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The Permanent Mission of Egypt to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights (Special Procedures Branch), and with reference to the joint communication REF: AL EGY 8/2025 dated 24 December 2025;

The Permanent Mission of Egypt has the honor to attach herewith the reply of the Government of Egypt to the above-mentioned joint communication (9 pages).

The Permanent Mission of Egypt to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew the assurances of its highest consideration to the Office of the United Nations High Commissioner for Human Rights (Special Procedures Branch).

Geneva, 23 February 2026



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(Translated from Arabic)

Reply of the Government of the Arab Republic of Egypt
to the joint communication from a group of special rapporteurs (AL EGY 8/2025)
concerning Mohamed Ibrahim Abdulfattah Selim, Omar Khaled Ragab Mahmoud Ghazy
and others

The Government of Egypt submits the present reply to underscore its unwavering commitment to constructive engagement with the special procedures of the Human Rights Council. It also reaffirms its commitment to fulfil its international and constitutional obligations, to uphold the principles of the rule of law and the independence of the judiciary, to promote transparency and to correct any perceptions that may have been based on incomplete or inaccurate information.

The Egyptian Government can affirm that all measures taken by the authorities are taken in accordance with the Constitution, national laws and relevant international standards. The Government, moreover, continues its efforts to strengthen the human rights framework while maintaining a balance between, on the one hand, protecting rights and freedoms and, on the other, safeguarding national security and public order.

Committed as it is to promoting fundamental rights and freedoms in line with its obligations under the International Covenant on Civil and Political Rights, the Government of Egypt wishes to express its appreciation to the special procedures and submits herewith its reply to the allegations raised in the communication.

I. As concerns the cases of Mr. Mohamed Ibrahim Abdulfattah Selim, Omar Khaled Ragab Mahmoud Ghazy and others

The Government of Egypt wishes to make it clear that, in accordance with proper legal procedures, the individuals in question were arrested for committing actions that constitute criminal offences under national law. The State Prosecution Office launched an investigation, and persons found not to be involved in the crimes being investigated were released, while those against whom evidence exists were held in custody. Their detention is subject to periodic review by the courts.

It is important to emphasize that the measures taken were not motivated by participation in peaceful protests to express solidarity with the Palestinian cause – protests in which thousands of citizens took part without facing any repercussions – but because certain individuals took advantage of those demonstrations to commit acts of vandalism or incitement. For example, they demonstrated in locations other than those for which notification had been given; engaged in acts of incitement, disorder and vandalism during the demonstrations; and exploited the demonstrations, which concerned the situation in Gaza, not to participate in an expression of solidarity with the Palestinian cause (during which thousands of citizens declared their support for Palestine) but as a cover for

acts of disorder and vandalism. This much was established by the investigation of the State Prosecution Office.

II. Concerning allegations of arbitrary arrest and detention

All the procedures relating to the arrest and detention of the individuals concerned had sound legal and judicial grounds and were in no way a reaction to their exercise of their legitimate rights. The Government wishes to stipulate that the State Prosecution Office, being an integral part of the judicial branch as per article 189 of the Constitution,¹ is fully independent from the executive branch and meets due standards of objectivity, impartiality and independence, as established by the United Nations Human Rights Committee. In addition to this, pretrial detention orders are issued only on the basis of compelling evidence that criminal actions have been committed and not for political considerations or personal opinions. When effecting an arrest, the authorities are under an obligation to ensure that any person whose liberty is being restricted is immediately informed of the reasons for such restriction and is allowed to contact a lawyer. This matter is addressed in article 54 of the Constitution, which states that it is not permissible to arrest, search, detain or restrict the freedom of any person save in a situation of flagrante delicto or pursuant to a substantiated judicial warrant necessitated by an investigation. Such a warrant must be written, it must contain certain information, and it must be signed by the party who issued it. Article 54 of the Constitution further states that all detainees are to be notified in writing of their rights, informed of the reasons for their arrest and permitted forthwith to contact their relatives and lawyer. The article specifies that this right is to be exercised from the evidence-gathering stage, thereby affording more robust safeguards for suspects.² Under article 55 of the Constitution, persons who have been arrested have the right to make a statement. Following the questioning, law enforcement officials are under an obligation to

¹ The article reads: “The State Prosecution Office, which is an integral part of the judiciary, is responsible for conducting investigations and launching and pursuing criminal cases, except as otherwise provided by law. Its other functions are defined by law. The Office is to be headed by the Prosecutor General who is appointed by decree of the President of the Republic from three candidates chosen by the Supreme Judicial Council from among the vice-presidents of the Court of Cassation, presidents of courts of appeal and assistant public prosecutors. They are appointed for a period of four years or for the period remaining until they reach the age of retirement, whichever is earlier, and for just one term during their period of service.”

² Article 54 of the Constitution of Egypt stipulates: “Personal freedom is a natural right that is protected and may not be violated. Apart from situations of flagrante delicto, it is not permissible to arrest, search, detain or restrict the freedom of any person except pursuant to a substantiated judicial order necessitated by an investigation. All persons whose freedom is restricted shall be promptly informed of the grounds therefor, shall be notified in writing of their rights, shall be permitted forthwith to contact their relatives and lawyer, and shall be brought before the investigating authority within 24 hours of the time when their freedom was restricted. Questioning may begin only once a lawyer is present. A lawyer shall be appointed for persons who have no lawyer. Persons with disabilities shall be provided with the requisite assistance, in accordance with the procedures prescribed by law. All persons whose freedom is restricted, as well as other persons, shall be entitled to file a complaint with the judiciary. A decision on the complaint shall be rendered within one week; otherwise, the person shall be released forthwith. The law shall regulate pretrial detention, its duration and grounds, and which cases are eligible for compensation. The State shall award compensation for pretrial detention or for a penalty that is implemented pursuant to a sentence that has been definitively overturned. In all cases, accused persons may be tried for offences entailing imprisonment only in the presence of a lawyer, either retained by the party concerned or appointed on their behalf.”

bring the person concerned before the investigating authorities – either the State Prosecution Office or an investigating judge – within 24 hours of the arrest so that they can conduct their own inquiries and make a decision on how to proceed. Those inquiries cannot begin save in the presence of a lawyer and, if accused persons do not have a lawyer, one is appointed on their behalf. The Constitution also allows any person whose liberty has been restricted, as well as other persons, to appeal against any measure before the courts. The courts are to issue their ruling within one week, otherwise the person concerned must be released immediately. In no case may a person charged with crimes punishable by imprisonment be placed on trial save in the presence of a lawyer, either retained by the party concerned or appointed on their behalf. Article 55 of the Constitution further stipulates that all persons in detention have the right to be treated humanely in designated locations that comply with humanitarian and health standards; it prohibits any form of torture, intimidation, coercion or physical or mental abuse and envisages the right to remain silent. The article also stipulates the right of persons with disabilities to appropriate support, equipment and assistive devices.³ The Constitution upholds the value of personal freedom and safety, as well as other public rights and freedoms and it considers any violation of these rights to be an offence that is not subject to any statute of limitations with respect to either criminal or civil proceedings (art. 99).⁴

In line with the Constitution, article 22 of the Code of Criminal Procedure stipulates that law enforcement officials are subordinate to the Prosecutor General and perform their functions under his supervision. The same provision allows the Prosecutor General to request the competent authorities to look into any instance in which law enforcement officials have committed violations and to initiate disciplinary or criminal proceedings against the official concerned.⁵ Article 34 of the Code stipulates that in instances of flagrante delicto involving offences or misdemeanours punishable by a term of imprisonment in excess of 3 months, law enforcement officials may order the arrest of a suspect who is on the scene and against whom there is sufficient evidence to support

³ According to article 55: “Persons who have been arrested or imprisoned, or whose liberty has been restricted, must be treated in a manner that preserves their dignity. They may not be subjected to physical or mental torture, intimidation or coercion, and they may not be imprisoned except in places that are designated for that purpose and that comply with humanitarian and health standards. The State is to take appropriate measures for persons with disabilities. Any deviation from these norms is an offence punishable by law. Accused persons have the right to remain silent and any statement they make that is shown to have been extracted with the aforementioned means, or the threat thereof, is to be disregarded and have no effect.”

⁴ According to the article: “Any assault against the personal freedom and private lives of citizens, as well as other rights and freedoms guaranteed under the Constitution and the law, is an offence that is not subject to any statute of limitations with respect to either criminal or civil proceedings. Injured parties may launch criminal proceedings directly, and the State guarantees that injured parties will be justly compensated. The National Council for Human Rights is mandated to report any violation to the State Prosecution Office and may intercede in civil proceedings at the request of the injured party. All these matters are regulated under the law.”

⁵ The provision in question states: “Law enforcement officials are subordinate to the Prosecutor General and perform their functions under his supervision. The Prosecutor General may request the competent authorities to look into any instance in which law enforcement officials have committed violations or neglected their duties and to initiate disciplinary proceedings against the official concerned. This process does not obviate the possibility of criminal proceedings.”

charges. In order to ensure that accused persons can be brought before the investigating authorities promptly, the instructions regulating the work of the State Prosecution Office stipulate that prosecutors must be present in their offices on a daily basis, including during evening hours, as well as during both morning and evening hours on weekends and public holidays.⁶ This is a testament to the safeguards provided under the country's legislative and judicial systems to curb and prevent arbitrary arrest and detention.

III. Concerning allegations of enforced disappearance

The Government of Egypt categorically rejects the characterization of legal detention as enforced disappearance and reaffirms its commitment, both in law and in practice, to the international standards that aim to strike a balance between public rights and freedoms, the preservation of public safety, the safeguarding of evidence necessary for investigations and the administration of justice. It should be noted that legislation regulating pretrial detention envisages maximum and insuperable limits on its duration. Under the law, moreover, pretrial detention orders can be issued only by persons holding certain official ranks to ensure that the issuing authority possesses the necessary expertise. The law also envisions procedures and safeguards for appealing against pretrial detention orders.

The Government can give assurances that no detainee is being held outside of officially designated detention facilities and that such facilities are subject to regular and unannounced judicial inspections, as per article 56 of the Constitution.⁷ Moreover, allegations regarding the disappearance of certain individuals are, in fact, instances of precautionary legal measures set in train by the need to gather evidence and enforced within a framework of rule of law and judicial oversight. The Government can state that any claim to the contrary lacks all factual and legal basis.

IV. Concerning the right to peaceful assembly and the relevant legal provisions

⁶ As part of these safeguards, article 139 of the Code stipulates that persons who have been arrested or placed in custody must be immediately informed of the reasons therefor and that they have the right to contact a person of their choice and to seek the assistance of a lawyer. Under article 42, prosecutors as well as presidents and vice-presidents of courts of first instance and courts of appeal, each within their own area of jurisdiction, have the right to visit prisons to ensure that no one is being detained unlawfully. They also have the right to inspect prison records and arrest and detention warrants and to meet with prisoners to hear their complaints. According to article 43, in fact, inmates have the right to submit a written or verbal complaint to the director of the correctional and rehabilitation centre and request that it be forwarded to the State Prosecution Office. The director is required to accept the complaint and, having verified it, forward it immediately. Anyone who is aware that a person is being held illegally or in a place not designated for detention may notify the State Prosecution Office. Upon receiving such notification, prosecutors must immediately go to the location where the person is being held and conduct the necessary inquiries.

⁷ The article reads: "A prison is a place designed to promote reform and rehabilitation. Prisons and detention facilities shall be subject to judicial oversight. Actions that undermine human dignity or endanger a person's health are prohibited. The law shall regulate the procedures for promoting the reform and rehabilitation of convicted persons and for facilitating a decent life once they are released."

The exercise of the right to peaceful assembly, which is guaranteed under the Constitution,⁸ is regulated in line with international standards, according to which the right is not absolute but may be subject to such restrictions as are lawful, necessary and proportionate to protect national security, public order and the rights of others, as set forth in article 21 of the International Covenant on Civil and Political Rights. On the legislative front, Act No. 107 of 2013 was enacted to regulate the right to hold peaceful public meetings, processions and demonstrations. The Act sets forth various ways in which the right to peaceful assembly may be exercised and contains definitions of what constitutes a public meeting, procession or demonstration. The Act also places certain restrictions on the freedom of peaceful assembly. These include a ban on politically motivated public assemblies in places of worship, a ban on organizing processions to or from such places and a ban on holding demonstrations there. A further ban concerns the carriage of weapons or instruments that could endanger life or property. In addition, the Act prohibits the wearing of masks with the intent to commit offences during public meetings, processions or demonstrations as well as any disruption of public security or public order during such events. The Act imposes an obligation to inform a police post or police station about a public gathering at least 3 days and no more than 15 days before it is due to be held. All of this serves to show how the legislative system in Egypt guarantees the right to peaceful assembly as a constitutional right. The Supreme Constitutional Court upheld this principle when it affirmed: “Freedom of expression loses value if the legislature denies those who seek to exercise it the right to organize meetings. To do so would be to prevent an exchange of views across a broader sphere, thereby hindering interaction and mutual correction and disrupting the flow of information necessary for decision-making. It would also impede the formation of certain underpinnings of the human character, which can be consolidated only through some form of assembly. Moreover, freedom of speech, the press and belief cannot be sufficiently guaranteed save through assemblies in which individual forces come together to defend joint interests. Thus, the preservation of freedom of assembly is essential for the enrichment of all aspects of life and for fostering socioeconomic and political development, thereby safeguarding and expanding life’s diverse manifestations thanks to the free expression of many different opinions.”⁹

V. Concerning freedom of expression and events in Gaza

Freedom of expression is enshrined in article 65 of the Constitution. Moreover, both the official position of the Egyptian Government and feeling among the public at large are clearly and consistently in favour of Palestinian rights and against the occupation. The Government therefore

⁸ Article 73 of the Constitution states: “Citizens have the right to organize public meetings, processions and demonstrations, as well as all forms of peaceful protest, provided they do not carry weapons of any kind and give notification in accordance with the law. The right to peaceful private gatherings is guaranteed, with no need for prior notification, and security personnel may not attend, monitor or eavesdrop on such gatherings.”

⁹ Supreme Constitutional Court, case No. 74 of judicial year 23, sitting on 15 January 2006.

wishes to make it clear that any legal proceedings were not motivated by expressions of opinion or solidarity with the Palestinian people. Rather, they concerned actions that are criminal offences under the law, such as incitement to violence and the dissemination of false information liable to disrupt public order. The authorities apply clear legal criteria to distinguish between legitimate peaceful expression and actions that pose a threat to social stability, in accordance with international standards that prohibit the exploitation of humanitarian crises to foment chaos. Support for the Palestinian cause has been a cornerstone of the foreign policy of Egypt for decades, and the country plays a pivotal role in protecting Palestinian rights and defending the Palestinian people. Egypt has been leading mediation efforts to secure a ceasefire, facilitated the delivery of humanitarian aid to the Gaza Strip, and taken in injured and displaced persons. It is also continuing its diplomatic efforts to protect civilians and to push for a just and comprehensive solution to the Palestinian question, in accordance with international resolutions. These efforts are a reflection of an unwavering commitment on the part of Egypt to humanitarian principles and international humanitarian law, and of its support for the Palestinian people's right to self-determination and the establishment of an independent State. This goes to show how the State has supported the Egyptian people in their solidarity with the Palestinian cause throughout history and how the allegations contained in the communication lack foundation and are contrary to all logic and reality.

VI. Concerning anti-terrorism legislation

By way of a preamble, it must first be pointed out that, over recent years, Egypt has gone through numerous internal developments in the midst of a highly unstable regional environment. Moreover, following the revolution of 30 June 2013, the country has faced serious threats from both national and regional terrorist organizations and has suffered tragic security incidents that have undermined national security and endangered citizens.¹⁰ The Egyptian State therefore adopted a comprehensive national strategy to combat terrorism and the financing of terrorism. Within the framework of that strategy, effective security operations were carried out, judicial proceedings were pursued, and other measures were put in place that were consistent with the gravity of the situation and the magnitude of the threats being faced. This is consistent with the call of the Security Council to Member States and the United Nations system to take measures, in accordance with international law, to address all drivers of violent extremism conducive to terrorism, both internal and external, in

¹⁰ Among the most notable of these terrorist incidents were the assassination of the Prosecutor General; the attempted assassination of the former Minister of the Interior, the former Assistant Prosecutor General and the former Grand Mufti; bomb attacks against a number of security directorates, including in the capital, and against bases of the National Security Agency, police stations and checkpoints, resulting in the deaths of personnel; a bomb attack against one of the country's largest churches; bombings and acts of sabotage against foreign embassies and consulates in Cairo; countless attacks against law enforcement units and checkpoints, resulting in the deaths of personnel; and sabotage of State infrastructure, including energy, electricity, water and gas networks.

a balanced manner as set out in the United Nations Global Counter-Terrorism Strategy.¹¹ Despite the challenges facing the country, Egypt continues to conduct criminal proceedings only against actions that are criminalized under the law, on the basis of warrants issued by the competent judicial authorities and in accordance with established constitutional and legal safeguards. It is important to point out in this regard that the Government of Egypt remains committed to ensuring that no measures are applied – vis-à-vis arrest, search, pretrial detention and criminal trial – that are exceptional or that deviate from those set forth in the Code of Criminal Procedure and the Counter-Terrorism Act.¹²

Counter-terrorism legislation, including Act No. 94 of 2015, is consistent with international definitions and standards and is applicable only to actions intended to intimidate citizens or harm institutions. In a ruling issued on 3 January 2026 to resolve a controversy regarding the Counter-Terrorism Act No. 94 of 2015, the Supreme Constitutional Court reaffirmed the constitutionality of that piece of legislation. In its ruling, in fact, the Court established that legislators possess the authority to regulate rights and freedoms, while upholding the delicate balance between the need to protect national security and the imperative to safeguard constitutional rights, and on condition that they do not compromise the essence of such rights or render them devoid of meaning. The Court established that the provisions against which the appeal had been lodged were well-defined and specific, that they were consistent with the principle of the legality of offences and penalties and that they contained no ambiguity that might undermine legal certainty or open the way to arbitrary interpretations. The Court made it clear that the only actions to be criminalized under Egyptian law are those involving violence, threat of violence, intimidation, disruption of public utilities or harm to persons and property. In no way does criminalization extend to lawful and peaceful expression, assembly or solidarity with humanitarian or human rights causes. In addition to this, the Court established that the mental element of terrorist crimes requires the existence of knowledge and intent, and this means that no person can be held accountable for actions not intended to achieve terrorist objectives. The Court went on to affirm that the system of judicial safeguards during investigation and trial – including independent judicial oversight over arrest and detention warrants and other measures restrictive of liberty – provides sufficient legal scope to protect personal liberty and prevent abuse of power. Lastly, the Court reaffirmed the State’s obligation to bring national

¹¹ Statement by the President of the Security Council, 11 March 2020: “The Security Council urges Member States and the United Nations system to take measures, in accordance with international law, to address all drivers of violent extremism conducive to terrorism, both internal and external, in a balanced manner as set out in the United Nations Global Counter-Terrorism Strategy.” https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_prst_2020_5.pdf.

¹² Article 93 of the 2014 Constitution stipulates: “The State shall be bound by the international human rights agreements, covenants and treaties ratified by Egypt, which shall have the force of law after their publication in accordance with the prescribed conditions.”

legislation into line with international human rights treaties, as per articles 93 and 151 of the Constitution, thereby reinforcing respect for international obligations within a framework of the rule of law and the preservation of national sovereignty.¹³

VII. Concerning fair trial and conditions of detention

The right to a legal defence, either in person or by proxy, is enshrined in article 98 of the Constitution. Lawyers are authorized to review investigation records in accordance with the law, and places of detention are subject to periodic and unannounced judicial oversight. Modern correctional and rehabilitation facilities are a model for the application of human rights standards in the provision of healthcare, social welfare and rehabilitation to inmates. According to article 55 of the Constitution, any statement shown to have been made as a result of torture or intimidation is to be disregarded and have no effect. The Government wishes to make it clear that, despite the nature of the Counter-Terrorism Act and the special measures it envisages to combat terrorism, legislators are careful to abide by the Constitution and, recognizing that the gravity of a crime does not negate the guarantees of justice, seek to preserve essential defence rights and safeguards for lawyers.

VIII. Concerning allegations of a systematic pattern of restricting civic space

The Government rejects the claim that there is a systemic approach to rights restrictions. The truth is that security challenges have necessitated a balanced legislative response in order to protect the fundamental right to life and security. In this connection, it is important to mention the launch of the national human rights strategy and the formulation of legislation to regulate civil society. These stand as evidence of the State's commitment to expanding civic space and consolidating rights and freedoms. At the same time, the independent judiciary remains the sole arbiter with authority to assess the legality of such measures.

IX. Concerning questions raised regarding the independence and effectiveness of the Supreme State Security Prosecution Office in cases such as those referred to in the communication

The Supreme State Security Prosecution Office was established to promote the principle of operational specialization, which has a positive impact by leveraging expertise and improving the quality of outcomes. The Minister of Justice has issued a number of decrees to establish specialized prosecution offices under the Office of the Prosecutor General, which serve to investigate specific categories of crimes, with the jurisdiction of some of these offices being defined by type and others by geography. One of these offices, in fact, is the Supreme State Security Prosecution Office,¹⁴ which has the task of handling and investigating, inter alia, certain serious crimes that affect State

¹³ Supreme Constitutional Court, case No. 74 of judicial year 23, sitting on 15 January 2006.

¹⁴ Decree of the Minister of Justice establishing the Supreme State Security Prosecution Office in 1953.

security, internally and externally. This is consistent with article 12 (1) of the Judiciary Act, which admits the possibility of specialization within the judiciary. Indeed, a number of comparable judicial systems have recently followed the same path, after having reviewed the Egyptian State Prosecution Office and its specialized prosecution offices. It is important to point out in this regard that the Supreme State Security Prosecution Office and the other specialized offices are not distinct entities entirely separate from the structure of the State Prosecution Office, nor are they subject to any provisions, rules or regulations that differ from those governing the latter. Although it has a special mandate, the Supreme State Security Prosecution Office remains part of the Office of the Prosecutor General and of the judiciary and is characterized by impartiality and independence.

Conclusion

In providing these clarifications, the Government of the Arab Republic of Egypt wishes to reaffirm that it rejects any allegation of arbitrary detention, enforced disappearance or systematic restrictions on freedoms. The Egyptian justice system operates in accordance with the Constitution and the law and under independent judicial oversight. The Government can also reaffirm that it remains committed to constructive cooperation with United Nations human rights mechanisms. At the same time, it wishes to state that safeguarding national security and protecting rights and freedoms are complementary objectives, and that its efforts in this regard are consistent with its international obligations and its constitutional responsibility towards its people and the international community.

Egypt wishes to express its appreciation to the special procedures of the Human Rights Council and to reiterate its unwavering commitment to its Constitution and to the international human rights treaties to which it is a party, foremost among them the International Covenant on Civil and Political Rights. The Government remains wedded to constructive cooperation with international mechanisms and to providing all available information, in accordance with the dictates of national sovereignty and judicial independence.