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Middle East and North Africa Summary

Egypt: Human Rights Challenges in a Post-Revolutionary Society

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INTRODUCTION

This is a summary of discussions that took place during a roundtable meeting convened at Chatham House in May 2013 to discuss the state of human rights in post-revolutionary Egypt.

Some of the main findings of the meeting are as follows.

- There is an urgent need from both the government and the people of Egypt to swiftly work towards establishing a culture of human rights in the country.
- The international community as well as non-state actors can play a considerable role in fostering civil society and a human rights regime; however this role must be balanced and carefully considered so as to ensure continuing stability in Egypt.
- Egypt faces a wide array of social, political and institutional challenges, which effectively impede the development of a fair society based on universal rights and must be met head on.
- A culture of distrust exists between various groups as well as institutions in Egypt, leading to division, polarization and feelings of exclusion among several factions of society; this serves to further hinder social cohesion and the widespread protection of human rights.

The meeting was held under the Chatham House Rule and the views expressed are those of the participants. The following summary is intended to serve as an *aide-mémoire* to those who took part and to provide a general summary of discussions for those who did not.

The Chatham House Rule

'When a meeting, or part thereof, is held under the Chatham House Rule, participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed.'

EGYPT IN TRANSITION

Discussion focussed on issues of civil society and human rights in Egypt, as well as the wide-ranging challenges facing the country following the revolution and its aftermath.

Civil society and human rights

Participants discussed the evolutionary nature of civil society in Egypt, and the plight of enshrining human rights legally and socially. Civil society in Egypt, at least as it relates to Western notions of the concept, is a relatively new phenomenon. Participants agreed that civil society must be protected by law and allowed to develop and thrive. Yet some argued that a balance should be struck between society's eagerness to develop civil society, and the state's cautious approach towards it. One participant stressed the importance of carving out a discrete place for civil and political rights within a comprehensive concept of human rights.

It was argued that a social contract concerning human rights should place society at one end and the government at the other, with an innate commitment to the protection and promulgation of human rights from both sides. One participant suggested that, as elements and agencies in Egypt are working hard to establish a culture of human rights from scratch, the question of human rights may be more pressing at a time when power is in the hands of Islamists, who tend to lay a specific claim to truth that inevitably excludes others. There was general agreement on the fact that regardless of its religious inclination, the Egyptian government must respect and advance the human rights of all groups in society while avoiding identity-based discrimination; religion and politics need not mix to the detriment of society.

Views on external elements in Egyptian civil society

Participants discussed the matter of foreign involvement in Egypt during its transition to a fully democratic society. One participant emphasized the fact that the concept of human rights in its universal form is itself borrowed from the West and that therefore, Egypt should welcome both expertise on and financing of civil society from foreign sources. This point was seen to be especially pertinent considering the fact that Egypt lacks a robust and historic culture of civil society and human rights, and consequently lacks individuals and groups willing to financially support their respective development. Egyptian society has many needs and requirements, and there must be strong cooperation between local and external elements to foster the newly

born civil society. Amnesty International was mentioned as an example: local partnerships with it and other such organizations would help promote human rights in Egypt and kick-start a tradition of local and international civil society organizations complementing each other. Such initiatives require strong will on the part of both the government and the people; and the people themselves have a role in helping the government meet their needs.

There was some disagreement on the terms and effects of external financing of civil society in Egypt. One participant questioned the sources of finance, suggesting that some of the funding, especially that originating from world powers, comes from organizations associated with lobbies that do not necessarily play a positive role in their own countries. Another participant speculated about concerns of some NGOs regarding access to continuous cash flows, which are structurally contingent on social and political circumstances in Egypt. Others asserted that the level of external economic support required by Egypt in the coming years will be considerable, and examined the utility and appropriateness of a possible linkage between support packages and human and civil rights guarantees.

Another participant maintained that in order for Egyptian society to benefit from the role of external elements, the focus must be on purely the social and legal aspects of human rights development in Egypt. Moreover, good will, as well as transparency and fairness from external benefactors were seen as essential criteria in order to ensure the positive development of civil society. On the whole, participants agreed that there is a large role to be played by external actors in the advancement of an environment where human rights and civil society can flourish. International monitoring of elections was seen as a prime example of a positive external role.

Internal challenges to Egyptian society

Participants examined the various obstacles to the creation of a free and fair society that engenders respect for human rights. One participant described the challenges facing society today as threefold: the challenge presented by the emergence of an Islamist-led government and the concomitant polarization of society and feelings of exclusion among certain groups; unemployment among the Egyptian youth, who after spearheading the revolution are finding their expectations widely unmet; and the media, which finds itself at a precarious juncture between ostensive freedom of speech and institutional micromanagement, with no official guidelines or guarantees in place and therefore no genuine responsibility over content. One participant

affirmed that all three challenges would greatly benefit from a clear and comprehensive framework of civil, social and other human rights in general.

Another participant emphasized the challenge faced by women in contemporary Egyptian society, citing the rising number of physical and sexual abuse cases against women. There was general agreement on the urgency of protecting the status and well-being of women in Egyptian society. There was reference to the apparent recognition at the government level of the plight faced by women and the domestic demands to meet this problem, and one participant stressed the necessity for concrete anti-harassment laws or programmes to be put in place by the government. Others considered the potential of religion in the context of buttressing human rights: in a society such as Egypt's, where religion plays a primary role among Muslims and Copts alike, it may be beneficial to use religion in order to create a culture of respect for human rights. One participant stated the precedent of using religion in other contexts such as helping those who turned to extremism, suggesting therefore that there may be a case for the police force and security services to engage in a better understanding of religious values to 'win people over'.

INSTITUTIONAL IMPEDIMENTS TO HUMAN RIGHTS DEVELOPMENT

Participants discussed the various structural and institutional hindrances to the establishment of a culture of human rights, considering issues of problematic attitudes as well as unwieldy institutions.

Culture of Distrust

Many participants agreed that there exists an inherent distrust among various groups and institutions in Egypt. A 'winner-takes-all' mentality pervades numerous levels of society and politics, leading to ever-higher sentiments of polarization and division on a massive scale. According to one participant, this atmosphere of mistrust also paves the way for zero-sum games in terms of winners and losers, causing the various factions in Egypt to strive only for their own agenda and personal gains rather than work towards inclusive and wide-ranging reforms to benefit Egyptian society as a whole. Importantly, such an environment is not conducive to the establishment of a human rights regime intended to protect citizens of all backgrounds and affiliations.

Another participant expressed concerns regarding the rapid rise of polarized and extremist forces and religious sentiments in Egypt, in direct contrast with the historical reputation of Al-Azhar Mosque as a source of moderation within Islam. The fact that there is no challenge to the rise of extremist literature was cited as a grave concern, along with the lack of institutional structures that would counter the prevalent discrimination against women and minorities, which is being advocated by several groups. In order to effectively deal with human rights abuses, one participant insisted that institutions must be built to ensure that such discriminatory abuses do not continue under the political influence of some groups, and that good will alone is insufficient.

Institutional shortcomings

Participants agreed that the culture of distrust in Egypt today reaches deep into the state's institutions. According to one participant, the judiciary poses a key challenge. In recent months, the legitimacy of the constitution, the electoral law, the Supreme Court and the safeguarding of justice have all been challenged. At the heart of these challenges is a concern that there is a lack of confidence in the judiciary, and widespread uncertainty as to what a particular judge or court will decide on any given case. It was mentioned that a degree of uncertainty existed in the previous regime, however the outcome of judicial decisions could invariably be predicted by tracing the economic and political considerations at stake; justice is more erratic under the current

regime and subject to personal influence and pressures. One participant maintained that mistrust in the judiciary as well as a lack of respect for neutrality, justice and legitimacy, may hinder progress in Egypt, risking to further corrode the judiciary's ability to tackle future challenges. Others agreed that the judiciary is crucial in building a new Egypt, and that if the image of the judges is tarnished in the eyes of individuals, a great danger to society will ensue – with no justice there can be no security.

One participant discussed institutional resistance to reform lying at the heart of the challenges facing Egypt. The Ministry of Interior, for instance, which is key player in the context of human rights, displays a high level of resistance to any reform initiative to address the security, police and other sectors. Another participant suggested that such resistance may stem from enduring loyalty to the Mubarak regime, in addition to sentiments of self-defeat within the psychology of a security apparatus faced with an antagonistic public that does not trust the police and security forces.

Various participants mentioned the media as a highly politicized institution, increasingly serving as a vehicle for regime propaganda. In informing and shaping the public debate, participants agreed that the media is having a negative impact on issues such as judicial reform. One participant asserted that while the media is not used by the regime as a political tool to justify the use of force against its people (as was the case in the previous regime), it continues to obscure key domestic issues by propagating highly politicized views and opinions from various sides, eschewing clear and neutral coverage. Another participant cited fears about open hostilities in the media against religious minorities, for instance the small Shi'a community in Egypt, and expressed concerns about the welfare of minorities and their right to practice their respective faiths. Participants concluded that a high degree of mistrust endures towards the institution of the media in Egypt.

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