

Mandates of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; the Special Rapporteur in the field of cultural rights; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the right to education; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the independence of judges and lawyers; the Special Rapporteur on the human rights of internally displaced persons and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

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(Please use this reference in your reply)

13 July 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; Special Rapporteur in the field of cultural rights; Working Group on Enforced or Involuntary Disappearances; Special Rapporteur on the right to education; Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the independence of judges and lawyers; Special Rapporteur on the human rights of internally displaced persons and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, pursuant to Human Rights Council resolutions 58/14, 55/5, 54/14, 53/7, 53/4, 52/9, 59/4, 60/10, 61/16, 61/22, 53/12, 59/12 and 61/10.

In this connection, we wish to follow up on our engagement with your Excellency's Government since 2012 concerning the human rights implications of Egypt's counter-terrorism laws, policies and practices. Over the past 14 years, we have sent 60 communications to your Excellency's Government which raise recurring concerns about certain inconsistencies with international human rights law arising from Egypt's counter-terrorism measures.

This follow-up communication consolidates the principal concerns raised in our correspondence and the Government's replies from 2010 to 2026, with a particular focus on the period since 2020.¹ It provides a cumulative account of

¹ The communications listed in this letter and any responses from the Government can be found on the Special Procedures database at <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>. The opinions of the Working Group on Arbitrary Detention referred to in this letter can be found at <https://www.ohchr.org/en/special-procedures/wg-arbitrary-detention/opinions-adopted-working-group-arbitrary-detention>.

recurring patterns observed across individual cases and thematic issues, and assesses the extent to which previous concerns remain outstanding. In doing so, it situates our concerns alongside relevant observations of United Nations human rights mechanisms, including treaty bodies, Working Groups and recommendations accepted or noted during Egypt's Universal Periodic Review (UPR) cycles.

We acknowledge that your Excellency's Government has responded to around one third of our communications and has affirmed that counter-terrorism measures are undertaken in accordance with domestic and international law. However, in several instances, replies have not fully addressed the structural or systemic concerns raised, or clarified the legal and evidentiary basis for certain practices. The recurrence of similar allegations across multiple years, alongside consistent observations from treaty bodies, suggests that significant issues remain unresolved in practice.

We acknowledge Egypt's cooperation with the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism during his official country visit in 2009 (A/HRC/13/37/Add.2). We encourage your Excellency's Government to invite the Special Rapporteur to conduct a follow-up visit to more comprehensively address the issues raised in communications in the 17 years since then. A country visit would provide an opportunity for constructive dialogue, independent assessment and technical cooperation aimed at strengthening compliance with international standards. We reiterate our readiness to undertake such a visit at a mutually agreeable time.

In line with our previous communications, this letter identifies 14 key areas of concern and accompanying recommendations to ensure that Egypt's counter-terrorism measures are consistent with international human rights law. The benchmarks address: (1) overbroad terrorism definitions and offences; (2) arbitrary detention and protracted pre-trial detention; (3) enforced disappearances; (4) torture and ill-treatment, and inhumane detention conditions; (5) case recycling / rotation; (6) use of exceptional courts, and unfair trial; (7) improper use of the death penalty; (8) terrorist designations; (9) reprisals against civil society; (10) violations of children's rights; (11) the need to address political inclusion, civic space and the conditions conducive to terrorism; (12) violations specific to security and military operations in North Sinai, including extrajudicial killings, property destruction and mass forced displacement; and (13) denial of effective remedies, accountability and reparation.

1. Overbroad terrorism definition and offences

We have persistently raised serious concerns about the vague and overbroad scope of Egypt's terrorism definition and terrorism offences, including in **EGY 11/2015, EGY 13/2019, EGY 6/2020, EGY 7/2023, EGY 3/2024, and EGY 7/2025**, as well as in the country visit report (A/HRC/13/37/Add.2, paras. 10-11 and 14-16). In particular, Law No. 94 of 2015 on Combating Terrorism, including article 2 defining a "terrorist act", extends to acts that may "disturb public order," "harm national unity," "impede the work of public authorities," or "damage the national economy," including in circumstances where no violence against persons is involved. We have further observed that such vague and overbroad definition is aggravated by vague and overbroad offences of "joining," "supporting," or "promoting" a terrorist group, again without any essential nexus to violence against persons.

We have consistently recalled that the principle of legality under article 15(1) of the ICCPR requires that criminal laws are sufficiently precise so that it is clear what types of behaviour constitute a criminal offence and what would be the legal consequences. Vague and overbroad definitions and offences are open to arbitrary application and abuse, including to target civil society on political or other unjustified grounds (A/70/371, para. 46(b)) and suppress the exercise of fundamental rights and freedoms (A/HRC/40/52), contrary to articles 2 and 26 (non-discrimination and equality), 19 (freedom of expression), 21 (peaceful assembly), and 22 (freedom of association) of the ICCPR. In various communications, we have raised concerns regarding Egypt's investigation, prosecution or designation of individuals under counter-terrorism provisions for non-violent conduct including peaceful political participation, journalism, legal representation, artistic expression, online speech, and human rights advocacy.

Concerns regarding the breadth of terrorism definitions have also been reflected during Egypt's UPR. During its third and fourth cycle reviews, States recommended that Egypt review and amend its counter-terrorism legislation to ensure compliance with international human rights standards and to prevent misuse against peaceful expression, assembly and association (A/HRC/43/16; A/HRC/43/16/Add.1; A/HRC/62/11).

We have emphasized that the definition of terrorism and terrorism offences should be strictly limited to conduct that genuinely constitutes terrorism according to best practice international standards, as reflected in the General Assembly's 1994 Declaration on Measures to Eliminate International Terrorism, the Terrorist Financing Convention 1999, Security Council resolution 1566 (2004), and the 2026 model definition of terrorism of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism (A/HRC/61/52).

The model definition limits terrorism to serious criminal acts that intentionally cause death, serious bodily injury, or hostage-taking, where the person intends to either (i) provoke a state of terror in the public or a group of persons, or (ii) unduly compel a government or an international organization to do or to refrain from doing something, and where the conduct is further intended to advance a political or ideological purpose. The model definition also excludes: (i) acts of protest that do not intentionally cause death or serious injury; (ii) conduct in armed conflict that does not violate international humanitarian law; (iii) humanitarian activities by impartial humanitarian organizations; (iv) State military forces exercising official duties in compliance with international law; and (v) acts to establish or restore democracy, constitutional government, the rule of law, or ensure human rights.

Recommendation 1: Egypt should review Law No. 94 of 2015 on Combating Terrorism and related counter-terrorism provisions, including the definition in article 2 and offences concerning “joining,” “supporting,” or “promoting” terrorist entities, to ensure that terrorism offences are clearly and precisely defined in accordance with the principle of legality, are strictly limited to conduct that is genuinely terrorist according to best practice international standards on definition outlined above, and do not infringe human rights, including freedoms of expression and the media, peaceful assembly and association.

2. Arbitrary arrest and prolonged pre-trial detention

A recurring feature of terrorism-related cases has been the extensive use of arrest and prolonged pre-trial detention in circumstances where the underlying conduct appears non-violent and is not genuinely terrorist according to international standards. Detention often involves overbroad terrorism accusations following peaceful civic, professional or expressive activity, conduct that is protected under the ICCPR. The repeated renewal of detention orders over extended periods has further raised serious concerns that detention is not necessary or proportionate and is thus arbitrary. Across these cases, we have repeatedly noted that prolonged pre-trial detention in terrorism cases is often accompanied by restricted access to lawyers, limited disclosure of evidence, and reliance on vague or generic accusations, further undermining the ability of detainees to effectively challenge the lawfulness of their detention.

In **EGY 1/2020** and **EGY 2/2020**, we raised concerns regarding the arrest and continued pre-trial detention of individuals on terrorism-related charges arising from peaceful political activity and public expression, including participation in non-violent political organising and the expression of views critical of public authorities. We questioned whether deprivation of liberty in those cases was lawful and necessary, given the absence of any indication of violent terrorist conduct.

In **EGY 6/2020**, **EGY 7/2020**, and **EGY 11/2020**, we addressed cases in which individuals remained in pre-trial detention for prolonged periods through repeated renewal orders based on terrorism-related accusations, despite the apparent lack of investigative progress. We expressed concern that such practices risk transforming pre-trial detention into a de facto punitive measure, contrary to the presumption of innocence. The detention of a cartoonist, addressed in **EGY 11/2020**, further illustrated this pattern. In that case, terrorism-related charges were reportedly brought following the publication of satirical drawings critical of public authorities, despite the fact that the conduct constituted protected expression under international human rights law and did not involve incitement to violence or participation in terrorist acts. Nevertheless, prolonged pre-trial detention was imposed in connection with terrorism-related accusations.

Similar concerns have arisen in recent communications. In **EGY 5/2023** and **EGY 7/2023**, **EGY 3/2024**, **EGY 4/2024**, and **EGY 7/2025**, we addressed cases in which individuals were held in prolonged pre-trial detention in terrorism cases linked to peaceful online expression, peaceful protests, participation in non-violent civil society activity including advocacy, professional activities, or association with political groups, all without any apparent links to acts or threats of terrorist violence.

Our concerns are reinforced by the findings of the Working Group on Arbitrary Detention, which in multiple Opinions concerning Egypt has found deprivation of liberty in terrorism-related cases to be arbitrary under its established categories. In particular, the Working Group has found detention arbitrary under Category II, where individuals were deprived of liberty for exercising rights protected under the ICCPR, including freedom of expression and association; and under Category III, where serious violations of fair trial guarantees — including prolonged pre-trial detention, limited access to counsel, and reliance on vague accusations — rendered detention arbitrary. In

multiple cases, detention has also been found arbitrary under Category I, where no legal basis justified continued deprivation of liberty; and under Category V, where the detention was found to be arbitrary on the grounds of discrimination. Since 2021, the Working Group has found detentions arbitrary in at least 22 opinions involving the detention of individuals charged with terrorism-related offences, and has raised concern as to the “widespread or systematic practice of arbitrary detention in Egypt.”

The Committee against Torture similarly expressed concern at the routine and prolonged use of pre-trial detention in national security cases and the lack of effective judicial safeguards (CAT/C/EGY/CO/5 (2017)). During Egypt’s fourth UPR, adopted in 2025, States recommended that Egypt ensure pre-trial detention is used only as a measure of last resort, strictly respect statutory limits on detention, strengthen judicial oversight in security-related cases, and prevent arbitrary or prolonged deprivation of liberty (A/HRC/56/16 (2024)).

The 2009 country visit report also raised concerns about administrative security detention (A/HRC/13/37/Add.2, paras. 19-23). Any administrative detention regime must comply with international standards concerning the grounds, procedures, safeguards and remedies (see A/80/284, paras. 40-61). It must only be used in “the most exceptional circumstances” where a person poses a “present, direct and imperative threat” and alternative effective measures, including criminal proceedings, are unavailable (general comment No. 35 (2014), para. 15). Detention must be clearly prescribed by law, and not last longer than absolutely necessary, and the overall length of detention must be limited. There must be prompt and regular review by a court, access to legal advice, free choice of one’s legal representative and disclosure to the detainee of at least the essence of the evidence.

Recommendation 2: Egypt must ensure that arrest and detention in counter-terrorism cases fully comply with international human rights law. Pre-trial detention must be exceptional, strictly necessary and proportionate, and must not be prolonged beyond what is strictly required. It must not be used as a punitive or preventive measure in the absence of conviction. Individuals must have prompt and confidential access to legal counsel, the prompt and effective opportunity to challenge the lawfulness of their detention, and access to effective judicial review. Any use of administrative security detention must be consistent with international standards, including as regards the grounds, procedures, judicial safeguards and remedies.

3. Enforced disappearance

Across successive communications we have observed a recurring pattern whereby individuals arrested in the context of counter-terrorism investigations were deprived of liberty by State agents and subsequently held in unacknowledged and incommunicado detention in undisclosed locations, without prompt registration, acknowledgment of their detention, access to lawyers, notification of family members, or access to a judge. Examples include **EGY 13/2019**, **EGY 11/2020**, **EGY 14/2021** and **EGY 15/2021**. The 2009 country visit report also raised concerns about incommunicado detention (A/HRC/13/37/Add.2, paras. 28-29). These allegations commonly concerned the period immediately following arrest and before being subsequently presented before the Egyptian Supreme State Security Prosecution. The

concealment of detention and denial of contact with counsel during this initial phase of custody places individuals outside the protection of the law and suspends the procedural safeguards designed to prevent arbitrary detention, torture and other-ill treatment, and other serious human rights violations. In **EGY 1/2026**, we raised concerns about apparent enforced disappearances during military operations against terrorist and armed groups in North Sinai, including involving deaths in custody and mass graves.

The Working Group on Enforced or Involuntary Disappearances has also, in successive annual reports, transmitted numerous cases concerning Egypt, including cases arising in the context of security operations and terrorism-related investigations (see, inter alia, A/HRC/48/57 (2021); A/HRC/51/31 (2022); A/HRC/54/22 (2023); A/HRC/57/35 (2024)). It has underscored that even short-term unacknowledged detention, where individuals are held without official registration or disclosure of their whereabouts, may amount to enforced disappearance under international standards. It has further recalled that States have a continuing obligation to clarify the fate and whereabouts of disappeared persons and to ensure that all deprivation of liberty is promptly registered and subject to judicial oversight. The persistence of transmitted and outstanding cases concerning Egypt over multiple reporting cycles reinforces concerns regarding the effectiveness of preventive safeguards and accountability mechanisms in cases of alleged disappearance.

Recommendation 3: Egypt should ensure that no person is subjected to enforced disappearance or secret detention in the context of counter-terrorism operations. All arrests must be officially recorded from the outset; detainees must be brought promptly before a judicial authority; families must be informed immediately of the place of detention; and access to legal counsel must be guaranteed from the moment of deprivation of liberty. Allegations of enforced disappearance must be investigated promptly, independently, impartially, thoroughly and effectively, and those responsible must be held accountable. Egypt should also become a party to the International Convention for the Protection of All Persons from Enforced Disappearance 2006.

4. *Torture, ill-treatment and inadequate detention conditions*

Communications have repeatedly expressed concern regarding allegations of torture and other forms of ill-treatment during detention in terrorism-related cases, particularly during interrogation under the authority of security agencies and prior to or during proceedings before the Supreme State Security Prosecution. Evidence obtained by torture has continued to be admitted in judicial proceedings, and there has been a lack of independent investigation and accountability and effective remedies for alleged violations, despite the concerns systematically raised by international and United Nations bodies, including the Committee against Torture (CAT/C/EGY/CO/5, paras. 29 and 39) and Special Procedures mandate holders. The 2009 country visit report also raised concerns about allegations of torture (A/HRC/13/37/Add.2, para. 30).

In **EGY 6/2020** and **EGY 11/2020**, we reported severe beatings, electric shocks, suspension in stress positions of detainees, and threats against their family members during interrogation. In those cases, it was alleged that statements signed without the presence of counsel and obtained during periods of incommunicado detention were subsequently relied upon in terrorism prosecutions (see also Benchmark 6 below). We

recalled that any statement obtained through torture or coercion must be excluded from proceedings and that reliance on such statements fundamentally undermines both the absolute prohibition of torture and fair trial guarantees. In some instances, individuals appeared before prosecutors and judges bearing visible signs of ill-treatment ([EGY 3/2023](#)) or testifying that they had been the subject of torture ([EGY 2/2024](#); [EGY 2/2023](#); [EGY 3/2023](#)), yet there was no effective investigation or accountability for alleged violations.

In **EGY 7/2023**, **EGY 3/2024**, and **EGY 4/2024**, we transmitted further allegations of ill-treatment during interrogation and denial of effective access to legal counsel at critical stages of investigation. In certain cases, individuals reported being pressured to confess to joining or financing terrorist organisations despite asserting that their activities consisted of peaceful professional or civic engagement, including legal representation of clients in politically sensitive cases, publication of opinion pieces or online commentary, participation in civil society initiatives, artistic or satirical expression, or involvement in community-based advocacy. The conduct described in these cases did not involve incitement to violence or participation in terrorist acts as properly defined according to international standards, yet terrorism-related accusations were reportedly pursued in connection with such activities.

We have also repeatedly addressed concerns regarding poor detention conditions and the denial of adequate and timely medical care to persons held in terrorism-related proceedings. In **EGY 6/2022** and **EGY 9/2022**, we reported allegations that detainees suffered from serious and chronic medical conditions, including conditions requiring specialist assessment and ongoing treatment, were allegedly denied access to necessary examinations, medication, or transfer to appropriate medical facilities despite documented deterioration during prolonged pre-trial detention. In several instances, family members and legal representatives reportedly submitted repeated requests for medical intervention that were either delayed or refused. Similar concerns were reiterated in **EGY 7/2023**, **EGY 3/2024**, and **EGY 4/2024**, including allegations that requests for independent medical examinations were denied and that detainees with significant health needs remained in facilities ill-equipped to provide appropriate care. These cases raise serious concerns regarding the State's heightened duty of care toward individuals deprived of liberty, the requirement to treat all persons deprived of their liberty with humanity and with respect for their inherent dignity, and the obligation to ensure that detention conditions comply with international standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules).

In several Opinions concerning Egypt, including opinion No. 7/2021, opinion No. 24/2022 and opinion No. 30/2023, the Working Group on Arbitrary Detention has recorded allegations of torture or coerced confessions during incommunicado detention and found detention arbitrary where serious fair trial violations were compounded by such allegations. The Working Group emphasised that incommunicado detention creates conditions that heighten the risk of torture and undermine judicial protection.

The Committee against Torture, in its Concluding Observations on Egypt, has also expressed concern regarding consistent allegations of torture and ill-treatment in places of detention, including in national security contexts; the use of prolonged incommunicado detention; the failure to ensure prompt, impartial and effective

investigations into torture allegations; and inadequate access to medical care for detainees (CAT/C/EGY/CO/5 (2017), paras. 12–16). The Committee has further recalled the State’s obligation to ensure that all allegations of torture are investigated ex officio, that perpetrators are prosecuted and punished, and that statements obtained under torture are not invoked as evidence in any proceedings.

Recommendation 4: Egypt should ensure that no person is subjected to torture or other cruel, inhuman or degrading treatment or punishment in the context of counter-terrorism investigations or detention. All allegations of torture or ill-treatment must be investigated promptly, thoroughly and independently, consistent with articles 2(3) and 7 of the ICCPR, the Convention against Torture, and the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol). Any statement obtained through torture or coercion must be excluded from proceedings. The right to effective remedy must be guaranteed and victims must receive reparation, including compensation. Conditions of detention must comply with international standards, and detainees must receive adequate and timely medical care.

5. Case recycling / case “rotation” and circumvention of release orders

Across multiple communications between 2020 and 2025, we have repeatedly raised concerns regarding the practice commonly referred to as “case rotation” or “case recycling”, whereby individuals held in prolonged pre-trial detention in terrorism-related proceedings were subsequently subjected to new investigations and charged under separate case files shortly before, or immediately following, their anticipated release, often on similar or identical charges. This pattern was first addressed in **EGY 6/2020** and **EGY 7/2020**, and reiterated in **EGY 11/2020**, where individuals who had been detained for extended periods were reportedly re-registered in new terrorism-related proceedings without materially distinct factual bases.

Similar concerns were raised in **EGY 5/2023** and **EGY 7/2023**, where individuals detained in connection with peaceful expression or civil society activity were reportedly transferred into new case files following court decisions ordering release or upon reaching statutory detention limits. In **EGY 3/2024**, **EGY 4/2024**, and most recently **EGY 7/2025**, we again raised concerns regarding successive terrorism-related case registrations resulting in continued and prolonged deprivation of liberty notwithstanding prior judicial decisions or the expiry of maximum pre-trial detention limits, including in circumstances where the underlying conduct concerned non-violent professional or civic activity rather than acts of violence.

Across these communications, we have expressed concern that the initiation of successive proceedings without materially distinct factual grounds was used to effectively circumvent statutory limits on pre-trial detention, undermined judicial decisions to release individuals, and perpetuated deprivation of liberty. Such practices appear to have involved arbitrary detention contrary to article 9 of the ICCPR and in some cases contravened the prohibition on double jeopardy (*non bis in idem*) under article 14(7) of the ICCPR (**EGY 8/2024**, **EGY 5/2025** and **EGY 9/2025**).

Beyond the question of detention limits, this practice also engages broader rule-of-law concerns. Pre-trial detention must remain exceptional, strictly necessary, and limited in duration, and judicial decisions ordering release must be fully respected and implemented. Where new proceedings are initiated without genuinely distinct factual or legal grounds, the authority of the judiciary to effectively control detention and criminal process may be undermined and prosecutorial discretion may be exercised in a manner inconsistent with fundamental guarantees of fairness and due process.

The Working Group on Arbitrary Detention has, in multiple opinions concerning Egypt, expressed concern regarding prolonged and repeated pre-trial detention in national security cases and has found detention arbitrary where legal safeguards were circumvented or where detention resulted from the exercise of protected rights (see, e.g., WGAD Opinions concerning Egypt adopted between 2013 and 2024). The Working Group has also found that continued detention despite judicial release orders lacked a legal basis and was therefore arbitrary (opinion Nos. 53/2022, 60/2022, and 20/2023). The recurrence of rotation practices in terrorism-related cases reinforces these concerns.

During Egypt's UPR, States have recommended that Egypt ensure that judicial decisions are fully implemented, respect statutory limits on detention, and prevent arbitrary or prolonged deprivation of liberty in security-related cases (A/HRC/43/16; A/HRC/62/11). The persistence of case recycling practices suggests that these recommendations have not yet been fully implemented in practice.

Recommendation 5: Egypt must ensure that judicial decisions ordering release are promptly and fully implemented, and that no person is subjected to renewed deprivation of liberty through the opening of successive terrorism-related case files based on substantially similar allegations and violation of the prohibition on double jeopardy. Pre-trial detention must not be extended through “rotation” practices that circumvent statutory limits or undermine judicial oversight. Any new investigation or detention must be based on genuinely distinct factual grounds and subject to effective independent judicial scrutiny and full respect for due process.

6. *Emergency laws, exceptional courts and fair trial*

Since 2009, we have repeatedly raised concerns regarding the near-continuous use of state of emergency laws to combat terrorism and armed groups (country visit report A/HRC/13/37/Add.2, paras. 4-8 and 17-18), as well as exceptional judicial mechanisms and systemic fair trial deficiencies in terrorism-related prosecutions in Egypt. These concerns include the use of Emergency State Security Courts and specialised terrorism circuits and inadequate judicial independence and impartiality, restrictions on the right to appeal, limitations on access to case files, reliance on coerced confessions, and the conduct of mass trials in terrorism cases (see also A/HRC/13/37/Add.2, paras. 32-38). These deficiencies have also undermined public confidence in the administration of justice and have failed to effectively counter genuinely terrorist acts.

In **EGY 9/2014**, **EGY 11/2015** and **EGY 12/2015**, we expressed concern regarding the trial of civilians before courts operating under exceptional legal

frameworks in terrorism-related cases, particularly where verdicts were subject to executive ratification and where full rights of appeal were restricted. In later communications, including **EGY 13/2019**, **EGY 11/2020** and **EGY 7/2021**, we raised concerns regarding the conduct of terrorism trials involving large numbers of defendants, where there was limited individualised assessment of personal responsibility and heavy reliance on security investigations, including in death penalty cases. We recalled that fair trial guarantees under article 14 of the ICCPR require independent and impartial tribunals, equality of arms, adequate time and facilities to prepare a defence, and meaningful appellate review.

We have also repeatedly raised concerns regarding restrictions on defence lawyers' access to case materials in terrorism-related prosecutions. In communications **EGY 3/2023**, **EGY 5/2023**, and **EGY 7/2025**, we expressed concern that lawyers representing defendants in terrorism cases faced obstacles in accessing complete case files, communicating confidentially with clients, and effectively challenging evidence relied upon by the prosecution. In particular, defence counsel were allegedly denied timely access to investigation documents held by the Supreme State Security Prosecution, prevented from obtaining copies of case materials, or restricted in confidential consultation with detained clients during critical stages of proceedings. Where combined with prolonged pre-trial detention and broadly framed accusations, such restrictions have raised serious concerns regarding equality of arms and the right to an effective defence. The referral of more than 90 lawyers, including human rights lawyers and defenders, reportedly as a result of their legitimate human rights work and provision of legal services raised in **EGY 7/2025**, underscores serious concerns about restrictions on access to legal assistance and the risk of unlawful reprisals.

In a number of cases, we raised concerns regarding the alleged reliance on confessions obtained under coercion or during periods of incommunicado detention in terrorism-related prosecutions. As noted in **EGY 11/2020**, and reiterated in **EGY 14/2021**, **EGY 15/2021**, and **EGY 7/2023**, statements extracted during interrogations conducted without access to legal counsel and under conditions involving physical or psychological pressure, were frequently relied upon in detention renewal proceedings or criminal prosecutions. The admission of statements allegedly obtained under torture or coercion undermines the absolute prohibition of torture, the integrity and reliability of judicial proceedings, and may ultimately thwart justice for victims of terrorism.

We have also expressed concern regarding the imposition of severe penalties, including long-term imprisonment and, in certain cases, death sentences, following terrorism trials affected by systemic fair trial and due process deficiencies. In communications **EGY 11/2015**, **EGY 10/2019**, and **EGY 13/2019**, we raised concerns regarding proceedings in which large numbers of defendants were tried together, where allegations of coerced confessions were not adequately investigated, there were restrictions on defence access to case materials, and judicial reasoning was insufficiently individualised. Recent communications raise similar concerns that the death penalty continues to be imposed following unfair trials (**EGY 7/2021**; **EGY 3/2023**).

These concerns are consistent with observations on Egypt made by the Human Rights Committee, which has emphasised that trial of civilians before exceptional

courts and limitations on appellate review may be incompatible with article 14 of the ICCPR (CCPR/C/EGY/CO/5 (2023), paras. 38–39). The Committee against Torture has similarly expressed concern regarding the use of coerced confessions and the lack of effective investigations into torture allegations (CAT/C/EGY/CO/5 (2017)). During Egypt’s UPR, States have recommended that Egypt strengthen judicial independence, ensure full fair trial guarantees in security-related cases, and prevent the trial of civilians before exceptional courts lacking full due process safeguards (A/HRC/43/16; A/HRC/62/11).

Recommendation 6: All terrorism-related prosecutions must fully comply with international fair trial standards. Civilians should not be tried before exceptional or special courts that do not guarantee independence, impartiality and fair trial. Defendants must have adequate time and facilities to prepare a defence, full and confidential access to legal counsel, access to complete case files, the opportunity to challenge all evidence relied upon by the prosecution, and full rights of appeal. Any statement obtained under torture or ill-treatment must be excluded from proceedings. Criminal responsibility must be judged on an individual basis, and speedy mass trials are likely to jeopardize the presumption of innocence. Where severe penalties, including long-term imprisonment or capital punishment, are at stake, strict adherence to the highest standards of due process is required.

7. Death penalty

The imposition of capital punishment in many terrorism cases before special courts or other cases before terrorism circuit courts has raised particularly grave concerns (EGY 9/2014, EGY 14/2014, EGY 11/2015; EGY 12/2015; EGY 8/2017; EGY 2/2018; EGY 3/2018; EGY 11/2018; EGY 11/2019; EGY 2/2020; EGY 4/2020; EGY 10/2020; EGY 13/2020; EGY 15/2020; EGY 1/2021; EGY 7/2021; EGY 15/2021; EGY 11/2022; EGY 3/2023), including as regards unfair trials (see above), mass proceedings and lack of proof of individual criminal responsibility, and confessions obtained by torture. We have consistently recalled that under article 6 of the ICCPR, in order to respect the right to life, the death penalty may be imposed only following a final judgment rendered by a competent, independent and impartial tribunal in full compliance with fair trial guarantees. The Human Rights Committee has clarified that the imposition of the death penalty following proceedings that do not fully comply with article 14 violates article 6 (CCPR/C/GC/36 (2018), para. 41). Accordingly, heightened procedural safeguards are required in cases where the death penalty or severe custodial sentences are at stake.

We have also expressed concern that the death penalty has been imposed for overbroad terrorism offences that are not “most serious” crimes under article 6 of the ICCPR (EGY 9/2021 and EGY 3/2023), including conduct that appears non-lethal or linked to protest, association or political activity (EGY 1/2021; EGY 15/2021; EGY 11/2022; and EGY 3/2023). We have emphasized that under international law the death penalty is limited to offences involving intentional killing (Human Rights Committee, general comment No. 36, para. 35). We have further reiterated that since the death penalty cannot be reconciled with full respect for the right to life, abolition of the death penalty is both desirable and necessary, in line with the pro-abolitionist spirit of the ICCPR (paras. 50 and 51).

Recommendation 7: All proceedings involving the death penalty must stringently comply with all elements of the right to a fair trial and be determined before independent and impartial civilian courts. Mass trials before special courts should be avoided. The death penalty must be limited to the “most serious” terrorist crimes involving intentional killing, and the terrorist purpose elements of offences must be defined precisely and narrowly in accordance with international standards. Egypt should urgently consider implementing a moratorium on the death penalty with a view towards its abolition, in line with international practice.

8. *Terrorist designations, asset freezes and travel bans*

We have repeatedly raised concerns regarding the use of terrorist designations and inclusion on terrorist watchlists in Egypt, including recently, in communications **EGY 11/2015, EGY 13/2019, EGY 8/2021, EGY 2/2023, EGY 5/2023, EGY 7/2023, EGY 7/2025, and EGY 10/2025**. Designations carry significant legal consequences – including asset freezes, travel bans, professional restrictions, and reputational harm – and may operate in parallel with, or independently of, criminal proceedings.

In communications including **EGY 13/2019, EGY 11/2020, EGY 5/2023, EGY 7/2023, and EGY 7/2025**, we addressed cases in which individuals were designated or listed as terrorists on the basis of broadly framed accusations, often in connection with peaceful political activity, civil society engagement, or association with opposition groups. In several instances, listing decisions appeared to rely primarily on security investigations rather than fair adversarial proceedings in which the individuals concerned were able to effectively challenge the designation.

We further expressed concerns regarding the adequacy of procedural safeguards in terrorist listing procedures in, inter alia, **EGY 13/2019, EGY 11/2020, EGY 6/2022, and EGY 7/2025**, including concerns related to delayed or insufficient notification, lack of access to evidence, limited and meaningful opportunity to contest designation before an independent tribunal, and the availability of effective judicial review. We noted that consequences of designation – including asset freezing, restrictions on movement, and professional and social stigma – can impose severe restrictions on rights, even in the absence of criminal conviction. Where listings are not justified or the measures imposed are not necessary and proportionate, such measures may infringe, inter alia, the rights to freedom of movement (article 12 of the ICCPR), expression, peaceful assembly and association (articles 19, 21 and 22), and, where designation affects the right to participate in public affairs, article 25 of the ICCPR. These violations are particularly acute where individuals were listed in connection with non-violent civic or expressive activity. We have further noted that prolonged or repeated listing decisions, particularly where linked to broadly defined terrorism offences, risk operating as a parallel punitive regime without the full guarantees of criminal due process.

The Human Rights Committee has emphasised that counter-terrorism measures, including asset freezing and designation regimes, must comply with due process guarantees and respect the principles of legality, legitimate aim, necessity and proportionality, and has recalled that any restriction on Covenant rights must be clearly prescribed by law, accessible, and subject to effective judicial review (see

CCPR/C/EGY/CO/5 (2017), paras. 16, 21; and general comment No. 34, para. 34). The Committee has further stressed that measures taken in the name of national security must not impair the essence of protected rights or operate in a discriminatory or arbitrary manner.

During Egypt's third UPR (A/HRC/43/16 (2020)) and fourth UPR (A/HRC/55/14 (2024)), States recommended that Egypt ensure that counter-terrorism legislation and its implementation do not unduly restrict freedom of expression, association and peaceful assembly, that designation and asset-freezing measures are subject to meaningful judicial oversight, and that effective remedies are available to individuals affected by such measures.

The designation of "terrorist" individuals or organizations must satisfy the grounds for listing, and ensure due process and judicial protection, under international human rights law, as set out by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism (A/HRC/16/51, para. 35 and A/80/284, paras. 17-39). Specifically, the criteria for listing must be clearly established by law and publicized. There must be reasonable grounds to believe, based on credible and convincing evidence, that the individual or entity: (a) has knowingly carried out, participated in or facilitated a terrorist act; (b) intends to engage further in terrorism; and (c) is capable of so engaging. A higher standard of proof, such as the balance of probabilities, is recommended. The definition of terrorism must be limited to conduct that is genuinely terrorist in accordance with best practice international standards. To list an organization, it must have the substantial purpose of engaging in terrorist offences. Even where an individual or entity meets the formal criteria, listing must still be necessary and proportionate in the circumstances, including by demonstrating that less invasive means, such as surveillance and criminal investigation, would be ineffective. Any restriction of rights resulting from listing, including financial and criminal law measures, must be necessary and proportionate in pursuit of the counter-terrorism aim and be non-discriminatory. Measures must be applied individually and not automatically or en masse.

The following minimum due process rights should apply to listings: (a) A right to be promptly informed of the listing (ordinarily ex ante, exceptionally ex post facto) and its factual grounds, the consequences of listing and the procedural rights. There must be sufficient disclosure of the information supporting the listing to enable the person to effectively challenge it, instruct their lawyer and enjoy equality of arms in proceedings; (b) A right to apply to the decision maker for delisting or non-implementation of the measures, and a subsequent right to re-apply for such relief where there is a material change of circumstances or new evidence; (c) A right to judicial review of the listing, affording due process, legal assistance and legal aid as required. The court must have the power to suspend the listing pending final decision. Judicial review should be prompt and automatic, not only on application; (d) The listing should be regularly reviewed, at least every six months, to determine whether the listing and the measures are still lawful, necessary and proportionate; (e) The listing should lapse automatically after 12 months, unless renewed afresh; (f) Reparation, including compensation, must be available for wrongful listing, including for affected third parties.

Recommendation 8: Egypt's terrorism designation laws and procedures must satisfy the high substantive grounds and standard of proof for listing, and ensure due process, judicial protection and effective remedies under international human rights law (A/HRC/16/51, para. 35 and A/80/284, paras. 17-39). Any restrictive measures imposed must be strictly necessary and proportionate and be applied on an individual basis. Listings must not operate as substitutes for criminal conviction absent full due process guarantees. Listings must also not be used to sanction or stigmatise individuals for the peaceful exercise of their rights, whether domestically or transnationally.

9. *Reprisals and targeting of individuals for cooperation with the United Nations*

We have frequently raised concerns regarding individuals who reportedly faced investigation, arrest, travel bans, asset freezes, or terrorism-related prosecution in circumstances linked to their documentation of human rights violations, public advocacy on governance and rule of law issues, or engagement with international organisations, including United Nations human rights mechanisms. Examples include communications EGY 11/2015, EGY 13/2019, EGY 11/2020, EGY 5/2023, EGY 7/2023, EGY 3/2024, EGY 4/2024 and EGY 7/2025. In several cases, terrorism-related accusations appeared to follow or coincide with such engagement, raising concerns that counter-terrorism provisions may have been invoked in response to protected civic activity.

We have consistently recalled that no individual should be subjected to intimidation, harassment or reprisals for cooperating with the United Nations or for exercising rights protected under international law. Measures of this nature risk creating a chilling effect on the legitimate work of lawyers, human rights defenders and civil society actors, and may deter the exercise of rights guaranteed under the ICCPR, including freedom of expression (article 19), peaceful assembly (article 21), freedom of association (article 22), participation in public affairs (article 25), the right to an effective remedy (article 2(3)), including through access to international human rights mechanisms, and the rights of human rights defenders (see Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (UN Declaration on Human Rights Defenders)).

We have also expressed concern that certain counter-terrorism measures appear to have been misused to impede the transnational movement and work of civil society actors. Terrorism designations, travel bans, asset freezes and passport cancellations have been imposed in some cases without sufficient evidence on, for example, journalists and human rights defenders (EGY 1/2022, EGY 6/2022, EGY 5/2023 and EGY 10/2025). Individuals based abroad have also been targeted by counter-terrorism measures (a practice known as transnational repression), such as through arrest warrants and charges against Egyptian human rights lawyers residing abroad and working with organisations outside Egypt (EGY 1/2024). There have also been concerns about the use of the regional extradition mechanism of the Arab Interior Ministers Council, engaging refoulement risks, in cases involving Egypt (LBN 1/2025 and ARE 1/2025).

The Human Rights Council has repeatedly condemned acts of intimidation and reprisal against individuals and groups who cooperate, seek to cooperate, or have

cooperated with United Nations human rights mechanisms, and has called upon States to prevent such acts and ensure accountability (see, inter alia, resolutions 12/2 (2009), 24/24 (2013), 36/21 (2017), 42/28 (2019), and 48/17 (2021)). The Council has emphasised that reprisals undermine the integrity of the international human rights system and the ability of individuals to access international remedies without fear of retaliation.

During Egypt's third UPR (A/HRC/43/16 (2019)) and fourth UPR (A/HRC/52 (2025)) States recommended that Egypt protect human rights defenders from harassment and intimidation; ensure that counter-terrorism legislation is not used to restrict legitimate advocacy; and guarantee that individuals can safely engage with international and United Nations mechanisms (see A/HRC/43/16 and A/HRC/52). The persistence of cases raising similar concerns suggests that these recommendations have not yet been fully realised in practice.

The United Nations Secretary General has also highlighted allegations of intimidation and reprisals against individuals for cooperation with United Nations mechanisms, including through filing terrorism-related charges (A/HRC/45/36; A/HRC/51/47; A/HRC/57/60; and A/HRC/60/62).

Recommendation 9: Egypt must ensure that no individual is subjected to arrest, prosecution, travel restrictions, asset freezes, or any other measure, including counter-terrorism measures, for cooperating with United Nations mechanisms or exercising their rights to freedom of expression, association, peaceful assembly, to take part in public affairs, and their rights as human rights defenders. Counter-terrorism legislation must not be used as a tool of intimidation or reprisal, whether domestically or transnationally.

10. Impact of counter-terrorism measures on children

We have raised concerns in multiple communications regarding the unjustified arrest and detention of children in the context of counter-terrorism investigations, including in **EGY 3/2025** and **EGY 5/2025**, as well as in **EGY 6/2021**, **EGY 7/2021** and **EGY 1/2022**. In these cases, minors were apprehended and charged in terrorism-related cases, including in circumstances linked to alleged participation in protests, online expression, or purported association with proscribed organisations. In several instances, children were subjected to prolonged pre-trial detention under broadly framed terrorism charges ordinarily applied to adults.

The information received indicated that some minors were interrogated without the full application of juvenile justice safeguards, including prompt access to legal assistance and family members, and were detained in facilities not specifically adapted to children. Allegations were also raised concerning ill-treatment during initial interrogation and the psychological impact of repeated renewal of pre-trial detention in terrorism proceedings. The application of adult-oriented national security frameworks to children, particularly in cases involving non-violent conduct or conduct that is otherwise not genuinely terrorist in nature according to international standards, raises serious concerns regarding the best interests of the child and other internationally protected rights of the child.

We have consistently recalled that children are entitled to heightened protection under international law. Under article 3 of the Convention on the Rights of the Child, ratified by Egypt on 6 July 1990, the best interests of the child must be a primary consideration in all actions concerning them. Article 37(b) provides that arrest and detention shall be used only as a measure of last resort and for the shortest appropriate period of time, while article 37(c) requires that children deprived of liberty be treated with humanity and in a manner that takes into account their age and vulnerability. Article 40 further guarantees that children alleged to have infringed the penal law must be treated in a manner consistent with their dignity and reintegration. Children should benefit from specialised juvenile justice procedures. The Committee on the Rights of the Child has also expressed concern regarding the detention of children in security-related contexts in Egypt, and has emphasised that counter-terrorism responses must not undermine child protection standards (CRC/C/EGY/CO/3-4 (2016)).

In this context, the application of overbroad counter-terrorism provisions to minors, particularly where pre-trial detention is prolonged, repeatedly renewed, or imposed in cases involving non-violent conduct, indicate that detention is not properly regarded as measure of last resort and the best interests of the child are not being properly considered. The use of adult-oriented national security frameworks in respect of children risks normalising prolonged deprivation of liberty, contrary to Egypt's obligations under the Convention on the Rights of the Child and article 9 of the ICCPR.

Recommendation 10: Egypt should ensure that counter-terrorism legislation and practice fully comply with its obligations under the Convention on the Rights of the Child. The arrest and detention of minors must be strictly exceptional, used only as a measure of last resort and for the shortest appropriate period of time. Children must have prompt access to legal assistance and family contact, be detained in facilities appropriate to their age, and benefit from specialised juvenile justice procedures. Counter-terrorism provisions should not be applied to children in cases involving non-violent conduct in a manner that undermines their rights, dignity, or prospects for reintegration.

11. Impact of counter-terrorism measures on women

We have previously raised concerns regarding the arrest and detention of women in counter-terrorism cases, including in relation to their activities as lawyers, human rights defenders and journalists, their participation in protests, and purported association with proscribed organisations: **EGY 1/2020, EGY 10/2020, EGY 13/2020, EGY 2/2021, EGY 5/2021, EGY 12/2021, EGY 2/2023, EGY 7/2023, EGY 8/2024, and EGY 9/2025**. We drew attention to allegations of repeated renewals of pre-trial detention, including during mass hearings, the recycling of charges, and enforced disappearances. We expressed particular alarm at allegations of ill-treatment and sexual violence during investigations, poor detention conditions, denial of access to health care, family visits, and lawyers, and inclusion on terrorist lists resulting in asset freezes and travel restrictions.

Expanded frameworks to counter terrorism have adversely impacted on women-led civil society and women human rights defenders (A/HRC/46/36, para. 7), who require special protection from such harms (Committee on the Elimination of Discrimination against Women, general recommendation No. 30, paras. 6, 36, 37 and

57 (b)) and Special Rapporteur on human rights defenders (A/HRC/43/51, para. 28)). States should publicly acknowledge the important role of women human rights defenders, take practical steps to prevent threats, harassment and violence against them, combat impunity for such violations and abuses, and ensure that all legal provisions, administrative measures and policies affecting women human rights defenders are compatible with relevant provisions of international human rights law (General Assembly resolution 68/181 (2013) on the protection of women human rights defenders, articles 7, 9 and 10).

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which Egypt ratified on 18 September 1981, requires States parties to eliminate discrimination against women in law and practice, ensure women's equal enjoyment of health care and other services, and address discriminatory stereotypes and gender-based violence. Failure to account for women's circumstances and needs and to consider alternatives to detention can render detention discriminatory, disproportionate or unnecessary, and thereby arbitrary.

In its deliberation No. 12, the Working Group on Arbitrary Detention noted that women experience additional and different obstacles in detention and interrogation, including as a result of torture or cruel, inhuman or degrading treatment, including rape and sexual assault (and threats thereof); harassment and abuse (A/HRC/48/55); and lack of access to adequate health care and inadequate facilities that do not protect women's privacy or address their particular needs. The United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) require States to take into account the distinctive needs of women prisoners (rule 1), including by adopting appropriate measures in policies and practice to address the particular risk of abuse that women face in pretrial detention (rule 56), and by developing gender-specific options for diversionary measures and pretrial and sentencing alternatives and privileging non-custodial measures (rules 57 and 58).

Recommendation 11: Egypt must ensure that counter-terrorism measures are gender responsive and do not directly or indirectly discriminate against women, including human rights defenders, or unduly restrict their human rights and participation in public life. In particular, the Government should: (a) ensure that women are not subjected to arbitrary detention, including through the repeated renewal of pretrial detention without individual justification; (b) prioritize gender-sensitive non-custodial and diversionary measures, in accordance with the Bangkok Rules; and (c) ensure that detention conditions respect women's dignity and needs, including protection from sexual and gender-based violence, and access to gender-responsive health care, legal assistance, and family contact.

12. *Political inclusion, civic space and conditions conducive to the spread of terrorism*

Across the communications referenced above, a consistent pattern emerges in which counter-terrorism powers have been applied in contexts involving peaceful expression, civic participation, legal advocacy, or engagement with international mechanisms. While each case raises discrete legal concerns, their cumulative effect is broader. Taken together, the repeated use of terrorism-related charges, prolonged pre-

trial detention, designation and listing measures, and restrictive conditions of release appears to have significantly targeted, chilled and narrowed the space for independent civic and political activity.

In numerous communications – including **EGY 11/2015, EGY 13/2019, EGY 6/2020, EGY 7/2023, EGY 3/2024 and EGY 7/2025** – we have raised concerns regarding the investigation, prosecution or designation of individuals under counter-terrorism provisions on the basis of alleged affiliation with or support for proscribed organisations, including the political movement, the Muslim Brotherhood. In several cases, the conduct described consisted of peaceful political participation, professional activity, expressive conduct, or civic engagement that did not involve incitement to violence or participation in terrorist acts as properly defined according to international standards. Recommendations made during the UPR have also highlighted the need to protect civic space and prevent the misuse of counter-terrorism measures (A/HRC/43/16; A/HRC/43/16/Add.1; A/HRC/62/11).

Where broadly framed counter-terrorism provisions are applied to non-violent political or religious association, or where designation mechanisms carry severe consequences in the absence of clear and individualised evidence of criminal responsibility, such measures risk narrowing the space for lawful political participation and pluralistic public debate. The prospect of prolonged detention, terrorist listing, asset freezing, or renewed investigation may deter individuals from engaging in legitimate civic activity, contributing to self-censorship and withdrawal from public life. This cumulative impact engages core guarantees under the ICCPR, including articles 19 (freedom of expression), 21 (freedom of peaceful assembly), 22 (freedom of association) and 25 (the right to take part in public affairs), and raises concerns regarding non-discrimination on the basis of political opinion (ICCPR, article 2) and equality before the law (ICCPR, article 26).

While States have both the right and the duty to protect national security and to prevent genuine acts of terrorism, we have consistently recalled that counter-terrorism frameworks must operate within the confines of legality, legitimate aim, necessity, proportionality and non-discrimination. Measures that broadly criminalise or stigmatise political expression, association and assembly without clear evidence of involvement in violent acts risk undermining inclusive governance and weakening public trust in institutions.

In this regard, we respectfully recall that the United Nations Global Counter-Terrorism Strategy (General Assembly resolution 60/288) recognises, in its Pillar I, that effective prevention of terrorism requires addressing “conditions conducive to the spread of terrorism,” including lack of rule of law and good governance, violations of human rights, discrimination, political exclusion and socio-economic marginalisation. The Strategy affirms that the promotion and protection of human rights and fundamental freedoms, and the strengthening of good governance, are integral components of effective counter-terrorism efforts.

Where counter-terrorism measures suppress peaceful political opposition, exclude segments of society from meaningful participation in public affairs, or conflate non-violent political or religious affiliation with terrorism, there is a risk that such measures may contribute to grievances, deepen social divisions, erode confidence in

public institutions, and even stimulate violence. Durable security requires inclusive governance, equal protection of the law, independent judicial oversight, and meaningful avenues for lawful political participation.

Our previous communications have repeatedly emphasised that counter-terrorism strategies grounded in legality, transparency, accountability and respect for pluralism are more likely to strengthen social cohesion and long-term stability than highly securitized approaches that broaden criminal liability to encompass non-violent dissent. Ensuring that counter-terrorism practice aligns with these principles is therefore not only a matter of human rights compliance, but also of effective counter-terrorism policy.

Recommendation 12: Recalling Pillar I of the United Nations Global Counter-Terrorism Strategy (A/RES/60/288), Egypt should ensure that counter-terrorism measures are applied strictly to conduct involving genuine acts of terrorism and are not used to restrict legitimate freedom of expression, peaceful assembly, or association, the right to take part in public affairs, and civic space. The Government should also strengthen safeguards to ensure equality before the law and non-discrimination in the application of counter-terrorism frameworks, and promote inclusive governance, meaningful participation in public affairs, equitable development, the rule of law, and respect for human rights, consistent with the ICCPR and the Sustainable Development Goals.

13. *Serious violations in North Sinai, including extrajudicial killings, enforced disappearances, arbitrary detention, torture, forced displacement, destruction of property and other violations of human rights and international humanitarian law*

In three communications we have highlighted systematic violations resulting from security and military operations in North Sinai since 2012. In **EGY 4/2020**, we acknowledged the security challenges posed by armed groups in North Sinai, but expressed deep concern that the prolonged state of emergency, broad counter-terrorism powers, and resulting human rights violations – including unlawful civilian harm, arbitrary forced displacement, unjustified restrictions on freedom of movement and other rights, lack of judicial safeguards, and lack of accountability, appeared incompatible with Egypt’s international human rights law obligations. In its [reply](#) dated 10 March 2021, the Government stated that its security operations were necessary counter-terrorism measures aimed at protecting public order and were conducted in accordance with national law. However, it did not address any of the human rights concerns raised. In **EGY 4/2024**, we raised further concerns about the forced displacement of Bedouin communities following extensive land-clearing and appropriation in North Sinai to create a buffer zone with the Gaza Strip, the excessive use of force against protesters and the suppression of their freedom of expression and association, the arbitrary detention and prolonged pre-trial detention of protesters on national security charges, and the failure of the authorities to discuss requests for return and provide compensation and adequate resettlement.

In **EGY 1/2026**, we comprehensively addressed the impacts on human rights of counter-terrorism operations and armed conflict in North Sinai since 2012. We were alarmed by the uncovering of a mass grave containing the remains of an estimated

300 individuals, as well as unlawful killings, mass arrests and arbitrary detention, enforced disappearances and secret and incommunicado detention, torture and other ill-treatment, widespread destruction of civilian property and infrastructure, the clearance or destruction of agricultural land, mass forced displacement, the destruction, military use and closure of schools, and severe restrictions on movement and access. Bedouin communities, who claim rights as Indigenous Peoples and whose cultural identity is closely tied to the land, are reported to have been disproportionately affected, with long-term disruption to their social, cultural and economic fabric. The allegations implicated Egyptian security forces and Government-supported tribal militias or auxiliaries. We are concerned that these allegations appeared to involve serious violations of international human rights law and international humanitarian law, including possible war crimes and crimes against humanity, and that there has been a lack of independent investigation, accountability, remedies and reparation.

Recommendation 13: Egypt should independently investigate reports of mass graves, identify the victims and ensure their dignified treatment, notify their families, and provide accountability. Allegations of enforced disappearances and unexplained deaths should also be investigated and those responsible held accountable, including by searching for those forcibly disappeared and informing their families. All places of detention must be disclosed, and persons detained in North Sinai must be systematically registered, allowed prompt access to legal counsel and family members, and brought promptly before a judicial authority. Other alleged violations must also be investigated, including torture, property damage and appropriation, forced displacement, interference with the right to education and children's rights, movement restrictions as well as cultural rights. Given the scale of the alleged violations, a comprehensive independent inquiry and accountability process addressing all aspects of the conflict appears to be necessary. Egypt should also reform its counter-terrorism, security and emergency laws and procedures in North Sinai to ensure that they are consistent with international human rights law and international humanitarian law.

14. Effective remedies, oversight and accountability

A consistent concern in communications addressing counter-terrorism measures in Egypt has been the lack or inadequacy of effective remedies for victims of violations, including accountability and reparation. These concerns have spanned the full range of violations addressed in the benchmarks outlined above, including as regards enforced disappearance, arbitrary arrest and detention, torture and other ill-treatment, inadequate detention conditions, terrorist listings, unfair trial by special courts, suppression of political freedoms, infringements of child rights, reprisals and transnational repression. We have repeatedly expressed concern about the lack of independent and effective judicial control over detention, especially in relation to the role of the Supreme State Security Prosecution and Terrorism Circuit Courts (EGY 13/2020; EGY 7/2023; EGY 8/2024; EGY 5/2025; EGY 8/2025), as well as about the need for comprehensive review of the counter-terrorism legal and institutional frameworks, particularly the counter-terrorism law (EGY 4/2020), and regime of terrorism listing, travel bans and asset freezes (EGY 5/2023 and EGY 10/2025). The situation in North Sinai involved lack of effective remedies for additional violations of human rights law and international humanitarian law, including extrajudicial killings, harm to property, mass

forced displacement, restrictions on movement and humanitarian access, infringements on the right to education, and disproportionate impacts on Bedouin communities.

The right to an effective remedy is a key element of the full enjoyment of human rights. Without access to an effective remedy, human rights violations go unpunished, and victims may be deprived of justice, compensation and their human dignity. We have emphasized that the right to effective remedy under article 2(3) of the ICCPR requires Egypt to ensure that: (a) any person whose rights or freedoms are violated have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity; (b) any person claiming such a remedy has such right determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy; and (c) the competent authorities enforce such remedies.

The right to effective remedy requires thorough, prompt and impartial investigation of violations in accordance with relevant international standards, aimed at ensuring that those responsible are brought to justice. Where a violation is found, full reparation must be provided, including adequate compensation, rehabilitation and satisfaction; as well as steps to prevent re-occurrence.

We further reiterate that counter-terrorism laws should be subject to periodic review, and that counter-terrorism measures and actors should be subject to a comprehensive system of internal and external oversight, including civilian institutions that are fully independent of both the counterterrorism actor and the executive (see Global Counter-Terrorism Forum, Brussels Memorandum on Good Practices for Oversight and Accountability Mechanisms in Counterterrorism). Oversight bodies should have sufficiently broad legal mandate and powers, with adequate resources and expertise.

Recommendation 14: Egypt must ensure the right to an effective, binding remedy for violations of human rights and humanitarian law, before an independent and impartial body. Alleged violations must be investigated in line with international standards. Remedies for violations must include full reparation, including adequate compensation, rehabilitation and satisfaction, and steps to prevent re-occurrence in future. Egypt should also establish a comprehensive system of internal and external oversight of counter-terrorism measures and actors, including by independent and effective civilian institutions, and ensure that counter-terrorism laws and powers are periodically reviewed for compliance with international human rights law, international humanitarian law, and refugee law.

Conclusion

We recognise your Excellency's Government's stated commitment to combating terrorism and protecting national security while respecting its international human rights law obligations. International human rights law acknowledges the duty of States to protect the right to life of their population from acts of terrorism. At the same time, the effective prevention of terrorism and the protection of national security must be pursued in full compliance with international law, including international human rights law, refugee law, and humanitarian law. Safeguards relating to legality,

legitimate aim, necessity, proportionality and non-discrimination, and independent oversight, the right to effective remedy and reparation, and accountability are not obstacles to security but essential components of it.

The persistence of similar concerns across multiple communications and United Nations human rights mechanism reporting cycles suggests that further structural review and reform is required to ensure that Egypt's counter-terrorism measures do not continue to unlawfully restrict human rights, undermine public confidence and cooperation with law enforcement, and counter-productively fuel grievances and potentially terrorist violence. We remain ready to engage constructively with your Excellency's Government with a view to supporting compliance with international standards, including through dialogue, technical assistance and official country visits.

Since the applicable international human rights law and international humanitarian law standards have already been extensively set out in the annexes to the communications listed in this letter, we have not reproduced these standards in an annex to this letter.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please indicate what progress has been made in addressing the concerns identified in each of the above benchmarks, in order to ensure that Egypt's counter-terrorism laws, policies and practices are consistent with international human rights law.
3. Please detail what steps your Excellency's Government intends to take or has taken to implement the above recommendations.

This communication, and any response received from your Excellency's Government, will be made public via the communications reporting [website](#) at the 60 days mark. Should your Excellency's Government respond within 60 days, both the communication and the response, may be published before the 60 days mark. The communications and responses will also be made available in the subsequent periodic report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken with a view to addressing the allegations identified in the above-mentioned communications and the concerns identified in each benchmark.

Please accept, Excellency, the assurances of our highest consideration.

Ben Saul
Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

Alexandra Xanthaki
Special Rapporteur in the field of cultural rights

Gabriella Citroni
Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances

Farida Shaheed
Special Rapporteur on the right to education

Morris Tidball-Binz
Special Rapporteur on extrajudicial, summary or arbitrary executions

Irene Khan
Special Rapporteur on the promotion and protection of the right to freedom of opinion
and expression

Gina Romero
Special Rapporteur on the rights to freedom of peaceful assembly and of association

Tlaleng Mofokeng
Special Rapporteur on the right of everyone to the enjoyment of the highest attainable
standard of physical and mental health

Koldo Casla Salazar
Special Rapporteur on adequate housing as a component of the right to an adequate
standard of living, and on the right to non-discrimination in this context

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Paula Gaviria
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punishment