

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

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1. Recommendation in 2019 UPR: Exclude from the jurisdiction of military courts all proceedings in which the alleged victim or perpetrator is a civilian.

Egypt's Response Since 2019:

Egypt's National Report asserts adherence to fair trial standards; however, military courts continue to try civilians, particularly in cases involving political dissent. These military trials raise significant human rights concerns, as they often lack transparency and fall short of international fair trial standards. Restricting the jurisdiction of military courts to military personnel only would align Egypt's practices with international recommendations.

Proposed New Recommendation for 2025:

Recommendation 1: Egypt should amend its legal framework to ensure that civilians are not subject to military trials and that only military personnel fall under the jurisdiction of military courts. The government should establish independent oversight to monitor compliance with this standard.

Proposed Questions in Advance for 2025 UPR:

- What steps has Egypt taken to limit the jurisdiction of military courts to military personnel only?
- How does Egypt ensure that civilians accused of crimes are tried in civilian courts under fair trial standards?

2. Recommendation in 2019 UPR: Review the definition of terrorism used in Law No. 94/2015 to prevent it from being used to limit rights, such as freedom of expression and assembly.

Egypt's Response Since 2019:

Egypt's National Report highlights the need for strong counter-terrorism laws, but Law No. 94/2015 contains a broad definition of terrorism, which has been used to restrict freedom of expression, assembly, and association. Activists, journalists, and HRDs have been prosecuted under this law, raising concerns about its impact on civil liberties.

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Proposed New Recommendation for 2025:

Recommendation 2: Egypt should revise Law No. 94/2015 to narrow the definition of terrorism, ensuring it aligns with international standards and does not infringe on freedom of expression, assembly, and association. The government should also establish guidelines to prevent misuse of counter-terrorism laws to target peaceful activists and civil society.

Proposed Questions in Advance for 2025 UPR:

- What steps has Egypt taken to review and amend the definition of terrorism in Law No. 94/2015?
- How does Egypt ensure that counter-terrorism laws are not misused to restrict fundamental rights?

3. Recommendation in 2019 UPR: Establish a moratorium on the application of the death penalty, particularly in cases of mass trials, for people who were minors at the time of committing the crime, and for acts that do not constitute the most serious crimes.**Egypt's Response Since 2019:**

Egypt's National Report upholds the death penalty as constitutionally supported, emphasizing procedural safeguards. Despite international calls for restraint, Egypt continues to issue and carry out death sentences, including in mass trials, and has not restricted its application to only the most serious crimes. There is no indication of a moratorium, and minors and political dissidents remain at risk of capital punishment.

Proposed New Recommendation for 2025:

Recommendation 3: Egypt should impose an immediate moratorium on the death penalty, particularly in cases involving minors, mass trials, or crimes that do not meet the threshold of "most serious" under international law. Egypt should conduct reviews of death penalty cases to ensure compliance with fair trial standards.

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Proposed Questions in Advance for 2025 UPR:

- Has Egypt taken any steps toward establishing a moratorium on the death penalty?
- What measures are in place to ensure that the death penalty is applied only in cases of the most serious crimes and that minors are excluded from capital punishment?

Conclusion

Mexico's 2019 recommendations focused on limiting military court jurisdiction, safeguarding civil liberties under counter-terrorism laws, and imposing a moratorium on the death penalty in specific cases. Egypt's National Report indicates general adherence to legal standards but lacks specific reforms addressing these areas. The proposed recommendations for 2025 emphasize the need for legislative revisions to ensure transparency, protect fundamental rights, and align with international standards on capital punishment.

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