



Global Human Rights Defence Country Report Egypt



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A report on cultural human rights violations in the Arab Republic of Egypt.

Aim



This report aims at highlighting the current situation for minorities and, more importantly, the issue of FGM/C, or female genital mutilation. This includes a detailed description of the largest minority in the country, its history and current struggles, and an analysis of the Egyptian legal framework surrounding the FGM/C practice. Furthermore, the report will shed light on certain important cases as well as other major human rights events that occurred in 2021.

Region:	North Africa & Middle East
Population:	104 Million (104,075,000)
Capital:	Cairo
Largest City:	Cairo – 21 Million (21,300,000)

Major languages:	Egyptian Arabic (locally known as <i>Colloquial Egyptian</i> – or <i>Masri</i>) is the official language. Most Egyptians speak a dialect of this language, however there are an estimated 16 languages spoken throughout the vast country.
Religion:	Egypt's official religion is <i>Islam</i> , and up to 90% of the population follows this belief. The final 10% consist almost entirely of <i>Egyptian Copts</i> . There are a number of other religious minorities, but most are steadily decreasing and disappearing.
Life expectancy at birth:	72.06 years in 2020, a 0.22% increase from 2019.

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Egypt

Egypt, officially named the Arab Republic of Egypt, is a transcontinental country located in the north-eastern corner of Africa and the south-western corner of Asia – connected by the land bridge made by the Sinai Peninsula. It shares international borders with Israel, Libya, Sudan and the occupied Palestinian territories and shares maritime borders with Cyprus, Greece, Jordan, Saudi Arabia and Turkey.



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Egypt is home to, arguably, one of the longest rivers of the World, the Nile. It runs for approximately 6,650km through 11 countries and is the primary water source of the countries of Egypt and Sudan. The Nile has, furthermore, had a great historical impact in Egypt as the Nile Valley was the home of one of the world's earliest urban and literate societies. For almost 3,000 years did the Pharaonic Egypt thrive through different dynasties and left behind some of the biggest architectural efforts the world has seen, the pyramids. Through the pyramids and their shape, pharaohs were able to ascend to the sky and reach immortality.

Population and Minorities

According to United Nations Data, the Republic of Egypt counted a population of about 100 million people as of 2019.¹ This number is steadily growing, as barely two years later Egypt's population is estimated at just over 104 million people.² The largest minority in Egypt are the Copts, it is estimated that they make up about 6-9 percent of the Egyptian population – meaning a number ranging between 4.5 and 7 million.³ Other sources estimate that their numbers could make up as much as 10-20 percent of the population, therefore potentially up to 15 million people.⁴ Other minorities are much less important in number, making up less than 1% for each remaining minority. The remaining minorities are the following: the Nubian's (0.25%), the Baha'i (0.025%), Jews (less than two dozen), Shi'a, Sufi Muslims, Jehova's Witnesses, Ahmadis and Quranists.⁵

Egyptian Copts

Egyptian Copts represent the largest Christian community in the Arab World and are to be found numerously in Upper Egypt. Although there is a Coptic Business upper class as well as a middle class of urban professionals or landowners, Copts are mostly working-class peasants or laborers. Nevertheless, Copts are present in most institutions of the Egyptian state and all registered political parties count Coptic members.

The Egyptian Copts identify themselves to be the descendants of Egypt's ancient Pharaonic people.⁶ The Copts were originally converted to Christian faith with the arrival of St Mark, said to be the founder of the Church of Alexandria.⁷ For a short time period, Egypt became part of the Byzantine Empire, until the arrival of the Muslims in the 7th century.⁸ The arrival of the Muslims did not immediately pose a threat to the Egyptian Copts, however, from the ninth century onwards, they were heavily persecuted.⁹ For almost a thousand years the

¹ United Nations Population Division, "Egypt, Arab Rep. – population, total" (*The World Bank*, 2019) <https://data.worldbank.org/indicator/SP.POP.TOTL?locations=EG> accessed 25th May 2021

² Ibid

³ World Directory of Minorities and Indigenous Peoples, "Egypt" (*Minority Rights Group International*, October 2017) <https://minorityrights.org/country/egypt/> accessed 20th May 2021

⁴ Ibid

⁵ Ibid

⁶ World Directory of Minorities and Indigenous Peoples, "Copts of Egypt" (*Minority Rights Group International*, October 2017) <https://minorityrights.org/minorities/copts/> accessed 21st May 2021

⁷ Ibid

⁸ Ibid

⁹ Ibid

persecution upheld, until Egypt fell to the British in 1882. By this time, Copts had been reduced, through centuries of forced conversion to Islam, to one-tenth of the population.¹⁰

Until the 1970s, Copts underwent several social changes, from the abandonment of the Coptic language to the settlement giving them work in financial or accounting positions or even local governorates.¹¹ Many had claims to land ownership, developing a large financial and commercial bourgeoisie. For most of their recent history, Copts have supported their Muslim neighbours, most notably in their fight against British Colonialists and during the conflict between Israel and Arabs in the 1940s.¹²

With the appointment of President Anwar Sadat, in October 1970, a new chapter in the persecution of Copts began. Violence against Copts has continued to sporadically occur, whilst discrimination in areas such as university admissions, military promotions and public spending spiralled.¹³ The discrimination against Copts in Egypt takes various forms: legal discrimination in changing laws, discrimination in the implementation of the laws and discrimination in the practice of security or judicial institutions.¹⁴ The Egyptian revolution and the years following were not the most peaceful for the Coptic community as violence grew to its worst in over a decade. Over the past ten years, Egyptian Copts have suffered

Over the past ten years, Egyptian Copts have suffered an increased crackdown, involving arbitrary arrests, indefinite detention and killings, putting Copts and other religious minorities at increased risk of attack.¹⁵ In January 2015, the execution of two policemen, while guarding a Coptic church, and the mass execution of 21 Coptic Egyptians in Libya a few months later by ISIS highlighted the Coptic community's vulnerability.¹⁶ There are many instances in which violence has occurred solely based on the victim's Coptic belief, claims of killings and complete families having to flee for their safety are unsurprising.¹⁷ An atmosphere of intolerance, or impunity, began to grow amongst opposers of the Copts, which resulted in other acts of violence. In 2017, ISIS claimed the lives of hundreds of believers, bombing

¹⁰ Ibid

¹¹ Ibid

¹² Ibid

¹³ Ibid

¹⁴ Ibid

¹⁵ Ibid

¹⁶ Ibid

¹⁷ Ibid

several Coptic churches in Tanta and Alexandria.¹⁸ Egyptian Copts have witnessed the laws on Church Building change drastically, meaning they are heavily penalized compared to the laws on Mosque Building.¹⁹ Other discriminatory incidents occurred as new laws on the prohibition of closing any church were passed, as security forces have illegally closed at least 12 churches since 2017.²⁰

Whilst Copts have been persecuted and hunted for centuries, they do not seem to get any support from their government. On the contrary, Egyptian authorities have routinely failed to protect and defend the rights of their Christian citizens.²¹ The deadliest violence against Christians in Egypt in decades is, unfortunately, highlighting the country's continued failure to protect its citizens.²²

Women

Women are, statistically speaking, not a minority as their number usually, or at least roughly, equals the number of men in the population. According to varying sources, women in Egypt make up about 49.8% of the population.²³ On the other hand, logically, men in Egypt make up the final 50.2% of the population.²⁴

However, women do qualify as a vulnerable group as they usually do not enjoy the same rights and privileges men do.²⁵ For example, according to Egyptian law a Muslim man may marry a Christian, Jewish or Christian woman, whereas a Muslim women can only marry a Muslim Man. Additionally, the Egyptian legal framework allows a man to have up to four wives.

¹⁸ Ibid

¹⁹ OHCHR, "Discrimination in Law and Practice against the Copts in Egypt" (*OHCHR*) https://www.google.nl/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKewiKz6rO9aDxAhUD6aQKHVFKBRwQFjACegQIBRAE&url=https%3A%2F%2Fwww.ohchr.org%2FDocuments%2FIssues%2FReligion%2FSubmissions%2FCSOs%2F05.appg-united-copts.docx&usg=AOvVaw0UIt_JcKweYuAmnXbey7V4 accessed 18th June 2021

²⁰ Ibid

²¹ (n 6) Ibid

²² (n 6) Ibid

²³ "Egypt Population" (*CountryMeters*, 2021) <https://countrymeters.info/en/Egypt> accessed 30th May 2021

²⁴ Ibid

²⁵ "Women as Minority" (*Lumen – Boundless Sociology*) <https://courses.lumenlearning.com/boundless-sociology/chapter/women-as-a-minority/> accessed 30th May 2021

Whilst Egypt has made progress towards gender equality, with equal school attendance between boys and girls and more female than male graduates at Egyptian universities, this has mostly not shown in the workforce.²⁶ It is estimated that for each woman working in Egypt, almost four stays at home.²⁷ According to data from *The World Bank*, the female Egyptian labour force has been decreasing severely since 2016 and was as low as 20% in 2019.²⁸

The main issue women encompass in Egypt is, however, not necessarily the lack of opportunities in the workplace.

²⁶ L. T. Chang, “Egyptian Women and the fight for the right to work” (*The New Yorker*, 15th November 2018) <https://www.newyorker.com/news/news-desk/egyptian-women-and-the-fight-for-the-right-to-work> accessed 29th May 2021

²⁷ Ibid

²⁸ International Labour Organisation – ILOSTAT Database, “Egypt, Arab Rep. Labour Force, Female” (*The World Bank*, 29th January 2021) <https://data.worldbank.org/indicator/SL.TLF.TOTL.FE.ZS?locations=EG> accessed 29th May 2021

Female Genital Mutilation/Cutting

The Egyptian legal framework is mostly based on the French Civil Code and Islamic Law, or Shari'a. Matters such as marriage, divorce or child custody are governed by Shari'a. In most instances, a woman's testimony will be worth equal to that of a man. However, under the personal status law, discrimination is present and a woman's testimony in family court will be worth only half to that of a man.²⁹ Religious minorities, such as the Coptic Christians, have to apply their own religious standards and Egypt's legal framework does not provide a unified law applying to all Egyptians.

Egypt has signed and ratified a number of conventions relating to gender equality, first and foremost the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW), on which it had reservations to a number of articles.³⁰ This includes, most importantly, article 16, on the equality in marriage and family life. Whilst Egypt withdrew other reservations, it referred to Islamic and Egyptian law, under which a husband and wife have different rights and duties.³¹ According to an Egyptian report to CEDAW, the rights and duties enjoyed by husband and wife may not be identical, but are equal nevertheless. CEDAW has criticized Egypt's reservations on what is considered to be the central object and purpose of the convention and has labelled them as incompatible and thereby impermissible with the convention.³² Visibly, Egypt is making efforts to integrate a western breeze into their legal provisions, as more equal rights were granted regarding nationality rights, divorce rights, guardianship and custody rights, inheritance rights, freedom of movement and the protection from child marriage.

However, regardless of Egypt's contractual and legal obligations on equal rights, it does not seem that they are all implemented, or whether the implementation has been done properly. For example, according to a research conducted by the *Egypt Demographic and Health Service* (DHS) in 2008, child marriage is still present among young women, more so

²⁹ M. Khalil, "Is the testimony of a man equal to that of a women?" (*Al Islam*, March 2017) <https://www.alislam.org/articles/is-testimony-of-man-equal-to-two-women/> accessed 24th May 2021

³⁰ Anna Jenevsky, "Permissibility of Egypt's Reservation to the Convention on the Elimination of All Forms of Discrimination Against Women" (*Maryland Journal of International Law*) Volume 15, Issue 2, Article 4 <https://core.ac.uk/download/pdf/56359288.pdf>

³¹ Ibid

³² Ibid

depending on their financial situation.³³ Crimes against honour, amounting to honour killings in some instances, do still occur in Egypt despite reforms to eliminate discriminatory laws allowing more lenient sentences for “honourable” crimes. In the Egyptian legal framework, there is currently no provision specifically prohibiting domestic violence. Rape is considered a crime under Egyptian law, but marital rape, on the other hand, is not.³⁴

FGM/C is, most probably, the worst crime women have to suffer in Egypt. The practice was banned in 1997, however, a loophole in the law allowed FGM/C when deemed “medically necessary.”³⁵ It was approved for a full ban in 2008 and the practice was criminalized, however there had not been a single conviction within the first few years.³⁶ The first doctor to be convicted of carrying out FGM/C, Raslan Fadl, was sentenced in 2015 to 2 years and three months in prison for the involuntary manslaughter of Sohair al-Bata’a, aged 13.³⁷ However, due to Egypt’s questionable legal framework surrounding FGM/C, the doctor only spent three months of his sentence in jail because he reconciled with the victims’ family – which annulled two years of the sentence.³⁸

Whilst the practice is illegal, FGM/C levels go up to 91% among women aged 15-49. Female Genital Mutilation is classified into 4 major types.

- o Type 1 is the partial or total removal of the clitoral glans and/or the prepuce or clitoral hood;

³³ El-Zanaty, Fatma and Ann Way. 2009. *Egypt Demographic and Health Survey 2008*. Cairo, Egypt: Ministry of Health, El-Zanaty and Associates, and Macro International <https://dhsprogram.com/pubs/pdf/fr220/fr220.pdf> accessed 26th May 2021

³⁴ N. Samir, “Hiding in plain sight: Marital rape still not criminalised in Egypt” (*Daily News Egypt*, 14th January 2021) <https://dailynewsegypt.com/2021/01/14/hiding-in-plain-sight-marital-rape-still-not-criminalised-in-egypt/> accessed 24th May 2021

³⁵ M. Bociurkiw, “Fresh progress toward the elimination of female genital mutilation and cutting in Egypt” (*UNICEF*, 2nd July 2007) https://www.unicef.org/media/media_40168.html accessed 25th May 2021

³⁶ “Female Genital Mutilation” (*World Health Organization*) <https://www.who.int/news-room/fact-sheets/detail/female-genital-mutilation> accessed 20th May 2021 (FGM/C)

³⁷ R. Michaelson, “First doctor convicted of FGM death in Egypt only spent three months in jail” (*The Guardian*, 2nd August 2016) <https://www.theguardian.com/world/2016/aug/02/egyptian-doctor-convicted-of-fgm-death-serves-three-months-in-jail> accessed 27th May 2021

³⁸ Ibid

- o Type 2 is the partial or total removal of the clitoral glans and the labia minora, with or without removal of the labia majora;
- o Type 3 is also known as infibulation, whereby the vaginal opening is narrowed through the creation of a covering seal:
 - The seal is usually formed by cutting and repositioning the labia minora, or labia majora – possibly through stitching;
- o Type 4 includes all other harmful procedures to the female genitalia.³⁹

Deinfibulation refers to the practice of cutting open the vagina opening of a woman who has been infibulated.⁴⁰ This is often necessary for improving well-being and health, as well as to allow intercourse or facilitate childbirth.⁴¹

There are no proven health benefits stemming from any form of FGM/C, as it involves the removal of or damage to healthy and normal female genital tissue.⁴² FGM/C may result in immediate or long-term complications such as, among others, excessive bleeding, fever, infections, urinary problems, death, vaginal problems, sexual problems, increased risk of childbirth complications or a need for later surgeries.⁴³ The later surgeries, also known as *deinfibulation*, are meant to allow sexual intercourse and childbirth at a “controlled” moment in time.⁴⁴ However, deinfibulation does not mean that the tissue will be spared as it is possible that women repeatedly go through opening and closing procedures, each increasing the risk of immediate and long-term risks.⁴⁵ The procedure is an unfair and gender-based discriminatory practice against women, put into place to limit the pleasure felt and the chances of becoming pregnant.

³⁹ (n 33) FGM/C

⁴⁰ Ibid

⁴¹ Ibid

⁴² Ibid

⁴³ Ibid

⁴⁴ Ibid

⁴⁵ Ibid

According to a UNICEF report on FGM/C, there are more than 200 million girls and women alive worldwide that have been subjected to the practice, to a certain degree.⁴⁶ The practice is usually carried out on young girls from infancy up to adolescence, whilst adult women are only occasionally inflicted this “treatment”. Nevertheless, an estimated 3 million girls are considered to be at risk of FGM/C annually.⁴⁷

FGM/C mainly originates in Western, Eastern and North-Eastern regions of Africa, some countries of the Middle East and Asia.⁴⁸ Whilst it is considered to be a global concern, it is much less present in the First World and much less socially acceptable. There are no single set of universal rules dictating as to why female genital mutilation are performed, as they may vary from one area to the next and a number of sociocultural factors within the community play big roles in the practice.⁴⁹ Some reasons include social conventions, FGM as a necessary part of raising a girl, ensuring premarital virginity and marital fidelity.⁵⁰ Other reasons may include the belief that being cut increases “marriageability”, some religious leaders might promote it – others condone it and contribute to end the practice.⁵¹

⁴⁶ Ibid

⁴⁷ Ibid

⁴⁸ Ibid

⁴⁹ Ibid

⁵⁰ Ibid

⁵¹ Ibid

Important Cases and Incidents

The death of Nada Abdel Maqsoud, sparking a UN Statement

Nada Hassan Abdel Maqsoud was a young, 12-year-old, girl was brought to a private clinic in Manfalout, close to Assiut, by her parents, aunt and uncle to undergo FGM.⁵² The doctor, a retired 70-year-old man, carried out the procedure by himself, without anaesthesia or nurse present, and without any direct qualifications as surgeon, as reported by local prosecutors.⁵³ Nada Hassan Abdel Maqsoud died as a consequence of the procedure. Her relatives later revealed that they were aware of what the child was about to undergo. The involved family members were subsequently arrested.⁵⁴



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⁵² R. Michaelson, "FGM doctor arrested in Egypt after girl, 12, bleeds to death" (*The Guardian*, 3rd Feb 2020) <https://www.theguardian.com/global-development/2020/feb/03/fgm-doctor-arrested-in-egypt-after-girl-12-bleeds-to-death> accessed 28th May 2021

⁵³ Ibid

⁵⁴ Ibid

Egyptian Girls tricked into FGM with COVID-19 vaccine

A father and a doctor were arrested and face prosecution after tricking the three young daughters into undergoing FGM. According to the prosecutor-general, the underage girls were told that the doctor was going to administer them a vaccine against the coronavirus.⁵⁵ Instead, the girls were given a drug that rendered them unconscious – giving the doctor the chance to operate on them.⁵⁶ The girls, having returned to their mother, informed her what had occurred, and she notified the police. An official statement of the public prosecutor charged the doctor with the procedure and the father with assisting the crime.⁵⁷ According to Egyptian law, doctors who perform FGM can now be jailed for up to seven years, whilst anyone requesting it faces a jail sentence of up to three years.⁵⁸



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⁵⁵ "Egyptian girls tricked into FGM with COVID-19 vaccine" (*Al Jazeera*, 5th June 2020)

<https://www.aljazeera.com/news/2020/6/5/egyptian-girls-tricked-into-fgm-with-covid-19-vaccine> accessed 27th May 2021

⁵⁶ Ibid

⁵⁷ Ibid

⁵⁸ Ibid

Human Rights Events 2021

In the last few years, the people of Egypt have lived under the harsh authority and grip of the government led by Egyptian President, Abdel Fattah al-Sisi's government. There are reports of tens of thousands of government critics currently imprisoned on political charges.⁵⁹ The peaceful protesters and activists are frequently charged with terrorism, whilst authorities use "morality" charge to prosecute female social media influencers.⁶⁰

Since the bombing of two Coptic churches in 2017, Egypt is in a continued state of emergency.⁶¹ This allows government authorities to make arrests without a warrant, seize private property or impose censorship before publication.⁶²

After years of living under a government which is slowly turning into a dictatorship, Egypt's human rights community is suffering at the hands of the authorities. A number of senior staff of the Egyptian Initiative for Personal Rights (EIPR) were arrested and investigated, demonstrating the Egyptian's government ideology of attacking human rights defenders.⁶³ Groups, such as LGBT+ people, are continuously facing arbitrary arrest and have to fear for their information being published on social media.

The major human rights event for Egypt this year, however, is the Joint Statement delivered by Finland at the 46th Session of the United Nations Human Rights Council (UNHRC). This statement was delivered on behalf of 31 countries and expressed the concern over the returning issue of the human rights situation in Egypt.⁶⁴ The same council had already issued a statement of similar nature in 2014, urging Egypt to free political prisoners and investigate alleged abuses and violations committed by security forces.

⁵⁹ "Egypt: Events of 2020" (*Human Rights Watch*)

<https://www.hrw.org/world-report/2021/country-chapters/egypt> accessed 27th May 2021

⁶⁰ Ibid

⁶¹ B. Smith & P. Loft, "Egypt in 2021: Politics, Human Rights and International Relations", House of Commons – Briefing Paper, nr 9183, 8th April 2021, p8

⁶² Ibid

⁶³ "Human Rights Council: Countries Should Take Bold Action on Egypt" (*Human Rights Watch*, 9th February 2021) <https://www.hrw.org/news/2021/02/09/human-rights-council-countries-should-take-bold-action-egypt> accessed 27th May 2021

⁶⁴ UNHCR, 46th Session of the United Nations Human Rights Council, "Joint Statement on Egypt" (12th March 2021) <https://cihrs.org/wp-content/uploads/2021/03/HRC46-JST-on-Egypt-item-4.pdf> accessed 26th May 2021

In this statement, the council drew attention on specific restrictions on rights, such as the freedom of expression, right to peaceful assembly, the limited space for political opposition as well as the application of terrorism legislation against peaceful protesters and activists.⁶⁵ The group of countries urged Egypt to guarantee a number of things, including the lift of restrictions on media freedom and on websites of independent media outlets.⁶⁶

The council resorted to strong statements to put pressure on Egypt.

“... we are deeply concerned about the application of terrorism legislation against human rights activists, LGBTI persons, journalists, politicians and lawyers. We urge Egypt to end the use of terrorism charges to hold human rights defenders and civil society activists in extended pre-trial detention and the practice of adding detainees to new cases with similar charges after the legal limit for pre-trial detention has expired. We also ask Egypt to cease the use of the terrorism entities list to punish individuals for exercising their right to freedom of expression.”⁶⁷

⁶⁵ Ibid

⁶⁶ Ibid

⁶⁷ Ibid

Concluding Remarks

The situation for 200 million young women and girls, largely in Egypt, needs more awareness by the international community and more steps need to be taken to fully eliminate this practice once and for all. The Egyptian legal framework allows for many things to be disregarded and needs to change accordingly, to ensure the complete and final prohibition of FGM/C.

Global Human Rights Defence urges other international and regional actors to raise their voice and spread awareness on the issue of FGM, affecting hundreds of millions of people all around the world.

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