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Maat For Peace, Development, and Human Rights

National Human Rights Strategy Legislative Path

Did the House of Representatives Fulfill its Role in Achieving the Strategy's Goals?



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Issued by: Maat for Peace, Development and Human Rights

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Preface

When the Universal Declaration of Human Rights was adopted by the United Nations in 1948, it marked a significant milestone as countries agreed for the first time that all human rights are universal, interconnected, and equally important. The Declaration emphasized the need for universal protection of these rights to ensure that every individual can live a life of freedom, equality, and dignity, regardless of their color, sex, creed, or other characteristics.

The Universal Declaration of Human Rights serves as the cornerstone of international human rights law and has inspired a crucial set of legally binding treaties. Through ratifying these treaties, governments commit to implementing national measures and legislation that align with their contractual obligations. Consequently, domestic laws form the basis for upholding the rights outlined in international law. In Egypt, the most significant document and fundamental reference for the national legal system is the Egyptian Constitution, which acts as a social contract between the governing authority and the people. The Egyptian Constitution incorporates the principles of human rights and fundamental freedoms outlined in international conventions, granting these principles the highest level of protection as constitutional provisions.

Recognizing the importance of developing and harmonizing national legislation in accordance with international law and human rights treaties, Egypt has made considerable progress in transforming constitutional principles into legislative texts that provide legal safeguards for their implementation on the ground. The process of drafting and refining laws is an ongoing endeavor aimed at enhancing human rights conditions and preserving human dignity. With the launch of the "National Human Rights Strategy" by the President of the Republic, there is a tangible political will to improve human rights. Without political will, legal provisions cannot translate into tangible realities. Therefore, it is crucial to seize this opportunity and intensify collaborative efforts to achieve the goals outlined in this Strategy, thereby advancing human rights conditions.

Significant achievements are accomplished through a cumulative process that requires sustained effort and continuous progress. The outcomes may appear gradually as we work towards our desired objectives, and this holds true for the promotion of human rights. Egypt has made considerable strides in recent years. However, regardless of the efforts exerted, there remain numerous challenges that necessitate solidarity and cooperation from all stakeholders to attain the desired level of perfection.

Ayman Okeil

Introduction

Over the past years, the Egyptian state has taken significant and tangible steps to promote human rights and demonstrate its commitment to them. With each progressive measure implemented by the state to support human rights at all levels, positive outcomes have emerged. Political support for the state's leadership has grown, areas of disagreement have diminished, and political parties and entities have shown a greater willingness to collaborate with the Egyptian government in pursuit of common goals in promoting human rights. The focus has been on expanding participation and political engagement, intending to foster cooperation and unity among all stakeholders to uphold the rights of Egyptian citizens.

The National Strategy for Human Rights was launched by the President of the Republic on September 11, 2021. Since its inception, it has served as a guiding framework for the Egyptian state's efforts to promote human rights across various sectors. The Strategy encompasses four key areas of focus: **civil and political rights, economic, social, and cultural rights, women's rights, children's rights, rights of persons with disabilities, youth, and the elderly, as well as education and capacity-building in the field of human rights.** This comprehensive approach ensures that all human rights demands are addressed. Notably, the Strategy has garnered minimal objections regarding its formulation, objectives, and overall impact.

Maat for Peace, Development, and Human Rights recognizes the importance of shedding light on the National Strategy for Human Rights. As part of their duty, the foundation periodically monitors the progress made in implementing the Strategy, identifies areas where there may be delays, and emphasizes the need to complete certain aspects of the Strategy. As we approach the midpoint of the Strategy's implementation period, it is crucial to achieve the expected outcomes, especially considering the influence of a new factor: the "National Dialogue." This initiative has provided recommendations for implementing the Strategy, which has been agreed upon by various segments of Egyptian society. The President of the Republic has welcomed these recommendations and pledged to submit any necessary legislative amendments to the House of Representatives for discussion and enactment.

Given these circumstances, a significant portion of the responsibility for implementing the Strategy and translating it into practical and tangible outcomes rests with the House of Representatives. As the legislative body tasked with enacting and

amending laws related to the subjects addressed in the national Strategy, the House of Representatives plays a pivotal role in transitioning from the stage of visions and recommendations to the stage of actual legislation. This legislative action is vital to achieving the desired goals of the Strategy by the specified deadline in September 2026.

Ensuring effective monitoring of the implementation of the National Human Rights Strategy is crucial for assessing its progress towards achieving its intended objectives. While the state has made notable advancements in implementing certain aspects of the Strategy, particularly through initiatives like the Decent Life Initiative that promote economic and social rights, geographic justice, and improved living standards, there is a noticeable deficit in the performance of the Parliament when it comes to fulfilling its role and implementing the legislative goals outlined in the Strategy. Specifically, key laws that were discussed in the national dialogue sessions, such as the Freedom of Information Law, the Unified Law to Eliminate Violence against Women, and amendments to the Code of Criminal Procedure, have not seen substantial progress.

Despite the discussions and recommendations stemming from the National Dialogue, the House of Representatives has not made significant headway in enacting the necessary legislation to fulfill the objectives of the National Human Rights Strategy. Several draft laws and amendments to existing laws are still in the preparatory and discussion stages or have not yet reached this point. As we approach the midpoint of the five-year Strategy implementation period, it is crucial to emphasize once again the importance of increased efforts by the House of Representatives in the coming period to expedite the completion of the highest number of laws targeted by the Strategy and to achieve the stated goals.

Maat urges the House of Representatives to take the initiative and make the current session the "Session of the National Human Rights Strategy". All legislation related to the Strategy must be brought before the House so that it can be completed before the start of the fifth and final session when parties and parliamentarians will be occupied with election preparations. In the upcoming parliamentary session, we call for collaborative efforts between Parliament, National Dialogue Secretariat, and the Presidential Pardon Committee to achieve nationally agreed-upon priorities.

In its ongoing monitoring of the implementation of the National Human Rights Strategy, Maat emphasizes the need to develop an executive action plan for the Strategy. The absence of an action plan results in a slow implementation of the Strategy's provisions by some relevant parties.

Methodology

This study employs a methodology that measures the implementation of the "Legislative Path," which is one of the executive Strategy's components. It aims to assess the responsiveness of the Egyptian Parliament, specifically the House of Representatives as the legislative chamber, to the targeted outcomes requiring the formulation or amendment of laws in the Strategy's four axes. This is achieved by examining the activities of Parliament and identifying its interventions since the President of the Republic announced the launch of the National Human Rights Strategy.

The National Human Rights Strategy aims to issue and amend approximately 33 legislations that contribute to achieving the desired results in the four axes of the Strategy. Therefore, this study examines the actions taken by the House of Representatives concerning these legislations, including proposals, discussions, drafting stages, and the laws that have been enacted. Through this analysis, we can evaluate the House of Representatives' success in fulfilling its role in achieving the objectives of the national Strategy.

The study also evaluates the features and relevance of the legislation that Parliament has enacted since the launch of the National Strategy. It examines whether there were compelling reasons that led Parliament to prioritize these laws over those related to the National Strategy. Additionally, we provide recommendations to activate the legislative path for implementing the National Human Rights Strategy.

Legislative Development Path

The National Human Rights Strategy aims to issue and amend around 33 pieces of legislation that contribute to achieving the desired outcomes, particularly in areas related to civil and political rights, economic and social rights, and the rights of women, children, youth, people with disabilities, and the elderly.

During the first year of the Strategy, (4) draft laws were referred to the House of Representatives targeting the outcomes of the Strategy in its various axes, in addition to adopting a ministerial decision amounting to legislation and falling within the framework of achieving the targeted outcomes of the Strategy.

Four draft laws directly linked to the Strategy have been referred to the House of Representatives, these include: Early Marriage Prevention Law, Elderly Rights Law, amendments to Labor Law to ensure equal maternity leave rights for women in the private sector compared to their counterparts in the public and governmental sectors, and a draft law on settling commercial and civil disputes. The latter aims to reduce the number of civil and commercial disputes brought before the courts by providing alternative means of settlement, thereby alleviating the burden on Egypt's judicial system. This achievement aligns with one of the targeted results of the Strategy, particularly target 2 in the third sub-topic on the right to litigation and strengthening fair trial guarantees, as outlined in the first axis on civil and political rights.

During the second year of the Strategy, eight draft laws, amendments, or additions to existing laws were discussed across three Strategy axes in the House of Representatives, ministries, and within the framework of the national dialogue. This is an increase compared to the four draft laws referred to the House of Representatives in the first year of the Strategy. The table below provides an overview of the draft laws, their current stage, and the parties responsible for submitting them.

Legislation on House of Representatives Table

#	Required Legislative Intervention	Legislation Position	Proposing Entity
1.	Benefiting from the framework for reviewing the most serious crimes for which the death penalty is imposed, taking into account societal conditions and specialized studies and in accordance with international and regional human rights conventions ratified by Egypt.	Legislative amendment was not tabled in the House of Representatives.	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or the House of Representatives.
2.	Introducing a legislative amendment that enables those who are financially unable to appeal before the Court of Cassation the death sentences issued, in addition to the procedure taken by the Public Prosecution to submit the papers obligatorily to the Court of Cassation under the current law.	The legislative amendment was not tabled in the House of Representatives.	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or the House of Representatives.
3.	Continue to combat torture in all its forms and forms, investigate relevant allegations, and protect the rights of victims in line with the Constitution and Egypt's international obligations.	The legislative amendment was not tabled in the House of Representatives. Meanwhile, a discussion took place regarding the anti-torture mechanism	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or the House of Representatives, although there was interest in the House discussions on this matter.

#	Required Legislative Intervention	Legislation Position	Proposing Entity
		between the Human Rights Committee and the National Council for Human Rights. ¹	
4.	Limiting any form of individual practices that constitute violations of the sanctity of the body, whether in public or private entities or places.	The legislative amendment was not tabled in the House of Representatives.	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or the House of Representatives.
5.	Strengthening the guarantees related to the controls, justifications, and periods of pretrial detention contained in national laws.	The draft law has been referred from the Council of Ministers to the House of Representatives since May 2017. ²	The draft law amending the Code of Criminal Procedure was submitted by the government to the House of Representatives in 2017, that is, before the launch of the National Human Rights Strategy, and it was discussed several times in the Legislative Committee as well as in the subcommittee formed to draft and review the draft law submitted by the government amending some provisions of the Code of Criminal Procedure, without To see the light over the course of two legislative terms of the House of Representatives.

¹ التعذيب» يثير جدلا بين وكيل «حقوق النواب» ورئيس «القومي لحقوق الإنسان»، متاح عبر هذا الرابط، <https://2u.pw/hM5sG3v>
² الوزراء: تعديلات "الإجراءات الجنائية" تشمل إعادة تنظيم إجراءات الحبس الاحتياطي، متاح عبر هذا الرابط، <https://2u.pw/z37bps>

#	Required Legislative Intervention	Legislation Position	Proposing Entity
6.	Consider including in the Code of Criminal Procedure more technologically advanced alternatives to pretrial detention, and work to activate the alternatives contained therein.	It is up for discussion in the Legislative Committee as part of amending some provisions of the Criminal Procedure Code.	The draft law amending the Code of Criminal Procedure was submitted by the government to the House of Representatives in 2017, that is, before the launch of the National Human Rights Strategy, and it was discussed several times in the Legislative Committee as well as in the subcommittee formed to draft and review the draft law submitted by the government to amend some provisions of the Code of Criminal Procedure.
7.	Establishing a legal system different from the justifications for pretrial detention if the accused is a child over fifteen years of age, tightening the conditions that must be met for detention.	Submitted before the draft code of criminal procedure.	The draft law amending the Code of Criminal Procedure was submitted by the government to the House of Representatives in 2017, that is, before the launch of the National Human Rights Strategy, and it was discussed several times in the Legislative Committee as well as in the subcommittee formed to draft and review the draft law submitted by the government to amend some provisions of the Code of Criminal Procedure.

#	Required Legislative Intervention	Legislation Position	Proposing Entity
8.	Adopting a legislative policy to review crimes for which the offender is obligatorily punished with custodial penalties and increasing the fine penalty, especially for minor crimes that do not indicate the offender's severe criminal danger.	The legislative amendment was not tabled in the House of Representatives.	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or the House of Representatives.
9.	Studying a legislative amendment to create an alternative penalty to the penalty of deprivation of liberty for non-payment of debts arising from contractual relations.	The legislative amendment was not tabled in the House of Representatives.	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or the House of Representatives.
10.	Legislative regulation of the principle that criminal and civil lawsuits shall not be subject to a statute of limitations regarding all forms of assault on personal freedom, in the event that the perpetrator is a public employee or entrusted with a public service and commits his crime because of, on the occasion of, or by exploiting his position.	The legislative amendment was not tabled in the House of Representatives.	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or the House of Representatives.
11.	Recognizing the right of the person harmed by crimes of assault on personal freedom to file a criminal case through	The legislative amendment was not tabled in the	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or

#	Required Legislative Intervention	Legislation Position	Proposing Entity
	direct prosecution, and ensuring fair compensation for those whose personal freedom has been attacked.	House of Representatives.	the House of Representatives.
12.	Creating a legal mechanism that allows addicts detained in private asylums to appeal the decision to detain them.	The legislative amendment was not tabled in the House of Representatives.	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or the House of Representatives.
13.	Issuance of a law allowing the appeal of rulings issued in felonies by all types of courts.	The law has been passed	A draft law submitted by the government, amending some provisions of the Criminal Procedure Code, and the Council's opinion was taken for final approval while standing. ³
14.	Reducing the number of disputes brought before the civil and misdemeanor courts, and administrative disputes, by expanding the introduction of alternative methods for resolving civil and commercial disputes of low value, as well as administrative disputes, and legislatively expanding the criminal order system to reduce pressure on the misdemeanor courts.	Submitted before the Legislative Committee of the House of Representatives.	A draft law submitted by the Council of Ministers.

³ مجلس النواب يوافق نهائيا على تعديل قانون الإجراءات الجنائية <https://qrcd.org/4Ete>

#	Required Legislative Intervention	Legislation Position	Proposing Entity
15.	Amending the Code of Criminal Procedure in a way that requires the accused to be informed of his right to silence.	The legislative amendment was not tabled in the House of Representatives.	Although a draft amendment to the Criminal Procedure Code has been proposed, this amendment is not included among the amendments to the law.
16.	Preparing and issuing a law to protect witnesses, whistleblowers, and victims.	Proposed for discussion in the Constitutional and Legislative Affairs Committee of the House of Representatives as part of the amendments to the Criminal Procedure Code. This law represents a commitment to the Constitution under Article 96 of the Constitution.	The draft law amending the Code of Criminal Procedure was submitted by the government to the House of Representatives since 2017, that is, before the launch of the National Human Rights Strategy, and it was discussed several times in the Legislative Committee as well as in the subcommittee formed to draft and review the draft law submitted by the government amending some provisions of the Code of Criminal Procedure, without To see the light over the course of two legislative terms of the House of Representatives.
17.	Strengthening the judicial system for child witnesses.	The legislative amendment was not tabled in the House of Representatives.	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or the House of Representatives.

#	Required Legislative Intervention	Legislation Position	Proposing Entity
18.	Limiting the crimes within the jurisdiction of emergency courts in the most precise manner.	The legislative amendment was not tabled in the House of Representatives.	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or the House of Representatives.
19.	Issuance of a law to regulate the right to obtain and circulate information, data, and official statistics.	The legislative amendment was not tabled in the House of Representatives.	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or the House of Representatives.
20.	Issuing legislative amendments regulating the work of professional unions, guided by the rulings of the Supreme Constitutional Court on issues of imposing judicial custody and disputes related to validity of holding general assemblies, among others.	The legislative amendment was not tabled in the House of Representatives.	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or the House of Representatives.
21.	Amending the Code of Criminal Procedure to ensure the enforcement of the constitutional obligation to protect the sanctity of the private life of victims, witnesses, accused, and informants.	The legislative amendment was not tabled in the House of Representatives.	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or the House of Representatives.
22.	Issuance of a legislative amendment to increase penalties in the	The legislative amendment was not tabled in the	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or

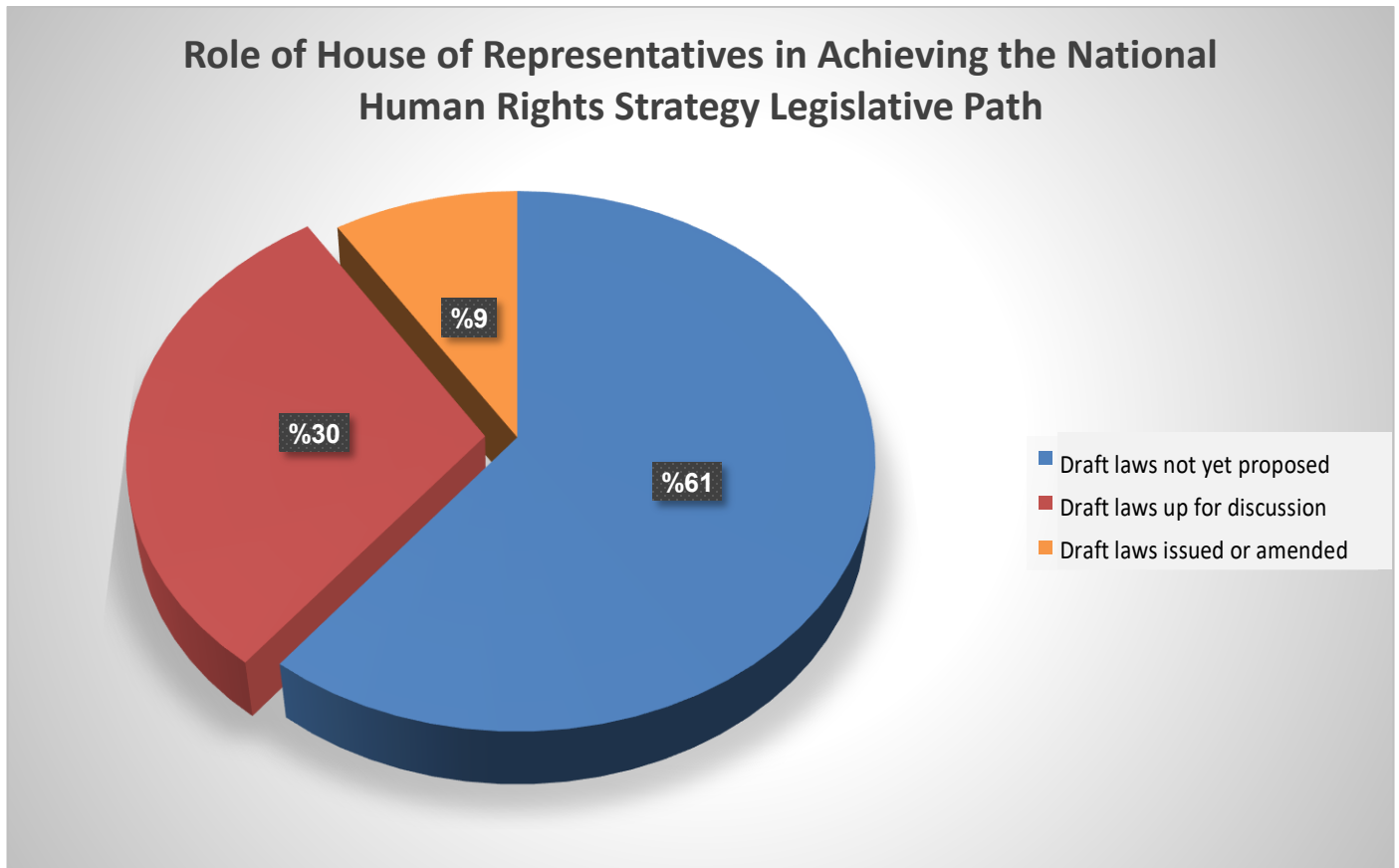
#	Required Legislative Intervention	Legislation Position	Proposing Entity
	Environmental Law and related laws.	House of Representatives.	the House of Representatives.
23.	Issuing legislation to establish and regulate the right to knowledge.	The legislative amendment was not tabled in the House of Representatives.	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or the House of Representatives.
24.	Consider legalizing the conditions of domestic service workers.	A draft law submitted to the House of Representatives.	Submitted by Representative Hala Abu Al-Saad, Deputy Minister of the Micro, Small and Medium Enterprises Committee, in December 2021, and a member of the Modern Egypt Party. ⁴
25.	Updating legislation and regulations to ensure the safety and quality of local and imported food products, developing quality standards and standard specifications for many agricultural product commodities, and enhancing the capabilities and role of the National Food Safety Authority.	The legislative amendment was not tabled in the House of Representatives	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or the House of Representatives.
26.	Developing legislation related to intellectual property protection and competition, to provide an environment	The law has been passed	The draft law was submitted by the government

⁴ أول مشروع قانون لتقنين أوضاع العمالة المنزلية، متاح على الرابط التالي، <https://2u.pw/v8KuEgY>

#	Required Legislative Intervention	Legislation Position	Proposing Entity
	that enables cultural industries.		
27.	Work to issue a comprehensive law to protect women from violence that includes amendments to the Penal Code and the Code of Criminal Procedure with regard to discriminatory provisions, and criminalizes all forms of violence against women.	A draft law submitted to the House of Representatives.	The draft law was submitted by Nashwa Al-Deeb, an independent MP.
28.	Amending laws to enhance women's rights, ensure the best interest of the child, and facilitate women's access to all their rights and the full rights of their children without delay.	The legislative amendment has not been proposed in the House of Representatives and is expected to be part of the Personal Status Law that the Ministry of Justice is working on drafting.	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or the House of Representatives.
29.	Amending the Penal Code to make harassment of women on public transportation or in their workplace an aggravating circumstance for the crime.	The law has been passed	The draft law was submitted by the government
30.	Issuing a law preventing child marriage, and strengthening	It was discussed in the House	A draft law submitted by the government

#	Required Legislative Intervention	Legislation Position	Proposing Entity
	measures to prevent forced and temporary marriage.	Legislative Committee.	
31.	Studying the amendment of some articles of Chapter Two of Chapter Three on Social Welfare of the Children's Law, to ensure that children of equal parentage and found children enjoy all their rights, especially the rights to health and education.	The study of the legislative amendment was not presented in the House of Representatives.	This targeted outcome was not adopted in the National Human Rights Strategy, either by the government or the House of Representatives.
32.	Issuing integrated legislation that enhances the rights of the elderly.	Up for discussion before the Solidarity Committee of the House of Representatives.	The draft law was submitted by Nashwa Al-Deeb, an independent MP.
33.	Continue coordination with Parliament in the field of harmonizing national legislation with international agreements related to human rights ratified by Egypt.	During the third year of the launch of the Strategy, the House of Representatives began reviewing the first report on the Strategy submitted by the Permanent Supreme Committee for Human Rights at the Ministry of Foreign Affairs.	Coordination in this regard is taking place between the Permanent Supreme Committee for Human Rights and the Human Rights Committee of the House of Representatives.

The table above illustrates that several laws outlined in the National Human Rights Strategy are still being reviewed by parliamentary committees. However, certain draft laws have remained stagnant within these committees for extended periods, becoming essentially "locked inside drawers." Examples of such drafts include proposed amendments to the Code of Criminal Procedure, which pertain to alternatives to incarceration. These amendments could contribute to the achievement of the Strategy's second target of enhancing personal freedom within the realm of civil and political rights. Additionally, there is a proposal for a legislative amendment that would enable individuals who lack financial resources to appeal death sentences to the Court of Cassation. This amendment would also necessitate the appointment of a lawyer for those sentenced to death, addressing a previous legislative loophole. Currently, the Law on Cases and Procedures for Appeals before the Court of Cassation (No. 57 of 1959) does not mandate legal representation for individuals facing the death penalty, nor does it allow financially incapable individuals to appeal to the Court of Cassation. However, these proposed amendments need to be adopted, as there is a noticeable delay in achieving the desired outcomes by enacting these laws.



The figure above illustrates the House of Representatives' efforts in achieving the targeted outcomes of the National Human Rights Strategy regarding the legislative path. Regrettably, the House of Representatives has only accomplished 9% of the expected achievements in over two years, approving three pieces of legislation at a notably slow pace. Furthermore, the House of Representatives has initiated discussions on 10 other topics, representing 30% of the total targeted topics. However, approximately 61% of the legislations targeted have not been addressed, indicating a significant deficiency in the House of Representatives' performance in achieving the required goals.

The proposed amendments include provisions that strengthen controls on pretrial detention, reflecting the implementation of the first targeted outcome concerning personal freedom. Other draft laws discussed during the second year of the Strategy, in preparation for adoption of the "New Draft Labor Law," which incorporates crucial amendments to safeguard the rights of women and other vulnerable groups, such as children.

The First Law issued was the Law Establishing the Egyptian Intellectual Property Authority. This law partially contributes to the fulfillment of the fifth target outcome, which involves developing legislation related to the protection of intellectual property. This falls within the eighth sub-item on cultural rights under the economic, social, and cultural rights axis of the Strategy. It is important to note that achieving this targeted outcome necessitates more than the enactment of a single law. The scope of legislation requiring amendment or approval concerning intellectual property cannot be limited to a single law.

The Second Law was approved to enable the appeal of rulings issued in felony cases by all types of courts. This law aligns with the priorities of the National Human Rights Strategy and is also a constitutional obligation. Article 96 of the Egyptian Constitution stipulates that the law should regulate the appeal of rulings issued in felony cases. Furthermore, Article 240 guarantees the provision of financial resources for appealing judgments in felony cases within ten years of the Constitution's entry into force.

According to the Constitution, there is a deadline for approving legislation to appeal criminal court rulings and it is intended to comply with international agreements and charters on human rights, which establish the principle of a two-level litigation system for felonies. This principle recognizes that no matter the guarantees in place, the

opportunity to review initial rulings is crucial to minimize errors and ensure a fair trial for the accused.

Despite the Constitutional obligation to approve this Law within the specified ten-year period, it was only passed on January 16, 2024, just one day before the deadline on January 17, 2024. This significant delay in approving the law reflects a severe slowdown in the House of Representatives performance in discussing and approving legislation related to human rights. Nevertheless, we commend the passage of this crucial law that ensures a fair trial.

Furthermore, amendments have been made to the Penal Code to consider harassment of women in public transportation or the workplace as an aggravating circumstance for the crime. This amendment partially contributes to the promotion of women's rights, which is one of the goals outlined in the third axis of the National Human Rights Strategy, specifically regarding the advancement of women's and children's rights, and the rights of persons with disabilities, youth, and the elderly. However, it should be noted that amending the Penal Code to impose stricter penalties for harassment of women only partially achieves the targeted results in this area. The Strategy initially called for comprehensive legislation to protect women from violence, which has not been fully realized thus far.

Maat believes that despite the discussion of previous draft laws, the House of Representatives should accelerate the pace of deliberating, drafting, and enacting laws that align with the targeted outcomes of the National Human Rights Strategy. However, it appears that the Council is prioritizing other legislation. This is evident in the approval of 188 draft laws by the House of Representatives, particularly during the third session of the second legislative term, which took place from October 2022 to July 2023. While this number may give the impression of parliamentary efforts, there are concerns that only a very limited number of these projects addressed the results targeted by the National Human Rights Strategy.

Some legislation targeted by the National Human Rights Strategy has been postponed to the fourth session. There was an opportunity for the House of Representatives to pass four laws related to the Strategy's objectives, which had been under discussion since the first year of the Strategy. However, the formulation of all the articles of these projects was not completed before the session was adjourned. The third session is scheduled for July 12, 2023, and the four draft laws include the Early Marriage

Prevention Law, the Elderly Rights Law, certain amendments to the Labor Law ensuring equal leave rights for women in the private sector compared to their counterparts in the public and governmental sectors, as well as the draft Dispute Settlement Law, which aims to expedite dispute resolution through alternative mechanisms to alleviate pressure on the courts. Despite more than three months having passed since the start of the fourth session, there has been no progress made on these laws.

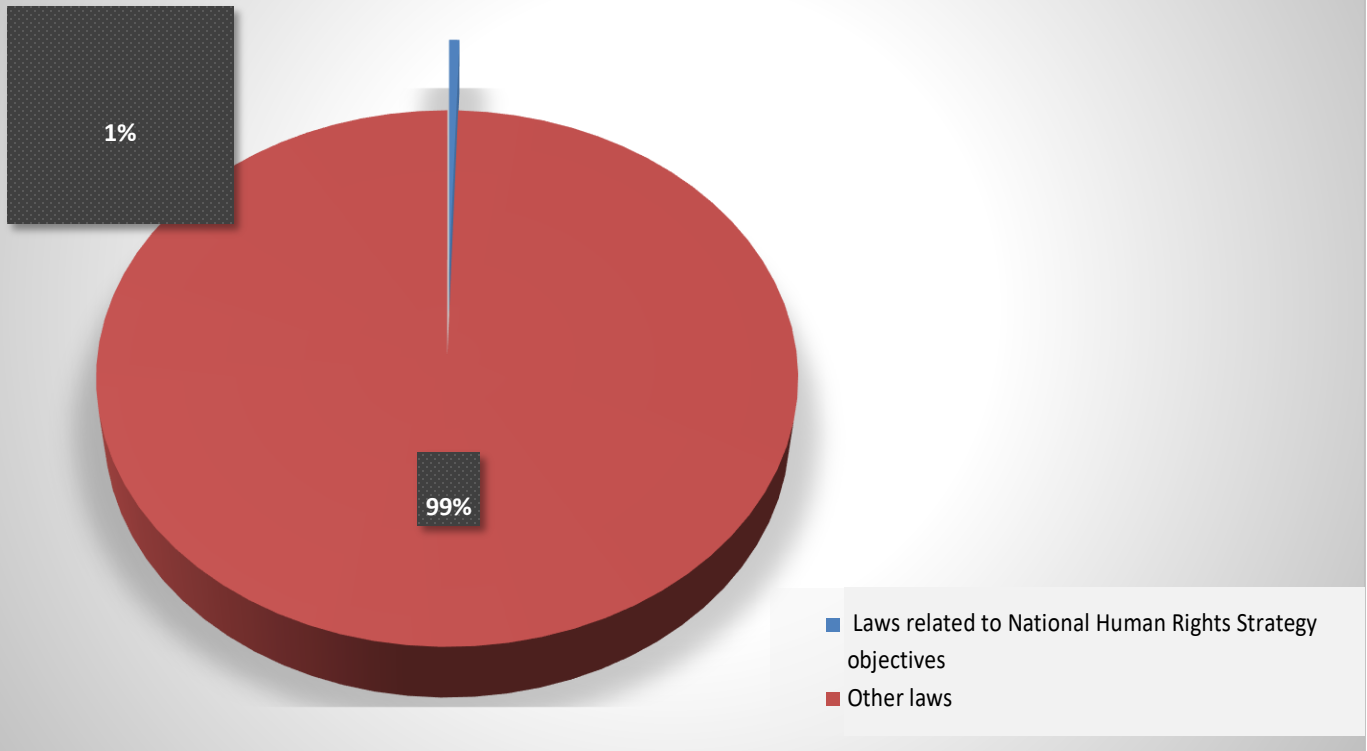
Evaluation of House of Representatives Focus on Human Rights Legislation:

During the third session, which concluded in July 2023, the House of Representatives successfully fulfilled its legislative and oversight role by approving 188 draft laws, comprising a total of 1,774 articles, and ratifying 51 international agreements. Additionally, numerous oversight tools were employed. During the same period, ministers received approximately 1,500 tools, including questions, briefing requests, and requests for general discussion. The House of Representatives conducted 51 plenary sessions, amounting to 185 working hours, with 525 speakers making interventions totaling about 3,600.⁵

While some of this legislation contributes to the achievement of general goals outlined in the National Human Rights Strategy, there has been a lack of focus on the draft laws explicitly stipulated in the Strategy that directly aim to promote human rights. Out of the 188 draft laws approved by the House of Representatives during this period, only one law passed or amended was directly related to the objectives of the National Human Rights Strategy, accounting for less than 1% of the total legislation approved by the House of Representatives during that time.

⁵ <https://2u.pw/Q11F4dG> حصاد مجلس النواب، متاح على الرابط التالي:

Laws Approved by House of Representatives during the Third Session



The House of Representatives commenced the fourth session of the second legislative term on October 1, 2023. After nearly four months, only one piece of legislation related to the national Strategy has been approved, specifically, the amendment of the Code of Criminal Procedure to allow the appeal of rulings issued in felony cases from all types of courts.

According to the internal regulations of the House of Representatives, the session is expected to last for a minimum of nine months. Consequently, more than a third of the session has passed without sufficient progress being made in implementing the National Human Rights Strategy. While the Parliament is currently occupied with numerous laws referred by the government, there is potential for greater strides during the fourth session. In the second and third sessions, only one law related to the Strategy was approved. However, within the first three months of the fourth session, two laws related to the Strategy were approved. This represents an improved rate that can serve as a foundation for further advancements in the legislation about the national Strategy. It is crucial to prevent the Strategy from receiving negative evaluations as it has yet to achieve one of its primary goals, namely progress on the legislative front. The lack of

tangible advancements in the National Human Rights Strategy indicates that it has not been sufficiently prioritized by the House of Representatives, especially considering the limited progress made in 2023.

While we discuss the slow pace of legislative steps related to the National Human Rights Strategy, it is noteworthy that the House of Representatives itself, through media statements, acknowledges the significance of the concerns we have raised. Representative Tariq Radwan, Chairman of the Human Rights Committee, has pledged to implement a comprehensive plan within his committee to enhance the state of human rights in Egypt.

However, the aforementioned plan does not include making progress in developing legislation related to the national Strategy. Consequently, it is unlikely that the committee responsible for this matter in the House of Representatives will present a legislative vision that will be approved by the Parliament in the near future.⁶

The Human Rights Committee of the House of Representatives intends to hold meetings with civil society organizations to monitor their activities related to the implementation of the National Human Rights Strategy. They also plan to discuss the issuance of a law to protect witnesses, whistleblowers, and victims. However, despite human rights organizations repeatedly presenting their clear vision and detailed information on these matters, the decision-making authority to implement the Strategy and transform it into a binding reality does not solely lie with civil society organizations.⁷

In terms of oversight by House of Representatives, certain committees, particularly the Human Rights Committee, have taken some actions. Additionally, some representatives have utilized their oversight tools to address the implementation of the National Human Rights Strategy. However, these actions have not translated into tangible outcomes, such as the advancement of draft laws or effective follow-up on the Strategy's implementation.

While the Human Rights Committee prioritizes the National Human Rights Strategy in its work, the interest from other parliamentary committees in discussing the laws outlined in the Strategy is lacking. Furthermore, there is a lack of clear action from the Parliament and its members to adopt the outcomes of the national dialogue, which

⁶ مجلس النواب يُناقش مشروع قانون بشأن استراتيجية حقوق الإنسان الوطنية، متاح على الرابط التالي، <https://2u.pw/tj8zzVp>
⁷ خطة متكاملة لـ "حقوق إنسان النواب" .. تنفيذ الاستراتيجية الوطنية أولوية بدور الانعقاد الرابع، متاح على الرابط التالي، <https://2u.pw/Xd7RNMf>

were endorsed by the President of the Republic and require legislative effort for implementation.

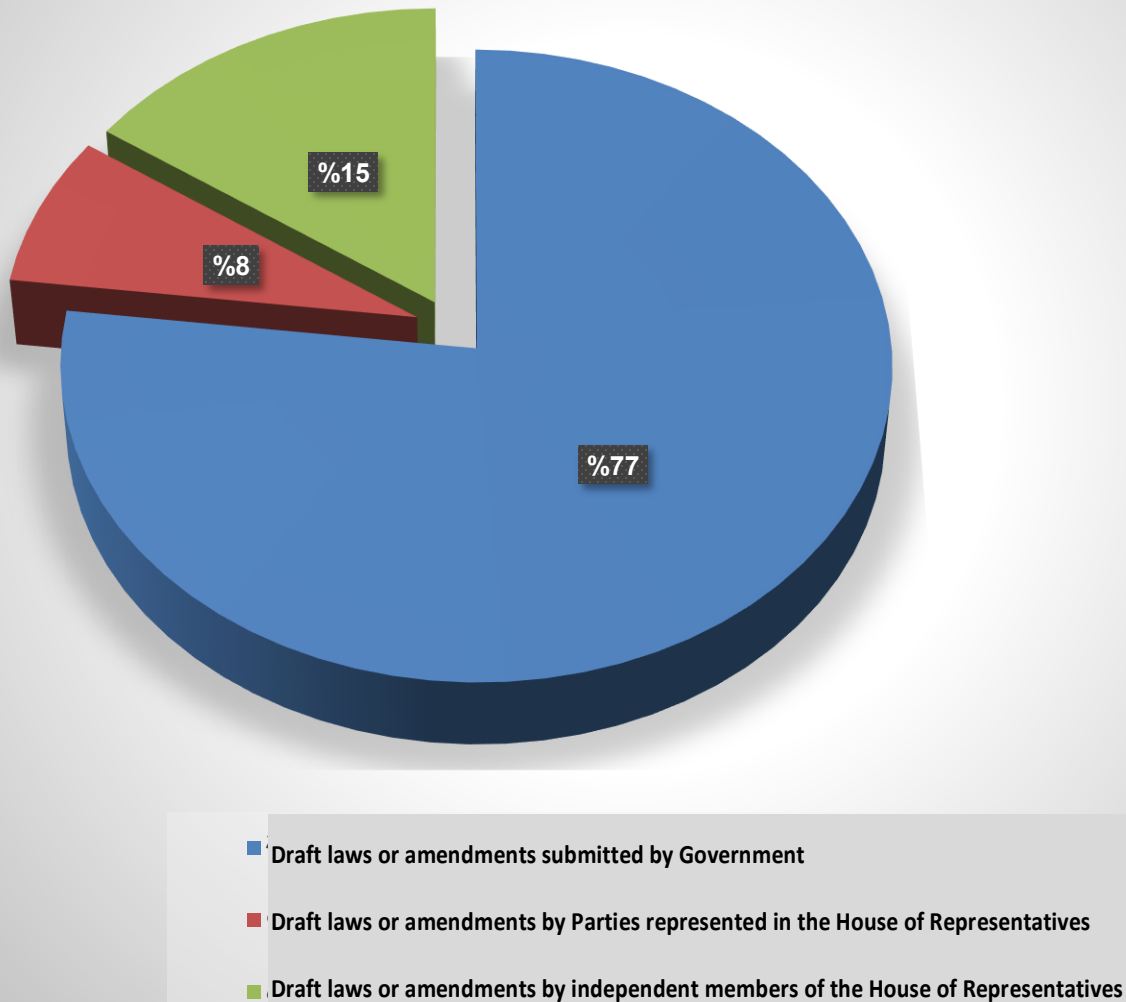
Political Parties Represented in House of Representatives Role in Implementing Strategy's Objectives

The political parties represented in the House of Representatives play a significant role in implementing the Strategy's objectives. Currently, there are 13 parties in the House, which increases to 15 parties in the Senate. The number of representatives affiliated with parties in the House totals 475 seats, representing 83.77% of the total elected seats. This demonstrates the substantial representation of parties within Parliament and their ability to influence the legislative and oversight processes, as well as express the citizens' aspirations.

Furthermore, despite the presence of political party representation within the House of Representatives, there is a significant lack of interest from political parties in the legislative aspect of the National Human Rights Strategy. The legislative track of the National Strategy initially targeted approximately 33 pieces of legislation. However, only one party has submitted a draft law among those targeted in the National Human Rights Strategy. This particular draft law pertains to codifying the conditions of domestic service workers and was submitted by Representative Hala Abu Al-Saad, a member of Modern Egypt Party.

In contrast, an independent representative, Representative Nashwa Al-Deeb, presented two draft laws. The first law aims to enhance the rights of the elderly, while the second comprehensive law focuses on protecting women from violence. The latter includes amendments to the Penal Code and the Code of Criminal Procedure to address discriminatory articles and criminalize all forms of violence against women. On the other hand, the government submitted 10 drafts and amendments to laws to the House of Representatives, indicating a greater commitment to achieving the goals of the National Human Rights Strategy compared to the House itself. This highlights the limited role played by the House of Representatives in implementing the proposed legislative path of the Strategy.

Political Parties Represented in House of Representatives Role in Implementing Strategy's Objectives



The above figure highlights the underperformance of parties within the House of Representatives concerning the legislative agenda of the National Human Rights Strategy. Although the House of Representatives as a whole has shown interest in a limited number of legislations included in the Strategy, 77% of these legislations were submitted by the government, while an independent female representative submitted 15% of them. Furthermore, only one party submitted one draft law, accounting for 8% of the total legislation discussed.

However, despite the majority of political parties in the current composition of the House of Representatives, there is a deficiency in their performance concerning the

legislative path outlined in the National Human Rights Strategy. Despite the majority of political parties in the current composition of the House of Representatives, the numbers presented demonstrate a deficiency in their performance regarding the legislative path outlined in the National Human Rights Strategy. Submitting a draft law requires meeting the legal requirement of one-tenth of the total number of members of the House, which is a relatively small number for a majority party to fulfill. Notably, parties affiliated with the liberal movement or those emphasizing human rights in their political discourse have not played a legislative role. There has been no cooperation among them to translate their shared values into draft laws or amendments as specified in the National Human Rights Strategy.

Joint Role of Permanent Supreme Committee for Human Rights and House of Representatives

The Permanent Supreme Committee for Human Rights and the House of Representatives Human Rights Committee have had coordination and cooperation even before the launch of the National Human Rights Strategy in September 2021, and aimed to consult on the Strategy's launch. However, coordination significantly declined after the Strategy's launch. Communication primarily takes place between the Permanent Supreme Committee and the Human Rights Committee of the House of Representatives, while other committees, notably the Legislative Committee, which considers many legislations, lack communication with the Supreme Permanent Committee. This hinders effective follow-up on the legislative path to achieve the targeted outcomes of the National Human Rights Strategy.

The Permanent Committee for Human Rights announced the first meeting on the national Strategy, held between the Permanent Committee and the Human Rights Committee of the House of Representatives on May 9, 2021. The purpose of the meeting was to discuss the initial draft of the National Human Rights Strategy and its targeted outcomes. Emphasis was placed on enhancing communication and consultation with the Human Rights Committee of the House of Representatives to achieve coherence and synergy in national efforts related to advancing human rights.⁸

On December 26, 2021, the Human Rights Committee of the House of Representatives convened to discuss cooperation and coordination with the Human

⁸ الاجتماع التحضيري بين اللجنة العليا ولجنة حقوق الإنسان بمجلس النواب، <https://2u.pw/PaFUHml>

Rights Department of the Ministry of Foreign Affairs. The purpose was to address complaints received from citizens and organizations regarding human rights issues, while emphasizing the promotion of human rights culture in line with the national Strategy. Ambassador Khaled Al-Baqli was present and emphasized the role of the House of Representatives in portraying an accurate image of Egypt abroad and responding to offensive reports.⁹

On February 2, 2022, the Senate Human Rights and Social Solidarity Committee invited Ambassador Khaled Al-Baqli, Assistant Minister of Foreign Affairs for Human Rights, to elaborate on the National Human Rights Strategy. In his speech, he highlighted the efforts made and ongoing meetings with various national governmental and non-governmental entities to gather their perspectives and proposals. Ambassador Al-Baqli underscored the significance of promoting all human rights and fundamental freedoms in Egypt, including civil, political, economic, social, and cultural rights enshrined in the constitution, national legislation, and international and regional agreements to which Egypt is a party.¹⁰

On May 29, 2022, the technical secretariat of the Supreme Permanent Committee for Human Rights, led by Ambassador Khaled Al-Baqli, held a consultative meeting with several civil society organizations. House of Representatives and Senate members were in attendance. During the meeting, progress and efforts made by various state institutions towards implementing the targeted outcomes of the National Human Rights Strategy (2021-2026) were presented. These efforts encompassed public policies, institutional development, and legislative advancements across the four axes of the Strategy.

On December 13, 2022, the Technical Secretariat of the Permanent Supreme Committee for Human Rights issued a report titled "The National Human Rights Strategy... A Year of Implementation." The report reviewed notable national endeavors in implementing the National Human Rights Strategy 2021-2026. Ambassador Khaled Al-Baqli affirmed the commitment of the House of Representatives and the Senate to fulfill their oversight role, monitor the implementation of the Strategy, hold hearings,

⁹ تعاون بين «حقوق إنسان النواب» والخارجية لحل مشكلات وشكاوى المواطنين، <https://2u.pw/ma7SC6S>

¹⁰ يستعرض الجهود المبذولة لتحقيق الاستراتيجية الوطنية لحقوق الإنسان، <https://2u.pw/UdwEMm5> السفير "خالد البقلي"

and utilize parliamentary tools to follow up with ministries and relevant authorities, as well as the technical secretariat of the Supreme Committee.¹¹

Regarding the meetings between the Permanent Supreme Committee and the Human Rights Committee to monitor the implementation of the national Strategy, a meeting was held on January 3, 2024, to discuss the first annual report of the National Human Rights Strategy issued by the Permanent Supreme Committee for Human Rights. The second report to track the progress of the National Human Rights Strategy has not been released by the Permanent Supreme Committee for Human Rights as of now.

The failure of the Permanent Supreme Committee to issue its second report thus far indicates a clear delay in their work in monitoring the national Strategy. Surprisingly, there has been no criticism or response from the House of Representatives regarding this delay, despite more than two years passing since the launch of the Strategy. Similarly, there has been limited criticism from Parliament towards the Permanent Supreme Committee's vision and plan for achieving the Strategy's goals. In contrast, during a meeting on January 2, 2024, the Human Rights Committee in the House of Representatives directed criticism towards the National Council for Human Rights. Representative Muhammad Abdel Aziz, the Committee's Undersecretary, did not address the report of the National Council for Human Rights regarding the issuance of a national mechanism to combat torture.¹²

National Human Rights Strategy Priorities

In light of the global changes taking place, Egypt is focused on enhancing stability at all levels, particularly after the recent presidential elections, which resulted in President Abdel Fattah El-Sisi winning a new six-year term. During this period, the president aims to establish the foundations of the new republic, making it a strategic priority. One of the key elements of this Strategy is the National Center for Human Rights, which requires all state institutions to activate the Strategy and prioritize its legislation, intending to fully implement it by the scheduled date of September 2026.

Since the issuance of the National Human Rights Strategy, there have been significant developments in promoting human rights, driven by the President of the Republic's call for national dialogue and the Presidential Amnesty Initiative. Positive

¹¹ <https://2u.pw/N1gbf5q> الأمانة الفنية للجنة العليا الدائمة لحقوق الإنسان تعقد لقاءً تشاورياً مع منظمات المجتمع المدني،

¹² <https://www.dostor.org/4255919> البقلى: جهود تقرير الاستراتيجية الوطنية لحقوق الإنسان تؤكد جدية الدولة فى تنفيذها،

outcomes have been achieved through the National Dialogue and the Presidential Amnesty Committee. It is imperative to build on these successes by enacting the necessary legislation.

From a human rights perspective, it is crucial to expedite the enactment of legislation outlined in the Strategy. For instance, amending the Code of Criminal Procedure to address the issue of pretrial detention is of utmost importance. Proposals have emerged during the National Dialogue for drafting a new Code of Criminal Procedure that rectifies the shortcomings of the current law and addresses the demands put forth by political parties and civil society organizations.

Additionally, the enactment of the Freedom of Information Law, the introduction of the Law on the Protection of Whistleblowers and Witnesses, the Law on Combating Violence against Women, and the Law on Regulating the Rights of the Elderly are among the top legislative needs in line with the national Strategy. Continual amendments to the Penal Code or the drafting of a new law are also necessary to establish appropriate penalties for crimes, including reducing penalties for certain offenses or strengthening penalties for others to serve as a deterrent.

1. Legislation Promoting Civil and Political Rights

The national Strategy outlines several outcomes aimed at strengthening civil and political rights, as part of the broader objective of promoting all human rights enshrined in the constitution, national legislation, and international and regional agreements ratified by Egypt.

Addressing the issue of pretrial detention is a key priority within the National Human Rights Strategy. It is explicitly mentioned three times as a targeted outcome, and is implicitly emphasized in other recommendations, including the need to align national legislation with relevant international human rights agreements ratified by Egypt. Amending the Code of Criminal Procedure is crucial to achieving multiple results, such as upholding the constitutional obligation to protect the privacy of victims, witnesses, accused individuals, and informants.

To underscore the significance of amending pretrial detention legislation, it is important to note that this matter was prioritized during the National Dialogue. Various proposals were put forward, including reducing the maximum duration of pretrial

detention from two years to one year. Furthermore, the proposals suggested allowing appeals against detention decisions before the judiciary and ensuring appropriate compensation for individuals whose convictions or acquittals were proven invalid by the court. Additionally, alternatives to pretrial detention were explored. Thus, amending this legislation stands as a crucial priority for the current parliamentary session.¹³

2. Legislation Aimed at Promoting Economic, Social, and Cultural Rights

Moving on to legislation aimed at promoting economic, social, and cultural rights, it can be observed that Parliament has made efforts in this regard. The government has submitted laws to address executive requirements over the past two years, aligning with its plans to manage the economy and enhance social rights. As part of these efforts, Parliament approved an increase in the cost-of-living allowance, exceptional grants for employees under the Civil Service Law, and those not covered by it. Furthermore, an increase in the exceptional grant was decided for employees of public sector companies, the public business sector, and pensioners or eligible recipients.

However, it is worth noting that legislation pertaining to this aspect is closely tied to draft laws presented by the government. Many of these laws aim to augment the state's resources, particularly in response to the economic challenges magnified by the Russian-Ukrainian war. The war has disrupted supply chains, caused the Egyptian currency to depreciate against foreign currencies, and resulted in other repercussions. Consequently, measures were taken to liberalize the exchange rate of the Egyptian currency, leading to reduced economic growth and hampering the government's ability to fulfill its obligations. The cost of living has risen, and the prices of essential services and foodstuffs have reached unprecedented levels. Despite the government's efforts to provide alternatives to mitigate the economic crisis, a significant number of people continue to be affected, thereby impeding the realization of certain objectives outlined in the National Human Rights Strategy.

The economic crisis has resulted in high inflation rates, with November 2023 recording a rate of 34.6%. Food and beverage prices have experienced a substantial annual increase of 64.5%. Consequently, the prices of some basic commodities have

¹³ <https://2u.pw/1xWwAlt> رئيس «حقوق النواب»: وزارات بالحكومة لا تنفذ «الاستراتيجية الوطنية»، ومنها «الثقافة»،

reached unprecedented levels, forcing many individuals from lower-income groups to refrain from purchasing them.

The National Human Rights Strategy has proposed several legislations to promote economic, social, and cultural rights. However, these proposals have yet to be considered by Parliament. Notably, these include the codification of conditions for domestic service workers, updating legislation and regulations to ensure the safety and quality of both local and imported food products, establishing quality standards and specifications for various agricultural commodities, and enhancing the capabilities and role of the National Food Safety Authority.

Given the economic challenges at hand, it is crucial for Parliament to devote more attention to implementing the outcomes outlined in the National Human Rights Strategy, particularly concerning economic and social rights. This entails addressing the needs of citizens in the face of mounting challenges by focusing on legislation that promotes job opportunities. This can be achieved by bolstering employment policies across sectors, effectively integrating the informal economy into the formal sector, and activating the role of the private sector in ensuring the right to work. These actions align with the objectives set forth in the national Strategy.

Furthermore, it is imperative to identify and bridge the gaps in social protection programs for targeted groups. Expanding support for the "Solidarity and Dignity" program, which aids families experiencing multidimensional poverty, is vital. Additionally, efforts should be made to economically empower families capable of working to lift them out of poverty. Developing comprehensive social security, insurance, and pension systems that encompass all target groups is also highlighted in the national Strategy. Furthermore, the importance of strengthening effective social protection policies to provide urgent aid and subsidies during crises and emergencies is emphasized.

3. Promoting Human Rights of Women, Children, People with Disabilities, Youth, and the Elderly

In terms of promoting the human rights of women, children, people with disabilities, youth, and the elderly, Parliament has made notable strides in aligning legislation with the National Human Rights Strategy. Notably, amendments to the Penal Code have been enacted to classify harassment of women in public transportation or the workplace as

an aggravating circumstance—a legislative intervention that effectively combats and reduces harassment against women.

However, several strategic laws in this domain have yet to be addressed by Parliament. Specifically, the issuance of a comprehensive law to protect women from violence, which includes amendments to the Penal Code and the Code of Criminal Procedure to address discriminatory provisions and criminalize all forms of violence against women, remains pending. This law is a key objective of the national Strategy, but no significant parliamentary action has been taken thus far, apart from some representatives submitting it as a draft law. It is crucial for concrete steps to be taken to bring this law to fruition.

Furthermore, there are several laws outlined in the National Human Rights Strategy that await inclusion in the House of Representatives' plans for approval. These laws encompass the following legislative interventions: amending existing legislation to strengthen women's rights, ensuring the best interests of the child, and facilitating women's unimpeded access to all their rights, including those of their children without delay.

In order to ensure the comprehensive rights of children, it is imperative to issue a law that prohibits child marriage, strengthen measures to prevent forced and temporary marriages, and consider amending certain articles of Chapter Two of Chapter Three on Social Welfare in the Children's Law. These amendments aim to guarantee equal rights for children of equal parentage and found children, particularly in terms of health and education. Additionally, integrated legislation should be enacted to promote the rights of older people.

The National Human Rights Strategy highlights the need to address negative cultural practices that perpetuate discrimination against women. To this end, it is crucial to strengthen legislation in this area, including the issuance of a comprehensive law to combat violence against women and the promotion of women's political participation. Laws protecting the rights of working women and ensuring their entitlements should also be activated.

Amending personal status legislation is of significant importance to achieve the goals outlined in the Strategy for child protection. These amendments aim to reduce the number of homeless children, strengthen the principle of the best interests of the child among all parties involved, and develop policies and legislation to combat the worst forms of child labor. Additionally, stricter oversight over social care institutions for children without family support should be implemented.

Efforts to support the elderly should be integrated, building upon the presidential directives that allocated 100 million pounds for their benefit. Issuing legislation within this framework is essential to achieve the desired outcomes outlined in the Strategy, particularly through the enactment of comprehensive legislation that enhances the rights of the elderly. Expanding social protection programs for the elderly and encouraging the involvement of civil society organizations in elderly care are also important aspects to consider.

4. Education and Capacity Building in the Field of Human Rights

Another crucial aspect of the National Human Rights Strategy is the focus on education and capacity building in the field of human rights. This responsibility extends to all state institutions, including Parliament. This axis aims to expand educational programs and incorporate various activities aimed at promoting a widespread culture of human rights throughout society.

Parliament plays a crucial role in effectively implementing this axis by prioritizing and placing emphasis on human rights legislation. Given that the human rights Strategy encompasses various aspects, including economic and social rights, it is essential for Parliament to prioritize these axes in its legislative and oversight work. By doing so, Parliament can contribute to the dissemination and strengthening of a human rights culture through practical legislation that promotes human rights and aligns with the national Strategy. This Strategy represents a significant national movement by the Egyptian state towards the promotion of human rights.

Furthermore, promoting a culture of human rights necessitates the integration of the concepts of citizenship, tolerance, and non-discrimination as fundamental pillars in educational curricula and methodologies. Serious steps should be taken to incorporate human rights concepts and principles into pre-university education curricula through collaboration between Parliament, the government, and civil society organizations. This

collaborative effort aims to develop a comprehensive national plan for human rights education at the pre-university and higher education levels. Additionally, Parliament should oversee the establishment of human rights units in various government institutions and work towards enhancing the awareness and capabilities of human rights workers, particularly those responsible for enforcing the law within the police force, as outlined in the National Human Rights Strategy.

To further consolidate and integrate human rights efforts in Egypt, it is important to establish a national human rights database that collects, classifies, and indexes laws, codes of conduct, relevant international and regional agreements, conventions, and judicial applications related to human rights standards and guarantees issued by the Egyptian courts.

Considering the advancements in technology and the emergence of artificial intelligence, these developments can be effectively utilized to achieve the goals of the Strategy. This can include designing specialized and continuous training programs for media professionals in the field of human rights. It also involves utilizing objective and impactful storytelling techniques to clarify and simplify human rights values and principles for the public. Moreover, expanding the use of various media and digital platforms can help raise awareness of human rights values and principles among the general population.

Recommendations:

- ✚ Announce the fourth session of the House of Representatives, titled "National Strategy Session," to finalize most of the legislation related to the Strategy.
- ✚ Give priority to completing essential legislation in the area of civil and political rights during the fourth session of the House of Representatives. This includes laws such as the Freedom of Information, Statistics, and Official Data Law, Whistleblower and Witness Protection Law, a comprehensive law to combat all forms of violence against women, and necessary amendments to the Code of Criminal Procedure to address issues related to pretrial detention.
- ✚ Parliament shall exercise effective oversight by monitoring the implementation of the national Strategy by all relevant executive institutions. At the end of the fourth session, a comprehensive report shall be issued, evaluating the Strategy's implementation in all its aspects.

- ✚ Foster cooperation between the House of Representatives, the Permanent Supreme Committee for Human Rights, and civil society organizations to develop an executive action plan for the Strategy. This plan shall outline the roles assigned to each party in achieving the targeted outcomes of the Strategy within specified time frames, ensuring timely implementation.
- ✚ Facilitate coordination between House of Representatives and General Secretariat of the National Dialogue to translate the objectives of the national Strategy, as agreed upon in the outcomes of the National Dialogue, into legislative measures and tangible outcomes.
- ✚ Encourage Parliament's engagement in educational and capacity-building initiatives to promote human rights. This can be achieved by organizing joint events with government institutions and civil society organizations to disseminate a culture of human rights and foster respect for them.
- ✚ Establish a new ministerial portfolio dedicated to human rights for coordinating efforts among various ministries and agencies in Egypt to advance human rights and oversee the implementation of national human rights plans, including the goals outlined in the National Human Rights Strategy.