

The Arab Republic of Egypt
Egyptian Coalition for Child Rights “*ECCR*”

The United Nations Convention on the Rights of the Child
Situation of Children's Rights in Egypt
Alternative Report

Submitted by
The Non-Governmental Organisation
to the United Nations Committee on the Rights of the Child
For the period from July 2011 to December 2021

The Fifth, and the Sixth

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ABBREVIATIONS LIST

CRC	Convention on the Rights of the Child
ECCR	Egyptian Coalition for Child Rights
CAPMAS	Central Agency for Public Mobilization and Statistics
UN	United Nation
NCCM	National Council for Motherhood and Childhood
IDSC	The Egyptian Cabinet – Information and Decision Support Centre
EFACC	The Egyptian Foundation for the Advancement of Childhood Conditions

Introduction

Egypt has given momentous attention to children's rights at the international, regional, and national levels ever since the adoption of the Convention on the Rights of the Child, and actively participating in both the Arab Region and the African Continent. And while the State is keen to submit a report on the rights of the child to the International Committee, the civil society organizations are also eager to provide frequent parallel reports to the committee, as it believes in its role as a key partner in enacting, monitoring and managing the mechanisms of the Convention's enforcement mechanisms.

This report covers one of the most challenging periods in Egypt's history, including political rights and the ensuing impacts on economic and social rights, which are still affecting and interacting at the time of writing this report. Since January 2011, Egypt's political environment has been subjected to difficult circumstances, and unprecedented pressures, in the context of ongoing popular struggles to achieve aspirations for freedom, fairness, social justice, guaranteeing citizenship, and protecting social peace. This occurred amidst a set of recurring setbacks for Egypt following the 25th January 2011 revolution with its three transitional periods, as well as more after the 30th of June revolution. Many retrogressions and negative practises have occurred, with few positive practises and attempts to protect the rights of the child, in which civil society organizations actively participated during critical moments that the Egyptian state went through. This period is considered to be one of the most difficult and important periods in Egyptian history because it is in the process of rebuilding state institutions after two revolutions and a transitional period of more than four years, after which the 2014 constitution was promulgated, amended, and numerous national laws were issued to conform with it; some of these laws have a direct or indirect impact on children.

The political environment also experienced notable stability after 2014, which consequently resulted in a gradual improvement in the situation of children's rights, as their ups and downs are related to the nature of developments in policies and general trends prevailing in the state and society, which carry some optimism and many factors of concern regarding the hoped-for improvement of children's rights. Particularly in relation to the participation environment, poverty conditions, living and services standards, with the presence of specific children categories that still require the intensification of human rights programmes and applications to ensure that all enjoy the rights stipulated.

Methodology

This report seeks to identify the gap between the rights guaranteed by the Convention and the degree of adherence to its implementation and to provide an update on the developments noted in the previous edition's observations, by using a comprehensive approach to view rights, emphasizing its interdependence and indivisibility since they all affect the level of child well-being with adhering to the principles of preparing country reports within the limits of the time and space available.

The preparing methodology was based on achieving the broadest possible participation of civil society organisations concerned with the situation and rights of children in Egypt, whereby (49) associations and institutions¹ affiliated with the Egyptian Coalition for Child Rights "*ECCR*" participated and presented (17) governorates, and another two different associations. Moreover, interviews with government agencies and an international organisation were conducted. The preparation team was eager to attain children's participation by allowing them to express their opinions without intervention or guidance, considering the representation of different groups of children in terms of age, gender, social & economic levels, and geographical distribution. The total number of participating children reached (181)² ranging in age from 9 to 18 years, distributed as: (59) children through workshops, (100) children through a field questionnaire "My Experience," and (30) children via Zoom meetings data of the participating children (Appendix No.1) The names of the associations (Appendix No.2). Data was collected from its secondary and primary sources through:

1. Documented studies and research (University Research Centres - National Centre for Social and Criminological Research - National Centre for Educational Research and Development - Demographic Centre - IDSC).
2. Databases and surveys produced by specialised governmental authorities (Central Agency for Public Mobilisation and Statistics, the concerned ministries of "Education - Health", and the National Council for Motherhood and Childhood).
3. 2014 Constitution, national laws, ministerial resolutions, and periodicals issued during the reporting period.
4. Held three group meetings in Cairo, Alexandria, and Assiut governorates for associations and civil society organisations concerned with children, whether affiliated with the ECCR or not.
5. Two interviews were conducted with representatives from the Ministries of Manpower, Immigration, and Culture, noting that five other ministries were contacted with no response till the date of writing this report.
6. Conducted an interview with "Save the Children" in Cairo.

¹ Attachment 2: List of participated institutions & associations

² Attachment 1: List of participated children

7. At all stages, the report was prepared by a team of four experts and activists in the field of child rights in Egypt, under the general supervision of Prof. Dr. Muhammed Shawky, and with the assistance of other activists including Officials, work teams of concerned Egyptian associations & organizations, and with the support of UNICEF.

Objectives

- Identifying the state of children's rights in Egypt.
- Description of the children's rights situation in Egypt.
- Viewing the mechanisms for implementing children's rights.
- Introducing the authorities concerned with the children's rights.
- Challenges in applying all provisions of the CRC in the typically.
- Follow up on developments concerning the concluding observations in the Egyptian report of June 2011.
- Recommendations.

Scope

This report covers the period between July 2011 to December 2021. Geographically, it covers all parts of Egypt.

Indicators of the general contexts of the Egyptian state and society

First: Demographic characteristics *

- Egypt's population was estimated to be 101.69 million at the start of 2021³.
- Children make up more than a third of Egypt's population, estimated to be 40% and equal to 40.90 million⁴. 34.5 million falls within the age group of 0-14 years and 32.1% of them are under five years old.
- The 2017 statistical data⁵ showed that the percentage of males reached 51.6% of the total population, compared to 48.4% for females.
- According to the 2017 census figures⁶, males made up 51.6% of the total population, while females made up 48.4%.

Residential area distribution:

Egypt ranks 13th in the world in terms of population density, as it reached about 99 people/km² in 2020⁷, compared to 92.4 people/km² in 2017. Cairo "the Capital" is the largest governorate with a population of 9.9 million, and about a third of the population lives in the sea-country side, and 25.4% lives in Upper Egypt.

Second: Economic Characteristics:

Following January 2011 revolution, Egypt experienced a period of instability and economic deterioration, which had a negative impact on a number of economic indicators, including unemployment, inflation, foreign investments, decline in foreign reserves, in addition to the decline of the GDP growth rate.

Egyptian Economy July 2013 - June 2014

The government was focused on re-establishing stability during this period and on recovering the economy, and as an indicator of an actual improvement, a report by the Ministry of Planning⁸ showed that total investments achieved during the year 2013-2014 a growth rate of 12.9%, compared to 3.7% during the previous year, achieving a growth rate of 2.2% due to the improvement of the investment climate. In addition to the policies and procedures taken by the state in applying the maximum wage, and activating the real estate tax law. Moreover, the commitment of the World Bank Group to provide technical and financial support to Egypt during this stage.

Despite all these procedures and policies, the CAPMAS announced in January 2014 that the poverty rate reached 26.3%, and the poverty rate for households headed by men was 23.5% compared to 2.8% for families headed by women; and the countryside of Upper Egypt is the poorer, as 49% of its population cannot meet their basic needs of food and other needs. A total of 37.6% of annual household spending was on food and drink (34% in urban regions versus 41.4% in rural areas). The percentage of households using a public network as a source of drinking water in urban areas reached 99.1% compared to 93.7% in rural areas. The percentage of housing connected to the sewage network increased in urban areas, reaching 91.5%, compared to 25.8% in rural areas⁹.

From 2014 to 2020, the government began implementing a radical program for economic change, which included liberalizing the exchange rate, with the support of the International Monetary Fund to improve macroeconomic indicators. Accordingly, energy subsidies were scaled back as a part of a comprehensive plan towards the complete abolition, and the implementation of value-added tax, support for financing small and medium-sized enterprises to provide more job opportunities and reduce unemployment rates, in return for

* All statements were based on information from the Central Agency for Public Mobilization & Statistics

³ November 2021 Statistics of the Central Agency for Public Mobilization & Statistics (CAPMAS)

⁴ Year 2020 Statistics of the Central Agency for Public Mobilization & Statistics (CAPMAS)

⁵ 2017 Population - the Central Agency for Public Mobilization & Statistics (CAPMAS)

⁶ 2017 Population - the Central Agency for Public Mobilization & Statistics (CAPMAS)

⁷ Year 2020 Statistics of the Central Agency for Public Mobilization & Statistics (CAPMAS)

⁸ Ministry of Planning report for the fiscal year 2013/2014

⁹ 2014 Study - the Central Agency for Public Mobilization & Statistics (CAPMAS)

increasing ration card allocations and implementing several social protection programs targeting the poorest groups.

The economic growth rate increased to 5.6% in 2018/2019. The unemployment rate dropped to 7.8% during the third quarter of 2019 compared to 10% during the same period in 2018. The urban inflation rate decreased to 9.2% in 2019 compared to 14.4% in 2018¹⁰.

In terms of global indicators, Egypt improved by 47 places in the budget transparency index, moving up from 110th to 63rd in the Global Competitiveness Report in 2019. According to the International Monetary Fund; the budget deficit, public debt, growth rates, and unemployment rates were all reduced as a result of the economic reform programme.

Despite this improvement, the majority of residents were significantly impacted by the elimination of energy-related subsidies and the rise in the price of petroleum products, therefore the improvement in some macroeconomic indicators did not translate into an improvement in the citizens' standard of living. The value of money became less than half, which resulted in Egypt's quality of life index rating dropping from 50th in 2016 to 59th in 2018.

Poverty rates also increased, reaching 32.5% ¹¹ of the population at the end of 2017/2018, compared to 27.8% in 2015/2016. According to the statements of the Minister of Planning, the reason for the increase in poverty rates between 2016 and 2018 was 4.7% is the implementation of the economic reform program in the same period, which required a social cost for society and the state. The World Bank also lowered its expectations for the growth of the Egyptian economy, to 4.5% in the fiscal year 2022/2023, indicating that the poverty rate may rise, as it recorded its last level at 29.7% during the period from October 2019 to March 2020 - due to the impact of the inflation shock on real income levels.

Socio-Cultural Status:

Extremist religious ideology and currents spread in the years 2012 and 2013 in the context of the economic and political changes following the revolution of January 25, 2011, and the status of civic culture declined. In addition, manifestations of discrimination in society on the basis of gender and religion became evident, which was reflected in the deterioration of social conditions and family care for children. Women's and children's rights were criticised and sought to be undermined through the media, creating a hostile cultural and social environment that hinders the implementation of equality principles, non-discrimination, and the best interests of the child. Civil society organisations played a significant role in addressing those issues, whether at the level of the media or society.

A major aspect of the challenges between the two revolutions focused on human rights, which witnessed massive and systematic violations, especially in the year (2012-2013), which contributed to the outbreak of the 30th of June 2013 revolution, although this revolution represented an unprecedented effort to salvage the country and save the social-structure, however, it faced growing challenges and witnessed massive violations of multiple sources and patterns, and the human rights still remains the most difficult challenge till date.

Along with the lingering effects of the previous decades of legal, economic, social, and cultural difficulties, the second transitional phase confronted escalating internal and external challenges. These unprecedented difficulties forced a unilateral course with few accessible popular choices. The success of this path depends on its ability to open the door to a variety of future alternatives. In a way that will imply the potential for advancement in fostering respect for and defence of human rights.

With the stability of the political and security levels at the beginning of 2015, the civilized cultural and social atmosphere started to return. The State's efforts to provide a culture for children were seen in various areas, such as adopting the annual reorganization of the Cairo International Book Fair with the Ministry of Culture, which includes a special section for Children and their activities.

Challenges impeding the convention implementation (Recommendation 8)

- Between January 2011 until the beginning of 2015, Egypt had a period of political unrest that disrupted several governmental institutions, including both chambers of parliament.
- "NCCM", the national mechanism concerned with implementing and monitoring the Child Law lost its independence.
- Absence of an independent law enforcement oversight mechanism.
- Societal complicity around phenomena such as violence, especially domestic violence, and the cultural legacies that disproportionately harm girls, which is considered as gender-based discrimination, like early marriage and school dropout.
- Failure to change societal awareness sufficiently to accept the culture of children's rights as a whole and indivisible, the absence of the concept of protection, and the need to observe it and develop policies at all levels to ensure its implementation are due to the lack of an educational role in general and the negative role played by the media.

¹⁰ 2019 data – Egypt Cabinet “the Information and Decision Support Centre - IDSC”

¹¹ CAPMAS Survey - <https://english.ahram.org.eg/NewsContent/3/12/341838/Business/Economy/-percent-of-Egyptians-live-below-poverty-line-CAPM.aspx>

- The State doesn't allocate a separate budget for children's rights or distributed it according to their needs, and no measurements for what is spent on these needs.

Section I: General Implementation Measures - (Articles 6,4,2/42)

Recommendation 9 and 10: Generally, the progress achieved in addressing the recommendations submitted by the Committee in its concluding observations regarding the second periodic report in the framework of the Convention was not much and did not amount to anything but mere Initiatives. The vast efforts of each party on its own have a weak impact on the comprehensive system of children's rights, but optimistically, we always see that Egypt has in every report a shining model and has a number of best practices that need to be prioritised. In this report, we have some practices related to Legislation, participation, and the children's justice system, which still evolving despite the obstacles. However, still many issues need to be addressed radically, such (coordination, budget allocation, data collection, resource allocation, health of adolescents, people with disabilities and economic exploitation).

Concerning legislation, a set of amendments related to the child occurred, starting with the 2014 Constitution, which contained a comprehensive definition of the child, child rights, and protection mechanism in Article (80) (Appendix 3), which necessitated the amendment of the Penal Code, particularly harassment, sexual assault, circumcision, bullying, and the list of authorized persons. Moreover, the issuance of People with Disabilities Law, which singled out a special chapter for children, and a number of ministerial resolutions and periodicals of the Attorney General, especially with regard to juvenile justice.

A. Legislations:

Status of the CRC with the Egyptian Legislation: Egypt ratified the convention on July 1990, then released Child Law No. 12 of 1996, and by the much efforts made by the concerned civil society organizations, it was amended by Law No. 126 of 2008 (Appendix 4). And, in accordance with the Egyptian state's political commitment to perform its obligations under the CRC, the law was amended to fully comply with the CRC's principles, In Article 80, the Egyptian legislature developed the notion of the child's best interests: "The State shall ensure the protection of childhood and motherhood, the welfare of children, Furthermore, the State shall, as a minimum, guarantee the rights of the child, as stated in the Convention of the Rights of the Child and all other relevant international covenants enforced in Egypt¹². Thence, it is the first national law whose reference is devolving to an international convention. The law and its amendments are classified as one of the best legislation for children in the Arab region. We would like to emphasise in particular the importance of the Article 1 text "*mentioned above*" in facing the awareness gap among all parties concerned with the implementation of the law, and related to the legal force of the international convention rules, which became in force following the issuance of the 2014 Constitution and the text of its Article No. (93) of national legislation.

Egypt ratified the African Charter on the Rights and Welfare of the Child in 2001, accompanied by a reservation to Article 21/2 entitled "Protection from Harmful Social and Cultural Practices" due to the contradiction of this article with the national law at that time regarding the age of marriage "women 16 years and men 18 years". A Presidential decree withdrew this reservation dated 11/2/2015 after the amendments to the Child Law provisions, which included the inadmissibility of documenting marriage contracts for those of both genders who have not fully reached the age of 18.

Recommendation: The state must take all measures to prevent the marriage under 18 years from occurring illegally and prohibit marriage under this age in a definitive manner by legal text.

Committee observations No. (11, 12)

- a. Some relevant national laws have been reviewed and amended, in the direction of heavier penalties for circumcision and rape perpetrators, in addition to the introduction of articles on discrimination and harassment. A new personal status law is currently being discussed in a community dialogue in which civil society is actively participating.
- b. The persistence of aspects of legislative deficiencies at the level of children's rights and other legislation compared to the provisions of relevant international conventions, for example:
 - The absence of a clear definition of violence against children, not criminalizing physical and psychological violence, and incidents of child semi-exploitation, and nor criminalizing failure to report occurrences of violence, particularly when there is complicity or deliberately concealing facts or evidence of violence, whether from officials or parents.
 - The existence of a state of inconsistency between the provisions of the Child Law and other relevant laws such as the Labour Law in the exclusion of children working in pure agriculture and as domestic servants from legal protection, and the weakness of the penalties contained in the section on child labour, the Penal Code and criminal procedures in raising the age of criminal accountability From 7 to 12, which reflects the same situation of inconsistency in awareness of rights, and provides opportunities for evading the application of the law.

We concur with the Committee wrt Recommendation 12, the necessity of:

¹² Egyptian Child Law No. 126 of 2008

a. Legislative review:

- Reviewing all child-related laws and repealing articles that contradict the Child Law and the 2014 Constitution.
- Increase penalties for violations of child labour provisions in national laws, particularly child labour in professions that are listed as the worst types of child labour.
- The need to amend the Child and Personal Status Laws to stipulate directly the "prohibition and criminalization" of marriage under the age of 18 years.

b. Activate Laws:

- Regulations related to child protection, such as school protection committees.

Legislative changes in Egypt during the transitional period:

Article 70 of the 2012 Constitution strayed very far from the international convention; it didn't specify the age of the child or the age of compulsory education, it did not prohibit child labour, it didn't specify the age of criminal responsibility for the child; it did not prevent child detention or even legalize it; and the State has also limited its role in caring for children who only lost their families. Then the obligatory correction came in Article 80 of 2014 Constitution¹³, with fair amendments to the child and in line with Egypt's international obligations. The Egyptian Constitution for the 1st time determined the age of the child in accordance with the CRC and the Minimum Age Convention. It also adhered to the Convention in terms of establishing a judicial system, non-detention with adults, the right to early education, and the right to identification papers and considerate the best interest of the child. Article 19 of the Constitution came consistent with the Convention in obligating the State to provide free and compulsory education until secondary school or whatever equivalent, to monitor its quality, and dedicate at least 4% of government spending on education, steadily increasing until it matches the global average. Moreover, it obligated the State to encourage technical and scientific education and vocational training and ensured the independence of universities and their educational development to meet international quality standards. Article 80 was also enacted to affirm the rights of children with disabilities in accordance with the International Convention on the Rights of Persons with Disabilities.

Child Law No. 126 of 2008 amended Law No. 12 of 1996, and we would like to focus in this report on the criminal treatment of children since it is the most important axis in terms of development during the period of this report. Articles 94 – 143 of chapter 8 detailed the criminal treatment of children, and a large proportion of these articles are activated in the context of building a judicial system for children in Egypt for the first time since the establishment of the ancient Egyptian judicial system.

This section includes the method of dealing with children at risk of delinquency, and the steps that must be implemented in child care institutions, as follows:

The Child Court shall be composed of three judges, and shall be assisted by two experts including at least one woman, and her attendance at the court proceedings shall be obligatory. Experts shall submit a report to the court after examining the circumstances of the child in all aspects before the court issues its verdict.

- Only the Child relatives, witnesses, lawyers, social observers, and those whom the court allows to attend by special permission may attend the trial of the child.
- Hence, the Child Law No. 126 of 2008 was amended in accordance with the CRC, whereby the term juvenile is avoided, and the child is dealt with as a child at risk, not as a delinquent child or criminal, and the age of criminal capacity is raised to 12 full years.
- The legislator authorised the court to take the measures stated in Article 101 of the law, namely: reprimand, extradition, enrolment in training and rehabilitation, obligation to certain duties, judicial examination, work for the public benefit in a way that does not harm the health or psyche, placement in one of the institutions of social care homes.
- The legislator singled out 14 cases in the Children's Law for exposing the child to risk, and we find here the development of the Egyptian legislation in line with the principle of the best interest of the child in terms of resorting to social measures as an alternative to custodial penalties, and that delinquent children are primarily victims and not criminals.

Challenges:

Although the amendments to the Child Law No. 126 of 2008 came to protect the best interest of the child, the indicators are disappointing in the field of applying the law and preparing the executive regulations. The most significant provisions relating to civil society participation in implementation were not considered, particularly at the level of coordination amongst the concerned parties, for example:

- When the general child protection committees were formed at the level of each governorate, and the sub-committees at the level of each centre or division, the vast majority of governors' practises were characterized by monopolistic tendencies in decision-making, and the selection of committee members from representatives of civil society organisations according to the vision of each governor, which is considered a confiscation of the associations' rights and their freedom of choosing their representatives.
- Weak coordination between government agencies concerned with the application of the law, or participation in protection committees, the tendency to justify non-compliance with responsibility, lack of awareness of

¹³ 2014 Constitution of the Arab Republic of Egypt for the year 2014

rights, failure to delegate authority to representatives of these bodies in decision-making, and the continuation of power centralization in the hands of ministers and governors, and the constant change of ministries' representatives in committees due to changing their job designations.

- Neither the presence nor the roles of the Child Protection Committees were publicised. Furthermore, the committee's governmental and executive members were unaware of their roles and responsibilities under the Child Law.
- No budget was allocated for these committees, which has weakened their actual role.

Many concerns remain unresolved upon implementation. For example:

- Children's criminal responsibility: The defective wording of Article (94) of the amendments to the Children's Law resulted in a blatant contradiction that devoid the amendment of its content. While the first paragraph refers to cancelling the criminal responsibility under the age of 12, the second paragraph came to revoke this cancellation and obliges the child to stand trial in front of a court, where a judgmental decision with social measures and rehabilitation will be made. This reveals the lack of truth in raising the minimum age from 7 to 12 years. Furthermore, we find it perplexing that the legislator did not respond to raising the age of criminal responsibility to 18 years to match the national legislation and the provisions of the Convention.
- However, there has been a development at the executive level in the procedure of detaining underage children away from adults, following an official notification from the Minister of Interior executing these instructions.

Related Legislations:

- The enactment of Law No. 189 of 2020 amends some provisions of the Penal Code by adding Article No. (309 bis b¹⁴), which provided for the first time a comprehensive definition of bullying in Egyptian legislation and defined punishment as (imprisonment for no Less than six months and/or a fine of not less than 10,000 pounds and not more than 30,000 pounds. If the offence is committed by more than one person, or if the offender is related to the victim by all means, then the imprisonment is increased to not less than one year and/or a fine of not less than 20,000 pounds and not more than 100,000 pounds), and if the two circumstances are met, the minimum penalty shall be doubled, and if the case repeated then the minimum and maximum penalties shall be doubled.
- On 11/12/2017, Ministerial Resolution No. (29) of 2017 was issued by the Minister of Education regarding educational guardianship (Appendix 5), as many mothers were experiencing problems related to their children's education and retaliation from fathers. And this decision granted the custodian "the mother" the right of the educational guardianship, but only after a custody lawsuit and then a legal judgement of the educational guardianship, and shall not be removed/taken from her except in the case of an enforceable legal judgement.

B. The National Action Plan:

Recommendation (13): Develop a national strategy: Concerning the ministries' strategies, particularly those for education, health, culture, sports, and social solidarity, it is noted that they include goals that achieve the basic rights of the child in a manner that is almost identical to the those who endorse the right of the child to basic education and qualifying with skills for the future, acquiring the cultural and social heritage, promoting his transformation into a positive citizen, including him/her in society and achieving affiliation, growing with a good health, protecting from all forms of unequal economic, social, cultural, quality and other opportunities, and supporting the child's family to play its role towards him/her and facilitate obtaining his/her rights. Sectoral strategies also contain a wide range of details of the activities carried out by the concerned entity.

The ministries' strategies do not demonstrate a direct link between the rights, objectives, and actions they carry out, making it difficult to measure the efficacy of execution and its relevance to the rights or strategic goals. Evaluation is often limited to the activity implementation without the ability to assess its impact on achieving children's rights.

The National Strategy 2015/2020:

The strategy is based on Article 80 of the Constitution, and the strategy focuses on 6 main rights (the right to life, survival, health, education, protection, participation, the rights of the poor child, and the right of the child to mother care).

The strategy priorities focus on issues such as (Children living or working in the street - child labour - dropping out of education - early marriage - the problems of the neediest and marginalized children in society).

Strategy Vision: Advancing the quality of children and mothers' lives, achieving well-being for them, securing society's support and protection, involving them in making their own decisions, and caring for their physical and psychological health, within a framework of equality and fair distribution across social levels and geographical regions.

The strategy aims to provide a national vision with a national framework for action, to improve the situation of childhood and motherhood in Egypt, ensure fair distribution of services, and alert the various social levels of Child Rights in the different geographical regions, while setting priorities for interventions, programs, policies,

¹⁴ Penal Code No. 58 of 1937 and amendments

and improving networking, cooperation, coordinating between the various entities concerned with development in the field of childhood and motherhood, and establish a system for measuring performance and evaluating interventions in the field of childhood and motherhood.

Commitment and application:

The Ministry of Health announced that the NCCM is the government agency entrusted with providing care and protection for Egyptian children. The NCCM, in cooperation with UNICEF and the Egyptian Centre for Public Opinion Research “*Basera*” is working to follow up the implementation of the strategy.

Self-monitoring and accountability mechanisms:

The internal monitoring bodies are centred in the National Council for Human Rights, namely the Child Rights Unit, as it is the body entrusted with interior monitoring and submitting its reports to the President of the Republic and to Parliament, and so far, no report has been issued on the rights of the child.

Recommendation: The strategy did not find a real response on the ground due to the NCCM diminished authority, since it is responsible for coordinating among the relevant authorities and has diminished the importance of childhood concerns. Therefore, we recommend the need of resumption the NCCM to the nature of its establishment as an independent council that sets and coordinates general policies for childhood.

Resource allocation:

With regard to recommendations 19 and 20 regarding the budget: Starting with the 2015 budget, the government aimed to complete its reform program in order to achieve more progress on the economic and social levels together, in line with the amendments approved in the 2014 constitution. At the forefront of these policies was the start of planning and implementation for real programs to invest in human capital as well as increasing investment in infrastructure, in addition to improving policies targeting support and providing social protection for the most vulnerable groups, raising the efficiency of public services and achieving greater fairness in distribution, which coincides with the completion of gradual steps towards fulfilling the constitutional entitlement to increase expenditure allocations for education to 3% and health to 4% of the national product, in addition to the scientific research.

Strengthening justice and social protection in the State budget:

The government focuses on the provision and quality of basic services to citizens through the implementation of a number of social protection programs such as "Takaful, Karama and Haya Karima", and the implementation of more effective and efficient programs to protect the most vulnerable groups, children represent a significant percentage of them, including children with disabilities.

Law Enforcement Coordination

Current Mechanisms of Coordination:

The first body responsible for coordinating child protection policies in Egypt is the National Council for Childhood and Motherhood “NCCM”.

The results of a study conducted by the ECCR confirmed the decline in the effectiveness of the role of the supervisory and coordinating council for law enforcement, between governmental and non-governmental institutions, to come up with a clear plan and mechanism for cooperation among these institutions at the national and local levels.

- There is weak coordination between some civil society organisations, concerned international organisations, and government directorates and departments, to monitor the implementation of children's rights through a participatory relationship, but on a limited geographical scope.

- Some civil society organisations play a coordinating role among a number of governmental organisations concerned with children's rights, to monitor the implementation of children's rights within schools, child labour places and care homes, but this role is still ineffective, due to the lack of concerted cooperation efforts.

The Coordination Mechanism's Effectiveness:

The coordination mechanism is manifestly ineffective, due to the differing definitions of indicators among government agencies and their lack of interest in coordination and cooperation among themselves, or with children, who are the primary stakeholders in implementing children's rights. This failure comes due to the lack of effectiveness of NCCM. The study¹⁵ “referred hereunder” also showed that government routine greatly hinders efforts of involving children and stakeholders in the implementation of children's rights. However, this does not negate the presence of several government officials with local civil society organizations seeking the required cooperation and coordination.

Coordination Mechanism Challenges:

- The lack of independence of NCCM, as it is subordinate to the Ministry of Health and previously to the Ministry of Population, and the absence of its full role in cooperation and coordination between government bodies or civil society organisations.

¹⁵ Child-led research to examine the impact of the Corona pandemic on the situation of children's rights in Egypt - previous reference

- Absence of a coordinating role among the independent concerned national councils.
- Children's rights and issues are not a priority on the government officials' agendas within agencies concerned with childhood issues, consequently, there is no need for cooperation between government bodies, civil society organizations, or international entities working in the field of childhood.
- Lack of coordination mechanism among government institutions working on children's rights, leading to dispersion of efforts and a lack of clarity in their results, the absence of their impact on children and on general state policies, and the absence of clear and specific channels of communication between state institutions and the civil society, which also causes the civil society to work in isolation from the government, which reduces the tangible results on the ground.

Recommendation: The necessity of issuing a law restoring the NCCM, granting its independence, affiliating it with the Presidency of the Republic, with branches all over the Republic, and allocating a separate budget for it, as it is the national mechanism for enforcing the Child Law.

Cooperation with civil society - Recommendations 27, 28, 29, 30

1. Civil Society Participation:

Children Participation: The Trade Union Law¹⁶ allows membership in trade unions from the age of 15, according to Article No. 21/F.A., Despite this legislative development, the Civil Associations Law prohibited the membership in civil associations of whom under 18 years, which contradicts with the Trade Unions Law, the Children's Law, and the Constitution wrt the right of children to participate, but this does not negate the fact that some civil society organisations that are conscious of the concept of children's participation involve them at the level of practices and activities.

- They are also deprived of participating in making decisions that concern them, such as national strategic plans, which was confirmed by representatives of the Ministry of Manpower and Immigration, that children did not participate in formulating the Ministry's plans to combat child labour, replacing that with the participation of representatives from the NCCM and Civil society organisations concerned with children, which is the mechanism adopted in the rest of the strategies.

- But despite that, in a unique experience that is considered one of the best practices and within the efforts made by the ECCR in pursuing the empowering of the Egyptian children with their right to participate - that governments have not granted over the past years - the Coalition organised several meetings for 319 children from 23 governorates of the Republic in various categories. These meetings include educating the Egyptian child about his rights, taking his opinion about his status in the new constitution, and producing a document that reflects the vision of the child and the Egyptian civil society for the status of the child in the constitution. Out of these multiple meetings, 20 children were nominated from each governorate (according to their personal desires) to participate in a meeting that brings them together in the Constitution forming Assembly. Monday, October the 22nd of 2013 is the date that our children will not forget because it is the day when they drew their aspirations, realised their dreams, and participated in writing their future and the future of all coming generations. Article (80) of the constitution, the longest of its articles ever, came out without missing a single word from what the children had formulated.

Recommendation: Amending the Civil Associations Law and reducing the age of its membership to 15 years, to ensure the participation of children in many decisions concerning them, especially after reaching a good level of NGOs participation in many governmental committees formed in accordance with national laws.

Coordination with Civil Society Organisations:

- Some laws allow civil society organisations to join their committees formed by law, including associations working in the field of childhood on topics directly related to child issues, such as:

- (Combating illegal immigration and Smuggling Law) Membership of the National Coordinating Committee for Combating Illegal Immigration and Human Trafficking.
- Child Law:
 - A. The participation of civil society organisations in the various levels of child protection committees.
 - B. Referral system when a child is at risk

- Participation in national committees formed to develop long-term national strategies in various fields such as (Women Empowerment Strategy 2030 - National Strategy for Climate Change in Egypt 2050 - National Strategy for Combating the Worst Forms of Child Labour - National Strategy for Human Rights), as these national strategies define important roles to be implemented by civil society organisations.

- Participation with international bodies concerned with children, especially in setting general policies.

- Coordination with the private sector through social responsibility programs in the implementation of projects related to services such as education and health.

However, the level of broader participation is still limited to major Civil Society Association in the service sector, more than it is at the level of public policies.

Recommendation: Enhancing the participation of civil society organisations working in the field of improving public policies with decision-makers in childhood matters.

¹⁶ Trade Union Organisations and the Protection of the Right to Organise Trade Union Law No 2013 of 2017

Measures to Enhance Coordination: The research study¹⁷ came up with a number of measures and methods to enhance coordination, the most importantly is the implementation of joint initiatives between the concerned ministries for coordination to highlight the interest of state institutions in children's rights.

Promoting models of successful government initiatives at the level of inter-ministerial coordination, such as the “Saif Weladna - Our Children’s Summer” project implemented in 2015 in cooperation between 16 concerned ministries, targeting children in the age group of 6-16 years, as well as targeting groups of children in the street, working children, school children and children with disabilities, and activities were represented in theatrical performances, vocational training, and integration programs for children with disabilities in education courses.

Joint Cooperation

There is unstructured coordination between government institutions on one side, and between government institutions, civil society organisations and international bodies working in the field of children's rights on the other side. There are also cooperation protocols between government bodies and civil society organisations, as shown in the role played by the Egyptian Coalition for Children Rights wrt coordination between all parties concerned with children's rights.

Some ministries have also established departments to cooperate with civil society, such as the Ministry of Education through the Department of Community Participation, and the Ministry of Health and Culture. The international entities cooperate with government bodies such as the cooperation between Terre des Hommes Organisation, the Ministry of Justice, the International Organisation for Migration, the Ministry of Manpower, UNICEF, the Ministry of Justice, and NCCM.

Recommendation: Standardize child definitions and indicators among government bodies, to create more spaces for coordination, and to enhance the impact of the results of cooperation and coordination.

Child Allocations in the State budget:

Children’s rights budget preparation challenges

- 1- There has been no societal understanding in Egypt about the rights outlined in the Convention, despite the existence of rights framework developed by NCCM, whereby the Convention’s components are grouped into four groups of rights (the right to survival, development, protection, and participation) similar to the compilation of UNICEF. It is impossible to accept the accounting financial monitoring of expenditures from public spending as an indicator of attaining the aims for which this spending is monitored since the government doesn’t use unified indicators that enable society to measure the returns of public spending.
- 2- Failing to allocate a budget so far for the Child Protection Committees approved by Child Law 126 of 2008, affects the effectiveness of these committees.

Recommendation: It is necessary to allocate an independent percentage of the state budget for the child, his rights, services, and other requirements of the measures related to the implementation of the Convention on the Rights of the Child. And the need to include an independent budget for the child protection committees to be more effective and impactful.

Cooperation with international organisations:

Save the Children representative stated that once the situation in Egypt had stabilised, the possibility of coordination between government bodies, international entities, and civil society was restored in important sectors (health and education) by concluding memorandums of understanding with the ministries of (Health - Education and Social Solidarity - NCCM - General Secretariat for Mental Health) and cooperation with (governmental childhood protection committees and school protection committees) and the Ministry of Social Solidarity through the alternative care program and protection mechanisms in care institutions that was implemented in Alexandria Governorate, in addition to a high level of collaboration among the civil community and government in combating the Corona pandemic, particularly in the provision of direct services.

Representatives of the Ministry of Manpower and Immigration confirmed during an exclusive interview¹⁸ that the Ministry is coordinating with several ministries, governmental and international bodies, and civil society organisations. The Ministry launched the National Plan to Combat the Worst Forms of Child Labour in 2018, with the participation of many ministries, civil society associations, trade unions, and international bodies. A steering committee was formed to implement this plan, which included the General Trade Union of Textile, Garments, and Cotton Ginning, the Federation of Egyptian Industries, and the Trade Union of Small Farmers, in coordination with NCCM, the Ministry of Solidarity, the Ministry of Education, the Ministry of Interior, and the Ministry of Local Development at the level of combating child labour and also with the National Committee for Combating Human Trafficking regarding forced labour. Several projects aimed at combating child labour have been implemented with international bodies, such as "Accelerating Action for the Elimination of Child Labour in Supply Chains" Project in 2014, the project of "Promoting Worker Rights and Competitiveness in Egyptian Exports Industries" with (UNICEF / ILO) and the project of “Enhancing Access of Children to Education and Fighting Child Labour with WFB” (2018-2019).

¹⁷ Child-led research to examine the impact of the Corona pandemic on the situation of children's rights in Egypt - previous reference

¹⁸ An exclusive interview for the parallel report at the Ministry of Manpower and Immigration in Cairo

Data Collection:

Although there are some efforts to collect data on children, such as (the National Observatory on Child Rights - the Demographic Health Survey - the Complaints Receiving Unit of the NCCM through the Child Helpline and the Anti-Human Trafficking Hotline) and CAPMAS, which collects data on Some groups of children, still there is no unified systematic mechanism for collecting data on children, and these efforts do not rise to the level of databases that can be fully relied upon to develop an integrated systematic vision to improve the conditions of children, also they are not available to academics or the media, which leads to a scarcity of academic studies and surveys. There are some surveys that are conducted in cooperation with international bodies such as UNICEF, but not periodically.

Recommendation: We concur with the committee's recommendations 21 and 22 regarding its concern about the absence of a central information base in the National Observatory for Child Rights affiliated with the NCCM, through which data on children from all ministries is collected and child rights indicators are developed systematically and in a unified form, as this has an impact on childhood issues generally and on the development of correct interventions towards them. Particularly, the special groups of children such as those deprived of their liberty, people with disabilities, and children in the street. In order to ensure the smooth operation of the activity at the observatory, it is also necessary to devote technical resources and human resources with vast technical competence.

Training:

Recommendations 25 and 26

Civil society organizations cooperate with government agencies to train service providers and workers in various fields of children, such as training child protection committees through EFACC, with the support of international organizations such as Plan and UNICEF, and training members of the public prosecution and judges through Terre des Hommes Organisation. Representative of Save the Children in Egypt¹⁹ confirmed the existence of coordination between the organization and the Ministry of Education to implement trainings for teachers and children on introducing children's rights reporting and complaint mechanisms - and introducing available services.

- However, the impact of this training is not equal to the expended resources and efforts, due to the continuous change of workers in the judiciary, prosecution offices, and protection committees. The problem of scarcity of media professionals' training on children's rights also appears clearly through dealing with the media and the high rate of media violations in children's cases, whether delinquents or victims.

Recommendation:

- The need for a specialized judiciary specified for children's affairs to ensure that there is no continuous change, and to ensure the continuity of the training impact of.

- Taking measures to enhance the culture of children's rights among media professionals, and activating the articles of the Child Law to protect them from media violations.

Independent Monitoring

Recommendations 17 and 18: The Permanent Higher Committee for Human Rights in Egypt was established pursuant to the Prime Minister's Decision No. (2396) issued on 11/14/2018 (Appendix 6), and it is an independent mechanism that began its actual work at the end of 2021. It was initiated with the participation of civil society through a number of meetings in the community dialogue wrt the State's Strategy for human rights, which has a section devoted to children's rights

Publication and awareness:

Recommendation (23, 24, 90)

The efforts exerted at the State level to disseminate and publicize the Convention on the Rights of the Child and the Child Law are still weak, linked to funding from international bodies, working on separate specific issues and not with a comprehensive methodology of rights.

However, the efforts made by civil society in the events when participating with government agencies cannot be denied, and in implementing initiatives to form (groups of children) who are trained and then they educate society with their rights and issues, and their right to participation and non-discrimination, but such initiatives cannot be measured at a general level, as these institutions operate locally and regionally.

We concur with the committee's recommendations 23 and 24 regarding the need for the state to develop a systematic strategic plan for the publication and introduction of the Convention on the Rights of the Child and the Child Law No. 12 of 2008, in which coordination is required between government agencies concerned with childhood and human rights and specialized national councils, the Ministry of Culture, the Supreme Media Council and the Journalists Trade Union, in close cooperation with civil society organizations, and shall be on a national scale and targeting all segments of society and its public and private institutions, especially those whose specializations and activities intersect in dealing with children.

¹⁹ An exclusive interview with "Save the Children" representative in Egypt to participate in the parallel report on the rights of the child, in her office in Maadi, Cairo

Child Rights and Social Responsibility Sector:

In Article 36 of the constitution, the state affirmed that the state shall motivate the private sector to perform its social responsibility in serving the national economy and society. To encourage these programs, a legal provision has been made to consider financial allocations for these programs as expenses, which reduces the taxes due on the executing company.

- The social responsibility programs of the private sector companies that operate in the sectors of services for children, some of which are carried out in collaboration with government bodies, others with civil society organisations, and some companies have established affiliated civil society institutions through which they implement service programmes²⁰ aimed at children in sectors of Education, Health, and Social Care services. As an illustration:

- Vodafone Foundation: Working on developing education from a technological point of view
- Orange: Working in the health sector
- CIB bank: Sponsoring an initiative to introduce autism in cooperation with the Egyptian Association for the Disability challengers
- Orascom: in the vocational training sector for children in conflict with the law in cooperation with UNICEF and the Egyptian Foundation for Advancement of the Childhood Condition

Recommendation (31): We find that there is significant progress in the role of the private sector through the establishment of programs directed at child services, and the establishment of civil society organizations affiliated with some companies, and it worth to mention that most of these programs are long-term projects from 3 to 5 years, which makes them highly effective.

However, the child services sector still requires additional support from the private sector, particularly in light of the society's deteriorating economic crises, taking into account geographical distribution, and channelling more resources to the poorest areas.

2. Definition of the Child (Article 1 of the Convention):

The child is defined in Article 80 of 2014 Constitution as “Anyone under the age of 18 shall be considered a child.” The article defined the requirements for protection in a distinct & comprehensive manner.

Recommendation (32 and 33): The reservation on Article 21/2 was withdrawn, but there are some challenges remain, as the amendment of the law was limited to not “documenting” only and did not prohibit marriage textually, resulting in undocumented early marriages, and consequently some born children that are not registered until the mother reaches the legal age of 18 years, involving a risk to the child's best interests as well as the mother's, who is still in her childhood years.

Recommendation: We Concur with the committee's request for a clear text in the national law that criminalizes and prohibits marriage under the age of 18.

3. General Principles - Articles 2, 3, 6, 12 of the Convention

Respect for children's views:

Children's participation at the institutional and societal level is still largely limited, as there are initiatives undertaken by civil society organisations through local committees to discuss some issues, but children's opinions are rarely taken into account in research and studies. The mentioned initiatives are limited to sharing their views but do not reach the limit of voting, drafting, and decision-making.

Recommendation: We concur with the committee's recommendation No. (40) that there is a need for the state's executive plans to include the participation of children and to ensure that their views are of interest to officials, and to be taken into account in the state's procedures affecting the rights and best interests of the child, and this to be done periodically, particularly in the long-term national strategy plans.

4. Civil Rights and Freedoms (Articles 7, 8, 13, 17, 19 and 37a of the Convention):

A. Birth Registration:

Birth registration at birth is crucial to ensure that the child obtains all his legal rights and is provided with protection by the state. The 2014 population survey showed that 99% of all children under the age of 5 years who usually reside with their family are registered. Almost all registered children have a birth certificate. Children in rural Upper Egypt areas were less likely to have a birth certificate than the rest of other children, but even among children in these areas less than 2% were not registered, which is consistent with what was monitored by civil society organisations. It was also noted that there were certain occurrences of children's deaths that were not registered and the use of their birth certificates for new-born infants.

²⁰ <https://www.vodafone.qa/ar/investor-relations/financial-information/annual-reports/2017/corporate-social-responsibility>

- <https://www.orange.eg/ar/about/company-overview/social-responsibility/>

The Children's Law specified that the birth registration certificate would be issued for free, nevertheless, the actuality of the application was confined to the first edition only with a condition of purchasing a stamp, in addition to its unavailability in different regions. Government bodies also require a current electronic version of the birth certificate as a prerequisite for the child to benefit from his rights, such as school enrolment, which undermines the free registration concept.

Although there is an explicit text in the Child Law in Article (15) that gives the mother the right to register her new-born and to obtain a birth certificate with her name on it, this certificate is not legitimate until the fact of birth is proven. However, the application of this article is very difficult because employees are not trained on the amendments that occurred since 2008, and the failure to issue a circular or a book from the concerned minister with these amendments, which deprives the child of having identification papers or being registered in the birth records, and thus not obtaining basic services in health, education and social services, in addition to the possibility of making him exposed to permanent danger or being trafficked.

There is discrimination concerning children of aristocratic lineage or whose lineage has been proven through a court ruling, as indicated by a number placed on the top of the birth certificate (3); while the number (2) is for children registered naturally.

Recommendation: We concur with Recommendations 42 and 43 on the need to apply Article (7) of the Convention, regarding the abolition of birth registration fees.

- The necessity of issuing a decision to activate Article 15 of the Children's Law regarding the mother's right to register her new-born.
- Cancellation of discrimination related to placing No. (3) for children of aristocratic lineage and No. (2) for whose lineage has been proven by a court ruling.

B. Name and nationality:

Recommendations 44 and 45: The Nationality Law was amended in 2004 regarding the granting of Egyptian nationality to children of an Egyptian mother married to a non-Egyptian, and now the procedures have been greatly facilitated for those born after the law was issued in 2004, whereby the child can be registered, and an Egyptian birth certificate is given within the first year of the birth. But suppose the registration is requested after passing one full year. In that case, a request must be submitted to the Civil Status Authority, where approval is granted within a month followed by the issuance of the birth certificate. There was also negative abstinence for the children of the Palestinian father after 2011. The amendment was activated to include them.

C. Freedom of Expression and Access to Information:

Article 68 of the Constitution guarantees the right to information, and the preamble to the Constitution provides for freedom of belief and the practice of religious rites. During the period covered by the report, freedom of opinion, expression, and belief witnessed many fluctuations, and so far, these Constitutional articles have not been activated as they should be, and there is no clear media strategy related to directing information to children, especially adolescents, or advertising free state services related to health and mental health for adolescents.

Recommendation 46: There are special programs implemented by civil society organisations (Al-Shehab Institution for Comprehensive Development / Caritas Egypt) to combat HIV/AIDS, in cooperation with the Ministry of Health and the United Nations, through which awareness is spread against the disease, and also The Ministry of Health has a hotline for AIDS counselling and a hotline for psychological counselling and adolescent health, but it is not sufficiently advertised and is still at a limited level, both in terms of geography and resources in relation to the number of adolescents in the population.

In 2011, The Health Improvement Association in Damanhour governorate signed a protocol for joint cooperation between the Women's Association for Health Improvement in Damanhour and Caritas Egypt in Alexandria (women's sector) to organise five campaigns for health awareness and care for women/girls and to work on changing many beliefs, attitudes, behaviours and wrong social traditions, and care for reproductive health, and psychological and physical changes accompanying girls in adolescence included the activities of students in the preparatory education stage, where 14 camps were organised in the presence of 700 students of the preparatory phase.

D. Providing of Information:

Article (3, Paragraph C) of the Children's Law grants the child's freedom of expression, including the freedom to receive and seek information, but this article has not been activated as it should be till date, due to the small number of institutions concerned with disseminating information and raising children's awareness (such as public libraries, cultural palaces and youth centres) and their poor geographical distribution, and the lack of a law on the right to circulate information.

Recommendation: We concur with the Committee's recommendation 47 on the necessity of activating the Children's Law in the field of making information available to children and ensuring its delivery using methods that consider their social, geographical, and educational conditions.

The need to issue a law on the right of circulating information, as a constitutional entitlement that is still suspended.

5. Follow-up to the United Nations Study on Violence Against Children:

Recommendations 57, 58, and 59: The rate of violence against children represents a large phenomenon in Egyptian society, especially against girls, despite the efforts of the State and civil society, through legislation and community initiatives, and the development of a strategy to confront violence against children 2015-2020 by NCCM, allocating helplines (hot line: 16000) and receiving complaints. According to a 2015 study by UNICEF and NCCM, the majority of the children between 13 to 17 years who participated in the study were exposed to physical violence in the year preceding the study “61% in Cairo, and 56% In Alexandria”, with that boys being more likely than girls. The study also revealed that the most common type of violence was the psychological violence.

A report issued by the Child Helpline in 2019 also confirmed that reports of physical violence amounted to 54% of the complaints received in just one year.

Legal prohibition on all forms of violence towards children

Article 80 of the 2014 Constitution included provision for protecting children from violence and all forms of violence, but this was not defined in national laws. Egypt also developed a national strategy to eliminate violence against children and issued a unified procedural guide for dealing with children at risk in cooperation with UNICEF in 2018.

Recommendation: The necessity of defining violence in a legal text, issuing a domestic violence law, and taking effective measures to spread a culture of anti-violence in the media and institutions.

A. Child protection from abuse and neglect:

Recommendation 51 and 52: The constitution affirms that the family is the foundation of society, which is made up of religion, morals, and patriotism. The State is keen on its cohesion, stability, and consolidation of its values (Article 10). Additionally, the Presidency of the Republic pledged strong support for women's rights in all spheres of political, economic, and legislative representation, as well as the eradication of all negative behaviours that infringe on their rights.

The state works intensively through its governmental and non-governmental institutions to pay attention to the upbringing and care of children and to guide parents by following methods of socialization and implementing positive parenting programs. Such as the "Mawada" programme implemented by the Ministry of Social Solidarity to overcome the problems of family disintegration.

Through Nasser Social Bank and the family insurance system under the supervision of the Family Insurance Fund, the State guarantees the implementation of judgments issued for alimonies for the wife, divorced woman, and children, in case the man refuses to pay.

The legislator also imposed deterrent consequences such as imprisonment for a period not exceeding one year or a fine of 500 pounds for anyone who refuses to comply with alimony.

B. Harmful Practices:

Recommendations 68 and 69 of Female Genital Mutilation: According to the results of the Egyptian Demographic Health Survey 2014²¹, the prevalence rate of this practice among girls in the age group 15-17 years in Egypt is 61%, compared to 74.4% in 2008.

According to the results of the Family Health Survey 2021²², there is a decrease in the practice of this habit between the ages of 0 to 19 years, and it decreased to 14% in 2021 compared to 21% in 2014, and the percentage expected to be circumcised decreased from 27% in 2021 compared to 56% in 2014. Also, 74% of cases are conducted by a doctor.

Article 242 bis of the Penal Code has been amended, which punishes with imprisonment for a period of no less than 3 months and no more than 2 years, and started confronting the so-called circumcision doctor! Many of them were pursued and brought to justice, especially in cases where the female child died.

The National Strategy to Combat Female Genital Mutilation 2008-2018

- The Public Prosecutor's Circular 14 of 2016 (Appendix No. 7) issued directives to members of the Public Prosecution Office in the investigation of genital mutilation crimes.
- The National Population Council issued the “National Strategy to Combat Female Genital Mutilation 2016-2020” (Appendix 8), as well as the “National Strategy to Combat Violence against Women” (Appendix 9), which was issued in 2015 by the National Council for Women, and includes combating female genital mutilation as one of the forms of violence against women and girls. In 2018, the Council issued a policy paper on eliminating female genital mutilation;
- Requiring all health facilities to report to the police upon receiving cases of female genital mutilation, including governmental, private and private medical facilities, in accordance with the Ministry of Health circular of 2017;

²¹ Population Health Survey 2014 - CAPMAS

²² Family Health Survey in Egypt 2021, CAPMAS

- In May 2019, the Prime Minister issued a decision to form the first national committee to eradicate female genital mutilation, which coordinates all efforts to eradicate this crime. The committee carried out door-knocking activities nationwide to raise public awareness of the risks of this crime, confront it, and activate reporting on doctors and others who practice it.
- Increasing penalties and amending the Penal Code in accordance with Law 10 of 2021, where the amendment stipulates in Article (242 bis) imprisonment for a period of no less than five years for anyone who performs female genital mutilation in any form, and the penalty reaches maximum imprisonment for a period of no less than 7 years if it results in a permanent disability, and the penalty is up to 10 years in the event of death.
- The amendment further states that the penalty will be aggravated imprisonment if the person who conducted the circumcision is a doctor or a nurse practitioner., and if the crime results in a permanent disability, the penalty shall be aggravated imprisonment for no less than 10 years; if f the act results in death, the penalty is aggravated imprisonment for no less than 15 years and no more than 20 years, in addition to job dismissal for a period not exceeding 5 years if the crime was committed while performing his job, and deprivation from practising the profession for a similar period., and closing the private facility in which the crime was performed, and if it was licensed, the closure period shall be equal to the period of prohibition from practicing the profession, with the removal of its signs and banners, whether the facility belong to the doctor who committed the crime, or if its actual manager is aware of its commission, without prejudice to the rights of bona fide third parties, and the publication of the judgement in two widely circulated daily newspapers and on the websites designated by the judge on the alimony of the convict.
- The amendments also stipulated in Article (242 bis a) that “whoever requests female genital mutilation and was circumcised at his/her request, as stipulated in Article (242 bis) shall be punished with imprisonment. Anyone who promotes, encourages, or calls for one of the methods set forth in Article 171 for committing the crime of female genital mutilation, even if the act had no effect.” shall be punished with imprisonment”.

Despite all these efforts and legal amendments and the support of the political will to eradicate this crime and the exchange of national and international experiences, there is still a long way to go to achieve the desired goals, and preventing this crime from occurrence and raise public awareness of its risks.

C. Helplines:

Recommendations 84 & 85, Hotlines have been added to help children, Combating Human Trafficking Unit hotline “15115” to receive complaints in cooperation with the Coordinating Committee for Combating Human Trafficking and the National Council for Women, with regard to early marriage, economic/sexual exploitation. NCCM has the power to report to the Public Prosecution regarding complaints received in this regard.

Challenges: Awareness of the importance of telephone helplines among service and childcare providers still insufficient, in addition to the fact that the provision of services that are requested from these lines depends entirely on civil associations, which weakens their impact according to the status of the association. The community organisations noticed the ineffective coordination between the helplines and the Ministry of the Interior with regard to reports submitted by citizens regarding children at risk, and the lack of workers and budget allocated for this matter, and the change of trained workers in associations due to the lack of their allocated budget, and the failure to issue periodic reports of the received complaints, which hinders the opportunity to study the widespread phenomena and problems that children are exposed to, and to provide appropriate interventions for them.

Reporting Mechanisms:

The Public Prosecution has developed electronic reporting mechanisms through the Public Prosecution’s system for electronic petitions²³, which made it easier for lawyers and citizens to submit complaints, and the Coordinating Committee for Combating Human Trafficking has allocated a mechanism via e-mail (NCCPIM@gmail.com).

6. Family environment and alternative care -

Articles 5, 18, (Paragraphs 1 and 2), 9-11, 19-21, 25, 27 (Paragraph 4) and 39 of the Convention

A. Family environment:

2014 Constitution recognized the right to provide alternative family care, as approved by the Child Law in Article 86 of its executive regulations (the right of all children who have lost family care for any reason to enjoy the alternative family care system from the age of two years), then it was amended twice during the years 2015 and 2016 by a decision of the President of the Egyptian Cabinet to lower the age to 3 months and then from birth, which helped bridge the 0-2 years’ gap.

²³ https://ppo.gov.eg/webcenter/portal/PPOPortal/pages_publicservices/technicalofficepetitions/

B. Alternative Family Care:

Recommendations 53 and 54: Since 2014, the Ministry of Social Solidarity has prioritised the development and controlling the work of alternative family care systems. It developed model regulations for social care institutions for children deprived of family care, as well as, the quality standards within these institutions. In 2014, it launched the hotline (16439) to receive complaints about care homes, evaluate the performance of these institutions and its workers, and investigate in the event of any violations, especially violence towards children. The Public Prosecution pays periodic visits to these homes to find out their conditions and ensure their ability to receive children.

The Ministry of Solidarity is working on writing a new Law for Alternative Care that addresses all scenarios involving children who are at risk owing to family conditions, those who lack family care, and methods for separating children from their families in the case that the family is a source of danger., organizing all types of alternative care, appropriate rehabilitation and integration programs, post-care for graduates, and methods of financing Alternative Care Systems Support Fund. The Ministry is also conducting widespread community consultations wrt drafting the abovementioned law to be completed in 2023, according to the Ministry's plan.

7. Basic Health and Well-being

Articles 6, 18 (paragraph 3), 23, 24, 26, and 27 (paragraphs 1-3) of the Convention.

A. Injuries, accidents, and disability among children:

Due to the exclusion of children working in agriculture from the protection of the Labour Law, there is no control over the work environment in which they work, and no control over the means of transportation they travel in, which has led to many drowning or traffic accidents for groups of children working in agriculture, most of whom are girls, for example:

- The death of 8 children who drowned in a waterway in Beheira Governorate on 4/30/2022, their ages ranged between 8 to 14 years due to a traffic accident while they were returning from work to their place of residence in a three-wheeled vehicle. The Public Prosecution charged the vehicle driver and the broker with human trafficking and child labour under the legal age.
- On 11/1/2022, 23 people working in a poultry farm riding a small truck and fell in the “Rashid” branch of the Nile in Monsha'et El Kanater – Giza governorate, 8 died including children.

B. Children Mortality

According to the Egyptian Family Health Survey for the year 2021, the mortality rate among children aged 1-4 years reduced to 3 per 1000 compared to 5 per 1000 in 2014, however, it increased among new-borns to 18 per 1000 in 2021 compared to 14 in 2014. Caesarean section rates also increased to 72% in 2021 compared to 52% in 2014, which is a bad indicator for maternal health.

The mother's educational level is negatively associated with her mortality rate (41 deaths per 1000 new-borns for illiterate moms and 25 deaths per 1000 births for educated women). Similarly, the rate doubles for mothers at the lowest level of the wealth index, and the young age of the mother at childbearing also affects the high levels of infant mortality.

Postpartum Care: The Ministry of Health has developed a program to encourage postpartum testing to detect hypothyroidism. Surveys confirm that 95% of children have had the analysis done within 14 days after birth. Recommendation: Take effective measures to ban child marriage, combat the spread of caesarean section, and raise awareness of mothers who do not have access to education

C. Children with disabilities:

The statistics of the Ministry of Health stated that the total number of children with disabilities in Egypt is 2.5 million²⁴ and that there are less than 1% of children between the ages of 0-9 years who suffer from one of the disabilities that hinders performing their daily activities. Disabilities included mental disabilities, autism 40%, motor impairment 28%, speech impairment, 32% hearing impairments 9%, and visual impairments 8%.

Article 80 of the Constitution specified the means of their protection guaranteed by the state, and Law No. 10 of 2018 was issued regarding the rights of persons with disabilities and provided a definition in Article 2 (People with disabilities includes those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others)

Child Law: The legislator allocated Chapter Six of the Child Law entirely to people with disabilities. It included, for example, the measures taken by the state for prevention, early detection and rehabilitation, awareness and guidance programs, dissemination of the rights of people with disabilities and their integration at the community level, and the right to enjoy care in all its forms and Education and vocational rehabilitation, the mechanism for their access to job opportunities, the provision of all services to the child and his family, the provision of prosthetic devices free of charge and exemption from fees and taxes, and the establishment of a fund for the care and rehabilitation of children with disabilities.

²⁴ https://ejhm.journals.ekb.eg/article_18095_ffa21089fe16a80a59fd8e200cb0ec56.pdf

Establishment of the National Council for Persons with Disability: Despite the establishment of the National Council for Persons with Disabilities pursuant to Law No. 11 of 2019, which is entrusted with setting state policies in this field, the fact that the law did not explicitly include children with disabilities, resulted in a lack of interest towards these children.

Current Situation: There is no official figure that includes the number of children with disabilities, and according to the statements of the Prime Minister in 2015, the number of people with disabilities in Egypt is 15 million, and by calculating the percentage of children equal to 36.66% according to the CAPMAS, the number of children with disabilities approximately exceeds 5 million children (According to the UNICEF disability report, 1 out of every ten children has a disability, 3.33 million), and despite this number, there are very few places designated for their care and rehabilitation, especially outside the capital. The Minister of Solidarity announced a strategy for the rehabilitation of people with disabilities in 2016. – 2019, however, it did not explain in particular the mechanisms for dealing with children, and NCCM established a hotline for children with disabilities (08008886666) to monitor their problems and needs, but so far there has been no statement on the number of services provided or clarification of the problems they suffer from. There is also no mechanism for children with disabilities to express their views on their problems and discuss them. The Ministry of Education is implementing the integration strategy in public schools, developing curricula, and training teachers on integration mechanisms.

Challenges:

- The absence of information and data, which resulted in the absence of a clear strategy that government institutions or civil society organisations could implement through community participation.
- Failure to activate the majority of the Child Law provisions regarding children with disabilities, specifically with regard to rehabilitation and vocational training, wastes their right to equality and equal opportunities with their peers, and increases burden on the state budget due to the subsidies provided to them.
- The few number of their care homes.
- Families lack of awareness of mechanisms for dealing with children with disabilities, and rehabilitation and training programs for children and their families.
- The multiplicity of rape cases for children with disabilities, especially those with mental disabilities, whether male or female, in all social facilities.
- The wrong culture in families and exposing children with disabilities to violations and violence (which sometimes reaches murder).
- Exploitation of children with disabilities by begging gangs.
- The severe bureaucracy in issuing the governmental integrated services card, and the intransigence in disbursing subsidies for them and their families, and sometimes stop issuing them.
- The failure of many of them to obtain their right to education and recreational services due to the lack of spatial rehabilitation.
- The absence of their issues from the media and handling them incorrectly.

Recommendation: The necessity of activating the articles related to children in the Persons with Disabilities Act, and working to promote their integration, and to have a special committee within the National Council for Persons with Disability

D. Mental Health (Recommendations 64, 65, 66, and 67)

Outpatient clinics for adolescent mental health, addiction treatment and for children have been established in hospitals affiliated to the Mental Health General Secretariat with a greater geographical distribution than earlier, where there was one clinic in Al-Abbasiya Hospital, and currently there are five hospitals in the governorates of Cairo - Alexandria - Asyut - Ash Sharqia

In addition to clinics affiliated with civil society organisations working in the field of mental health and counselling for adolescents, such as Caritas Egypt, and Al-Shehab Institution for Comprehensive Development)

Recommendation: We concur with the committee's recommendations regarding mental health for adolescents, as government services provided in this field are not commensurate with the number of adolescents in relation to the population, and also at the geographical level, as government services cover only four governorates, and the spread of this service at the level of NGOs is still very rare due to its difficulty.

The cost of psychological treatment for adolescents is exaggeratedly high in the private medical sector due to the scarcity of workers.

E. Social Security

Support for food commodities

This subsidy amounts to about 31.6 billion pounds and is provided to about 18.7 million families, and the per capita share amounts to an average of 465 pounds annually.²⁵ The subsidy for food commodities in the state's draft general budget for the fiscal year 2023/2024 amounted to 127 billion and 700 million pounds, compared to about 90 billion pounds in the budget for the fiscal year 2022/2023, with an increase of 37 billion pounds.²⁶

²⁵ The State budget of 2014-2015

²⁶ The financial statement submitted by the government to the Parliament

- **Informal Settlements Development Fund “ISDF”**

Informal Settlements Development Fund was established and is affiliated with the Presidency of the Egyptian Cabinet to provide slums with basic living utilities such as water, sanitation, and electricity. The allocated budget amounts to 1.75 billion pounds. 50% of real estate tax revenues are allocated to the development of slums and local areas.

- **Health Insurance**

Support for health insurance, medicines, and treatment of citizens at the State’s expense amounts to about 6.7 billion pounds. This includes funding for medical care, provision of medicines, and the amount of public treasury bears for each student enrolled in schools and kindergartens from the ages of 4 to 18 years, and the insurance for children from the age of one day till they start school.

8. Education, Recreational and Educational Activities

Articles 28, 29, and 31 of the Convention.

A. Right to Education

Recommendations 74 and 75, The Egyptian State seeks to develop the educational system and overcome its challenges, according to a plan aimed at schools’ expansions, raising their efficiency, integrating modern technology and benefiting from digital transformation, updating curricula and approving new educational systems that work to develop thoughts and skills.

Within a series of collecting State sectors reports in 2021, the IDSC of the Egyptian Cabinet published a report revealing the development of the pre-university education sector as follows:

- In the Global Knowledge index, Egypt advanced 11 positions in the pre-university education indicator ranking 72 in the report of 2021 compared to 83 in the report of 2020, and advanced 12 positions in the Technical Education and Vocational Training Index within the Global Knowledge Index, to rank 68 in the 2021 report compared to 80 in the 2020 report. While it advanced 3 positions in the Education Quality Index issued by US News, ranking 39 in the 2021 report compared to 42 in the 2020 report
- An improvement in the overall indicators of the Education sector, as spending increased by 8.5%, to record 157.6 billion pounds in 2020/2021, compared to 145.2 billion pounds in 2019/2020.
- The total number of students in schools increased by 3.4%, bringing their number to 24.4 million students in 2020/2021, compared to 23.6 million students in 2019/2020.
- The number of schools increased by 1.9%, reaching 57.7 thousand in 2020/2021, compared to 56.6 thousand in 2019/2020, while the number of classes increased by 1.8%, to reach 518.6 thousand, compared to 509.5 thousand in 2019/2020.
- 12.2 million students benefited from school feeding programs at different educational levels.

Distance Education: The "Electronic Classes Platform" was launched, number of followers reached one million and 400 thousand, in addition to posting of 3.4 thousand classes on the live broadcast platform for virtual classes, during the academic year 2020/2021.

- Providing a unified email to 20 million students, in addition to reaching 60,000 subscribers to Madrasatna 1 and Madrasatna 2 channels on YouTube, noting that the LMS.EKB.eg learning management system has become one of the high school students' sources of information.
- Providing 600,000 tablets for current students in the first and second high school year, equipping the technological infrastructure for new 2,487 high schools, installing 1,841 surveillance cameras inside exams halls, and bringing the number of trainees to employ technology in the educational process to 13.4 thousand.
- The report referred to the establishment of Japanese schools, international governmental schools, and Nile schools, where 5 Japanese schools were operated, bringing the total to 48 schools until the academic year 2021/2022, while the number of governmental international schools reached 19, and the number of Nile schools reached 14 schools.

Technical and Vocational Education: An increase in the number of technical schools by 7.3%, reaching 2,652 in 2020/2021 compared to 2,472 in 2019/2020, while 12 Applied Technology Schools were opened in 2021, bringing the total to 28 schools in various governorates.

- The number of interactive paper and electronic curricula reached 197, 27 curricula have been developed, and 15 new specializations and professions have been added according to economic activities, while 2,187 teachers have been trained on the basics of technical guidance.
- The report pointed to the support for integration schools for people with special needs, highlighted the increase of integration students nationwide by 59% equal to 108.2 thousand students in 2020/2021 compared to 17.2 thousand students in 2016/2017, in addition to equipping 500 resource rooms nationwide.
- Specialized and qualitative trainings were held for more than 75,000 teachers, and training on methods of the integration and dealing with integrated student were held for 5,400 teachers, principals and specialists, in addition to providing technological support to 300 integrated schools, and support is being provided to another 1,300 schools.

Early Childhood Education: Almost two-thirds of children between 3-5 years old have previously participated in some early childhood education programs, and almost half of children in the same age group have joined a school nursery or kindergarten. The percentage of those currently enrolled in some early childhood education programs increases in parallel with the age, as 32% among children 3 years to 59% among children 5 years, and there is almost no difference in the percentage of children enrolling in a program between urban and rural areas, except for those children residing in Upper Egypt, especially rural areas, they do not enrol in the nursery stages education, and the participation of children in the early childhood education program is increasing in general with the mother's education level and with wealth index.

Elementary and Secondary Education:

A number of sources confirm, including World Bank data of 2018, which highlights the net increase enrolment in elementary schools from 84% in 2000 to 97% in 2017, but was low for the secondary level, especially for children aged 12 - 17 years old that reached 78%. The enrolment rate for the secondary schools is higher in urban areas than in rural areas. The highest enrolment rate at the secondary schools was observed in the urban of Lower Egypt, that reached 86%.

It turns out that participation in education was high for children at the age of 14 years, with no differences between males and females. For children at the age of 15 years, the enrolment rate in schools decreased to less than 90% for both males and females, and the decline in enrolment rates continued for the older ages, especially among females than among males.

Right to Education's Initiatives:

1. The government's initiative to detect 3 diseases for school students (Dwarfism – Anaemia – Obesity) in December 2019, in cooperation between the Ministries of Health and Education, targeting 11.5 million students in government, private and international elementary schools in 27 governorates.
2. Nour Hayat Initiative 2019: The initiative aims to treat diseases causing blindness and poor vision through early diagnosis and detection, as medical examinations were conducted on 5 million elementary school students in addition to 2 million needy people nationwide.
3. Apple Education Initiative: It was applied during the years 2017 and 2018 and aimed to transform the education process from the traditional system to the interactive electronic system, where the teacher explains the curricula using the iPad devices. Students and teachers have been trained on how to use this system.

Civil society experiences in "Community Education"

To combat dropouts from education, civil society organisations have implemented initiatives, namely (Community Schools), which are schools accredited by the Ministry of Education, primarily targeting girls who have dropped out of education and children in distant and impoverished areas. Education in these schools is characterised by its integration with protective programmes aimed at protecting females from gender discrimination and honing their life skills. In this context, the Coptic Orphans Association implemented the (NAB) for Child Development Programme, which is a multidimensional approach aimed at developing and empowering orphaned and deprived children before and during formal education to enable them to overcome financial obstacles and to provide the necessary emotional and spiritual support during their childhood. It also implemented the (Big Sister) programme, targeting orphan girls and encouraging them to continue their education and enhance their life skills. The association provided services to about 65,000 boys and girls in 700 villages and cities in Egypt.

There has also been coordination between NGOs and relevant international bodies to enhance students' continuation in these schools. For example, in October 2013, the Health Improvement Association in Damanhour signed a cooperation protocol with the World Food Programme to distribute food to Community Education schools. This began in December 2013, where 421 schools were covered in all centres of Beheira governorate for about ten thousand male and female students, the protocol was in effect until August of 2018.

Education during the Corona Pandemic

UNICEF emphasized that Egypt's long-term investments in digital learning mitigated the impact of the coronavirus pandemic, as it contributed to facilitating the transition to distance learning during the pandemic.

At the beginning of 2020, the Corona pandemic began in Egypt with its various consequences, and education was significantly affected, so schools were suspended to preserve the lives of children, which led to the emergence of the term (Distance Education), This was especially true given the state's desire to see the education system succeed at all levels, and exams were replaced at all educational levels, except for high school, and final years in colleges, by submitting only research papers.

A study conducted by the ECCR, represented by the Forum of Dialogue and Partnership for Development "FDPD" during the years 2020-2021, its methodology relied mainly on conducting interviews with 83 children (52 girls and 31 boys) between the ages of 12 and 18 years, in 4 Egyptian governorates: Cairo, Giza, Beni Suef and Alexandria, and also with 40 care and service providers working in the relevant government bodies and civil society organisations concerned with childhood issues, especially in the fields of education. The study showed that during the pandemic, the actual needs of children emerged, as they were the most affected social groups.

According to 49.40% of the children's responses and 80.95% of the care and service providers' responses, the first need for children was psychological and social support, followed by the diversity of needs between playing and entertainment, safety, and listening.

Despite the difficulties children experienced as a result of closing schools and following the distance education method, education was a priority for 55.42% of them, followed by those whose priority was securing a living, along with work and caring for the rest of the family. Notwithstanding the difficulty of distance learning, 58.54% of the children saw that there was no alternative in order to complete the educational process with the least possible damage, which resulted in a decline in the education level of students, especially in Scientific subjects. The closure of schools has affected an estimated 25.3 million students in the country, which could hinder their social and behavioural development. The decline in the academic level worried the parents, embarrassed the educational bodies, and caused stress for the students, and made them lose motivation and desire to learn. The information infrastructure bears most of the factors that made that experiment incomplete and largely unsuccessful. Neither the capacity nor the speed of the Internet helped in smooth and good virtual education. To avoid this problem, the Egyptian Ministry of Education has adopted a set of satellite channels to provide educational content for all educational stages, including technical, industrial and commercial education.

Recommendation: Despite these good attempts to transform the use of technology and spread it widely in the education sector, civil society organisations have monitored the occurrence of multiple technical problems when experimenting with these systems, whether in the experimental stages or the examination stages of high school students for 2019/2020. These technical problems must be avoided through good technical preparation of these networks, and not burden children with the psychological and neurological consequences of such challenges.

Recommendations of a study led by children through the ECCR in 2019 came as follows:

1. The need to work on developing a strategic plan to fully develop the educational system in Egypt, in which all stakeholders and civil society organisations participate in developing with the participation of children.
2. The need for clear standards to measure the quality and efficiency of the educational process in schools.

School violence

The definition of children at risk according to Article 96 Paragraph 6 of the Child Law included children exposed to school violence. Studies and reports have shown that most important causes of school violence are the increase in the number of students in one classroom, especially in public schools, the cancellation of classes dedicated to activities, the lack of sufficient and commensurate facilities with the numbers of students, teachers' lack of understanding of cases of weak mental abilities and learning difficulties, and the poor economic level of teachers that pushes them to threaten and violence against students to give them private lessons. The existence of social discrimination based on gender automatically leads to discrimination within schools, which affects girls and children with disabilities, especially those with learning difficulties.

School violence is one of the tributaries of children in the street, and due to severe phenomena of violence such as shooting, killings, and causing disability inside schools, the collapse of the educational system occurred, its elements disintegrated, and distance from its primary goal of developing the child's personality, talents, and mental and physical abilities to their fullest potential, an increase percentage of children exposed to sexual harassment, and its consequences of psychological and humanitarian problems.

NCCM issued a report on school violence based on the reports received through the Child Helpline (16000) for the years 2013-2014. In 2013, (156) reports were received against educational institutions, 97 of the reporters were boys and 60 girls.

Number of reports according to type of violence

Physical	Psychological	Verbal	Sexual
103	37	13	3

Number of reports according to the educational stage:

Elementary 7 – 12 years	Preparatory and secondary 13 – 18 years	Nurseries 4 – 6 years
99	49	9

In 2014 (133 reports), including 7 reports of sexual abuse

Elementary	Preparatory/secondary	Nurseries
77	38	18

EFACC in its report entitled (The Collapse and Failure of the Education System...Threatens Building Modern Civil Egypt and Assassinates the Dreams of its Children), reported 19 incidents of teachers being beaten, absence of supervisors led to 34 injuries among students, 4 shooting incidents in schools of (Ash Sharqia - Giza - Sohag - Minya), and 2 cases of murder in schools in Gharbia Governorate, and 15 cases of sexual exploitation.

In 2012, a teacher in a primary school in Luxor governorate cut the hair of two girls and was punished by deducting one month from her salary. And, in 2016, a picture was circulated on social media of a schoolboy standing on another student chest as punishment in class.

In terms of perpetrators of violence within the school, teachers, supervisors, specialists and school administration came first with a percentage of 76%, compared to 15% for children's use of violence.

B. Socio-cultural Activities

Cultural palaces role scattered in the governorates where non-governmental cultural institutions are rare, and the activities of the Child Committee formed within the Ministry of Culture with the membership of civil society institutions. However, the cultural palaces need more support to carry out their role to the fullest, especially in Upper Egypt and Delta governorates, as they are very few compared to the children number according to the population census, and the poor level of libraries in urban and rural youth centres.

Presidential Decree No. 140 of 1990 was issued to establish the High Institute for Child Arts but it was not activated till the issuance of Decree No. 518 of 2019 outlining its Internal regulations on August 1, 2019 by the Minister of Culture (Appendix10), the first graduated class were in the academic year 2021/2022. This institute is considered the first Egyptian academic institution to specialize in children's arts.

The Ministry of Culture²⁷ played a prominent role during the Corona pandemic. Mr. Muhammed Nassef, head of the National Centre for Child Culture confirmed that the Ministry launched initiatives to encourage children and citizens to stay at home, such as the "Stay at Home... Culture is in Your Hands", produced Educational programs and works of art to confront the virus, and published it through its website and YouTube channel, such as "Protect Yourself and Protect Your Country" Movie addressing children from 4 to 5 years, and the song "Be aware of Corona" presented by the children of the Cultural Park.

9. Special Protection Measures

Articles 22, 30, 32, 36, 37 (b)-(d), 38, 39 and 40 of the Convention

A. Children in the Street

Recommendations (80 and 81)

According to the definitions of international organisations they can be divided into two categories:

a. "Children in the street" is a group that works all day in workshops, and there is no room for the child to bond with his family or to raise and care for him. These are considered by international bodies such as the International Labour Organization and UNICEF as working children in the street, and they are included in the groups of working children who must be protected and cared for.

b. "Street children" who depend entirely on themselves, are less stable in their work, and have been liberated from family ties, so they fled as a result of many reasons, including, for example, extreme poverty, violence, divorce, parents' remarriage, or the harshness of the work they are pushed to through family.

Challenges:

- The continuous increase in the reasons supporting the presence of children at greater rates in the street due to the deteriorating economic and social conditions, the poor educational system, the lack of a number of shelter institutions, and the lack of a unified definition for them, which leads to the absence of a realistic strategy that provides solutions commensurate with their numbers and conditions.
- The multiplicity and overlap of factors and conditions that lead to the presence of the child on the street, and the inability to control them.
- Shelter institutions for this category of children lack the presence of rehabilitative programs and qualified human resources to deal with them, and educational and cultural activities to develop skills, which makes them repellent for children who quickly return again to the street. There are estimates that the occupancy rate of these institutions is only 40% of their capacity.
- In this context, the Ministry of Solidarity announced the enumeration of children on the street, which was carried out by the National Centre for Social and Criminological Research in 2014, and the numbers reached 16,009 children, and defined them as children who live entirely in the street, excluding children who return to their homes in the evening and were classified as 88% are concentrated in urban areas, 12% in rural areas, 83% are males, 17% are females, 38% have left the house because their needs for food, drink and clothing are not met, 31% have dropped out of education due to financial conditions, and the total number of dropouts from the elementary stage to the preparatory stage was 4%. The reasons were varied, as 25% were due to the lack of parents' interest, and 21% due to their comfort in the street more than at home.

Civil society organisations and ECCR rejected these figures, as they contradict with many previous statistics estimated at hundreds of thousands, as this excludes a large number of children who are exposed to the same conditions outside the definition of children in the street, and who are at risk according to the Child Law. No civil society organisation disclosed alternative statistics.

Recommendations:

- Achieving a local definition that includes all patterns of street children.
- Concerted efforts by all governmental, academic and civil society organisations, with their expertise, to provide solutions to this phenomenon.

²⁷ An interview for participating in the subject report with Mr. Muhammed Nassef, head of the National Center for Child Culture affiliated to the Ministry of Culture.

- Stop mass arrest campaigns, and deal with them as victims of economic, social and cultural policies, while adhering to Article (96) of the Child Law and activating it in dealing with them as children at risk, and allocating an independent judiciary for children.
- Providing their basic rights to obtain the resources required to protect them, and to improve their growth processes from a comprehensive perspective.
- Activating the Child Law with regard to registering the births of infants of children on the street, confirming the principle of equal registration related to health rights.
- Confronting political exploitation of children by all parties, and increase penalties for those who exploit them.
- Training those who deal with them, in governmental or private institutions, in all their specialties, to be able dealing with complete neutrality, and the children can establish relationships without feeling threatened.
- Reintegrating them with society by providing different systems of non-formal education, in its various forms of cultural, educational and sports activities through reception centres, to help direct their energies in participating with the community surrounding them instead of being against it.
- Expansion of programs for reintegration, family reunification, vocational education and training, alternative families, increasing the income of families of children in the street, and overnight stay centres instead of the day reception centre system, which has proven its ineffectiveness.

B. Economic exploitation, including Child Labour:

The worst forms of child labour

The National Plan to Combat the Worst Forms of Child Labour 2018-2025 (Appendix 11) was issued based on the latest data on child labour in Egypt of year 2010 delivered by the CAPMAS and the International Program for the Elimination of Child Labour, which is 1.6 million children between the age of 12-17 years old equal to 9.3% of children in Egypt²⁸. The statistics of the agency in 2014 indicated that the percentage of working children is 1.8 million, 85% of whom were subjected to sexual harassment and violence at work, 79% of them are males and 21% are females, and 87.4% give their wages to their families.

Age	5-11 years	13 -14 years	15-17 years
Percentage of children engaged in economic activities for a longer period than specified for their age	3.3%	4.3%	3.4%
Children working in hazardous conditions	3.6%	6.7%	13.7%

Child Labour in Egyptian legislation:

Egypt ratified the Minimum Age Convention for Employment in January 1982, and the Worst Forms of Child Labour Convention in May 2002. This was reflected in the subsequent legislative developments in this regard.

In both the Child Law and the Labour Law, the Egyptian legislator established a distinct legal system regarding the terms and conditions of child labour (working hours - vacations - rest hours - registration in manpower offices - prohibition of night work), which complies with the international conventions. However, it is marred by defects in other places, such as some exceptions to the Labour Law, which was issued about 23 years ago and include penalties for violating the provisions of child labour that became weak nowadays comparing to the amount of violations faced by working children.

The conditions of employment in the Child Law are better than the Labour Law in terms of raising the age of employment and training for a full year, to become 15 years for employment and 13 for training, in addition to Article (69) that specifying the mechanism for paying wages or bonuses to the child or to one of his parents. This limited the forced child labour.

Exceptions in the Labour Law are:

- Concerning Children working in homes: this category of children was mentioned for the first time in a governmental document within the National Plan to Combat the Worst Forms of Child Labour, and the problem was described as follows: although there is no availability of reliable data on the number of children involved in domestic work across Egypt, however, qualitative studies indicate its practice. It is worth noting that this type of child labour, in which girls are particularly involved, can expose them to very long working hours and restrict freedom of movement, no payment of the due wages, dangerous activities, physical and sexual exploitation some times, and the situation is getting more fragile and worse with the employers in light of the lack of safe communication channels between girls and their families, as well as the absence of the government and NGOs control, supervision and monitoring systems.²⁹
- Children working in agriculture - Article 103: the ministerial resolutions did not explain what pure agriculture is, which is considered discrimination against 63%³⁰ of the total number of working children in Egypt.

²⁸ The National Plan to Combat the Worst Forms of Child Labour and Support the Family 2018-2025, pg. 18

²⁹ The National Plan to Combat the Worst Forms of Child Labour page 19

³⁰ <https://www.fldhrd.org/wp-content/uploads/2022/06/Child-Labour-in-Egypt.pdf>

* Also, the concerned Governor is authorised – after the approval of the Minister of Education - to employ children from the age of 12 to 14 years in seasonal work that does not harm their health or development and does not interfere with their attendance during the school.

Hence the importance of extending the scope of legal protection to children working in the rural sector through:

1. Determine what purely agricultural work is.
2. Criminalizing the employment of children under the age of fourteen in activities that harm their health, such as spraying pesticides.

It is not enough for the punishment to be financial; but it must include imprisonment of those who allow children to be employed, whether it is their parents or employers

A general administration was created in 2016 under the name of the General Department of Women and Children Affairs at the Ministry of Manpower and Immigration, followed by a specialized department for the inspection of child labour, concerned with setting general policies for Ministerial Resolution 47. However, reality proves the size of the gap between legislation and implementation, as the number of children working under the specified age, especially with the exacerbation of economic crises, there are no professional apprenticeship contracts for children working in the industrial sector, and there are no professional apprenticeship inspectors in most of the manpower directorates in the governorates of Egypt.

This was confirmed by the National Plan, which identified the most important obstacles to reducing this phenomenon in the lack of updated and documented statistical information and data on child labour, and the lack of enforcement of laws, controls and conditions related to the age of the child. And the nature of the allowed work to practice, and the absence of coercive measures that enable the enforcement of measures to combat child labour.

Labour Inspection

Since 2016, the inspection system has been updated using technological means, for 26 offices out of 700 inspection offices nationwide, where the inspector uses the (tablet) to immediately report violations, which contributed to speeding up the inspection process, both in terms of quantity and in taking appropriate measures to violate the provisions of Child labour law.

Recommendation:

- Cancelling the exceptions contained in the Labour Law for children working in agriculture and homes, and including them under its protective umbrella.
- Generalizing the use of this mechanism to all labour inspection offices in the Republic, to solve the problem of the low number of inspectors.
- Activating the monitoring role of civil society organisations concerned with children's rights.
- Activating the Child Law in terms of providing vocational training opportunities in a safe, healthy, psychological and social work environment.
- Labour inspectors to be members of the child protection committees as representatives of the Ministry of Labour because they have the judicial control, which enhances the work of these committees, in addition to their direct contact with the violations cases.

C. Juvenile Justice

Recommendations 86 and 87

Firstly, the NGOs participating in the preparation of this report would like to amend the title of this paragraph to Criminal Justice Affairs for Children.

In accordance with the amendments to the Children's Law, Egypt modified the philosophy of criminal justice for the child to a protective philosophy rather than a disciplinary one, which was prevalent in the previous law.

- There are specialized courts and prosecutions for children in Egypt, and they supported the obligation of legal defence for all children in contact with the law, and paid special attention to child victims and witnesses of crime, and raised the minimum age of criminal responsibility to 12 years, and prevented the detention of children before the age of 15, also expanded the alternative measures to restrict freedom in national legislation, through a committee that was formed by ministerial decision at the Ministry of Social Solidarity, in which civil society is represented (Appendix 12).

Article 80 in the 2014 Constitution came to support children's justice system, since 2019 Egypt has begun experimenting a restorative justice system in Alexandria, in cooperation among the Public Prosecutor's Office, UNICEF, the General Committee for Child Protection and NCCM. The experiment is currently being evaluated to discuss ways of generalization across the Republic and incorporation into national legislation.

Recommendation 86:

- We share this concern with the Committee regarding the slow progress in establishing children's courts, the lack of a developed system of alternative measures for delinquent children, especially since the primary court in most of the governorates plays the role of a child's court, and that the specialized courts and prosecutions for children that have been established work centrally in the capital only. UNICEF Egypt in cooperation with the Egyptian Ministry of Justice, is seeking to develop a model for child-friendly courts started with the Child Court in Giza Governorate in 2020, and the experience is being evaluated to be based model for other governorates.

- With regard to the Child Prosecution Office, the Public Prosecution Office has developed a human rights department headed by the Acting Director of Judicial Inspection, and created a child judicial protection unit. It is currently training all members of the Child Prosecution Office on the concepts and values of child justice from an international and national perspective, as well as restorative justice and child-friendly justice, and developing a training guide in cooperation with the Prosecution Training Centre and UNICEF Egypt.
- Concerning the high number of children between the ages of 12 and 18 who are deprived of their liberty during investigation, despite the fact that Article 119 of the Child Law (2008) states that children under 15 years of age should not be held in preventive detention; the continued practice of placing children in pre-trial detention with adults in some police stations, through an unpublished study by a civil society organisation³¹ on analysing tendencies in dealing with children during the years 2016-2017, the indicators were as follows:
- The data shows the tendency of the competent authorities, during the investigation, to order precautionary deprivation of liberty at a high rate as a routine measure instead of releasing or handing over the child, and this is in violation of national and international laws as follows:
 - Out of 700 cases, the Public Prosecution Office issued 470 precautionary deprivation of liberty decisions, whether by a decision of imprisonment or remand, which is equivalent to 67% of the cases under study.
 - In the age group of 7-11 years, five children were deprived of their liberty, despite the prohibition of criminal liability for children, which is a flagrant violation of the law.
 - A pattern has been observed whereby the Public Prosecution issues decisions to detain children in the two age groups 7-11 years and 12-14 years for a period of “24 hours” to complete the investigations or documents, and the detention takes place in the detention rooms of the police stations, regardless of the final decision to detain the child or hand him over.
- With regard to the precautionary detention procedure, it is clear from interviews with lawyers and children that the prevailing procedure is to apply decisions issued for detention. In reality, the child is returned to the previous place of detention in the police station. This is related to the reality of the severe limitations in the availability of care homes designated to receive children who are ordered to face precautionary detention, as most care institutions are limited to receive convicted children, and therefore the research team concludes that the Prosecution’s order for provisional or temporary detention is not serious, even if it theoretically exists. As the member of the Public Prosecution issues the legally correct decision of detention, despite the fictitiousness of the decision, knowing that there is no room for its implementation in practice. Therefore, the upcoming paragraphs on the periods of pre-trial physical detention deal with the issue of “physical imprisonment” in general, without distinguishing between detention decisions and pre-trial detention decisions in order to match their actual outcome, which is imprisonment in a police station.
- The average length of pre-trial detention in observation homes, ranging from three years in open or semi-open institutions to five years in closed institutions (paragraph 332), which constitutes a violation of international juvenile justice standards; According to the same previous study, the followings are observed:
 - With regard to felonies, the data shows that 10 cases were subjected to detention for periods ranging between six months and two years before referral. This may constitute a violation of the Code of Criminal Procedure, as the law stipulates that the period of pre-trial detention without dealing with criminal cases does not exceed five months, otherwise the accused must be released or permission from the trial court must be obtained.
 - As for misdemeanours, there are 19 cases in which the pre-trial detention exceeded its legal period, which is three months for the investigation stage. It is noted that half of these children have had precedents for falling into conflict with the law, and about their educational status, it is clear that more than 90% of them never joined or joined and then dropped out of school education, and more than 75% of them are accused of theft cases.
 - Out of a total of 153 cases that were imprisoned for periods ranging from one day to a week, we find 119 cases in the age group 15-17 years, 33 cases in the age group 12-14 years, and one case in the age group 7-11 years. Out of a total of 94 cases that were subjected to pretrial detention for periods ranging between eight days and a month, we find 68 cases in the age group 15-17 years, 25 cases in the age group 12-14 years, and one case in the age group 7-11 years. Out of a total of 88 confirmed cases of remand detention for periods ranging between 31 days and three months, we find 80 cases - i.e. the vast majority of cases - in the age group 15-17 years, 7 cases in the age group 12-14 years and one case in the age group 7-11 years. Out of a total of 46 confirmed cases of remand detention for periods ranging between three and 6 months, we find 41 cases - again most of the cases - in the age group 15-17 years, and five cases in the age group 12-14. As for the cases that were remanded in custody for periods of more than six months and less than two years, they are 13 cases, including one in the age group of 12-14 years, and the rest of the cases in the age group of 15-17 years.
- Regarding the Committee's concern about the lack of monitoring by public prosecutors, as provided by law, or the independent mechanisms, of the conditions of children deprived of their liberty; the lack of data on children deprived of their liberty and on the number of prosecuted children who have been sentenced to imprisonment by courts; the Public Prosecutor’s Circular No. 7 of 2018, Paragraph 8 (Appendix 13), issued an

³¹ Unpublished study of the EFACC on the analysis of provisions for children in conflict with the law

obligation for members of the Public Prosecution to constantly inspect all penal institutions and places of detention and hosting for children in conflict with the law or in danger to ensure that they comply with the rules stipulated by law and to monitor all procedures and measures taken against children and their compliance with the law.

The Public Prosecution exercises this role on all facilities for social and alternative care for children, whether in conflict with the law or children at risk.

- Concerning the detention of children by military forces and their trial in military courts and imprisoned with adults since January 2011 under military law, as well as reports on children prosecuted by the Military courts and imprisoned with adults in the period following the January 2011 revolution
- Indeed, a number of cases of children who were tried before military prosecutions and courts were monitored after the revolution, especially during the period from 2012 to 2014. The legal unit of the ECCR represented children before these courts and prosecutions, but the unit did not monitor any cases of children who were or are being presented in front of the military judiciary since the promulgation of the constitution in 2014 until now, and civil society organisations concerned with childhood have recommended with the necessity of children in conflict with the law to be tried before their natural judge in child courts and prosecutions.

Recommendation 87: Continued efforts made by UNICEF in Egypt, in cooperation with the Ministry of Justice, the Public Prosecution Office, the Ministry of Social Solidarity and concerned civil society organisations on continuing the work of reforming the child justice system in Egypt.

Recommendation:

- The need for an independent judicial specialization for juveniles, as the judges in the Children's Court are the same judges and counsellors in the rest of the courts, and therefore their full time is not for the juvenile justice and are affected by their rulings in the rest of the adult cases. The need to activate child protection committees to carry out the role assigned to them in protecting children at risk, especially in local areas.
- Training the various parties to the juvenile justice system (policemen - juvenile police - juvenile prosecution and social care institutions) on the principles and foundations of child justice from the international and national perspective, and dealing with them as victims at risk.
- Motivate the members of the prosecution to continue in the child prosecution for a period of no less than 3 years to benefit from the training and activate their institutional role.
- Establishing places of detention for children away from places of detention for adults.
- Issuing a determining decision specifying the places of social punishment (hospitals - vocational training centres) and to include them within the legal system of child justice.

Protection of Witnesses and Victims of Crimes:

Recommendation No. 88: Regarding the protection of witnesses and victims of crimes:

- Article 80 of the Constitution included a constitutional provision for the rights of child victims and witnesses, but so far no national law has been issued to protect witnesses and whistle-blowers.
- The Children's Law included in Article (116 bis d) "Child victims and child witnesses, in all stages of arrest, investigation, trial and execution, have the right to be heard and to be treated with dignity and compassion, with full respect for their physical, psychological and moral integrity, and the right to protection and health, social & legal assistance, rehabilitation and social integration, in light of the United Nations Guidelines for Justice for Child Victims and Witnesses of Crime)
- Article (116 bis b) of the Children's Law (punishing anyone who publishes or broadcasts any information, data, or any drawings or pictures related to a child's identity in a media device, when presented to the authorities concerned with children at risk or in violation of the law).
- The Code of Criminal Procedure, in its articles 112 and 278, included (hearing the testimony of witnesses privately, unless the investigator requires that the witnesses confront each other).
- The Law on Combating Human Trafficking, Article (23) (considers at all stages of evidence, investigation, or trial of human trafficking crimes, to work on identifying the victim, classifying him, and find out his identity, nationality, and age to ensure that the perpetrators' hand is away from him).
- It also considers the guarantee of his rights in all stages of criminal procedures (safety, protection of personal sanctity and identity, listening) and the court takes measures to protect the victim and witnesses with no influence, and not to disclose their identity without prejudice to the right of defence.
- In all cases, the competent court shall take measures to ensure the protection of the victim and the witnesses with no influence, and what this may require in terms of not disclosing their identity, all without prejudice to the right of defence and the requirements of confronting the litigants.

Recommendations:

First: Holding investigations in safe places far from traceability, such as hosting centres for women and girls, or places chosen by the Public Prosecution according to its vision.

Second: In the event that the victim or witness does not wish to disclose themselves except to the public prosecutor, the use of the voice change mechanism, and speaking from inside a closed booth.

Third: Provide evidence of sexual assault in privacy.

Fourth: The importance of the Public Prosecution explaining the prohibition of publishing any data indicating the victims and the whistle-blowers, and that any account or website that publishes on the Internet will be charged under the Cybercrime Law.

10. Optional protocols

Ratification of International Human Rights Instruments:

Recommendation 89, Egypt joined to the Arab Charter for Human Rights pursuant to Republican Decree No. 429 of 2018 issued on September 15, 2018.

Cooperation with Regional and International bodies

Recommendation 90, Egypt through the NCCM hosted the 34th session of the Committee on Child Rights and Welfare of the African Union in 2019, with the participation of civil society organisations that are members of the ECCR.