

Report for Austria: Egypt's 2019 UPR Recommendations and Proposed Actions for 2025

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1. Recommendation in 2019 UPR: Consider establishing a moratorium on the death penalty.

Egypt's Response Since 2019:

Egypt's National Report justifies the death penalty as consistent with the country's constitution and domestic laws, with claims of procedural safeguards. However, Egypt continues to apply the death penalty extensively, including in cases with political contexts. No steps have been taken toward a moratorium, despite repeated international recommendations.

Proposed New Recommendation for 2025:

Recommendation 1: Egypt should establish a moratorium on the death penalty as a first step towards eventual abolition. The government should also review current death penalty cases, particularly those with potential political motivations, to ensure full compliance with international fair trial standards.

Proposed Questions in Advance for 2025 UPR:

- What steps has Egypt considered to introduce a moratorium on the death penalty?
- How does Egypt review death penalty cases to ensure alignment with fair trial standards?

2. Recommendation in 2019 UPR: Investigate and ensure accountability for alleged police abuses, in line with international standards.

Egypt's Response Since 2019:

The National Report claims improvements in police training and oversight, with initiatives aimed at aligning law enforcement practices with human rights standards. However, reports of police abuse, including torture and mistreatment in detention facilities, remain widespread, with limited transparency or accountability mechanisms for such abuses.

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Recommendation 2: Egypt should establish independent oversight mechanisms to investigate allegations of police abuse and ensure accountability for any violations. Transparent and accessible complaint procedures should be available to victims of police misconduct, ensuring that perpetrators are held accountable.

Proposed Questions in Advance for 2025 UPR:

- What measures has Egypt implemented to investigate allegations of police abuse in a transparent and independent manner?
- How does Egypt ensure accountability for law enforcement officers found guilty of human rights violations?

3. Recommendation in 2019 UPR: Ratify the Rome Statute of the International Criminal Court (ICC).

Egypt's Response Since 2019:

Egypt has not ratified the Rome Statute and has not indicated any intention to do so. The National Report does not mention any progress in this regard, despite recommendations to align Egypt's national legislation with international human rights commitments.

Proposed New Recommendation for 2025:

Recommendation 3: Egypt should ratify the Rome Statute of the ICC to strengthen its commitment to international justice and accountability. The government should also work toward harmonizing domestic laws with the principles outlined in the Rome Statute.

Proposed Questions in Advance for 2025 UPR:

- What steps has Egypt taken to move toward ratifying the Rome Statute?
- How does Egypt plan to align its domestic laws with the principles of the Rome Statute?

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4. Recommendation in 2019 UPR: Ratify the Optional Protocol to the Convention against Torture (OPCAT).

Egypt's Response Since 2019:

Egypt has not ratified OPCAT, although the National Report highlights various measures, including police training and detention monitoring, intended to prevent torture. Despite these initiatives, there are persistent reports of torture and ill-treatment in detention, with limited accountability for perpetrators. Ratifying OPCAT would establish independent monitoring of detention facilities and strengthen Egypt's anti-torture commitments.

Proposed New Recommendation for 2025:

Recommendation 4: Egypt should ratify OPCAT and establish a national preventive mechanism to monitor detention facilities independently. This mechanism would support Egypt's commitment to preventing torture and provide transparency in detention conditions.

Proposed Questions in Advance for 2025 UPR:

- Has Egypt taken steps to ratify OPCAT, and are there plans for independent monitoring of detention facilities?
- What measures are in place to prevent and address incidents of torture in detention centers?

5. Recommendation in 2019 UPR: Amend Article 122 of the Child Law to ensure that child and juvenile offenders are never prosecuted alongside adults.

Egypt's Response Since 2019:

Egypt's National Report mentions general improvements in child protection policies but does not specifically address Article 122 of the Child Law. Reports indicate that juvenile offenders are still prosecuted alongside adults in some cases, which raises concerns about fair treatment and protection for minors.

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Recommendation 5: Egypt should amend Article 122 of the Child Law to ensure that juvenile offenders are tried in separate courts from adults, in accordance with international standards on juvenile justice. Specialized courts and rehabilitation programs should be established for minors.

Proposed Questions in Advance for 2025 UPR:

- Has Egypt taken steps to amend Article 122 to ensure that juveniles are not prosecuted alongside adults?
- What mechanisms exist to ensure that juvenile offenders receive treatment appropriate to their age?

6. Recommendation in 2019 UPR: Ensure that NGO legislation and its implementation are in line with international standards.

Egypt's Response Since 2019:

Egypt's National Report highlights Law No. 149 of 2019, which regulates NGO activities, as aligned with international standards. However, independent evaluations suggest that the law imposes extensive restrictions on civil society, particularly regarding funding, oversight, and operational independence. Civil society actors, including human rights defenders, face asset freezes, travel bans, and restrictions under this law.

Proposed New Recommendation for 2025:

Recommendation 6: Egypt should amend Law No. 149 of 2019 to eliminate restrictive provisions that limit civil society activities and hinder NGO operations. The government should ensure that NGO legislation fully aligns with international standards, allowing civil society actors to operate freely.

Proposed Questions in Advance for 2025 UPR:

- What steps has Egypt taken to amend Law No. 149 to ensure that it aligns with international standards for civil society operations?
- How does Egypt protect civil society actors from undue restrictions, asset freezes, and travel bans?

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Conclusion

Austria's 2019 recommendations to Egypt emphasize the importance of fair treatment in justice processes, protections for juveniles, accountability for police abuses, and the establishment of standards to align with international conventions, including OPCAT and the Rome Statute. Egypt's National Report details some legislative efforts, but critical gaps remain. The proposed recommendations for 2025 stress the need for Egypt to implement meaningful reforms, align with international standards, and protect vulnerable populations.

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