well as small monthly financial assistance grants for particularly vulnerable refugees. The International Organization for Migration provided additional assistance to particularly vulnerable migrants and individual asylum cases that were either rejected or being processed by UNHCR.

Refugee children not enrolled in public schools mainly attended refugee-run schools or private schools, or they were home schooled. The law requires government hospitals to provide free emergency medical care to refugees, but many hospitals could not do so. In some cases hospitals reportedly insisted that refugees provide payment in advance of receiving services or refused to provide services to refugees. One local refugee agency reported some refugees died due to the lack of medical care.

### **g. Stateless Persons**

Of the eight stateless persons known to UNHCR, most were Armenians displaced for more than 50 years. According to a local civil society organization, the number of stateless persons in the country was likely higher than the number recorded by UNHCR. The government and UNHCR lacked a mechanism for identifying stateless persons, including those of disputed Sudanese/South Sudanese nationality and those of disputed Ethiopian/Eritrean nationality. A majority of the approximately 70,000 Palestinian refugees were stateless.

On February 11, the Interior Ministry announced it granted citizenship to three brothers from the al-Muzaina tribe in Dahab, South Sinai. Media reported in February that some Bedouins in Sinai remained stateless after Israel handed the Sinai back to the country in 1982, and others remained stateless in disputed border areas with Sudan.

## **Section 3. Freedom to Participate in the Political Process**

The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. Constraints on freedom of expression, association, and assembly, however, limited citizens' ability to do so.

## **Elections and Political Participation**

**Recent Elections:** There were two rounds of elections in 2020 for the 200 elected seats in the re-established 300-seat upper house, called the Senate, and for the 568 elected seats of the House of Representatives. A progovernment coalition won an overwhelming majority of the Senate's 200 elected seats; the president appointed the remaining 100 seats. Election observers documented visible judicial supervision, a tight security presence, and COVID-19 precautions in place. Local media noted higher than expected participation by women and youth voters. One political coalition alleged instances of vote rigging and bribery that advantaged an opponent political party during the House of Representatives' elections. Some opposition parties questioned the youth turnout, especially in poorer areas, and claimed young persons were "bussed in" to vote. No significant acts of violence or disturbances to the election processes were observed.

Domestic and international organizations expressed concern that government limitations on freedoms of speech, association, and assembly severely constrained broad participation in the political process. On July 12, the Public Prosecution referred Egyptian Initiative for Personal Rights executive director Hossam Bahgat to court on charges of insulting the National Elections Authority, spreading false rumors alleging electoral fraud, and using social media accounts to commit crimes, based on a tweet Bahgat posted in December 2020 criticizing the 2020 parliamentary elections as marred with widespread abuses. Bahgat was not detained in the case. In November the court found Bahgat guilty of insulting the National Elections Authority and fined him. Bahgat's lawyers announced they planned to appeal.

**Political Parties and Political Participation:** The constitution grants citizens the ability to form, register, and operate political parties. The law requires new parties to have a minimum of 5,000 members from each of at least 10 governorates. The constitution also states: "No political activity may be practiced and no political parties may be formed based on religion or discrimination based on gender, origin, or sectarian basis or geographic location. No activity that is hostile to democratic principles, secretive, or of military or quasi-military nature may be practiced. Political parties may not be dissolved except by virtue of a court judgment."

On November 18, the Court of Cassation rejected the appeals of former presidential candidate and Strong Egypt Party leader Abdel Moneim Aboul Fotouh, Strong Egypt Party deputy Mohamed el-Kassas, lawyer Mohamed Elbahr, activist Alaa Abdel Fattah, and others challenging their placement on the terrorism list for five years. Aboul Fotouh was placed on the terrorism list. On August 31, the State Security Prosecution referred Aboul Fotouh, el-Kassas, and others to criminal trial on charges of leading a terrorist group, financing a terrorist group, possessing weapons and ammunition, promoting the ideas of a terrorist group, and deliberately broadcasting false news, statements, and rumors at home and abroad. Aboul Fotouh and el-Kassas had reportedly been held in solitary confinement in pretrial detention since their 2018 arrests.

The Freedom and Justice Party, the political wing of the banned Muslim Brotherhood, and the Islamist Building and Development Party, remained banned. Authorities did not ban other Islamist parties, including the Strong Egypt Party.

On June 19, local media reported that the Supreme Administrative Court refused to hear two lawsuits demanding the cessation of all activities of the Bread and Freedom Party and the Strong Egypt Party on the grounds that the leaders were members of banned groups.

The government does not broadcast or publish parliamentary sessions in the House of Representatives or Senate. On May 26, a local human rights organization filed a lawsuit challenging this as violating the constitution's provisions on holding parliamentary sessions in public.

In September 2020 the National Election Authority disqualified Mohamed Anwar Sadat, head of the Reform and Development Party, from running in the 2020 House of Representatives elections, citing Sadat's failure, as a military school graduate, to obtain approval from the Supreme Council of the Armed Forces to run in the election as required by law for active or retired military personnel before running in presidential, parliamentary, or local council elections. In October 2020 the Administrative Court rejected Sadat's lawsuit to challenge the decision.

**Participation of Women and Members of Minority Groups:** The law requires that women receive at least 10 percent of Senate seats and 25 percent of House

seats. Women held 40 seats in the 300-seat Senate (13 percent) and 148 seats in the 568-seat House of Representatives (26 percent).

No laws limit participation of women or members of minority groups in the political process, and they did participate. Social and cultural barriers, however, limited women's political participation and leadership in most political parties and some government institutions.

Eight women led cabinet ministries, including one Christian woman, and two women served as deputy ministers. There were two Christians (in Ismailia and Damietta Governorates) among the appointed governors of the 27 governorates. In 2018 authorities appointed Manal Awad Michael, a Christian woman, governor of Damietta. On June 2, President Sisi announced that for the first time, women could work at the State Council and the Public Prosecution starting on October 1. On June 14, the Administrative Prosecution Authority appointed two female chief administrative prosecutors (in Menoufia and Qena Governorates), which it stated brought to 24 the number of female chief administrative prosecutors appointed since June 2020. In December 2020 a female academic was appointed as deputy to the president of the Supreme Constitutional Court. In September 2020 the General Assembly of the Cairo Economic Court appointed for the first time a female judge as the head of civil division circuit of an appellate court. In 2018 the Supreme Judiciary Council promoted 16 female judges to higher courts, including the Qena Appeals Court. Legal experts stated there were approximately 66 female judges serving in family, criminal, economic, appeals, and misdemeanor courts; that total was less than 1 percent of judges. Several senior judges were Christian.

## **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, but the government did not consistently implement the law effectively. There were reports of government corruption during the year, sometimes with impunity.

**Corruption:** On April 7, the Cairo Criminal Court acquitted Ahmed Shafik, former prime minister and presidential candidate, Captain Tawfiq Mohamed Assi, former chair of EgyptAir Holding Company, and Ibrahim Manaa, former civil

aviation minister, of misappropriation of public funds from 2002 to 2011, according to local media.

On April 13, the Control Authority referred former member of parliament Gamal al-Showeikh and 12 other defendants, including public officials, for prosecution on charges of accepting bribes to influence a real estate project in Cairo. Al-Showeikh was originally arrested in March 2020.

On November 8, the Cairo Criminal Court sentenced Abdel Azim Hussein, former head of the tax authority, to 10 years in prison and a 674,000 EGP (\$42,000) fine on corruption charges.

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

International and local human rights organizations stated the government continued to be uncooperative with their efforts to investigate alleged abuses of human rights. On September 11, the government launched a five-year National Human Rights Strategy that included a focus on jobs, health care, clean water, food, and affordable housing, and initiatives to enhance civil society and free expression. It also called for human rights training for police and prison officers, whistleblower protections, reforms to pretrial detention, increased government and civil society collaboration on human rights matters, and continued prison inspections by the National Council for Human Rights and civil society, to improve respect of human rights. Activists and NGOs cited a lack of details on timelines or implementation of the strategy, and a focus on quality-of-life topics and not freedom of expression and association.

The Supreme Standing Committee for Human Rights, chaired by the minister of foreign affairs as an intragovernmental body, developed the strategy over 18 months of consultations with government and civil society leaders. Domestic civil society organizations acknowledged the consultations, but some criticized them as insufficient. The Ministry of Foreign Affairs said that with an October meeting between it and 50 NGOs led by the Supreme Standing Committee for Human Rights, consultations had begun to implement the strategy and plans for the Year

of Civil Society in 2022, announced concurrently with the strategy. The Awqaf and Social Solidarity Ministries created human rights units in September and November, respectively, and the Ministry of Local Development revised its human rights unit in October, all in response to the cabinet's order that each ministry and governorate establish a human rights unit.

Extended delays in gaining government approvals and an unclear legal environment continued to limit the ability of domestic and international NGOs to operate. State-owned and independent media at times depicted NGOs, particularly international NGOs and domestic NGOs that received funding from international sources, as undertaking subversive activities. Some NGOs reported receiving visits or calls to staff, both at work and at home, from security service officers and tax officials monitoring their activities, as well as harassment.

Human rights defenders and political activists were also subjected to governmental and societal harassment and intimidation, including through travel bans (see section 2.d.).

Well established, independent domestic human rights NGOs struggled to operate as a result of pressure from security forces throughout the country. Online censorship (see section 2.a.) restricted the roles of internet activists and bloggers in publicizing information concerning human rights abuses. Authorities sometimes allowed civil society organizations not registered as NGOs to operate, but such organizations reported harassment, along with threats of government interference, investigation, asset freezes, or closure.

The government continued investigations into the receipt of foreign funding by several human rights organizations, dropping the cases against several organizations that had been charged originally while continuing cases against others (see section 2.b.). Major international human rights organizations, such as Human Rights Watch and Amnesty International, had not maintained offices in the country since 2014 due to security restrictions and lawsuits targeting their presence in the country.

**The United Nations or Other International Bodies:** Authorities did not allow the International Committee of the Red Cross access to prisoners and detainees.

**Government Human Rights Bodies:** On December 29, President Sisi ratified the House of Representative's October 4 announcement of a new 27-person National Council for Human Rights headed by Ambassador Moushira Khattab, former minister of family and population and the first woman to head the council. According to the National Council for Women (NCW), 44 percent of the new members were women. The quasi-governmental council is charged with monitoring the human rights situation, issuing reports and recommending legislation that improves human rights.

Other government human rights bodies included the Supreme Standing Committee for Human Rights; Justice Ministry General Department of Human Rights; Prosecutor General Human Rights Office; State Information Service Human Rights Unit; Ministry of Foreign Affairs Human Rights and International, Social, and Humanitarian Department; Ministry of Local Development Human Rights Unit; Ministry of Social Solidarity Human Rights Unit; Awqaf Ministry Human Rights Unit; and human rights units in each of the country's governorates.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** The law criminalizes rape, prescribing penalties of 15 to 25 years' imprisonment, or life imprisonment for cases of rape involving armed abduction. Spousal rape is not illegal. The government improved its enforcement of the law. Civil society organizations reported instances of police pressuring survivors not to pursue charges.

On April 11, the Cairo Criminal Court convicted Ahmed Bassam Zaki and sentenced him to eight years' total imprisonment – seven years for sexual assault on three minor girls and one year for drug use. The court acquitted Zaki of violating the privacy of survivors, threatening survivors, and abusing social media and telecommunications. The Cairo Economic Court convicted Zaki in a separate case in December 2020 for misuse of social media and sexual assault and sentenced him to three years in prison with labor. On March 15, an appeals court heard Zaki's appeal in this separate case, but a decision had not been reported by year's end. Zaki's July 2020 arrest, after more than 50 women accused him online

of rape, sexual assault, and harassment dating back to 2016, gave rise to what media referred to as the country's #MeToo movement.

On May 11, the Public Prosecution announced that none of the men it ordered arrested in 2020 for allegedly gang raping a woman at the Fairmont Nile City hotel in 2014 would be tried, due to a "lack of evidence," and that it had released the men it detained in the case. Prosecutors pointed to a six-year lag between the incident and its being reported, the difficulty in identifying individuals based on photographs made available, the inability of the prosecution to access a video clip of the rape, and inconsistent and recanted testimony as factors that impaired efforts to bring the case to trial. In a separate rape case, the North Cairo Criminal Court on November 9 sentenced two of the defendants released in the Fairmont Nile City case to life in prison and a third to 15 years in prison. On August 10, the Shubra El-Kheima Criminal Court sentenced a doctor to seven years in prison for drugging and sexually assaulting a schoolteacher receiving treatment at his clinic.

Domestic violence was a significant problem. The law does not prohibit domestic violence or spousal abuse, but authorities may apply provisions relating to assault with accompanying penalties. The law requires that an assault survivor produce multiple eyewitnesses, a difficult condition for domestic abuse survivor. Police often treated domestic violence as a family matter rather than as a criminal matter.

The Interior Ministry includes a unit responsible for combating sexual and gender-based violence. The NCW was responsible for coordinating government and civil society efforts to empower women. In September the prime minister issued a decree to establish the country's first integrated governorate-level units to serve survivors of violence. These units are mandated to coordinate and improve integrated survivor-centered services to women. An NCW study found that approximately 1.5 million women reported domestic violence each year. According to NCW and UNICEF data, the COVID-19 pandemic increased the risks of violence and economic hardships for women.

**Female Genital Mutilation/Cutting (FGM/C):** FGM/C is illegal, and the government strengthened legislation banning the practice, but it remained a serious problem. Although declining, FGM/C continued to be widely practiced. The prevalence, however, was reportedly much higher among older age groups. Type 3

FGM/C (infibulation) was more prevalent in the South (Aswan and Nubia), and in some cases was associated with difficulty in giving birth, obstructed labor, and higher rates of neonatal mortality. The government enlisted the support of religious leaders to combat cultural acceptance of FGM/C and encourage family planning. According to international and local observers, the government took steps to enforce the FGM/C law. In 2019 the government formed a national task force to end FGM/C, led by the National Council for Women and the National Council for Childhood and Motherhood.

On April 28, President Sisi ratified amendments to the penal code that increase FGM/C minimum sentences from one to 15 years to five to 20 years in prison, removed the “medical exception” in the law, introduced bans for medical providers and medical institutions from providing medical services for a period after involvement in the crime, and extended criminal liability to anyone supporting the crime, including family members of the survivor. On March 28, a local human rights organization said the extended criminal liability to anyone involved in the crime could inhibit some survivors and family members from reporting the crime due to fear their relatives might be arrested.

According to local media reports, authorities arrested a father and a retired nurse on February 2 after they allegedly conducted FGM/C on a 15-year-old girl at her home in a poor district in Qalyoubia Governorate. The father took his daughter, who suffered severe complications, to a nearby hospital, where the attending physician reported the incident to the Public Prosecution, resulting in the two arrests. National Council for Women head Maya Morsi praised the quick action of authorities and called on parliament to quickly pass draft legislation (formally introduced on January 24 and ratified April 28), to sharpen the FGM/C penalties.

On September 25, using the new FGM/C law, a criminal court sentenced a nurse to 10 years in prison, the longest sentence ever given in the country for FGM/C. In the same case, the court also sentenced the father to three years in prison for subjecting his eight-year-old daughter to FGM/C.

On October 13, the Public Prosecution detained a doctor who reportedly performed FGM/C operations in Beni Suef pending investigation and released the mother of an FGM/C survivor on bail.

**Other Harmful Traditional Practices:** The law allows leniency towards men who kill their wives upon discovering them in an act of adultery. The law does not specifically address “honor” crimes, which authorities treated as any other crime. In January a local NGO said there were at least 14 “honor killings” in the country in 2020. In March local media reported that the Cairo Criminal Court sentenced a man to five years in prison for killing his sister because he believed she committed “inappropriate” and “suspicious” acts. On May 9, a court in Abbasiya sentenced three defendants to 10 years in prison for the death of a female doctor who was thrown to her death from the balcony in her Cairo apartment after she invited a man to her apartment. On November 17, an Assiut criminal court sentenced a man to three years in prison for killing his mother after a video reportedly showed her in an “immoral relationship” with another person.

**Sexual Harassment:** While the government took several steps to prevent sexual harassment, it remained a serious problem. On August 18, the president ratified amendments to the penal code that upgrade sexual harassment to a felony offense, increase minimum sentences to two to seven years in prison (up from six months to five years), increase minimum fines, and add a provision that repeat offenders may face double the prison time. On October 17, under the new amendments, a misdemeanor court sentenced a young man accused of harassing a girl at a Cairo Metro station to three years and six months in prison.

Media and NGOs reported that sexual harassment by police was also a problem and that the potential for further harassment, lengthy legal procedures, and lack of survivor protections further discouraged women from filing complaints. On November 9, the North Cairo Criminal Court sentenced physician Michael Fahmy to life imprisonment for forcibly molesting six girls inside his clinic. The court acquitted his wife. Charges against the two included the kidnapping of six girls by luring them to his residence and a private clinic and making them believe that they needed “special treatment and examination.” Some survivors spoke out regarding harassment on social media in September 2020.

On July 15, the Cairo Criminal Court sentenced dentist Bassem Samir to 16 years in prison for sexual harassment and misconduct against male patients and visitors to his clinic, including actor Abbas Aboul Hassan and singer Tameem Youness.

On October 31, the Mansoura Economic Misdemeanors Court convicted two lawyers for defamation of and threats against the survivor of mass harassment in Mit Ghamr in December 2020. One lawyer was sentenced to two years in prison and a fine, and the other lawyer to six months in prison and a fine. Media reported the two lawyers published videos and personal photographs of the survivor with the aim of threatening her to change her statements against their clients, who were accused of sexual assault but acquitted by the Mansoura Criminal Court on March 21 on a procedural error. On March 23, local media quoted the survivor saying during the trial that she was threatened with murder, maiming, and rape. The prosecution appealed the verdict on May 17 that acquitted the seven defendants.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities. There were no reports regarding the ability of vulnerable populations (individuals with disabilities, members of minorities, etc.) to provide informed consent to medical treatment affecting reproductive health, including for sterilization.

The Ministry of Health and Population distributed contraception and assigned personnel to attend births, offer postpartum care to mothers and children, and provide treatment for sexually transmitted diseases at minimal or no cost. The government also did not restrict family-planning decisions. Gender norms and social, cultural, economic, and religious barriers inhibited some women's ability to make reproductive decisions and to access contraceptives. Some women lacked access to information on reproductive health, and the limited availability of female health-care providers reduced access to skilled health attendance during pregnancy and childbirth, in view of the preference many women had for female health-care providers for social and religious reasons.

There was limited information on government assistance to survivors of sexual assault, including whether emergency contraception was available as part of clinical management of rape.

**Discrimination:** The constitution provides for equal rights for male and female citizens. While the government took steps to improve their situation, women did not enjoy the same legal rights and opportunities as men, and discrimination was widespread. Aspects of the law and traditional societal practices disadvantaged

women in family, social, and economic life.

Women faced widespread societal discrimination, threats to their physical security, and workplace bias in favor of men, thus hindering women's social and economic advancement.

Laws affecting marriage and personal status generally corresponded to an individual's religious group. A female Muslim citizen cannot legally marry a non-Muslim man. If she were to do so, authorities could charge her with adultery and consider her children illegitimate. Under the government's interpretation of Islamic law, any children from such a marriage could be placed in the custody of a male Muslim guardian. *Khula* (divorce) allows a Muslim woman to obtain a divorce without her husband's consent, provided she forgoes all her financial rights, including alimony, dowry, and other benefits. The Coptic Orthodox Church permits divorce only in rare circumstances, such as adultery or conversion of one spouse to another religion. Other Christian churches permitted divorce on a case-by-case basis.

On January 3, the Supreme Constitutional Court ruled that the penal code unconstitutionally discriminates against women by stipulating longer prison terms for adultery for women, in hearing the appeal of a woman sentenced to two years in prison for adultery.

The law follows sharia in matters of inheritance; therefore, a Muslim female heir generally receives one-half the amount of a male heir's inheritance, and Christian widows of Muslims have no inheritance rights. A sole Muslim female heir receives one-half her parents' estate, and the balance goes to the siblings of the parents or the children of the siblings if the siblings are deceased. A sole male heir inherits his parents' entire estate.

In marriage and divorce cases, a woman's testimony must be judged credible to be admissible. Usually, the woman accomplishes credibility by conveying her testimony through an adult male relative or representative. The law assumes a man's testimony is credible unless proven otherwise.

In a June 2 meeting with top judicial figures, President Sisi announced that for the first time in the country's history women would be allowed to work at the State

Council and the Public Prosecution, starting on October 1. He also announced that the State Lawsuits Authority would be required to state a reason for rejecting any judicial applicants, and that personnel of the same rank in the State Council, Administrative Prosecution, State Lawsuits Authority, and judiciary would receive the same financial entitlements, including equal wages. A local NGO said in a Facebook statement on August 22 that the Supreme Judicial Council approved the prosecutor general's request to transfer 11 female judges, including one Copt, to work in the Public Prosecution for the judicial year from September until September 2022.

## **Systemic Racial or Ethnic Violence and Discrimination**

The constitution states all citizens “are equal in rights, freedoms, and general duties without discrimination based on religion, belief, gender, origin, race, color, language, disability, social class, political or geographic affiliation, or any other reason.” It does not specify age, citizenship, sexual orientation, gender identity, or HIV-positive or other communicable disease status. The main groups facing racial or ethnic violence and discrimination included Nubians and Bedouins.

Nubians are indigenous to northern Sudan and the south of the country. Population estimates for this ethnolinguistic group ranged from 100,000, according to a government census in the early 1960s, to approximately four million in other estimates.

Although positive steps regarding compensation reportedly were made for the damage Nubians suffered because of the building of the Aswan Low Dam in 1902 and later the construction of the Aswan High Dam, completed in 1971, no land return had occurred as of year's end.

During the year the government provided compensation to a limited number of Nubians (11,500 according to government estimates). Nubian activists complained compensation was disbursed only to those who provided documents proving their properties had been destroyed.

Conflict and war in the Sinai Peninsula over decades contributed to the disruption of the lives of Bedouin there.

The country also hosted approximately 6.3 million migrants, according to 2020 estimates from the International Organization for Migration. More than half of the migrants were from Sudan and South Sudan, where conflicts continued to displace tens of thousands of persons annually. Migrants reported incidents of racial insults and sexual harassment due to their skin color.

In October 2020 the killing of a 12-year-old Sudanese boy, Mohamed Hassan, by a local man led to large protests, which security forces dispersed using tear gas and a water cannon and reportedly arrested 70 Sudanese refugees and migrants. The local man was later arrested and convicted of murdering the boy.

## **Children**

**Birth Registration:** Children derive citizenship through their parents. The mother or the father transmits citizenship and nationality. The government attempted to register all births soon after delivery, but some citizens in remote and tribal areas such as the Sinai Peninsula registered births late or could not document their citizenship. In some cases failure to register resulted in denial of public services, particularly in urban areas where most services required presentation of a national identification card.

On March 29, local media reported that a mother was pursuing a paternity lawsuit she filed in July 2020 to receive a birth certificate for her daughter conceived through rape. The report added that the woman needed to file a lawsuit, since the law requires the names of both biological parents and the biological father had refused to acknowledge his paternity.

On June 19, the Supreme Administrative Court in Alexandria issued a final verdict ruling that a wife has the right to obtain a birth certificate for her child without the husband's presence if she submits an official marriage contract and her husband's data. The ruling came in response to a lawsuit filed by a woman whose husband claimed that evidence for the birth certificate could only come from him.

**Education:** Education is compulsory, free, and universal until the ninth grade. The law provides this benefit to stateless persons and refugees. Public schools enrolled Syrian, Yemeni, Sudanese, and South Sudanese refugees. Refugees of other nationalities often chose not to attend public schools because of

administrative barriers, discrimination and bullying, and preferences for English-language instruction or for other curricula.

**Child Abuse:** The constitution stipulates the government shall protect children from all forms of violence, abuse, mistreatment, and commercial and sexual exploitation. According to a local rights group, authorities recorded hundreds of cases of alleged child abuse each month. The National Council for Childhood and Motherhood, which operated a telephone hotline, worked on child abuse matters, and several civil society organizations assisted runaway and abandoned children.

Rights organizations reported children faced mistreatment in detention, including torture, sharing cells with adults, denial of their right to counsel, and authorities' failure to notify their families. Media reported that six detained children died and 19 were seriously injured in a fire that broke out on June 3 during a fight between detained minors inside a juvenile detention center in Cairo Governorate. Local media reported that on June 7, the Public Prosecution ordered the detention pending investigation of four members of the center's management, who were later sentenced by a lower court and then acquitted by an appellate court on December 27.

**Child, Early, and Forced Marriage:** The legal age of marriage is 18. A government study published in March 2020 reported that 2.5 percent of the population in Upper Egypt governorates were married between the ages of 15 and 17, and the percentage of girls in that age group who had previously been married exceeded that of boys. Informal marriages could lead to contested paternity and leave female minors without alimony and other claims available to women with registered marriages. Families reportedly sometimes forced adolescent girls to marry wealthy foreign men in what were known locally as "tourism" or "summer" marriages for the purpose of sexual exploitation, prostitution, or forced labor. According to the law, a foreign man who wants to marry a local woman more than 25 years younger than he must pay her 50,000 EGP (\$3,030). Women's rights organizations argued that allowing foreign men to pay a fine to marry much younger women represented a form of trafficking and encouragement of child marriage. They called on the government to eliminate the system.

The National Council for Childhood and Motherhood and governorate child

protection units identified several attempted child marriages. In an April 4 statement, the council said it had identified an attempt by parents to marry their daughter, age 15, in Minya Governorate based on an April 3 citizen notification to the council's hotline. The statement added that the girl's parents had subsequently signed an affidavit with the girl's fiance promising to not complete the marriage until the girl was 18 and agreeing to periodic government-led counseling sessions regarding the negative effects of child marriage and verification that the marriage would not be completed before the promised date.

On May 8 and August 10, local media reported that the Dar al-Salam child protection unit in Sohag Governorate identified a total of 11 attempts by several parents to marry their minor children, several reported through the National Council for Childhood and Motherhood hotline. The reports added that the parents of the minors subsequently signed affidavits agreeing to not complete the marriages until the minors reached the age of 18.

On March 10, the child protection unit at the Akhmeem Center in Sohag announced it had stopped a marriage of a minor in the village of al-Sawamah Sharq after receiving a report that a person was preparing to marry off his 16-year-old sister.

**Sexual Exploitation of Children:** The law provides for sentences of not less than five years' imprisonment and fines for conviction of commercial sexual exploitation of children and child pornography. The government did not adequately enforce the law. The minimum age for consensual sex is age 18.

On May 24, the Giza Criminal Court sentenced four defendants to prison for the May 2020 sexual assault against Tik Tok influencer Menna Abdel Aziz, a minor. The first defendant was sentenced to 11 years in prison for rape under threat, kidnapping with fraud and coercion, drug use, and breaking the COVID-19 curfew. The second defendant was sentenced to nine years in prison for indecent assault by force and threat, possession of a weapon, beating the survivor, theft, drug possession, and violating the COVID-19 curfew. The third defendant was sentenced to eight years in prison for indecent assault, violating the survivor's privacy by publishing a video without her consent, beating the survivor, theft, and drug possession. The fourth defendant was sentenced to four years in prison for

theft and drug possession. On May 24, a local human rights organization said that the Public Prosecution should have protected Abdel Aziz from the beginning instead of arresting and detaining her for 114 days after the May 2020 incident, when Abdel Aziz claimed in a social media video that an acquaintance and others had sexually assaulted her.

On April 27, a Cairo criminal court sentenced a man to 10 years in prison for sexually assaulting a minor girl in Maadi. According to local media, the man lured the girl, who was selling tissues in the street in Maadi, into a residential building where he committed the crime.

**Displaced Children:** The Central Agency for Public Mobilization and Statistics estimated in 2014 there were 16,000 homeless children in the country living in the streets. More recent data was not available, but experts estimated that up to two million children were on the streets. The ministry offered shelters to street children, but many chose not to use them because staff reportedly treated the children as if they were criminals, according to local rights groups. According to rights groups, the incidence of violence, prostitution, and drug dealing in these shelters was high. Religious institutions and NGOs provided services for street children, including meals, clothing, and literacy classes. The Ministry of Health and Population provided mobile health clinics staffed by nurses and social workers. The Ministry of Social Solidarity also provided 17 mobile units in 10 governorates that offered emergency services, including food and health care, to street children. The National Council for Childhood and Motherhood in cooperation with UN Office on Drugs and Crime implemented targeted interventions to reduce drug abuse by displaced children by training social workers and police officers on problem identification and treatment options. The program also worked to shift the perception of displaced children by authorities and service providers from criminals to survivors.

**International Child Abductions:** The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

## **Anti-Semitism**

The country's Jewish community reportedly numbered as few as 10 individuals.

On March 9, the *Jerusalem Post* reported that the Ministry of Education approved a school subject that allows children to study verses from Jewish scripture.

On June 22, the Anti-Defamation League (ADL) said that school textbooks contained both positive and negative information regarding Jews. There were also isolated reports of anti-Semitic comments and examination questions in classrooms. The ADL also reported that a broad array of anti-Semitic books was displayed by exhibitors at the annual, state-run Cairo International Book Fair.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Organ Harvesting**

The government's interagency National Coordinating Committee for Preventing and Combating Illegal Migration and Trafficking in Persons reported that between April 2020 and March 31 the Interior Ministry processed eight criminal cases for organ trafficking with 29 defendants and 39 victims.

## **Persons with Disabilities**

The constitution states persons with disabilities are equal without discrimination before the law. The law prohibits discrimination in education, employment, health, political activity, rehabilitation, training, and legal protection. On December 23, President Sisi ratified new amendments to the law that stipulate a prison sentence of no less than two years, a fine, or both for bullying persons with disabilities, with prison terms and fines doubled for repeat offenders. Persons with disabilities do not have access on an equal basis with others to education, health services, public buildings and transportation. The new *National Human Rights Strategy* included a section on the rights for persons with disabilities. The strategy calls for helping persons with disabilities enjoy all rights under the law and calls for increased

medical and educational services for persons with disabilities.

The law provides for persons with disabilities to gain access to vocational training and employment. Government policy sets a quota for employing 5 percent of workers with disabilities for companies with more than 50 employees. Authorities did not enforce the quota requirement, and companies often had persons with disabilities on their payroll to meet the quota without employing them.

Government-operated treatment centers for persons with disabilities, especially children, were of poor quality.

The National Council for People with Disabilities, an independent body, aimed to promote, develop, and protect the rights of persons with disabilities and their constitutional dignity. The council signed a cooperation protocol with the Justice Ministry to address the rights of persons with disabilities and to train employees in the government on how to help persons with hearing disabilities.

Persons with disabilities rode government-owned mass transit buses without charge, but the buses were not wheelchair accessible. Persons with disabilities received subsidies to purchase household products, wheelchairs, and prosthetic devices. Some children with disabilities attended schools with their nondisabled peers while others attended segregated schools. Some of the segregated institutions were informal schools run by NGOs. Some parents of children with disabilities complained on social media of the lack of experience of teacher assistants assigned to help their children.

On May 5, local media reported that EgyptAir announced a 20 percent discount for passengers with disabilities on international flights and a 10 percent discount to their flight companions.

On May 11, local media reported that the National Telecom Regulatory Authority announced a 50 percent discount for customers with disabilities on their monthly voice and internet packages.

On August 29, local media reported that the minister of social solidarity announced the addition of sign language to the state-run digital platform to raise awareness for youth regarding marriage.

On September 3 and November 16, the UN special rapporteur on human rights defenders issued official statements of concern regarding the continued pretrial detention of university student Oqaba Alaa Labib Hashad, who she said was unable to walk without his prosthetic limb. The November 16 statement reported Hashad was arrested in 2019 and was allegedly subjected to physical and psychological torture, including being suspended from a ceiling and subjected to electric shocks. The statement said that a prison investigator reportedly took Hashad's prosthetic leg in January in retaliation for a human rights report his exiled brother had published. The statement added that Hashad was held in solitary confinement without family visits for three months after he complained on March 5 of the lack of his prosthetic leg.

## **HIV and AIDS Social Stigma**

HIV-positive individuals faced significant social stigma and discrimination in society and the workplace. The health-care system provided anonymous counseling and testing for HIV, free adult and pediatric antiretroviral therapy, and support groups.

## **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity**

While the law does not explicitly criminalize consensual same-sex sexual activity, lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons were arrested and prosecuted on charges such as “debauchery,” “prostitution,” and “violating family values,” for which the law provides for prison sentences of up to 10 years. According to a local rights group, there were more than 250 reports of such arrests since 2013. Rights groups and activists reported harassment by police, including physical assault and forced payment of bribes to provide information concerning other LGBTQI+ individuals or to avoid arrest. There were reports that authorities used social media, dating websites, and mobile phone apps to entrap persons they suspected of being gay or transgender, a method LGBTQI+ advocates described as especially effective since LGBTQI+-friendly public spaces had largely closed in recent years. Rights groups reported that authorities, including the Forensic Medical Authority, conducted forced anal examinations, which rights groups indicated primarily targeted LGBTQI+ individuals. The law allows for

conducting forced anal exams in cases of “debauchery.”

Authorities did not use antidiscrimination laws to protect LGBTQI+ individuals. Legal discrimination and social stigma impeded LGBTQI+ persons from organizing or advocating publicly in defense of their rights. Information was not available on discrimination in employment, occupation, housing, statelessness, or access to education or health care based on sexual orientation and gender identity. There were no government efforts to address potential discrimination. There were reports of arrests and harassment of LGBTQI+ individuals. Intimidation and the risk of arrest greatly restricted open reporting and contributed to self-censorship. The government has the authority to deport or bar entry to the country of LGBTQI+ foreigners.

The Egyptian Medical Syndicate allows for gender-affirming treatment with approval by a special committee composed of medical doctors and al-Azhar clergy, according to international media citing a local LGBTQI+ activist on February 6. The committee relies on a fatwa that stipulates gender affirming treatment must be “medically necessary” and justified by a “biological,” not a “mental” matter. According to Human Rights Watch, the surgery was allowed only for intersex persons, which left transgender individuals to seek treatment from unregulated and often unsafe clinics. On August 26, according to Human Rights Watch, Ezz Eldin, a 26-year-old transgender man, bled to death following surgery in an underground clinic.

On May 6, border guards prevented two transgender Israelis from entering Sinai for tourism because they did not appear to belong to the sex listed in their passports.

According to a LGBTQI+ rights organization 2020 annual report issued in January, authorities arrested 25 LGBTQI+ individuals in 2020 and conducted forced anal exams on six persons.

## **Other Societal Violence or Discrimination**

The law prohibits discrimination on any grounds. Nevertheless, dark-skinned citizens, Sudanese refugees, and other sub-Saharan Africans faced discrimination and harassment, as did Nubians from Upper Egypt.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the rights of workers to form and join independent unions, bargain collectively, and strike, but it imposes significant restrictions. The constitution provides for freedom of association. The law prescribes union elections every four years and imposes a strict hierarchy for union formation consisting of a company-level trade union committee, a profession or industry-level general union, and a national-level union. The government did not effectively enforce applicable laws or levy penalties commensurate with those for other laws involving denials of civil rights, such as discrimination. However, penalties for engaging in illegal strikes were more stringent. The law requires centralized tripartite negotiations that include workers, represented by a union affiliated with the Egyptian Trade Union Federation (Union Federation), business owners, and the Ministry of Manpower overseeing and monitoring negotiations and agreements. The government seldom followed the requirement for tripartite negotiations in collective disputes, leaving workers to negotiate directly with employers, typically after resorting to a strike. In March 2020 workers from al-Masryia Company for Weaving and Textile struck for alleged unpaid raises and bonuses. Media reported in late December 2020 that management and worker representatives reached an agreement on compensation and back pay without the participation of the Ministry of Manpower.

The constitution provides for the right to “peaceful” strikes, and the law permits them but imposes significant restrictions, including prior approval by a general trade union affiliated with the Union Federation. In April the International Labor Organization (ILO) removed the country from the preliminary list of cases for discussion by the ILO Committee on the Application of Standards, which discusses discrepancies between a country’s law and practice and ILO conventions the country has ratified.

In July more than 1,200 workers at the Nile Linen Group, based in Alexandria’s special economic zone, went on strike concerning the company’s refusal to implement agreed-upon wage increases and add workers’ family members to company health insurance policies. Four days later, local media reported that the

Nile Linen Group's union committee reached an agreement with management regarding certain aspects of the wage dispute and agreed to resume negotiations on the remaining demands.

The law prohibits antiunion discrimination and provides for the reinstatement of workers fired for union activity. In March the head of the union at the Alexandria Spinning and Weaving Company, Ashraf Abdel Moneim, alleged that the company had transferred seven committee members to new positions in retaliation for the workers' refusal to implement the company's decision to stop production and dismiss workers. According to media reports, Lord International Company terminated 84 workers in August following strikes by approximately 2,000 workers demanding that the company comply with the country's minimum wage laws.

The Ministry of Manpower and affiliated directorates did not allow trade unions to adopt any bylaws other than those provided in the law. This position, according to local workers' rights organizations, was contrary to the law, which states that unions may use the statutory bylaws as guidance to develop their own.

The government occasionally arrested workers who staged strikes or criticized the government, and it rarely reversed arbitrary dismissals. On January 22, local media reported that the government released two doctors arrested in 2020 for posting comments to Facebook critical of the government's coronavirus response. Labor union activist Khalil Rizk was released on May 21 pending trial on charges of spreading false news, misuse of social media, and membership in a banned group. Authorities had first arrested Rizk in 2019 while he was advocating for workers in a pharmaceutical factory engaged in a dispute with management concerning wages.

In March the Ministry of Manpower announced, without stating when, that it had previously established a trade union grievance committee to examine complaints submitted by trade union organizations and provide unions with technical assistance in meeting regulatory requirements.

Independent unions continued to face pressure to dissolve. In many cases the Ministry of Manpower delayed responding to unions' applications for legal status, leaving many in legal limbo. In other instances the Ministry of Manpower refused

to legalize proposed unions if a Union Federation-affiliated counterpart existed.

Workers sometimes staged sit-ins on government and private property, often without obtaining the necessary permits. In July the Court of Cassation ruled that prison sentences for organizing protests without permits would apply to protest organizers and participants.

For a period of 12 months ending in August, a monthly 1 percent deduction was made from the net income of all public-sector employees and 0.5 percent of the net income of pensioners to fund efforts to address the economic repercussions of the COVID-19 pandemic.

### **b. Prohibition of Forced or Compulsory Labor**

The constitution states no work may be compulsory except by virtue of a law. The law prohibits and criminalizes all forms of forced or compulsory labor. The government did not effectively enforce the prohibition. The government conducted awareness-raising activities for migrant laborers, and domestic workers, a population vulnerable to trafficking, and worked with NGOs to provide some assistance to survivors of human trafficking, including forced labor. Penalties were not commensurate with those for analogous serious crimes, such as kidnapping.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law does not prohibit or criminalize all the worst forms of child labor or provide sufficient protection for children from exploitation in the workplace, including limitations on working hours, and occupational safety and health restrictions. Children were subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, quarrying limestone, and organized begging. The law sets the minimum age for regular employment at age 15 and at age 13 for seasonal employment. The constitution defines a child as anyone younger than 18. A Ministry of Manpower decree bars children younger than 18 from 44 specific hazardous occupations,

while the law prohibits employment of children younger than 18 from work that “puts the health, safety, or morals of the child into danger.” Provincial governors, with the approval of the minister of education, may authorize seasonal work (often agricultural) for children age 13 and older, provided duties are not hazardous and do not interfere with schooling. The law limits children’s work hours and mandates breaks.

The government did not effectively enforce child labor laws. The maximum penalties for violating laws against child labor were fines and therefore not commensurate with those for other analogous serious crimes, such as kidnapping. The Ministry of Manpower, in coordination with the National Council for Childhood and Motherhood and the Interior Ministry, enforced child labor laws in state-owned enterprises and private-sector establishments through inspections and supervision of factory management. Labor inspectors generally operated without adequate training on child labor matters, although the Ministry of Manpower offered some child labor-specific training. The government did not inspect noncommercial farms for child labor, and there were very limited monitoring and enforcement mechanisms for children in domestic service. Authorities implemented several social, educational, and poverty reduction programs to reduce children’s vulnerability to exploitative labor. The National Council for Childhood and Motherhood, working with the Ministries of Education and Technical Education and of Social Solidarity, sought to provide working children with social security safeguards and to reduce school dropout rates by providing families with alternative sources of income.

Estimates on the number of child laborers varied. According to the 2012 joint International Labor Organization and Central Agency for Public Mobilization and Statistics child labor survey, of the 1.8 million children working, 1.6 million were engaged in hazardous or unlawful forms of labor, primarily in the agricultural sector in rural areas but also in domestic work and factories in urban areas, often under hazardous conditions. Children also worked in light industry, the aluminum industry, limestone production, construction sites, brick production, and service businesses such as auto repair. According to government, NGO, and media reports, the number of street children in Cairo continued to increase due to deteriorating economic conditions. Such children were at greater risk of sexual

exploitation or forced begging. In some cases employers abused or overworked children.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

#### **d. Discrimination with Respect to Employment and Occupation**

The constitution states all citizens “are equal in rights, freedoms, and general duties without discrimination based on religion, belief, gender, origin, race, color, language, disability, social class, political or geographic affiliation, or any other reason.” It does not specify age, citizenship, sexual orientation, gender identity, or HIV-positive or other communicable disease status. The law does not specifically protect some categories of workers, including agricultural and domestic workers, and other sectors of the informal economy. Penalties for violations were not commensurate with laws related to civil rights, such as election interference.

No law grants or prohibits refugees the right to work. Those seeking employment were hampered by lack of jobs and societal discrimination, particularly against Sudanese and other sub-Saharan Africans. Refugees who found work took low-paying jobs in the informal market, such as domestic servants, and were vulnerable to exploitation by employers.

Labor laws provide for equal rates of pay for equal work for men and women in the public but not the private sector. Educated women had employment opportunities, but social pressure against women pursuing a career was strong. On April 19, the Ministry of Manpower issued new labor regulations that removed gender-based restrictions preventing women from working in the evenings and performing jobs related to manufacturing spirits, fireworks, fertilizers, pesticides, asphalt, painting metals, radioactive substances, and moving machines. The new regulations require employers to provide women safe transportation and working conditions at night and grant women the right to perform any job function except in fields with chemical, physical, biological, and engineering risks during pregnancy and lactation periods.

Large sectors of the economy controlled by the military excluded women from high-level positions. While the law provides for persons with disabilities to gain

access to vocational training and employment, the government did not effectively enforce prohibitions against such discrimination. Discrimination also occurred against women and migrant workers (see sections 2.d. and 6), as well as workers based on their political views.

An employee facing discrimination may file a report with the local government labor office. If the employee and the employer are unable to reach an amicable settlement, they may file their claim in administrative court, which may order the employer to redress the complaint or to pay damages or legal fees. According to local rights groups, implementation of the law was inadequate. Additionally, the lengthy and expensive litigation process could deter employees from filing claims. On January 21, the Ministry of Planning and Economic Development announced the creation of an Equal Opportunities Unit to prevent discrimination and promote gender equity and inclusiveness in the ministry. On July 3, the Supreme Administrative Court reversed a decision by the Health Insurance Board to terminate a female worker for being sexually harassed in the street. The board had previously said the employee's termination was necessary since she would be "offensive to her colleagues" as a woman who had been sexually harassed.

Local rights groups reported several cases of employers dismissing workers or depriving them from work for expressing antigovernment opinions. On August 1, President Sisi ratified new amendments to the civil service law that authorize the government to summarily dismiss public employees who commit certain acts against the state. The minister of transportation had asked parliament to pass such a law to enable the ministry to terminate 162 employees, whom the minister claimed were members of the Muslim Brotherhood and had contributed to several railway crashes. According to progovernment media reports, the Supreme Council for Universities tasked university presidents on July 26 with compiling a list of "terrorist employees" to terminate pursuant to the new law. The law allows employees to appeal termination decisions to the Administrative Court and protects the pension and severance pay of terminated individuals.

## **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** The government sets a monthly minimum wage for government employees and public-sector workers, which is above the poverty line.

The law stipulates a maximum 48-hour workweek for the public and private sectors and provides for premium pay for overtime and work on rest days and national holidays. The law prohibits excessive compulsory overtime. According to labor rights organizations, the government implemented the minimum wage for public-sector workers but applied it only to direct government employees and included benefits and bonuses in calculating total salaries. For government employees and public business-sector workers, the government also set a maximum wage limit per month. The government sets worker health and safety standards, for example, by prohibiting employers from maintaining hazardous working conditions. The law excludes agricultural, fisheries, and domestic workers from regulations concerning wages, hours, and working conditions.

The law does not require equal pay for equal work. Penalties for violating laws on acceptable conditions of work were not commensurate with crimes such as fraud, which are punishable by imprisonment.

**Occupational Safety and Health:** Occupational safety and health standards were not always appropriate for the main industries, such as agriculture, manufacturing, and services. The Ministry of Manpower is responsible for enforcing labor laws and standards for working conditions. The government did not effectively enforce the law. Penalties for violations included imprisonment and fines, but they were not effectively enforced. It was unclear whether such penalties were commensurate with laws such as negligence. Labor inspectors have the authority to make unannounced inspections and initiate sanctions.

By law workers may remove themselves from situations that endanger health or safety without jeopardy to employment, although authorities did not reliably enforce this right. Little information was available on workplace fatalities and accidents. Responsibility for identifying unsafe situations remains with occupational safety and health experts and the employer and not the worker.

On November 10, the medical syndicate announced that approximately 633 doctors had died of COVID-19 since March 2020. According to media reports, laborers in some remote areas worked in extremely dangerous environments. In March, 20 persons were killed (and 24 others injured) when a fire broke out in a garment factory north of Cairo. In the following month, approximately eight individuals

died (with two others injured) when a 10-story building housing a garment factory collapsed. On August 14, five persons were killed in an oil refining plant in the Abu Rawash Industrial Zone. Local media reported the arrest of the plant owners by authorities following an investigation, which revealed that the plant had been operating unlicensed and illegally for four years. In North Sinai workers' movements were restricted by local government-established curfews and checkpoints run by both the military and nonstate armed groups in the area due to the military's campaign against militants.

The government provided services, such as free health care, to all citizens, but the quality of services was often poor. Other benefits, such as social insurance, were available only to employees in the formal sector. Many private-sector employers reportedly required workers to sign undated resignation letters as a condition of employment, which the employers could use to terminate employees at will. On June 18, the minister of manpower utilized an emergency fund created to pay workers' wages in the event of economic hardship to assist 257 workers of the Egyptian Company for Modern Food Industries.

**Informal Sector:** The Ministry of Manpower did not attempt to apply labor standards to the informal sector. Many persons throughout the country faced poor working conditions, especially in the informal economy, which employed up to 40 percent of workers, according to some estimates. According to the Central Agency for Public Mobilization and Statistics, approximately 11.9 million of the 25.7 million workers in the labor force did not have formal contracts with employers and were categorized as "informal" workers. Obstacles to improving working conditions in both the private sector and informal sector included uneven application or lack of regulations and restrictions on engaging in peaceful protests as a means of negotiating resolutions to workplace disparities. Domestic workers, agricultural workers, workers in rock quarries, and other parts of the informal sector were most likely to face hazardous or exploitative conditions. There were reports of employer abuse of citizen and undocumented foreign workers, especially domestic workers, particularly Sudanese and other sub-Saharan Africans.