

## RECENT HUMAN RIGHTS DEVELOPMENTS IN EGYPT:

SIGNS FOR OPTIMISM OR ANOTHER TRICK FROM THE AUTHORITARIAN PLAYBOOK?

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### EXECUTIVE SUMMARY

Egypt recently launched several human rights-related measures, including its first National Strategy for Human Rights. Though these developments may seem promising against Egypt's bleak human rights record, activists remain critical due to the state's contradictory actions and the continuing repressive civic space environment. Egypt is most likely engaging in these tactics to appease an international audience following increasing criticism of the country's targeted actions against human rights defenders, including concerns raised by the United States—a major donor and key military ally of Egypt. While steps taken by the government to genuinely improve human rights should be welcomed, one cannot merely praise these steps if they do not offer meaningful on-the-ground change. This briefing paper assesses these latest developments amidst Egypt's overall civic space and concludes with recommendations towards the Egyptian and United States governments to improve the human rights situation in the country.

### 1. INTRODUCTION

The Egyptian government launched its first National Strategy for Human Rights in September 2021,<sup>1</sup> with President Abdel Fattah El-Sisi stating that 2022 will be the year of civil society's work.<sup>2</sup> Yet, a mere three months later, the Egyptian State Security Emergency Misdemeanor court sentenced human rights activist Alaa Abd El Fattah, human rights lawyer Mohamed el-Baqer, and blogger Mohamed Ibrahim on politically motivated charges of "spreading false news," all of which cannot be appealed.<sup>3</sup>

The criminalization of human rights defenders in Egypt is not new. Activists, lawyers, and journalists in Egypt face extreme restrictions in performing their work<sup>4</sup> and exercising their fundamental rights to freedom of association, expression, and assembly. There are about 60,000 political prisoners<sup>5</sup> out of a total estimated 114,000<sup>6</sup> incarcerated individuals in Egypt. Judicial authorities continuously send thousands of detainees to pre-trial detention without evidence and without allowing them to defend themselves.<sup>7</sup> When President El-Sisi came to power in 2013,

restrictions on civic space increased. The Government shut down hundreds of nongovernmental organizations (NGOs),<sup>8</sup> and intensified crackdowns<sup>9</sup> and retaliations<sup>10</sup> against civil society, which made it all the more difficult—if not impossible—for certain NGOs to continue their work. In January 2022, after 18 years of defending freedom of expression in Egypt and in the broader Arab region, the Arabic Network for Human Rights Information decided to stop its activities due to the difficult conditions of working as a civil society organization in Egypt, including harassment, physical assaults, and attempts by authorities to recruit staff members as informants.<sup>11</sup> Furthermore, security forces have harassed and even arrested families of human rights defenders and dissidents living abroad.<sup>12</sup>



Activists stage a protest over human rights violations in Egypt during a visit of President El-Sisi in Paris, France on Dec. 8, 2020. When President El-Sisi came to power, restrictions on civic space increased. REUTERS / Christian Hartmann.

The Egyptian government has been implementing various measures in its human rights approach recently, but these actions attempt to whitewash serious ongoing violations and restrictions that target civic space. This piece will assess the recent measures, why the Egyptian government is engaging in such steps, continued setbacks, and the United States' unique role with Egypt as a major

donor. Lastly, the piece concludes by offering recommendations to both the Egyptian and United States governments on key steps to improve government accountability and respect for human rights.

## 2. RECENT NATIONAL HUMAN RIGHTS MEASURES IN EGYPT

Egypt adopted some positive human rights measures in recent months, including implementing its National Strategy for Human Rights (“Strategy”), lifting the country’s state of emergency, and appointing the first woman to head the National Human Rights Council. Egypt is likely engaging in tactics on human rights reform in response to international pressure and criticism of Egypt’s human rights record,<sup>13</sup> including recommendations from the UN Human Rights Council’s (HRC) latest Universal Periodic Review<sup>14</sup> and a joint condemnation of Egypt’s human rights abuses by UN member states at the 46th session of the HRC.<sup>15</sup> The Egyptian Ministry of Foreign Affairs led the process of adopting the Strategy, indicating that the Strategy may be catered more towards an outside audience as opposed to its domestic one.<sup>16</sup> Therefore, the Strategy and similar tactics are probably more of a “quick-fix” and attempt to whitewash the Government’s human rights record in the eyes of international players and donors, including the United States.



*The 35th session of the Human Rights Council (HRC). Egypt is likely engaging in tactics on human rights reform due to external pressure, including a joint condemnation by UN member states at the 46th session of the HRC. [UN Photo / Jean-Marc Ferré](#).*

### A. Adoption of the First National Human Rights Strategy

Egypt launched its first National Strategy for Human Rights in September 2021, built on a vision to respect and promote various human rights enshrined in the country’s constitution and legislation, as well as its regional and international agreements.<sup>17</sup> The Strategy is centered on building legislation, institutional capacity, and human rights education<sup>18</sup> across four key areas: (1) civil and political rights; (2) economic, social, and cultural rights;

(3) women’s rights, children’s rights, disability rights, and elderly rights; and (4) education and capacity building in the field of human rights.<sup>19</sup>

The Supreme Standing Committee for Human Rights, the government entity that headed and published the Strategy,<sup>20</sup> claimed that the Strategy was built in consultation with both government bodies and civil society representatives.<sup>21</sup> However, key human rights organizations in the country, including the Arabic Network for Human Rights Information and the Cairo Institute for Human Rights Studies were not invited to consult.<sup>22</sup> Additionally, the repressive environment in which civil society works in Egypt presents questions as to whether such consultations were free and representative. While authorities dropped some claims against NGOs in Case 173—a highly controversial case launched in 2011 against numerous international and Egyptian organizations<sup>23</sup>—there are still travel bans and asset freezes on certain human rights defenders that were targeted.<sup>24</sup>

The Strategy notes that it relies on human rights principles at the international level and that Egypt wants to implement its regional and international obligations.<sup>25</sup> Commitments to abide by these obligations are a positive step on paper, but there is still a long way to go. As Egyptian human rights lawyer Negad el-Borai<sup>26</sup> noted, the Strategy can be another document to hold the government accountable to their human rights obligations and “...to push for more change and support for human rights.”<sup>27</sup> However, codifying freedoms and human rights is a tactic that many repressive and authoritarian governments use.<sup>28</sup> Essentially, Egyptian government representatives can point to the constitution or the Strategy to deflect and undermine criticism it receives about its human rights practices.<sup>29</sup> While on paper the Strategy claims to adhere to its regional and international rights commitments, Egypt continues to be engaged in various blatant violations of the African Charter of Human and Peoples’ Rights (African Charter) and the International Covenant on Civil and Political Rights (ICCPR), including violating the right to freedom of expression.<sup>30</sup> For example, Hossam Bahgat, an Egyptian journalist, human rights defender, and head of the Egyptian Initiative for Personal Rights, was convicted and sentenced in November 2021<sup>31</sup> to a fine of 10,000 Egyptian pounds (about \$600 USD) simply for a tweet<sup>32</sup> that criticized the former president of the National Election Authority.<sup>33</sup> Likewise, Egyptian authorities arrested Ahmed Samir Santawy, a graduate student at the Central European University, and sentenced him to four years in prison on the basis of unfounded charges of “false news to undermine the state, its national interests [and] public order and spread panic among the people.”<sup>34</sup> In June 2021, the Association for Freedom of Thought and Expression and Robert F. Kennedy Human Rights filed a joint petition<sup>35</sup> before the United Nations Working Group on Arbitrary Detention (UNWGAD) and called on the Egyptian government to release Santawy. The UNWGAD issued a favorable decision on

January 28, 2022, finding that Egyptian authorities arbitrarily detained Santawy.<sup>36</sup> Yet, Santawy remains incarcerated. This case is representative of many Egyptians who continue to face reprisals from the State for their work.

Moreover, the State does not take responsibility in the Strategy for its role in respecting and ensuring respect for human rights norms. The Strategy lists the need to enhance human rights culture, the need to enhance public participation, challenges to economic development, and terrorism as the four key challenges to protecting human rights in Egypt.<sup>37</sup> The focus on the human rights situation in Egypt as more of a cultural and public issue disregards the State's role in creating a hostile human rights environment,<sup>38</sup> adding to doubts of the Government's sincerity with the Strategy.

## **B. Lift of the State of Emergency**

In addition to adopting the National Strategy for Human Rights, President El-Sisi lifted the state of emergency<sup>39</sup> on October 25, 2021.<sup>40</sup> The Government initially implemented the state of emergency in April 2017<sup>41</sup> as a response to two ISIS-claimed bombings of churches.<sup>42</sup> Though the state of emergency had a three-month term with a limit of one renewal,<sup>43</sup> El-Sisi repeatedly renewed the state of emergency until it was recently lifted.<sup>44</sup> The government used Egypt's state of emergency to further suppress opposition voices.<sup>45</sup> The Egyptian experience validates the global condemnation of the use of states of emergency in counterterrorism. The state of emergency in Egypt expanded powers for the executive and security services, reduced judicial oversight, and established emergency state security courts (ESSC).<sup>46</sup> While lifting the state of emergency is a step toward removing unrestricted state powers,<sup>47</sup> its consequences on human rights defenders persist as the ESSC will still hear ongoing cases while new cases will be referred to common court.<sup>48</sup> Therefore, cases like Santawy, Alaa Abdel Fattah,<sup>49</sup> and human rights activist and researcher Patrick George Zaki<sup>50</sup> will still be heard under emergency procedures.<sup>51</sup> Cases and decisions by the ESSC cannot be appealed; only the President can change a sentence or order a retrial,<sup>52</sup> which further hinders a defendant's right to fair trial.

## **C. Appointment of the First Woman to Lead the National Human Rights Council**

Egypt appointed the first woman to head the National Council for Human Rights (NCHR) on October 4, 2021.<sup>53</sup> Ambassador Moushira Khattab will take on the role, after previously serving in roles including Minister of Family and Population and the former Chair of the UN Committee on the Rights of the Child.<sup>54</sup> The NCHR, established in 2003,<sup>55</sup> is the State's independent entity for promoting human rights. The Council receives and refers citizens' complaints to the appropriate authorities, provides recommendations to the Government, and hosts discussions on human rights matters.<sup>56</sup> The NCHR has published annual reports

on the human rights situation in Egypt<sup>57</sup> and has various committees to address different bodies of rights.<sup>58</sup> Though the NCHR has acknowledged key human rights issues in Egypt such as the excessive use of pretrial detention,<sup>59</sup> the Council's claim to independence<sup>60</sup> is murky as it unduly praises the State for its human rights practices. For example, in a recent press release on their website, Ambassador Khattab highlighted how "...the Egyptian state under the rule of President Abdel Fattah El-Sisi has taken unprecedented steps to promote and strengthen human rights..."<sup>61</sup> Again, the focus on the recent steps of adopting the Strategy and lifting the state of emergency is a red herring to the ongoing serious human rights violations occurring in the country. Appointing a woman as the head of the NCHR has a face value of further increasing women's representation in public affairs, but ultimately Ambassador Khattab should be receptive to working and responding to civil society, and should push for on-the-ground reform in Egypt's human rights practices.

## **3. STATE'S CONTRADICTIONARY MEASURES**

To a broader audience unfamiliar with Egypt's political or human rights scene, the measures addressed above seem to be a promising step for human rights in the country. Yet, these new developments must be viewed against the backdrop of the contradictory legislative measures in place.

### **A. Amendments that Harm Civic Space**

The Government implemented inconsistent measures after it lifted the state of emergency when it passed three amendments that have practically replaced some of the lost emergency powers.<sup>62</sup> The three amendments are:

- amendments to the counterterrorism law (Law 94 of 2015),
- amendments to the penal code (Law 58 of 1937),
- and the extension of a law that deals with the military courts' jurisdiction (Law 136 of 2014).<sup>63</sup>

The amendment to the counterterrorism law increases fines for those who report, film, or record information in a terrorism-related case,<sup>64</sup> thereby limiting the right to freedom of expression and access to information for citizens and media practitioners. This amendment is especially troubling as authoritative states like Egypt use terrorism charges as pretext to target human rights activists,<sup>65</sup> and preventing reporting on such cases hinders government transparency. Secondly, the amendment to the penal code criminalizes gathering data, information, or research without a permit from the Defense Ministry.<sup>66</sup> This presents further obstacles to researchers and journalists in Egypt,<sup>67</sup> and hinders their right to access to information. Lastly, the government extended a law that grants jurisdiction to military courts over all offenses committed in "public and vital facilities."<sup>68</sup> There is no clear definition as to what "public and vital facilities" are.<sup>69</sup> Offenses include protests and attacks on public infrastructure like roads and bridges,<sup>70</sup> and such a broad definition subject to

discretionary interpretation will likely lead to abuse. Authorities have used this law to grant military courts legal authority over civilians,<sup>71</sup> which does not grant certain rights to defendants, including the right to be informed of charges and the right to access an attorney,<sup>72</sup> violating Article 9 of the ICCPR. These amendments contradict the State's aim in lifting the state of emergency as they grant the State further power, limit citizens' ability to exercise their freedom of speech and expression, and restrict citizens' right to liberty and security by deferring cases over "public and vital" matters to military courts (as opposed to civilian ones).

## **B. Domestic Laws and Practices that Unduly Repress Civic Space**

Egypt also still has legislation and policies in place that constrain civic space and violate its international and regional human rights obligations. Egypt's protest law (Law 107 of 2013) limits freedom of assembly as it requires organizers of protests of 10 or more people to notify the respective police station 3-15 days ahead of a protest.<sup>73</sup> Vague prohibitions on violations of "general security or public order" grant authorities a significant amount of discretionary power in shutting down protests.<sup>74</sup> Egypt also frequently utilizes pretrial detention against civic space activists instead of using it as a measure of last resort.<sup>75</sup> As a result, authorities keep many in pretrial detention without proper evidence. In addition, authorities have been engaging in "rotation," a practice where authorities bring forth a new case against a defendant when their maximum detention limit is reached for their initial charge, thus keeping them in pretrial detention for extended periods of time.<sup>76</sup> Ahmed Samir Santawy is one of the individuals who has been kept in pretrial detention and has been subject to rotation.<sup>77</sup> With such policies still in place, it is difficult to trust that the recent measures are truly centered on advancing the country's human rights practices and protecting citizens from abuse of power.

## **4. UNITED STATES' UNIQUE ROLE WITH EGYPT**

As Egypt is probably engaging in these measures to appeal to a more external audience, it is important to note the role and power of international donors and allies, especially the United States. The United States and Egypt have historically been key partners, specifically in terms of the United States' national security interests.<sup>78</sup> There has been strong military cooperation between the two countries,<sup>79</sup> and the United States has provided Egypt with \$81.4 billion in bilateral foreign aid between 1946 and 2019.<sup>80</sup> With that large amount of aid comes a responsibility to ensure that the United States is not complicit in funding a repressive regime.

### **A. The Biden Administration's Approach**

Criticism of the repression of civic space in Egypt is not new, but perhaps the Biden administration's enhanced focus on human

rights in comparison to the prior administration placed more pressure on President El-Sisi to make some improvements, especially in light of the United States' financial support to Egypt. During his campaign, President Joseph Biden tweeted "No more blank checks for Trump's favorite dictator" and promised to put "human rights at the center of U.S. foreign policy."<sup>81</sup> Secretary of State Antony Blinken reiterated similar rhetoric, stating that human rights is a priority in United States-Egypt relations,<sup>82</sup> and that Egypt had more work to do on human rights.<sup>83</sup>



*Secretary Blinken, right, with Egyptian Foreign Minister Sameh Shoukry during a U.S.-Egypt strategic dialogue at Nov. 8, 2021, in Washington, DC. Secretary Blinken has stated that human rights is a priority in U.S.-Egypt relations. REUTERS / Alex Brandon/Pool.*

### **B. Aid Conditionality**

Despite these promises to make human rights a priority, the Biden administration has not taken all the appropriate measures available. The United States government withheld only 130 million of the 300 million dollars in restricted funds that will be distributed only if the Egyptian government satisfies certain human rights conditions.<sup>84</sup> The conditions are that Egypt release 16 individuals identified by the United States and drop prosecutions against civil society organizations in Case 173.<sup>85</sup> The Biden administration stuck to this decision and reprogrammed the \$130 million after Egypt failed to meet the conditions by the January 30, 2022 deadline.<sup>86</sup> Pressure from the United States seems to have an effect on Egypt as authorities released a few political prisoners since the announcement of the conditional aid.<sup>87</sup> Though the conditional aid was a move towards progress,<sup>88</sup> the Biden administration chose to only withhold less than half of the restricted funds. Additionally, days before reprogramming the \$130 million, the United States announced more than 2.5 billion dollars in arms sales and 1 billion dollars in Foreign Military Financing to Egypt.<sup>89</sup> Continuing to provide vast amounts of funds to the Egyptian government undermines the impact of the conditions imposed for the disbursement of the \$130 million.<sup>90</sup>

### C. Improving Accountability at the U.S. Level

Although the Biden administration did not withhold all available funds, there have been further attempts to improve accountability at the United States' level. Representatives Don Beyer and Tom Malinowski formed the Egypt Human Rights Caucus in January 2021 to mobilize congressional action on Egypt's human rights abuses.<sup>91</sup> Additionally, Senator Dick Durbin filed amendments to the 2022 National Defense Authorization Act (NDAA) to include a section to report on extrajudicial killings and torture by Egyptian state officials and arbitrary detention of Americans and their family members.<sup>92</sup> Yet, this section was ultimately not included in the final version of the NDAA,<sup>93</sup> missing an opportunity to ensure prioritization of human rights in dealing with the Egyptian government, especially in actions committed by the Egyptian government against Americans.

### 5. RECOMMENDATIONS

The Egyptian government has created a human rights strategy and repealed its state of emergency, but these changes will not be meaningful if it does not take immediate steps to stop the attacks on civil society and provide the necessary guarantees for a protected civic space. In light of the repressive situation in Egypt, we call on the United States and Egyptian governments to implement the following recommendations:

#### TO THE UNITED STATES GOVERNMENT:

- **Reevaluate and further refine military support and arms sales** for Egypt, contingent on vast improvements to their human rights record.<sup>94</sup>
- **Support passage of legislation** to report on extrajudicial killings, torture, and arbitrary detention committed by the Egyptian government against United States citizens and their family members.
- **Continue to push Egypt to release the previously-identified 16 political prisoners and drop all cases and charges against civil society in Case 173**, as expressed in the conditions of the reprogramming of \$130 million in aid.

#### TO THE EGYPTIAN GOVERNMENT:

- **Commit to fulfilling the remaining #First7steps called for by five leading Egyptian human rights organizations.**<sup>95</sup> While lifting the state of emergency was one of them, six remain:
  1. **Free political prisoners**, including Ahmed Samir Santawy and Alaa Abd El Fattah who face retribution for their activism, research, and human rights-related work.
  2. **Stop endless detentions.**
  3. **Stay all executions.**
  4. **Stop criminal prosecutions of human rights activists.**
  5. **Withdraw the draft personal status law.**<sup>96</sup>
  6. **Reverse the blocking of websites.**
- **Reverse the amendments** to the counterterrorism law, the penal code, and the law that extends the military courts' jurisdiction.
- **Engage in a genuine dialogue with civil society** to build an inclusive human rights approach that provides an enabling and open environment for civic space.
- **Implement the international human rights standards** expressed in the ICCPR, the African Charter, and in the Egyptian National Constitution by respecting and guaranteeing the full exercise of fundamental freedoms by the Egyptian people. This is done not by merely pledging or having legislation that allows freedom of expression, association, and assembly but by practically allowing independent voices to speak without fear of retaliation.

#### CONTACT INFORMATION

The Briefing Paper was drafted by staff of Robert F. Kennedy Human Rights and is intended for informational purposes only. For more information or to collaborate with Robert F. Kennedy Human Rights, please contact Jessica Doumit, Pinto Legal Fellow, at [doumit@rfkhumanrights.org](mailto:doumit@rfkhumanrights.org).

Learn more about Robert F. Kennedy Human Rights and our work on Egypt at [rfkhumanrights.org](http://rfkhumanrights.org).

<sup>1</sup> *Egypt Launches National Strategy for Human Rights*, Egyptian Streets (Sept. 11, 2021), <https://egyptianstreets.com/2021/09/11/egypt-launches-national-strategy-for-human-rights/>.

<sup>2</sup> Presidency of the Republic of Egypt, *President El-Sisi Launches National Strategy for Human Rights*, Youtube (Sept. 11, 2021), <https://www.youtube.com/watch?v=oiqsO2pjo> at 3:03:15.

<sup>3</sup> Nada Rashwan, *Egypt Sentences 3 Human Rights Activists to Prison*, N.Y. Times (Dec. 20, 2021), <https://www.nytimes.com/2021/12/20/world/middleeast/egypt-human-rights-activists-sentenced.html>.

<sup>4</sup> See *Egypt*, CIVICUS <https://monitor.civicus.org/country/egypt/> (last updated Sept. 9, 2021); *Ratings*, CIVICUS <https://monitor.civicus.org/Ratings/#closed> (last accessed Jan. 25, 2022).

<sup>5</sup> See, e.g., *There is Room for Everyone... Egypt's Prisons Before & After January 25 Revolution*, The Arabic Network for Human Rts Info. (ANHRI) <http://anhri.net/?p=173532&lang=en> (last accessed Jan. 25, 2022); Hossam el-Hamalawy, *The Lessons of Egypt's Long Road to Revolution*, Democracy for the Arab World Now (Sept. 23, 2021), <https://dawnmena.org/the-lessons-of-egypts-long-road-to-revolution/>; *Egypt: Little Truth in Al-Sisi's '60 Minutes' Responses*, Human Rts. Watch (Jan. 7, 2019), <https://www.hrw.org/news/2019/01/07/egypt-little-truth-al-sisis-60-minutes-responses>.

<sup>6</sup> Ezzedine C. Fishere, *Egypt's republic of fear has detained tens of thousands. It's cruel — and counterproductive*, Washington Post (Feb. 24, 2021), <https://www.washingtonpost.com/opinions/2021/02/24/egypt-political-prisoners-sissi-fear/>; *Press briefing note on Egypt*, Office of the United Nations High Comm'r for Human Rts. (April 3, 2020), <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25772&LangID=E>.

<sup>7</sup> *Egypt: Events of 2021*, Human Rts. Watch, <https://www.hrw.org/world-report/2022/country-chapters/egypt> (last accessed Feb. 7, 2022); Authorities “remand” detainees, which is also known as pre-trial detention. See Mai El-Sadany, *Remand: Guilt before Innocence in Egypt's Rule of Law*, Tahrir Inst. for Middle East Pol’y (June 21, 2014), <https://timep.org/commentary/analysis/remand-guilt-innocence-egypts-rule-law/>.

<sup>8</sup> *Q&A: Legal Framework and Environment for Nongovernmental Groups (NGOs) in Egypt*, Human Rts. Watch (July 15, 2021), <https://www.hrw.org/news/2021/07/15/qa-legal-framework-and-environment-nongovernmental-groups-ngos-egypt>; Hussein Baoumi, *Bricks in the Wall: El Nadeem, the NGO Law, and Egypt's Crackdown*, Tahrir Inst. for Middle East Pol’y (Feb. 10, 2017), <https://timep.org/commentary/analysis/bricks-in-the-wall-el-nadeem-the-ngo-law-and-egypts-crackdown/>.

<sup>9</sup> *Egyptian Government Continues Unjust Crackdown on Civil Society*, RFK Human Rts. (March 22, 2016), <https://rfkhumanrights.org/press/egyptian-government-continues-unjust-crackdown-on-civil-society>.

<sup>10</sup> See *Press briefing note on Egypt-detention of human rights defenders*, Office of the United Nations High Comm'r for Human Rts. (Nov. 20, 2020), <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=26523&LangID=E>.

<sup>11</sup> *In the absence of the bare minimum of the rule of law and respect for human rights The Arabic Network for Human Rights Information decides to suspend its activities*, The Arabic Network for Human Rts Info. (ANHRI) (Jan. 10, 2022), <https://www.anhri.info/?p=28614&lang=en&eType=EmailBlastContent&eId=87f1c5a8-faca-4843-b98a-87141572763e>.

<sup>12</sup> *Egypt: Escalating Reprisals, Arrests of Critics' Families*, Human Rts. Watch (Feb. 19, 2021), <https://www.hrw.org/news/2021/02/19/egypt-escalating-reprisals-arrests-critics-families>; *Egypt: Events of 2021*, Human Rts. Watch, *supra* note 7.

<sup>13</sup> See *Egypt: Events of 2021*, Human Rts. Watch, *supra* note 7.

<sup>14</sup> Mohamed Ashraf Abu Emaira, *Egypt announces human rights strategy to mixed reviews*, Al Monitor (Sept. 22, 2021), <https://www.al-monitor.com/originals/2021/09/egypt-announces-human-rights-strategy-mixed-reviews>.

<sup>15</sup> *Condemnation of Egypt's Abuses at UN Rights Body*, Human Rts. Watch (March 21, 2021), <https://www.hrw.org/news/2021/03/12/condemnation-egypts-abuses-un-rights-body>.

<sup>16</sup> *Egypt: National Strategy for Human Rights a ruse to show international community and donor states that political reform is underway*, Cairo Inst. for Human Rts. Studies, (Nov. 15, 2021), <https://cihrs.org/egypt-national-strategy-for-human-rights-a-ruse-to-show-international-community-and-donor-states-that-political-reform-is-underway/?lang=en>.

<sup>17</sup> Allajna al'aya aldaayimat lhwq insan, *Stratyjyh watanyh lhqwq insan: jumhuwriyh masr al 'rabiya 2021-2026* (National Strategy for Human Rights: The Arab Republic of Egypt 2021-2026), available at <https://manshurat.org/node/73991> at 5 (hereafter *Stratyjyh watanyh*).

<sup>18</sup> Supreme Standing Comm. for Human Rts, *National Strategy for Human Rights: The Arab Republic of Egypt 2021-2026*, <https://sschr.gov.eg/media/gapb5bq4/national-human-rights-strategy.pdf> at 12-14 (hereafter *National Strategy for Human Rights*).

<sup>19</sup> *Egypt Launches National Strategy for Human Rights*, Egyptian Streets, *supra* note 1; Aida Salem and Rana Mamdouh, *Egypt's human rights strategy is finally out, but will bring few 'major developments' in criminal justice reform, says source*, MadaMasr (Sept. 12, 2021), <https://www.madamasr.com/en/2021/09/12/feature/politics/egypts-human-rights-strategy-is-finally-out-but-will-bring-few-major-developments-in-criminal-justice-reform-says-source/>; *Stratyjyh watanyh*, *supra* note 17, at 14.

<sup>20</sup> *National Strategy for Human Rights*, *supra* note 18, at 13.

<sup>21</sup> *Id.* at 10.

<sup>22</sup> Abu Emaira, *Egypt announces human rights strategy to mixed reviews*, *supra* note 14.

<sup>23</sup> *Background on Case No. 173 - the "foreign funding case" Imminent Risk of Prosecution and Closure*, Egyptian Initiative for Personal Rts. (March 21, 2016) <https://eipr.org/en/press/2016/03/background-case-no-173-%E2%80%9Cforeign-funding-case%E2%80%9D>.

<sup>24</sup> *Joint Statement – Case 173 and its Remnants Must be Dropped*, Project on Middle East Democracy (Nov. 5, 2021), <https://pomed.org/joint-statement-case-173-and-its-remnants-must-be-dropped/>.

<sup>25</sup> *Stratyjyh watanyh*, *supra* note 17, at 13.

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<sup>28</sup> See Steven A. Cook, *Why Dictators Always Pretend to Love the Law*, Foreign Pol'y (Nov. 29, 2021),

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<sup>29</sup> *Id.*

<sup>30</sup> African Charter on Human and Peoples' Rights art. 9, June 27, 1981, 21 I.L.M. 58 (1982) (hereafter African Charter); International Covenant on Civil and Political Rights art. 19(2), Dec. 16, 1966, 999 U.N.T.S. 1976 (hereafter ICCPR).

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