

RAISING THE STAKES:

IMPLICATIONS OF A
SECOND SISI TERM



The Tahrir Institute
for Middle East Policy

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Introduction

Egypt's 2018 presidential election offers little illusion of an outcome other than incumbent Abdel-Fattah El Sisi's certain reelection to a second term; any expectation for free and fair elections was lost after four years of unprecedented constriction of space for political organization, culminating with the elimination of any credible challenger to his rule. Even theoretically, competitive elections could only produce this same result, not necessarily because of Sisi's popularity but because, under the umbrella of a war on terror, he has closed public space, passed broad legislation that facilitated the prosecution and imprisonment of thousands of political opponents, and tightened his grasp on state institutions.

At stake in this election is not only the current state of the country, but the next four years under Sisi's approach to domestic governance and international relations. Understanding these implications requires an understanding of how we reached this stage: Sisi came with the promise of security, ending extremism, protecting minorities, and improving the economy. As this report demonstrates, the gap between Sisi's rhetoric and reality only grew throughout his first term, as the policies adopted on these fronts most often contradicted his promises. More concerning, the trends outlined herein indicate that they will lead to further deterioration in many arenas.

Beyond stating the the obvious deterioration of state, the report details the effects of Sisi's form of governance on state institutions and sociopolitical dynamics. The five sections of the report describe:

- *Legal and Political Institutions*: Stressing the absence of real representative government, broadening legislation that undermines rule of law, erosion of state institutions, and increasing influence of the security apparatus;
- *Security, Terrorism, and Extremism*: Showing mutual escalation between terror groups and the state, the intractability of conflict in Sinai, and changes to an increasingly unipolar security apparatus;
- *Economic Development*: Exploring positive signs in macroeconomic trends, the necessity for and implications of the International Monetary Fund loan and associated reform package, and concerns related to a broader economic development strategy;
- *Gender and Sexuality*: Highlighting gains made for women (and the limits of those gains) and the stalling of progress for those who do not conform to the state's or society's conception of gender and sexuality;
- *Rights and Freedoms*: Raising concerns about the restriction of freedoms of association, press, and expression, the use of torture with impunity, and impediments to due process.

The report demonstrates how these dynamics are leading to a perilous corrosion of the fundamental "social contract" on which a modern state depends to govern citizens. The lack of separation of power and the confinement of the ruling elite to a narrow circle of military and security officials are not just clear signs of bad governance, but are damaging to Sisi's presidency itself and Egypt's stability. This insular approach will only exacerbate the fragility of this regime internally and make it difficult for international partners to engage with Egypt beyond the security apparatus.



Legal and Political Institutions

What has Sisi said?

President Abdel-Fattah El Sisi’s inauguration speeches heavily referenced a democratic road map (which included a constitutional referendum, parliamentary and presidential elections, and the abolition of the state of emergency, among other committals). By the time parliament was seated nearly two years later, Sisi declared the democratic road map completed, neglecting to affirm many of the other foundational principles of the road map (such as freedom of the press and establishment of transitional justice, among others).

By April 2017, any reference to the democratic road map had vanished and the state of emergency was reinstated; in a May 2017 interview with state-run newspapers, Sisi emphasized its necessity, suggesting that it would remain in place and be enforced “without hesitation.” And, while Sisi continued to emphasize the “rule of law” (while also broadening its scope to curtail rights and freedoms; see more in the Rights and Freedoms section of this report),

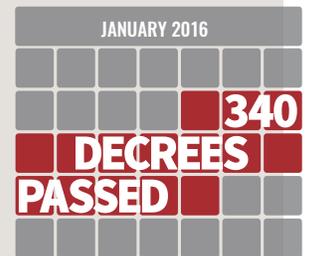
Sisi’s speech to announce his candidacy for the 2018 elections had noticeably dropped references to the importance of democracy or independent institutions.

In the 66-minute speech, he mentioned democracy only twice, and one of these was to denounce the “forces of evil and darkness” behind calls for democracy.

What has actually happened?

- With no sitting parliament for the first 19 months of his presidency, Sisi enjoyed both executive and legislative authority, passing a total of 263 presidential decrees. Sisi’s decrees included legislation constraining the political activity of university students, a Counter-terrorism Law that curtails citizens’ rights and freedoms, a provision that introduces a life imprisonment sentence for the receipt of foreign funds, and legislation allowing the trial of civilians by military courts for crimes committed against all public facilities.
- An electoral alliance, For the Love of Egypt, dominated parliamentary elections and reconstituted itself as a parliamentary bloc, the Coalition in Support of Egypt, securing both the position of speaker of the House of Representatives and one of the deputy positions. An investigation published in independent outlet Mada Masr revealed that the formation of the alliance was orchestrated by the General Intelligence Agency, which retained its influence over the parliament once seated. The House of Representatives also has the highest number of elected security officials in recent Egyptian history, further indicating the sway of security bodies in its activities.
- Since first seated in January 2016, the House of Representatives has largely acted as a rubber stamp. It reviewed Sisi’s 263 decrees and those from

In the First 15 Days of Parliamentary Sessions



Laws Drafted 2016 to 2017



previous acting president Adly Mansour (341 decrees in total) in its first 15 days. It approved nearly all in a rushed, almost robotic process, opposing only a law regarding wages for civil servants. Nearly three-quarters of the laws passed since then were largely or wholly drafted by the government, rather than initiated by parliamentarians.

- **Sisi's 2015 Counter-terrorism Law effectively replaced the state of emergency that expired in 2012 by increasing authorities' power to seek heavy sentences, including the death penalty, for crimes under a definition of terrorism that is so broad it encompasses civil disobedience.**
- **After twin Palm Sunday attacks on Christian churches in April 2017, the state of emergency was reenacted and has remained in place ever since, empowering the executive even further and reinstating Egypt's state security emergency courts.** The current Emergency Law was amended to reinstate a system of administrative detention without charge or trial that had been previously ruled unconstitutional by the Supreme Constitutional Court. And, because the government allowed the state of emergency to expire for a short period after its second renewal, it deliberately avoided constitutional requirements that renewal beyond a six-month period be approved in a popular referendum. Finally, a subsequent decree from Prime Minister Sherif Ismail in October 2017 expanded the purview of the state security emergency courts even beyond their scope under ousted president Hosni Mubarak, so that crimes ranging from protest to interfering with pricing regulations can be (and are being) tried in this circuit.
- **Despite a requirement enshrined in Article 241 of the Egyptian Constitution, the House of Representatives failed to issue a Transitional Justice Law in its first session and has not debated a law in subsequent sessions. In fact, efforts toward transitional justice ebbed during Sisi's first term, as rights abuses continued (see section on Rights and Freedoms), fact-finding efforts that took place under previous governments effectively ceased, and cases to hold Mubarak-era figures accountable were overturned. Even Mubarak himself was exonerated from charges of killing protesters in 2014, and the verdict upheld in 2017.**
- **The country has been governed without local councils throughout Sisi's presidency.** A 2016 study thus found that Egypt ranked dead last worldwide for local governance, and 114 out of 182 countries in terms of political and fiscal centralization of government.
- **Per Egyptian law, Sisi has appointed all provincial governors, increasingly placing military or intelligence figures in these positions. As of early 2018, only eight of Egypt's 27 governors had civilian backgrounds.**
- **Lengthy pretrial detention periods, politicized sentences in the regular court system and specialized terrorism circuits, and military trial verdicts continued to be issued against nonviolent opposition activists and voices of dissent, highlighting the politicization of the judiciary under Sisi.** American-Egyptian dual citizen and nongovernmental organization worker Aya Hijazi and her fellow NGO volunteers were held in pretrial detention beyond the two-year maximum set forth by domestic law; Hi-

The Emergency Law



in effect 10/42 months of Sisi's presidency

Appointed Governors



■ Civilians
■ Military/Intelligence figures

CENTRALIZATION OF GOVERNMENT

Egypt ranks 114 out of 182

Sisi's Decrees



jazi was acquitted but remained in detention until being released after a meeting between Sisi and U.S. President Donald Trump. The infamous foreign funding case of 2011–13 was reopened, reported to target 37 domestic NGOs, and assailed human rights defenders with asset freezes, travel bans, and even the temporary arrest of one defender, Azza Soliman.

- After agreeing to cede the Tiran and Sanafir Islands to Saudi Arabia—a decision that caused considerable popular backlash—the Supreme Administrative Court ruled to overturn Sisi’s decision in January 2017. However, in March 2018, the Supreme Constitutional Court dismissed all challenges to the decision in advance of a visit from Saudi Crown Prince Muhammad bin Salman.
- **By April 2017, the House of Representatives passed a law that would grant Sisi the power to appoint the heads of judicial bodies (the Court of Cassation, the State Lawsuits Authority, the Administrative Prosecution Authority, and the State Council, under which the Supreme Administrative Court falls), a duty that previously was held by judicial councils and generally made based on seniority. The law sparked outcry over its infringement on judicial independence, and challenges to its constitutionality are ongoing.**
- **While Egypt’s 2014 constitution guarantees the independence of universities, this independence has waned significantly under Sisi.** In a presidential decree, Sisi reintroduced appointments for university heads and faculty deans after demands during the 2011 uprising led to changes in the law allowing for election. Another of Sisi’s 2014 decrees mandated the military to secure “vital institutions,” which included universities; a report from the Association for Freedom of Thought and Expression revealed that this greatly increased security presence on these campuses.

What does this mean for a second term under Sisi?

Over the course of the four years since his inauguration,

Sisi has effectively presided over the consolidation of legal and political institutions that are designed to serve as checks and balances to his power.

The trend toward alignment behind the executive means these institutions will have even less ability to check and balance Sisi’s power in the coming term, and little political incentive to do so: With no plans for local council elections, governors appointed by Sisi himself, and the parliament reduced to its Mubarak-era clientelist role, representatives will have little need to actually address constituents’ concerns. Even in the rare cases in which Sisi’s authority may be challenged, it is unlikely that this challenge will benefit the public interest, rather than competing state interest (as was already seen with the Judicial Authorities Law, the Civil Service Law, and competing verdicts on Tiran and Sanafir). As institutions function to codify and protect the executive’s vision, concerns about overly broad legislation have little hope of being addressed, and rather this legislation is likely to be implemented to Sisi’s desire.

These dynamics are leading to a perilous erosion of the rule of law and the fundamental “social contract” on which a modern state depends to govern citizens. With no real representation, citizens have no formal institutional channels through which to engage with their government and express grievances; for many, an individual relationship with the state is only through its surveillance or security bodies. A similar concern continues and risks exacerbation with respect to Egypt’s foreign relations, as the foreign ministry and House of Representatives increasingly provide only Sisi’s view. This weakening of independence and erosion of capacity in state institutions thus bodes poorly for stability in the next term.



Security, Terrorism, and Extremism

What has Sisi said?

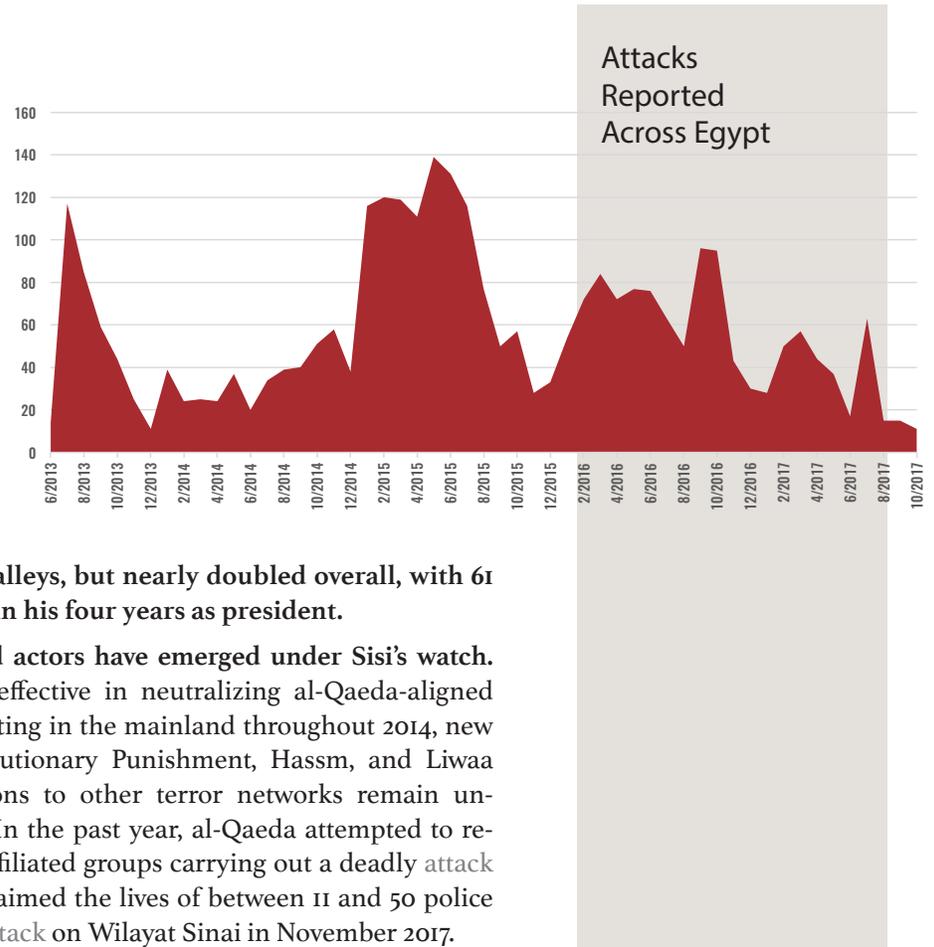
A discourse that centers security as his primary concern has characterized President Abdel-Fattah El Sisi’s public image since his inauguration (and even before); he represents himself as the archetypal strongman, ready to deliver the country from existential threats and establish security with whatever measures necessary. When speaking in international forums, Sisi has brought some nuance to this task, referencing a “comprehensive approach” in a discussion with Sean Hannity in September 2017, and having acknowledged the need for development efforts and social and political reforms in Riyadh in May of that year. Domestically, Sisi has been much more single-minded in his rhetoric, committing to acting, through the security bodies, with “strength, decisiveness, and efficiency” and, after the attack at the Rawda mosque in November 2017,

Sisi vowed to crush terrorism with “all brute force necessary.”

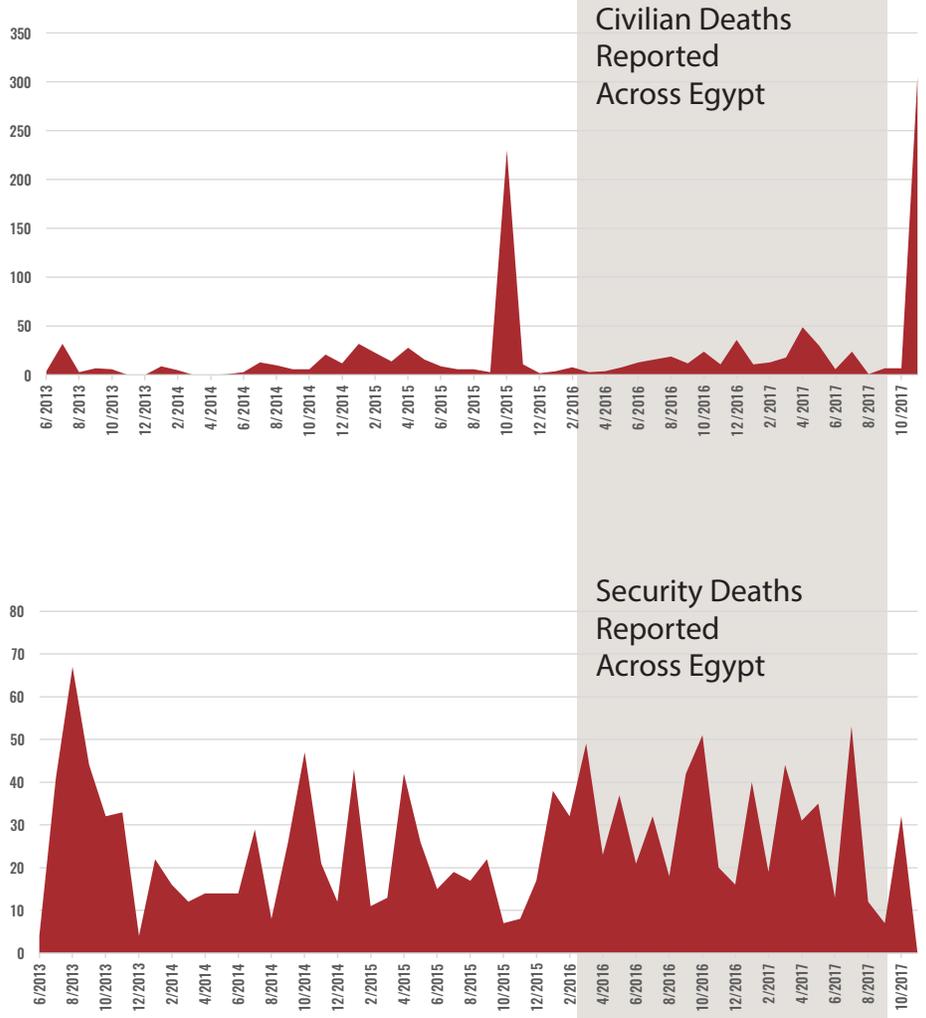
In the January 2018 address in which he announced his candidacy, Sisi mentioned establishment of security as one of four goals, to be achieved by strengthening military capability.

What has actually happened?

- As defense minister, Sisi had asked for a popular mandate to fight terrorism in July 2013; during the months of July, August, and September of that year, a heightened instance of terror attacks were observed, with 261 attacks reported. By the time Sisi was inaugurated in May 2014, the average for that year had dropped to just under 30 attacks reported per month. Since then, attacks have seen peaks and valleys, but nearly doubled overall, with 61 attacks reported per month in his four years as president.
- All across Egypt, new armed actors have emerged under Sisi’s watch. While the police appeared effective in neutralizing al-Qaeda-aligned Afnad Misr, which was operating in the mainland throughout 2014, new terror groups such as Revolutionary Punishment, Hassm, and Liwaa al-Thawra—whose connections to other terror networks remain unclear—emerged in its place. In the past year, al-Qaeda attempted to re-establish its presence, with affiliated groups carrying out a deadly attack in the Western Desert that claimed the lives of between 11 and 50 police personnel, and claiming an attack on Wilayat Sinai in November 2017.



- The clashes between the two groups highlight a growing concern in North Sinai, where **the appearance of state-backed militias and armed tribal groups, in addition to the Islamic State and al-Qaeda-aligned militants, have resulted a constellation of armed actors.** Rather than the state combating a single terror threat, this has created a far more complex dynamic that further undermines rule of law and will require a forward-thinking plan for disarmament, demobilization, and reintegration (DDR).
- Deaths in attacks, particularly civilian deaths, have also skyrocketed under his watch: **the year prior to Sisi's election saw an average of 8 civilians reported killed in attacks per month, versus 26 reported killed per month in the four years of his presidency.**
- North Sinai's security situation has gravely deteriorated under Sisi's watch. Upon his election to the presidency, local militant group Ansar Bayt al-Maqdis was active in hit-and-run attacks targeting security installations and, at times, the gas pipeline to Israel. Just months after Sisi's election, **the group pledged allegiance to the Islamic State, becoming Wilayat Sinai, and steadily escalated its campaign against the state, having claimed over 860 attacks since November 2014, in which at least 309 civilians and 492 security personnel were killed.**
- These trends and developments have occurred at the same time that, making efforts toward Sisi's 2014 campaign promises and subsequent statements, massive counter-terror campaigns have been carried out by Egypt's military and police. With the support (whether in terms of positive public statements, intelligence sharing, or weapons provision, if not actual boots on the ground) of the United States, France, Russia, and Israel, **Egypt has claimed to have carried out 1,659 counter-terror operations, with the news media reporting an additional 1,332 since Sisi's inauguration.**



- Egypt's counter-terror operations have been criticized for their broad and indiscriminate nature. **Over 22,000 individuals have been arrested for crimes of terrorism since Sisi's election, many for nonviolent crimes.** Of these, over half were alleged members of the Muslim Brotherhood.
- During the same time frame, **over 6,200 individuals were reported killed in counter-terror operations**, 96 percent of which were in North Sinai. However, estimates place the number of terrorists operating in this area at no more than a thousand; a video leaked in February 2017 further raised concerns about extrajudicial killings that were later reported as deaths in combat.
- During his time as president, Sisi has issued or ratified a series of counterterrorism-related laws and amendments: a law in 2014 regulating the designation of terrorist entities and individuals, a new Counter-terrorism Law in 2015, amendments expanding the scope of what may be considered a public facility (and thus subject to military jurisdiction), a state of emergency in North Sinai in October 2014, a nationwide state of emergency in April 2017, and regular renewals and extensions of the states of emergency. In addition to previously existing counter-terror legislation, **these laws and amendments served to broaden the definitions of terrorism, expand the number of crimes considered terrorism-related, and strengthen the power of the executive and security apparatus in dealing with these.**
- The 2015 Counter-terrorism Law criminalized the reporting of statistics other than those that are released officially by the state. Combined with reports of the harassment (including detention) of journalists, increasing state control over the media, implementation of media gags, a restriction of physical access to certain areas (especially in North Sinai), and a crackdown on civil society, **a lack of transparency on security affairs has been a steadily worsening concern since 2014.**
- At the close of candidate registrations for the 2018 presidential election, the military announced Operation Sinai 2018, a "comprehensive operation" to address terrorism in Sinai, which was promised after the province witnessed its deadliest attack when 311 were killed at Rawda mosque the previous November. Announcements by the armed forces featured Sisi, stressing his leadership of the operation and showing him wearing military fatigues in visits to military facilities. Ahead of the operation, security forces cracked down further on journalism and independent reporting in Sinai, and have effectively laid siege to the North Sinai capital of Arish in an effort to flush out militants. To date, the military has **claimed 121 deaths and 2,832 arrests in the campaign.**
- **The Ministry of Interior has been reorganized to prioritize domestic intelligence and preemptive action against real and perceived threats to security.** Interior Minister Magdy Abdel Ghaffar previously served as the director of Egyptian Homeland Security and was a high-ranking officer in its predecessor agency, the State Security Investigations Service, and has appointed officials from those agencies throughout the ministry.
- **Other promotions, firings, and reorganizations have been made with little explanation and to little visible effect.** The Armed Forces created a new Unified Command for the Area East of the Suez Canal and for Counter-terrorism in January 2015; its commander, Lieutenant General Osama Askar, has remained in that post since then. Since October 2017, Sisi has fired both Major General Khaled Fawzy, the director of the General Intelligence Agency, and Lieutenant General Mahmoud Hegazy, the chief of staff of the Armed Forces. Both Fawzy and Hegazy were close advisers to Sisi.

What does this mean for a second term under Sisi?

A vast expansion of the security realm has taken place in the four years under Sisi, steadily incorporating more aspects of not just traditional security institutions, such as military activity and policing, but also law, civil society, political discourse, and public spaces into the war on terror. Already Sisi has signaled his willingness to continue and escalate this strategy after his election.

However, the dynamic has merely created a cycle of escalation whereby each attack brings ever broader and more intense security measures, a trend that shows no signs of fundamentally changing into Sisi's second term.

While attacks in Cairo have slowed, terror groups are still present in the country, and attacks risk striking more vulnerable targets (such as civilians and Christians) in an effort to demonstrate continued strength amid the war on terror. Additionally, the repression associated with the war on terror has created grievances among the population with few options for redress—this has left a fertile recruitment pool for global jihadist organizations, one which both the Islamic State and al-Qaeda have referenced in their recent media.

Sisi's expanding security approach is exemplified in North Sinai, which has now become not only a security concern, but a humanitarian one. During Operation Sinai 2018, critical food and supply deliveries as well as communications have been blocked, and mobility has been heavily constrained. Particularly given the lack of transparency, these concerns are more easily exploited in terror groups' narratives. The proliferation of armed actors in the absence of a DDR strategy also means more intractability in the conflict even where success may be seen in reducing Wilayat Sinai's strength. The continued volatility in this zone (and on the western border with Libya) has regional implications, as jihadists from Syria and Iraq may regroup there, as well as international implications, as it means that the global war on terror will continue.



Religious Minorities

What has Sisi said?

Having risen to popularity in the backlash of fears that Muslim Brotherhood rule would lead Egypt to grow more conservative and intolerant of religious minorities, President Abdel-Fattah El Sisi has sought to position himself as their protector. Sisi was the first president to attend a Coptic Christmas mass, emphasizing the unity of Christians and Muslims under the singular banner of the nation. This theme of national unity has characterized Sisi's rhetoric about the Christian community, which makes up about 10 percent of Egypt's population.

At Christmas mass in 2018, Sisi said, "You are our family; you are from us; we are one, and no one will divide us."

Aside from these statements of unity, Sisi has also focused on the necessity of rebuilding churches burned down in the period before his rule, having pledged in January 2015 that "by next year, there will not remain a single church or home that has not been restored."

Yet while Sisi has called for a religious reformation—even calling in 2015 for a religious revolution—these appeals have been framed in the context of countering extremism. Sisi has not addressed the issue of tolerance for those outside of what he has referred to as "Egyptian" Sunni Islam or Christianity, or raised the issue of protection of freedom of belief for other religious minorities.

What has actually happened?

- Eshhad, a project incubated at TIMEP, documented 363 sectarian incidents between June 2014 and the end of 2017, but most perpetrators have not been brought to justice and police have often failed to adequately investigate. Informal reconciliation sessions, which rarely bring justice, continue to be used to replace the judicial process. Reports of inter-sectarian romantic relationships have led to several incidents of violence, notably one in 2016 in which the mother of a Christian man who had a relationship with a Muslim woman was stripped naked and dragged through the streets of the city of Minya.
- Zealous local officials occasionally take action against cafes and restaurants that remain open during fasting hours during Ramadan, effectively denying freedom of religious practice for all but strictly observant Muslims. Shi'a continued to be demonized by government officials and media members in state-funded campaigns to "confront Shi'ism," and there was at least one case in which a family who converted to Shi'ism were forced to leave their home. A court ordered the cessation of the annual celebration of Abu Hasira, attended primarily by Jewish pilgrims from outside Egypt.
- The House of Representatives passed a Church Construction Law during its first session in August 2016 that maintains separate construction procedures for churches and mosques. The law does not meaningfully alter Mubarak-era practices for church construction; rather, it codifies the del-

Sectarian Attacks Under Sisi

363

Deaths Reported in Sectarian Attacks

414

egation of authority to provincial governors to decide whether churches may be built, renovated, or expanded. It does, however, grant legality to churches built without permits between 2011 and 2016.

- **The Church Construction Law’s discussion and passage did not end the trend of civil disturbances related to rumors of church construction.** Mobs acting on reports of illegal church presence or construction caused property damage in several instances since the law’s passage. As of March 2, the government had legalized the status of 53 churches, out of 3,730 requests submitted.
- While definitive documentation and statistics are not available, the majority of churches damaged in the 2013 attacks have been restored, often by the government and Armed Forces, and this issue is no longer widely cited as a concern by Christians.
- **Terrorism has become more sectarian**, with attacks such as a 2016 bombing at St. Peter and St. Paul Coptic Orthodox Church in Cairo and the Palm Sunday bombings at cathedrals in Alexandria and Tanta; both were claimed by the Islamic State in Egypt. Attacks on police forces stationed outside churches continued; these have occurred with some regularity since 2013.
- In Sinai in 2016, Wilayat Sinai (the Islamic State’s “Sinai Province”) assassinated a Coptic priest in Arish and beheaded a Sufi sheikh whom the group accused of witchcraft—a chilling prelude to a wave of sectarian violence in early 2017 that displaced the province’s Christian population. **The sectarian element also extended to the deadliest attack on Egypt’s soil**, when 311 were killed at a mosque that had previously been warned of an attack if Sufi rituals continued there.
- **Charges of contempt of religion have continued to be brought before the courts during Sisi’s first term**, despite protections in the 2014 constitution guaranteeing freedom of belief as an inviolable right (although freedom to practice religious rites and to construct houses of worship was reserved only for adherents of the “divine religions,” excluding Baha’is, possibly Shi’a, and other religious minorities in the country). About 41 percent of blasphemy cases, some of which rested on flimsy evidence such as Facebook posts, were filed against Christians. The United States Commission on International Religious Freedom (USCIRF) reported that in 2014, the majority of charges were leveled against Sunni Muslims, but that the majority of those sentenced by a court to prison for blasphemy were Christians, Shi’a, and atheists. Blasphemy accusations have been brought by the state-affiliated al-Azhar institution, leading to the prosecution of Muslims who stray outside state-sanctioned interpretations of Islam.
- **The government has also engaged in other types of moral prosecutions that are not explicitly sectarian.** This has included the restriction of research and documentation of sectarian issues (notably by detaining Mena Thabet of the Egyptian Commission for Rights and Freedoms for several weeks in 2016), the prosecution of art and literature for moral offenses (as with the case brought against novelist Ahmed Naji and his publisher), cases of contempt of Islam against self-identified Muslims (as against poet Fatima Naoot and television host Islam Beheiry), and prosecutions of individuals for other behavior deemed “immoral” (such as atheism or homosexuality; for more, see the Gender and Sexuality section in this report). A 2016 attempt by the legislature to amend a Penal Code provision dealing with contempt of religion was rejected by the Ministry of Justice.

What does this mean for a second term under Sisi?

While Sisi has spoken of the need to protect Christians and to reform religious discourse, he has not directed the state to address underlying causes of sectarian division, and thus there is little hope that the situation will improve in his second term.

Recognized Christian churches have access to the government and various Sunni institutions are part of the state, but a lack of commitment on the part of the regime and ruling elite to equality, citizenship, equal rights, and true freedom of religion or belief for any Egyptian means that minorities especially will continue to suffer. Sisi's stated demand for reform has not been welcomed by al-Azhar or other major Islamic institutions of the state that have significant influence on policies and actions, and Sisi is unlikely to spend political capital on the fight, given fears of a strong reaction from al-Azhar and Egypt's conservative Sunni majority. The absence of political will to guarantee minority rights and the state's weakness outside of major urban areas lead to de facto mob rule in sectarian incidents, with no indication that this will change in a second Sisi term.

Sisi himself has not made any attempt to bring religious minorities into senior governmental positions; recent USCIRF reports have repeatedly noted their absence from the Egyptian cabinet and security forces hierarchy. While Christian hierarchies have been included in decision making that affects them—notably the Church Construction Law—church leaders outside Cairo have decried the lack of effective protection by the state, and there should be no expectation of a move away from customary councils.

Religious minorities other than Christians receive little support from any quarter. Muslim and Christian leaders frequently decry the perceived social ills of atheism, and Shi'a and Baha'i communities are tiny and viewed as un-Egyptian. While various rights groups support full freedom of conscience and practice, the crackdown on NGOs bodes ill for the adherents of these beliefs.



Economic Development

What has Sisi said?

When it comes to economic development, President Abdel-Fattah El Sisi began his presidency by sounding alarm bells regarding investments needed to bolster a floundering economy: at the March 2015 Egypt Economic Development Conference, which was held as a kind of fundraising event to encourage investment at a time of worsening economic crisis, he stated that the country needed at least \$200–300 billion to solve its problems, but did not speak seriously about long-term reforms.

By the time that negotiations with the International Monetary Fund made it clear that Egypt would need to undergo difficult reforms to receive a multibillion-dollar loan—one which Egypt had been hesitant to accept because of the difficult conditions associated with it—

Sisi began to speak more concretely about the need for fiscal measures and legal reform,

at times even lecturing the public on the need to endure the difficult side effects of these: “Stand beside your country, Egypt, for just six months and you will find things much better than they are now,” he said in December 2016. More recently, Sisi has echoed the IMF’s rosy view of the economy’s response to these measures, particularly focusing on the increase in foreign direct investment as an assuring indicator that the country is “on the right path.”

What has actually happened?

- Coming to power after years of inflation and amid electricity outages and fuel shortages, Sisi’s government initially eschewed substantial economic reforms in favor of investment policy development and megaprojects, with tens of billions of dollars of stimulus from Saudi Arabia, the United Arab Emirates, and Kuwait. The government promised to develop 26 cities and tourist centers and expand the Suez Canal, and work has begun on a new administrative capital. However, these projects have hit snags at various points, with foreign developers and construction companies withdrawing from projects.
- As the government faced increasing budgetary pressures, Sisi issued presidential decrees on legal economic reforms aimed at improving fiscal consolidation, enhancing public-sector spending and debt management, promoting exports, and reducing inflation. Mounting energy subsidy costs compelled Egypt in July 2014 to slash petroleum subsidies by a third and announce electricity price hikes.
- In Sisi’s first years, Egypt raised external financing from a number of sources, including the Gulf Cooperation Council (though these inflows have suffered at times because of strained relations with several countries in that grouping), China (a currency swap worth about \$2.6 billion), Russia, the African Development Bank, and a consortium of international banks (a loan worth \$2 billion). However, continued fiscal and monetary mismanagement led to a foreign reserves crisis that pushed Sisi to negotiate a last-hope deal with the IMF in late 2016.

EASE OF DOING BUSINESS

Egypt ranks
128 out of 190

- Following an 11 percent depreciation of the pound in 2015, the central bank issued a full flotation of the pound the following year; almost immediately, the pound lost more than half its value against the dollar, nearly wiping out the currency black market.
- While hailed as a painful but necessary step, the float led to worsening circumstances for many Egyptians, as inflation reached 24 percent in December 2016 and shortages of consumer and imported goods were widespread. High tariffs were imposed on luxury goods and some food and personal care items, increasing petrol and household butane prices by 40 percent on average. However, after reaching nearly 33 percent in July 2017, the headline inflation rate dropped to about 17 percent in January 2018—still significantly higher than the 10 percent rate of 2014–2016 and higher than the IMF’s predictions.
- The liberalization of the pound has attracted renewed portfolio inflows: Egypt’s stock of foreign reserves climbed to \$38.2 billion at the end of January 2018, from a low of \$15.6 billion in July 2016. (However, much of these reserves are built from short-term borrowing, and must be repaid in the coming year.)
- One major goal of the economic reform program is to reduce government debt as a share of gross domestic product by nearly 10 percentage points in three years. Government debt has been a major issue, with nominal



debt nearly tripling over a period of five years, from 1.3 trillion Egyptian pounds (LE) in July 2012 to LE3.67 trillion in April 2017. The IMF program is also aimed at addressing Egypt's overvalued exchange rate, weak revenues, poorly targeted subsidies, and growing public-sector wage bill. After implementing the program, in January 2018 Egypt revised its economic growth forecast for fiscal year 2017–18 from 4.8 percent to 5.3–5.5 percent.

- In 2018, the World Bank ranked Egypt 128 out of 190 countries in its ease of doing business report; this ranking is the same as when Sisi took office, though several steps behind its 2017 ranking of 122. The World Bank noted improvements in legal reform to protect investment but greater difficulty in registering property.
- Aside from the difficult legal environment (one which the government has been making public commitments and taken some action to address), corruption, a lack of transparency, and the predominance of state-owned (and especially military-owned) industry also mar the business climate. While no exact figures exist to measure the military's penetration of the economy (not least because many of its firms are owned by retired officers or as partial private entities), in its first report on its loan program, even the IMF expressed some concern about the military's private business expansion.
- Egypt's massive reduction in government spending has exceeded even the IMF's ambitions, narrowing the budget deficit to 10.9 percent of GDP in 2016–17, reaching a five-year low. However, the deficit reduction has come at the expense of public services: Spending on education, for example, was reduced from an already low 3.05 percent of GDP in 2016–17 to an even lower 2.6 percent of GDP in the planned budget for FY 2017–18. Spending on health also dropped from 1.43 percent in FY 2016–17 of GDP to 1.34 percent during the current FY 2017–18. This marks a further gap widening of the constitutional requirement of spending 6 percent and 3 percent on education and health, respectively.
- In place of public spending, the government has touted its Takaful and Karama cash transfer program; the program aimed to serve 1.7 million of the country's poorest families by June 2017. However, as of 2015, even before the surge in inflation, Egypt's census body estimated that about 24 million citizens were living below the poverty line.
- Despite a reduction in spending on health, Egypt has seen some successful public health initiatives under Sisi, including expanded insurance coverage for the poor under a new health insurance law and a much-lauded effort to eradicate hepatitis C by 2022 by providing low-cost treatments. The initiative has covered 1.8 million of the nearly 12 million in Egypt who suffer from the disease.

What does this mean for a second term under Sisi?

Firmly in control after a tightly managed election,

Sisi will be able to persist on a path of economic reform with little concern for popular opinion.

The IMF program will continue, with the government likely soliciting international investment and donations to stimulate growth and reduced fuel subsidies improving the government's budget. Government spending, especially on megaprojects, should remain a major driver of growth in the short and medium term, though it siphons state revenue to nonurgent projects, making resources unavailable for needed investment elsewhere (like in education and health). The discovery of offshore gas and oil fields holds the potential to grow the economy and provide a new stream of export revenue.

The government's balance sheet will be healthier as improved tax collection and reduced public wages continue to take effect. Inflation remains a concern, but should continue to come down from its 2017 peak.

The private sector faces various challenges that are likely to persist into the future. Businesses often find themselves competing against military- and state-owned firms, especially in the procuring of contracts for the government's national projects. The military's visible involvement in the economy has increased and is not likely to recede. Initiatives to reduce red tape—including a promise of being able to register businesses with a single form—have floundered, hampering investment and leaving much of the domestic economy in the informal sector.

The government is likely to increase spending in social services; it has pledged to expand the Takaful and Karama programs, and the IMF loan terms called for increased spending on education, health, and food subsidies. The Egyptian Constitution calls for the government to spend a minimum of three and four percent of GDP on health and education, respectively; current spending is far below those thresholds, and it is unclear whether the pledges and plans will lead to better outcomes.

Long-term development plans for neglected regions are lacking, with little indication that this will change. A recent national plan for economic development slashed funds earmarked for Upper Egypt by nearly a third. The government announced in early 2018 a program for agricultural development in Sinai, but previous iterations of similar plans have gone unfulfilled.



Gender and Sexuality

What has Sisi said?

Throughout his first term, President Abdel-Fattah El Sisi has made a point to emphasize his personal concern for women’s issues. When speaking about the scourge of sexual harassment that has plagued the country, Sisi said in an interview with CNBC in late 2017, “On a personal basis I say this as a message to the Egyptian society that the woman has to be appreciated.”

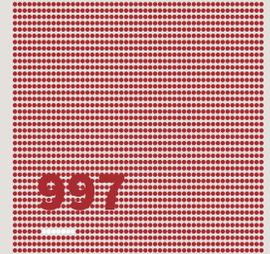
When a woman suffered a brutal group sexual assault in June 2014, Sisi took photos by her bedside, lamenting how “our honor is being assaulted.”

From a policy perspective, however, Sisi has not articulated specific measures or approaches to be taken to address issues of gender and sexuality rights and equality, beyond vaguely emphasizing the importance of respecting women’s rights and empowering women. He declared 2017 the “Year of the Woman,” and a multifaceted plan was articulated by the state’s National Council for Women. Despite international outcry over the arrest and prosecution of individuals for “debauchery”—a crime generally used to persecute the LGBT community—Sisi remained silent on this matter.

What has actually happened?

- Reported incidents of sexual harassment and assault increased with women’s greater participation in public protest and activity beginning in 2011. **The increased number, visibility, and awareness of such incidents forced politicians, including Sisi, to address the problem, though state violence against women has been unaddressed.** In a landmark decision on July 14, 2014, an Egyptian court sentenced nine men to 20 years and life in prison for sexually assaulting women near Tahrir Square. Campaigns against sexual harassment and violence against women continued in 2016, but contradicting reports from government bodies and activists during the Eid al-Fitr holiday illustrated tensions. The state-sponsored National Council for Women reported low numbers of complaints to their harassment hotline, but activist groups reported larger numbers, while some prominent groups such as I Saw Harassment were denied permission to operate.
- Despite Egypt’s recent crackdown on female genital mutilation (FGM), the procedure has been illegal only since 2008. Since that time, however, the rate of the procedure among girls between 15 and 17 years of age has decreased from 74 to 61 percent, though 90 percent of women under 49 had still undergone FGM as of 2015. **In 2015, the first doctor, Raslan Fadl, was prosecuted and sentenced for the death of a 13-year-old girl resulting from FGM, but his case illustrates the difficulty in combating the practice.** Fadl was released from detention early after reconciling with the girl’s family, and continued to work as a doctor afterward.

Harassment of Women



out of 1,000 women are harassed

FGM



of 15 to 17-year-olds have undergone FGM



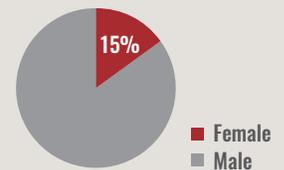
of women under 49 have undergone FGM

- In 2016, Egypt's parliament passed new legislation to increase the penalties for FGM, following an outcry over the highly publicized death of a girl during an FGM procedure in Suez, as well as outrage over Fadhil's release. Those who perform the procedure are now subject to prison terms from five to seven years, or up to 15 if the procedure results in disability or death, and parents of girls can be sentenced to up to three years in prison. After the law's passage, Egypt's prosecutor-general issued a memo to all prosecutors emphasizing the importance of enforcing anti-FGM laws; prosecutions for the practice remain exceedingly rare, however.
- Some gains were made for women's inheritance rights because of a law ratified early this year that outlines harsh sentences for any who attempt to block a woman (or man) from rightful inheritance. Such progress has limits, however; when Tunisia's president called in a speech for equal inheritance, al-Azhar responded with condemnation, saying equal inheritance is un-Islamic and "undebatable."
- Egypt has remained one of the worst environments in the world for women in the economy throughout (and before) Sisi's presidency. Egypt ranked 134 out of 144 countries in the World Economic Forum's 2017 global gender gap index, with regression from previous years in women's participation and opportunity in the workforce. (This ranking marked an overall drop in rankings since Sisi came to power in 2014, at which point Egypt was ranked 129 out of 142 countries.) World Bank data indicate that women have made up only 23 percent of the workforce since 2013.
- Women in Egypt's government hold prominent cabinet positions, including the minister of social solidarity and the minister of immigration and Egyptian expatriate affairs. The first woman was appointed as provincial governor in 2017, and women also hold a record 87 seats in parliament, amounting to 15 percent of seats. The record parliamentary numbers are the result of a one-time 2015 parliamentary elections quota, and women are still shut out from the most powerful committee seats within parliament.
- Women have still been overwhelmingly marginalized from the judiciary, where only 66 out of 16,000 judges are women. In late 2017 Representative Nadia Henry submitted a draft law to ensure nondiscrimination in the judiciary after accomplished lawyer Omnia Ghadallah's application to a position in the State Council was rejected without apparent reason. Ghadallah filed an appeal to the courts to require appointment of female judges to the State Council; her effort was rejected based on the grounds that the State Council has the right to appoint judges as it sees fit.
- Nongovernmental organizations and human rights defenders working on women's, gender, and sexuality issues increasingly came under attack amid a general crackdown on civil society (see Rights and Freedoms section). Formally registered legal centers, NGOs, and other associations, including the Center for Egyptian Women's Legal Assistance, El Nadeem Center for Rehabilitation of Victims of Violence and Torture, and Nazra

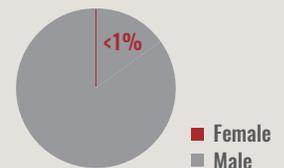
GLOBAL GENDER GAP

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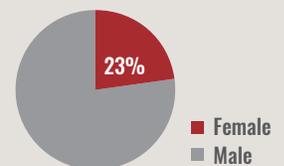
Egypt Parliament



Egypt Judiciary



Egypt Workforce



for Feminist Studies, faced closure. Informal organizations and initiatives faced impediments to work through denial of permits, harassment, and constraints on access to funding. Women human rights defenders experienced harassment (specifically gender-based and other forms), prosecution, asset freezes, detention, and travel bans.

- **Homosexuality is not explicitly illegal in Egypt, but police frequently target community members under charges such as “debauchery” and prostitution.** Police increasingly resort to dating applications to target community members, who are often subjected to assault and anal examinations, as they are forced underground. From the end of 2013 to November 2016, Solidarity with Egypt LGBTQ+, an NGO, recorded 114 criminal investigations of 274 individuals.
- **In 2017, the situation for LGBT persons worsened considerably:** after a Mashrou’ Leila concert in Cairo, police used Facebook to target a group of concertgoers waving a rainbow flag. At least 65 people were arrested in conjunction with the incident, and the media, legislators, and members of the public launched a vicious assault on the gay community, calling for a further crackdown.



What does this mean for a second term under Sisi?

Matters relating to gender and sexuality have been narrowly defined under Sisi, and largely circumscribed under a patriarchal framework that has favored symbolic gestures toward “honorable” women over genuine emancipatory change. Solidifying this framework, Sisi has positioned himself as the guarantor of women’s rights; whereby previous first ladies acted as the figures of state feminism, Sisi has adopted this role, acting as a national father figure while even his own wife remains out of the spotlight.

This approach does not bode well for sustainable respect of the rights of women and those of other genders and sexualities and their equal participation as citizens in the coming period.

The reversal of hard-won gains in this field after 2011 have not manifested as formalized attacks on women’s rights, but are facilitated by increased state control over the public sphere and severe limitations on the work of civil society. As this control intensifies with the alignment of legal and political institutions under Sisi (as mentioned in the section on Legal and Political Institutions), so will women’s marginalization. By these methods, even without laws that explicitly regulate gender and sexuality, displays of nonconformity will continue to be treated as criminal offense, and local NGOs will be increasingly under threat, even when they merely provide basic services and education to women. These regressions are particularly concerning for their reinforcing nature; in times of crisis, women and those with nonconforming gender or sexual identities are further marginalized, and, despite the positive steps of having more women in government, Sisi’s second term is set up for continued political, economic, and social marginalization of women and others who do not conform to the state’s definition of appropriate gender and sexuality.



Rights and Freedoms

What has Sisi said?

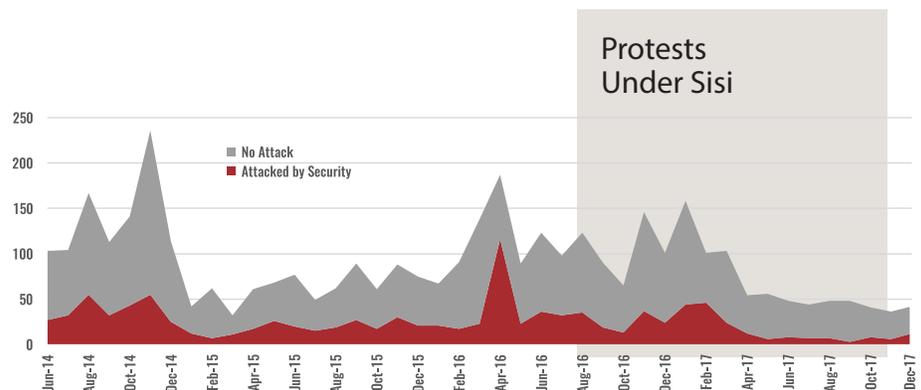
Throughout his presidency, Abdel-Fattah El Sisi has insisted on his respect for human rights in the country and the openness of media, and has summarily denied reports that the country is home to any political prisoners. (Statements such as these are made almost exclusively when pressed to the international media, and he has rarely voluntarily addressed the matter of rights and freedoms domestically.) At the same time,

Sisi’s rhetoric on rights and freedoms has been one of relativity,

subjectivity, and exceptionalism, emphasizing the fact that Egypt is different from Western nations and thus must consider rights and freedoms in its own unique context. Along these lines, rather than discussing rights and freedoms as ethical norms, Sisi regularly underscores a commitment to “rule of law.” Finally, Sisi has continually emphasized that his primary responsibility is to ensure security and stability in the country (see section on Security), implying that the protection of rights and freedoms is secondary to this objective.

What has actually happened?

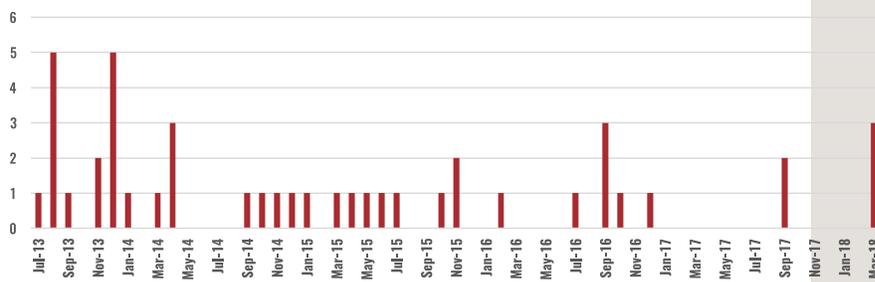
- The four years of Sisi’s first term have sounded the death knell for the blossoming civil society seen after 2011. **Actions taken to stifle freedom of association have included harassment of civil society workers, closure of civil society organizations, and the passage of a draconian new NGO Law enacted in mid-2017.** Authorities have raided civil society organizations, arrested employees, and imposed travel bans on them, and the government has closed dozens of aid organizations across Egypt for suspected relationships with Muslim Brotherhood figures. The crackdown escalated significantly in 2016 with the reopening of the 2011–13 foreign funding case (Case 173), in which prominent civil society actors face up to life in prison under Article 78 of the Penal Code and Law No. 84 of 2002, which also regulated nongovernmental organizations.
- **Freedom of assembly under Sisi has remained constrained** despite the Supreme Constitutional Court’s ruling against Article 10 of the Protest Law, which empowered the Ministry of Interior to ban protests. The law continues to limit the location and scope of protests through the new authority delegated to the judiciary, and the Ministry of the Interior continues to play an important role in restricting public demonstrations. According to the Arabic Network for Human Rights Information (ANHRI), 4,398 protests have taken place under Sisi; at least three out of four of these were attacked by security forces. Preemptive arrests and detention of protest leaders or those deemed likely to protest have become standard.
- Other laws have been used to curtail freedom of assembly, as when hundreds of demonstrators protesting Egypt’s



agreement to transfer Tiran and Sanafir Islands to Saudi Arabia were charged with offenses such as violence and terrorism. Similarly, in September 2017, 24 Nubians were arrested by security forces in Aswan for marching to call for their constitutional right to return to their ancestral homeland; their case was eventually brought before a State Security emergency court, governed by the emergency law.

- **Under Sisi, Egypt has become one of the worst jailers of journalists worldwide.** When Sisi was inaugurated, 18 journalists were imprisoned in the country. Of these, 15 remain imprisoned, and an additional 25 journalists have been imprisoned for their work, according to data from the Committee to Protect Journalists.

Journalists Imprisoned



- **Other tactics have been used to curtail press freedom under Sisi as well;** the government has previously imposed gag orders on investigations and made reporting news conflicting with military statements punishable by two years in prison. Even pro-state media figures have faced censure, as when Khairy Ramadan was arrested for “insulting the police” after he discussed police salaries on his television show.
- **Authorities have blocked internet access to at least 496 websites,** including those of news outlets such as Mada Masr and HuffPost Arabi, and the Accelerated Mobile Pages (AMP) service, which limits the availability of thousands of websites. The state (and particularly the intelligence apparatus) has expanded its intervention in private news outlets, as with the takeover of OnTV and the establishment of the military’s DMC channel. While these operate officially as private outlets, these entries by the government into private-sector media represent a renewed effort to influence the news that reaches Egyptians.
- Despite the presence of a two-year limit on pretrial detention, the Egyptian Initiative for Personal Rights documented a total of 1,464 cases of pretrial detention as of 2016 that had surpassed that limit, and that trend continues. Courts also continued the practice of mass trials under Sisi; one case, trying 116 protesters at once, resulted in a three-year-old boy being given a sentence of life in prison (though it was later revoked).
- Both regular and military courts carried out politicized trials, relying upon weak evidence, oral testimonies from security officials, and confessions acquired through torture and forced disappearance. These unfair trials also resulted in death sentences, including against journalists Ibra-

Egypt ranks 3rd worldwide

MOST JOURNALISTS IMPRISONED

Websites Blocked



him Helal, Alaa Sabla, and Asmaa Khatib, in absentia by a regular court and against eight individuals in a single case by a military court. **These actions have severely undermined citizens' rights to due process.**

- **Security forces expanded the use of torture and forced disappearance under Sisi**, reaching alarming levels, especially after 2016. Around the fifth anniversary of the January 25 uprisings, Italian Ph.D. student Giulio Regeni disappeared and was later found to have been tortured to death. (There is a consensus among observers that security forces were implicated in his death, though there have been no official charges.) The El Nadeem Center for Rehabilitation of Victims of Violence and Torture documented 535 cases of individual torture and 307 cases of collective maltreatment in 2016, and 640 and 60 (respectively) in 2015.
- There has been an unprecedented rise in an increasing concern given a spate of executions carried out since late 2017. These executions, often carried out on Tuesdays, have seen the deaths of civilians in military courts, and come amid the aforementioned mass death sentences and politicized trials. The executions prompted a response from the United Nations High Commissioner for Human Rights in condemnation and urging an immediate halt to the executions.
- **The practice of police torturing and even murder of street vendors was reported in several cases**, including fishmonger Magdy Makin in Alexandria, tea vendor Mustafa Abdel Qader in the Cairo exurb of Rehab, and taxi driver Muhammad Adel Darbaka in Cairo's Darb al-Ahmar neighborhood. These excesses led to demonstrations, minor police policy reforms, and criminal charges for the perpetrators

What does this mean for a second term under Sisi?

A constant reference to the importance of “rule of law,” as is prominent in Sisi's discourse, has been used as a strategy to present a liberal, democratic facade to keep the international community at bay, but belies a first term in which the letter of the law has steadily expanded to facilitate a whole manner of “legal” rights abuse, paving the way for unbound use of law as a tool of rights abuse in the second term. At the same time, extralegal abuses of human rights have shown no signs of abatement, and red lines have become more arbitrary and even affected Sisi's inner circle. This has fostered an environment of fear and fatigue among many seasoned rights defenders and advocates. The combination of less organization and greater repression is creating a pressure cooker in which reactionary protests will become more spontaneous and chaotic. Already, ANHRI has noted the spontaneous protest has become a tactic of Muslim Brotherhood-aligned protesters seeking to avoid security clampdowns.

This joint approach of both a codified crackdown and culture of abuse in several state sectors (particularly in the police and military apparatus, and most especially the intelligence bodies) would require significant legal, judicial, and security sector reform to reverse.

Given attempts to extinguish grassroots mobilization, and active efforts to marginalize calls for these aforementioned measures, political will to address these issues from the top down is both necessary and unlikely. The international community for its part has also effectively turned a blind eye to these abuses, indirectly encouraging Sisi and the security apparatus to continue their behavior.

Finally, while foreign press had generally enjoyed greater freedom to report (aside from the constraints on Al Jazeera), recent attacks on the credibility of major outlets like the *New York Times* and the BBC and parliamentary discussions regarding foreign media's spreading “false news” suggest that foreign media may face similar assaults on freedom in the second term that domestic media faced in the first.



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