President Abdel Fattah al-Sisi, who first took power in a July 2013 coup, continues to govern Egypt in an authoritarian manner, though the election of a new parliament in late 2015 ended a period of rule by executive decree. Serious political opposition is virtually nonexistent, as both liberal and Islamist activists face criminal prosecution and imprisonment. Terrorism persists unabated in the Sinai Peninsula and has also struck the Egyptian mainland, despite the government’s use of aggressive and often abusive tactics to combat it.

Ratings Change:

Egypt’s civil liberties rating declined from 5 to 6 due to the approval of a restrictive law on nongovernmental organizations and a crackdown on activity by labor unions that are not recognized by the government.

Political Rights and Civil Liberties:

**POLITICAL RIGHTS: 10 / 40 (+1)**

A. ELECTORAL PROCESS: 3 / 12
A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

President Sisi, then the defense minister and armed forces commander, seized power in a July 2013 coup that overthrew elected president Mohamed Morsi of the Muslim Brotherhood’s Freedom and Justice Party (FJP). The military installed a nominally civilian interim government, and a new constitution was adopted by referendum under tightly controlled conditions in January 2014, paving the way for a presidential election in May of that year. Sisi resigned his post as head of the armed forces to stand as a candidate, and garnered nearly 97 percent of the vote against a single opponent, leftist politician Hamdeen Sabbahi. However, no independent international monitors were able to verify the results. The vote was also marred by low turnout, the use of state resources and media to support Sisi’s candidacy, voter intimidation, and arrests and assaults of poll monitors. The electoral commission extended voting to a third day and threatened nonvoters with fines in an attempt to increase turnout. Many opposition groups boycotted the election, including the Muslim Brotherhood, which had been declared a terrorist organization in late 2013.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

Parliamentary elections took place in two stages from October to December 2015, and the unicameral House of Representatives was seated in January 2016. The elections featured low turnout, intimidation, and abuse of state resources. The progovernment coalition For the Love of Egypt, consisting of some 10 parties, won all 120 bloc-vote seats. Independents, a number of whom were aligned with the coalition, won 351 of the 448 constituency seats, and the coalition parties’ candidates generally outpolled their rivals in the remaining districts. Just three parties outside For the Love of Egypt won more than 10 seats: Protectors of the Homeland (18), the Republican People’s Party (13), and Al-Nour (11), a Salafist group that was the only major Islamist party to participate in the elections. In addition to the elected seats, 28 seats were reserved for presidential appointees. Many parties—including moderate Islamist parties and liberal and leftist factions—boycotted the elections and voiced serious reservations about their fairness, accusing security forces of harassment and intimidation. In January 2016, the parties associated with For the Love of Egypt formed a parliamentary bloc, In Support of Egypt, that controlled a majority of the chamber.

As of 2017, Egypt remained without the elected local councils called for in the 2014 constitution, with ongoing delays indicating that elections could be postponed until 2019. The last councils were elected in 2008 and dissolved in 2011 after the ouster of longtime authoritarian president Hosni Mubarak.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The current constitution was not drafted in a fair or transparent manner, and the referendum through which it was adopted was tightly controlled, with little opportunity for public debate or an opposition campaign. While the electoral laws themselves might have provided some basis for credible elections, electoral authorities largely failed in practice to
ensure an open and competitive campaign environment during the most recent presidential and parliamentary elections.

In August 2017, Sisi signed a law creating a new National Electoral Commission (NEC) as called for in the 2014 constitution. While the commission’s board would consist of senior judges drawn from some of Egypt’s highest courts to serve six-year terms, an existing system in which voting and vote counting are directly overseen by judges will be phased out by 2024. Critics of the NEC legislation, including some parliament members, argued that the end of direct judicial supervision would damage the integrity of elections and reduce public trust in the results.

B. POLITICAL PLURALISM AND PARTICIPATION: 4 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Political parties are allowed to form and operate if they meet membership thresholds, pay fees, and comply with other requirements established by law. However, parties formed on the basis of religion are forbidden, and while some Islamist parties still operate in a precarious legal position, the Muslim Brotherhood has been outlawed as a terrorist organization since 2013. The authorities systematically persecute its members and supporters, as well as other activists, parties, and political movements that are critical of the government. Arrests, harsh prison terms, death sentences, and extrajudicial violence targeting the political opposition have been common in recent years and continued in 2017.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The persecution of Sisi’s potential challengers in the 2018 presidential election during 2017 illustrated the government’s determination to eliminate any opportunity for a peaceful change in leadership. Khaled Ali, a prominent human rights lawyer, was convicted in September for supposedly making an obscene gesture and sentenced to three months in jail; an appeal was pending at year’s end. Earlier in the year, Ali had won court victories in an effort to overturn Egypt’s agreement to transfer two Red Sea islands to Saudi Arabia, and in November he confirmed his intention to run for president if his conviction was overturned on appeal.

Also that month, army colonel Ahmed Konsowa announced his planned candidacy, but he was arrested and sentenced to six years in prison in December for expressing political opinions as a serving military officer. He said he had repeatedly attempted to resign since 2014, but had been refused despite multiple lawsuits. Former prime minister and air force commander Ahmed Shafik was deported to Egypt from the United Arab Emirates, a close ally of Sisi’s government, after declaring his intention to run in November, and family members alleged that he was being held against his will. In early December, he said in a television interview that he was reconsidering his candidacy.
B3. Are the people’s political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 1 / 4

Since the 2013 coup, the military has dominated the political system, with most power and patronage flowing from Sisi and his allies in the armed forces and security agencies. Most of Egypt’s provincial governors are former military or police commanders.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

The constitution and Egyptian laws grant political rights to all citizens regardless of religion, gender, race, ethnicity, or any other such distinction. However, women, Christians, Shiite Muslims, people of color, and LGBT (lesbian, gay, bisexual, and transgender) people face indirect forms of discrimination that limit their political participation to varying degrees.

Coptic Christians, who account for some 10 percent of the population, are allocated 24 of the parliament’s 120 party-list seats. Thirty-six Christians were elected in 2015, and some were also among the lawmakers appointed by the president. Thanks in large part to quotas, women won 75 seats in the 596-seat parliament in 2015, and another 14 were appointed by the president. The party-list quotas also set aside small numbers of seats for workers and farmers, people under 35, people with disabilities, and Egyptians living abroad.

C. FUNCTIONING OF GOVERNMENT: 3 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4 (+1)

President Sisi, who was not freely elected, ruled by decree until the new parliament was seated in 2016, as the remaining chamber of the old legislature had been dissolved at the time of the coup. Since then, the parliament has played a growing if still modest role in forming and debating laws and policies. It does not provide a meaningful check on executive power.

The 2014 constitution increased the military’s independence from civilian oversight, including through the selection process for the post of defense minister, who must be a military officer. Sisi has ruled in a style that entrenches military privilege and shields the armed forces from accountability for their actions.

Score Change: The score improved from 0 to 1 due to the parliament’s more consistent pattern of participation in the development of laws and policy.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is pervasive at all levels of government. Official mechanisms for investigating and punishing corrupt activity remain weak and ineffective. Under a 2015 amendment to
the penal code, defendants in financial corruption cases can avoid imprisonment by paying restitution, and punishments are typically light in practice. In 2016, the head of the Central Auditing Authority was dismissed and convicted of spreading false information after he spoke to the media about the costs of corruption to Egypt’s economy.

C3. Does the government operate with openness and transparency? 1 / 4

The Sisi administration has offered very little transparency regarding government spending and operations. Civil society groups and independent journalists have few opportunities to comment on or influence state policies and legislation. The military is notoriously opaque with respect to its core expenditures and its extensive business interests, including in major infrastructure and land-development projects. This leads to an almost complete lack of accountability for any malpractice.

CIVIL LIBERTIES: 16 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 5 / 16

D1. Are there free and independent media? 1 / 4

The Egyptian media sector is dominated by progovernment outlets, as most critical or opposition-oriented outlets were shut down in the wake of the coup. Moreover, over the past three years, a number of private television channels and newspapers have been launched or acquired by progovernment businessmen and individuals with ties to the military and intelligence services. Journalists who fail to align their reporting with the interests of owners or the government risk dismissal. Journalists also continued to face arrest for their work, and 20 remained behind bars as of December 2017, according to the Committee to Protect Journalists.

A law adopted in late 2016 created the Supreme Council for Media Regulation, with broad discretion to control the content of broadcast, print, and online media. In September 2017, during a crackdown on LGBT people, the council banned any media coverage of "homosexuality" except to "convey the danger of the problem."

The Association for Freedom of Thought and Expression (AFTE) reported a major escalation in the government’s efforts to censor online media beginning in May 2017. It found that nearly 500 websites had been blocked by December, though the authorities had yet to acknowledge the scale of the blocking or provide a legal justification.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

While Article 2 of the 2014 constitution declares Islam to be the official religion of the state, Article 64 states that “freedom of belief is absolute.” Most Egyptians are Sunni Muslims. Coptic Christians form a substantial minority, and there are smaller numbers of Shiite Muslims, non-Coptic Christian denominations, and other groups. Religious minorities and atheists have faced persecution and violence, with Copts in particular suffering numerous cases of forced displacement, physical assaults, bomb and arson attacks, and blocking of church construction in recent years.
D3. **Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4**

The state controls education and curriculums in public schools and to a lesser degree in some of the country’s private institutions. Faculty members and departments have some autonomy in shaping the specific syllabus for their courses, though many scholars self-censor to avoid any punitive measures.

Despite a ban on political protests, universities have been a center of antigovernment demonstrations and the target of violent government crackdowns since the 2013 coup. A 2015 decree allows for the dismissal of university professors who engage in on-campus political activity, and in 2016 the government reportedly began imposing more systematic requirements for academics to obtain approval from security officials for travel abroad. A March 2017 AFTE report on university students’ rights documented 1,181 arrests, 1,051 disciplinary sanctions such as expulsion, 65 military trials, and 21 extrajudicial killings between 2013 and 2016.

D4. **Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4**

The security services have reportedly upgraded their surveillance equipment and techniques in recent years so as to better monitor social media platforms and mobile phone applications. Progovernment media figures and state officials regularly call for national unity and suggest that only enemies of the state would criticize the authorities. These pressures have led to more self-censorship and guarded discussion among ordinary Egyptians, but despite cases of arrest and prosecution for commentary on sensitive subjects, some have continued to speak out against state repression on social media and elsewhere.

E. **ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12 (−2)**

E1. **Is there freedom of assembly? 1 / 4**

According to the constitution, freedom of assembly should not be restricted. However, a 2013 decree regulating protests severely constrained such rights, giving police great leeway to ban and forcibly disperse gatherings of 10 or more people, prohibiting all protests at places of worship, and requiring protest organizers to inform police at least three days in advance. Thousands of people have since been arrested under the law. In December 2016, the Supreme Constitutional Court struck down Article 10 of the 2013 law, which empowered the Interior Ministry to unilaterally ban, postpone, or relocate protests. Under an amended version of the article signed by the president in May 2017, the ministry must obtain a court’s approval for such decisions.

E2. **Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights-- and governance-related work? 0 / 4 (−1)**

NGOs in Egypt have faced mass closures as well as harassment in the form of office raids, arrests of members, lengthy legal cases, and restrictions on travel in recent years. A highly restrictive new law on the creation and regulation of NGOs was signed by the president in May 2017, having been approved by the parliament in late 2016. The law
establishes a new regulatory body dominated by security agencies; bans NGOs from engaging in work deemed to harm "national security, public order, public morality, or public health"; and requires the regulator’s approval for any field research or polling and any type of cooperation with foreign NGOs. All NGO funding and basic management decisions are also subject to the regulator’s approval. Violations of the law can lead to fines and up to five years in prison.

**Score Change:** The score declined from 1 to 0 due to the approval of a restrictive new law designed to choke off funding for nongovernmental organizations and provide legal cover for their arbitrary closure.

E3. **Is there freedom for trade unions and similar professional or labor organizations? 1 / 4 (−1)**

The government only recognizes unions affiliated with the state-controlled Egyptian Trade Union Federation, which has not held board elections in over a decade; its leaders are appointed by the government. Independent unions continue to operate without recognition. While Article 15 of the constitution provides for the right to organize peaceful strikes, they are not tolerated in practice, and the 2013 law on protests prohibits gatherings that impede labor and production. Striking workers are regularly arrested and prosecuted, particularly since labor protests increased in 2016; workers at military-owned businesses are subject to trials by military courts.

In December 2017, the parliament approved a new law on trade unions that would force independent unions to dissolve and resubmit applications for recognition, effectively compelling them to join the state-controlled federation. The law also set membership threshold requirements that would make unionization impossible in enterprises with fewer than 150 workers. Employers who violate the law would face limited financial penalties, while workers involved with illegal unions could face imprisonment. The legislation was reportedly awaiting the president’s signature at year’s end.

**Score Change:** The score declined from 2 to 1 due to the government’s growing efforts to criminalize peaceful strikes and bring independent unions under state control.

F. **RULE OF LAW: 3 / 16 (+1)**

F1. **Is there an independent judiciary? 1 / 4**

Judges led the drafting of the 2014 constitution, which significantly enhanced the judiciary’s autonomy, including by allowing each major judicial entity to receive its budget as a single line item and permitting the Supreme Constitutional Court to appoint its own chairman.

However, the executive branch exerts influence over the courts, which typically protect the interests of the government and military and have often disregarded due process and other basic safeguards in cases against the government’s political opponents. In April 2017, over strong objections from the Judges’ Club, the parliament passed and the president signed an amendment to the Judicial Authority Law that gave the president the...
power to appoint the heads of four key judicial bodies: the State Lawsuits Authority, the Administrative Prosecution, the Court of Cassation, and the State Council. Whereas the four chief judges were previously selected by seniority and merely confirmed by the president, the president would now choose from three candidates submitted by each body based on seniority. Three of the entities complied with the new law, but the State Council submitted only one name in May, defying the change and effectively adhering to the old system. The president then chose his own candidate from among the council’s seven most senior judges, as the law allows if a judicial body fails to comply.

In a sign of the political branches’ disregard for judicial authority, the parliament and the president ratified Egypt’s maritime border agreement with Saudi Arabia in May 2017, despite an ongoing legal dispute over the pact. In June, the Supreme Constitutional Court suspended all court rulings on the agreement while it conducted its own review, which was ongoing at year’s end.

F2. Does due process prevail in civil and criminal matters? 1 / 4 (+1)

Although the constitution limits military trials of civilians to crimes directly involving the military, its personnel, or its property, a 2014 presidential decree placed all “public and vital facilities” under military jurisdiction, resulting in the referral of thousands of civilian defendants to military courts. Charges brought in military courts are often vague or fabricated, defendants are denied due process, and basic evidentiary standards are routinely disregarded.

In October 2017, the Supreme Constitutional Court found that a set of protest-related cases from the governorate of Beni Suef should be tried in civilian rather than military courts, since the alleged crimes did not involve public facilities. It was unclear whether the decision would result in a larger shift away from military jurisdiction or improved due process. A government decree earlier that month expanded the jurisdiction of emergency courts—whose verdicts can only be overturned by the president—to include protest-related cases.

A series of mass trials in recent years have resulted in harsh sentences, including life imprisonment or the death penalty, based on negligible evidence. They have generally targeted suspected members of the Muslim Brotherhood. However, appeals of the initial verdicts have resulted in retrials, reduced sentences, and acquittals in a number of cases. Among other prominent examples during 2017, the Court of Cassation in May ordered a retrial for Brotherhood leader Mohamed Badie and 49 other defendants in a case involving a 2013 attack on a police station in Port Said. They had initially received sentences ranging from 10 years to life in prison.

Score Change: The score improved from 0 to 1 due to a pattern in which lower courts’ deeply flawed decisions in politicized cases have been mitigated on appeal.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Police brutality and impunity for abuses by security forces were catalysts for the 2011 uprising against Mubarak, but no reforms have since been enacted. Reports of alleged extrajudicial killings and forced disappearances continued throughout 2017, with NGOs
documenting hundreds of cases. The state of emergency declared by President Sisi in April grants security forces additional powers of arrest and detention, increasing opportunities for physical abuse. Prison conditions are very poor; inmates are subject to torture, overcrowding, and a lack of sanitation and medical care. A 2015 antiterrorism law provided a vague definition for terrorism and granted law enforcement personnel sweeping powers and immunity while carrying out their duties.

Fighting continued between security forces and IS-affiliated militants in the North Sinai region during 2017, killing hundreds of combatants on both sides as well as civilians. The militant threat has increasingly expanded to other parts of Egypt; in one incident in October, dozens of police and other officials were killed in an ambush in the country’s west. Terrorist attacks also targeted religious minorities. Two church bombings in April killed at least 45 people in Tanta and Alexandria, and more than 300 people were killed in an assault on a Sufi mosque in Sinai.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Women enjoy legal equality on many issues, and their court testimony is equal to that of men except in cases involving personal status matters such as divorce, which are more influenced by religious law. In practice, however, women face extensive discrimination in employment, among other disadvantages. Other segments of the population that face various forms of harassment and discrimination include religious minorities, people of color from southern Egypt, migrants and refugees from sub-Saharan Africa, people with disabilities, and LGBT people.

While same-sex sexual activity is not explicitly banned, LGBT people have been charged with prostitution or “debauchery.” After concert attendees waved a rainbow flag in September 2017, the authorities launched a crackdown on suspected LGBT people, detaining at least 75 amid reports of abuse in custody and imposing prison sentences of up to six years.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

The constitution guarantees freedom of movement, but internal travel and access are restricted tightly in North Sinai and to a lesser extent in other governorates along Egypt’s borders. Sinai residents are subject to curfews, checkpoints, and other obstacles to travel.

Individuals seeking to change their place of employment or education can encounter bureaucratic barriers and in some instances scrutiny from security officials. In addition, a growing list of rights activists, journalists, political party members, bloggers, and academics have been subjected to arbitrary bans on international travel in recent years. A number of foreign researchers or activists have been expelled or denied entry to the country.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 2 / 4
In May 2017, the parliament adopted a new investment law designed to encourage private investment in underdeveloped areas, in part by streamlining the process of obtaining permits. However, bureaucratic barriers and related corruption remain serious problems, and the growing role of military-affiliated companies has hindered and crowded out private businesses.

Property rights in Sinai and other border areas are affected by the activities of security forces. The military has summarily demolished buildings in the North Sinai town of Rafah to create a buffer zone along the border with the Gaza Strip.

Women are at a legal disadvantage in property and inheritance matters, typically receiving half the inheritance due to a man. Societal biases also discourage women’s ownership of land.

**G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4**

Domestic violence, sexual harassment, and female genital mutilation (FGM) are still among the most acute problems in Egyptian society. The country has adopted laws to combat these practices in recent years, and FGM is reportedly becoming less common over time. However, the effectiveness of such laws is hindered by societal resistance, poor enforcement, abuses by the police themselves, and lack of adequate protection for witnesses, which deter victims from reporting abuse and harassment. Spousal rape is not a crime.

Personal status rules based on religious affiliation put women at a disadvantage in marriage, divorce, and custody matters. Muslim women cannot marry non-Muslim men, for example, and the Coptic Church rarely permits divorce.

**G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4**

Egyptian women and children, migrants from sub-Saharan Africa and Asia, and Syrian refugees are vulnerable to forced labor and sex trafficking in Egypt. The Egyptian authorities routinely punish individuals for offenses that stemmed directly from their circumstances as trafficking victims. Military conscripts are exploited as cheap labor to work on military- or state-affiliated development projects.

In late 2016, Egypt removed a number of controls on currency exchange, imports, and foreign loans. Combined with government efforts to reduce budget deficits and subsidies, these moves have spurred inflation and led to acute economic hardship for many Egyptians.

**Source URL:** https://freedomhouse.org/report/freedom-world/2018/egypt