



General Assembly

Distr.: General
3 September 2019

English only

Human Rights Council

Forty-second session

9–27 September 2019

Agenda item 4

Human rights situations that require the Council's attention

Written statement* submitted by Nazra for Feminist Studies, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2019]

* Issued as received, in the language(s) of submission only.



As Egypt's UPR session approaches next November, the situation of Women Human Rights Defenders, political dissent, and LGBTQI individuals remains to be extremely concerning as state-led violations persist

Since Nazra for Feminist Studies submitted its written statement for the 41st session of HRC, the Egyptian authorities has sustained its brutal crackdown on women human rights defenders, LGBTQI+ individuals, the civil society, and any forms of political dissent.

Egypt's civil society, WHRDs, and HRDs are still facing obstacles and threats to their feminist and human rights advocacy restricting their potential involvement in Egypt's upcoming Universal Periodic Review session in November. Since 2016, the Egyptian state has been utilizing a variety of tactics to intimidate HRDs and WHRDs, including travel bans, asset freezes, and judicial summons on the background of case 173/2011, commonly known as the 'foreign funding case.' The state has imposed travel bans on at least 31 HRDs/WHRDs on the background of case 173/2011, including Nazra's executive director Mozn Hassan.

Despite the passing of a new NGOs law, which supposedly abolishes prison sentences for civil society workers for financial violations, case 173/2011 is still ongoing where NGOs in the case are facing stifling asset freezes and WHRDs and HRDs still face charges that can lead to life imprisonment. These charges include establishing an entity in violation of the law, tax evasion, receiving foreign funding with the intention of harming national security. The latter alone could lead to life imprisonment as per article 78 of the penal code.

Up until now, there is no judicial development in the case, despite several rounds of investigation, travel bans and asset freezes in what appears to be an intentional prolongation of the case intended to keep HRDs and WHRDs in a state of uncertainty and fear of reprisal to stifle their human rights advocacy.

Nazra for Feminist Studies and its executive director Mozn Hassan were handed an asset freeze order in January 2017 on the background of the case. Nazra's asset freeze, in specific, is an unprecedented incident in the case as Nazra is the only association registered under the Social Solidarity Ministry to have received such an order.

Nazra for Feminist Studies has filed an appeal against the asset freeze order imposed on the organization, while Ms. Hassan has also filed a separate appeal against the travel ban imposed on herself. Both appeals were referred to Abdeen Court under the same judge, who decided to postpone the sessions looking at both appeals on different occasions to the same day on 14 September.

According to Nazra's documentation, at least 35 women, including 6 women human rights defenders, were arrested during 2019 in various political cases. Incommunicado detention in unknown places, forced disappearances for few days before appearing in prosecution offices, and aggressive arrests from homes were evident in most of these arrests in a continued pattern of violations along the last three years. These arrests were part of a wider crackdown on civil society and any form of political dissent with waves of arrests intensifying in March on the background of constitutional amendments and the Ramsis Train Station crash and in June on the background of case 930/2019 popularized in media as the "coalition of hope" case, which

Two WHRDs, who were arrested in 2019, were released during the last two months, including WHRD and LGBTQI+ activist Malak al-Kashif, who was released unconditionally without any probative measures, but still face charges on the background of case 1739/2018. Furthermore, other 2 WHRDs who were arrested in separate timings during the last four years were also released in last May's presidential pardon. However, Al-Kashif's unconditional release and the pardon of other 2 WHRDs does not represent the majority of the state's regular practice in relation to releasing WHRDs and HRDs during the last four years, where most of the released cases were accompanied by severe probation measures, sometimes requiring released defendants to report at police stations and/or spend their overnight in detention at police stations.

Furthermore, the last two years have witnessed a pattern where the authorities issues release orders that do not go into effect as the national security arbitrarily add defendants to new cases immediately after the initial release order.

In June 2019, the Egyptian state launched a wide wave of arrests on politicians and journalists from different civil political backgrounds in serious escalation against political dissent and civil society. This wave of arrests is the first since the constitutional amendments, which extended President Sisi's current second term, to allow him to remain in power for an extra term, and legitimized the Armed Forces intervention in civil life for "protecting democracy," were passed and the second in 2019, signaling the state's intent to continue its crackdown on civil society and any form of political activity.

National State Security arrested political activist and journalist Hossam Moaness, who was the campaign manager of the 2014 Presidential bid by Hamdeen Sabahy, along with other 7 labor and political activists in case 930/2019. Mr. Moaness is also a prolific journalist who wrote more than 700 articles during his journalism career in a variety of independent newspapers spanning topics of democracy, political change, civil, political and human rights, and social justice. Mr. Moaness is facing the charges of "joining a terrorist organization to achieve its aims" and "spreading false news." The case, which was announced after the arrest of these 8 defendants on 25 June, now includes 89 defendants, including 6 women. This case resembles an escalation in the crackdown on any form of political dissent and life with detainees coming from all shades of political sectors in Egypt.

The Egyptian state not only arrested Moaness and others in the case, but also launched a smear campaign from the state-owned media channels with the Interior Ministry releasing a statement accusing the defendants of being involved in financing a Muslim Brotherhood plot to "overthrow" the state. However, some of the defendants have been reportedly involved in talks to form a coalition to run for the next parliamentary elections, which proves the clear purpose of the recent arrests which is to merely sanction any form of engagement in the public sphere and to crackdown on freedom of expression and opinion.

Violations against Egypt's LGBTIQ+ communities by state and non-state actors continue to be a grave concern for Nazra for Feminist Studies as the Moral Police Department continues its systematic practice of online entrapment

Sexual violence against women in public spaces remains to be a grave problem for women and WHRDs. We continue to highlight the lack of any development in regards to the implementation of already existing policies or enacting new needed legislation to counter sexual violence against women. For example, the National Strategy to Combat Violence Against Women (NSCVAW) which was published four years ago, still lacks any monitoring or evaluation mechanism to its application, rendering it meaningless on the ground. Furthermore, a unified law to combat violence against women never materialized despite continuous demands and promises and the Egyptian syndicates also lack any policies to combat violence against women as journalists, lawyers, and teachers continue to face violations without holding perpetrators accountable.

Under this extremely restrictive conditions and continued crackdown on political dissent and civil society, Egypt's UPR is approaching next November. HRDs and WHRDs are facing travel bans that not only are impeding their freedom of movement, but also preventing them from carrying out their duties as human rights defenders and advocates.

Nazra, however, has submitted its UPR report on the laws and policies of sexual violence, documentation of violations facing women human rights defenders, activists, feminists, and politicians, and SOGIE-based violations.

Consequently, Nazra for Feminist Studies is urging the United Nations and the Human Rights Council to call on the Egyptian government to close case 173/2011, immediately lift the travel bans and asset freeze imposed on Ms. Mozn Hassan, and suspend the moral police unconstitutional targeting of LGBTIQ+ individuals. Furthermore, we call on the UN and its bodies to effectively monitor states' implementation of resolution 67/144 on protecting WHRDs adopted by the UN in 2013.