

Egypt risks drifting further away from human rights ideals that drove revolution – Pillay

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The UN High Commissioner for Human Rights Navi Pillay on Wednesday urged the Egyptian Government to take steps to ensure that the current version of a draft law on civil society organizations is laid open to careful examination by Egyptian and international human rights experts, and, based on their advice, is brought into line with international standards, before it is adopted by the Shura Council.

“If a law is passed that severely constrains the activities of civil society organizations, whose constructive contributions will be crucial to the country’s future direction as an inclusive democracy, it will mark a further blow to the hopes and aspirations that were raised during the 2011 ‘Egyptian Revolution,’” she said. “This is a critical moment, with mounting concerns about a range of issues. These include the new Constitution and the manner in which it was adopted, the apparent efforts to limit the authority of the judiciary, and this current draft law which risks placing civil society under the thumb of security ministries which have a history of abusing human rights and an interest in minimizing scrutiny.”

The High Commissioner noted that the new Constitution risks giving the Executive excessive power over the judiciary by providing for the direct appointment of judges to the Supreme Constitutional Court by the President. “This concentration of power risks undermining the independence of the judiciary,” she said.

Pillay said her Office has been following recent developments closely, including legal action targeting protesters, journalists and other activists, including the prominent political satirist, Bassem Youssef. “At the same time as these proceedings are underway, people – including members of the

security forces – responsible for very serious human rights abuses, such as the killing, torture, rape and other forms of sexual attacks on protesters, and ill-treatment of detainees, have in many cases not been properly investigated by the General Prosecutors, let alone brought to justice,” she said.

She said her Office had submitted detailed comments and proposals regarding the draft law on civil society.

“The proposed law has gone through various drafts. There remains some confusion – and much concern that the latest draft, like previous ones, largely ignores inputs from local and international human rights organizations, and, if adopted, will impose a series of draconian restrictions on civil society organizations, especially those focused on human rights,” Pillay said. “It seems that there is a real risk that the current draft will not only make it difficult for civil society to operate freely and effectively, but may also conflict with Egypt’s obligations under international law to uphold the right to freedom of association.”

“Transparency has also been an issue,” she said. “But to date, all those drafts to which we have had access have fallen far short of Egypt's human rights obligations, including those contained in the International Covenant on Civil and Political Rights, which Egypt has ratified. I sincerely hope that international standards will be fully reflected in the final version, and – as I have informed the Government on a number of occasions -- my Office stands ready to offer assistance towards this goal.”

“The rights to freedoms of association and assembly are fundamental to the enjoyment of many other civil, political, economic, social and cultural rights - and these are the very rights which Egyptian women and men came together to claim in January 2011,” the High Commissioner said. “A clear framework is required in order to create an environment that allows civil society to organize and carry out its work for the benefit of the population at large.”

“Governments that seek to constrain these types of activities, for example by controlling access to funds, giving sweeping oversight powers to security agencies, and placing undue constraints on international human rights organizations – all elements contained in the various drafts of this law -- risk slipping quickly into authoritarianism, even if that is not their initial intention,” the High Commissioner warned.

“Tolerance of criticism, debate, and external monitoring of abuses and failings of the country’s laws and institutions are essential to a properly functioning democracy,” she said. “Despite the authoritarian nature of the previous Egyptian Government, local civil society organizations were still feisty and effective operators. I am very concerned that the new law, if adopted in its current form, may leave them in a worse situation than they were prior to the fall of the Mubarak Government in 2011. And -- after all the country has been through in the past two years -- that would be a truly tragic development.”