**National Council for Human Rights Report**

**Parallel to Report of Egypt of the Committee on Elimination of Discrimination against Women "CEDAW"**

The State of Egypt submitted an extensive report of Egypt, covering 8th-10thperiodical editions, in accordance with Article 18 of the Convention. The report gave a wide-ranging view of the progress achieved by the state in overcoming: the legislative, social, economic and political obstacles that have encumbered the progress of women on the path of attaining their full rights, which they have strove for more than a century.

It is noteworthy that the rights of women have been enhanced by such a role that started since June 2013 Revolution.

However, the significance of the report of the National Council for Human Rights is not only restricted to the amount of relevant precise information, but also as a prelude to a series of actions on the path of boosting cooperation with the United Nations mechanisms, treaty bodies and its special rapporteurs, along with existing forms of cooperation, while preparing to establish a national mechanism to enhance such cooperation.

This report starts by interacting with the recommendations of the CEDAW committee, then addresses the main topics of the rights of women whether economic, social, cultural, civil or political.

Furthermore, it interacts with topics of great import, notably, violence against women and ways to protect them.

**I-Economic, Social and Cultural Rights**

**1-Education**: The State shall for every citizen: avail education, mandatory till the end of the secondary phase; promote technical education and vocational training; ensure the provision of free independent university education, in accordance with international quality standards. Besides, the state shall develop competencies of teachers, boost freedom of scientific research and promote its institutions. The Arabic language, religious education, and national history shall be taught as basic subjects in education. Universities shall include human rights in their curriculums.The state shall establish a plan to eliminate alphabetical and digital illiteracy among citizens (Articles 19-25 of the Constitution).

Schools shall avail equal opportunities for males and females to participate in activities, sports and physical education. Al-Azhar al-Sharif shall, also,provide 39 colleges for girls in all disciplines, in addition to providing scientific opportunities for al-Azhar girls in foreign educational missions, appointment to leadership positions at the university and its affiliated colleges.

The “National Commission for Women in Science and Technology” of the Ministry of Scientific Research and the “Arab women in science and technology” network and website have been established to include the concept of social type in the scientific research and technology plan of the state, attract and encouragefemales to engage in disciplines of science and technology in pre-university education.

2-**Work**: Egyptian women shall, equally, enjoy the right to work as men. The state shall grantequal opportunities to all citizens and avail social insurance services, according to the Constitution. (Articles 9,12,14,17 of the Constitution).

Law 12/2003 regulates the status of private sector employees - and includes a special chapter on the employment of women. In addition to, Law 203/1991 on the public business sector and Civil Service Law 81/ 2016, which both guarantee all women's rights.

The Civil Service Law grants women the right to obtain a maternity leave of four months, with a maximum of three times throughout the duration of their career. Such a maternity leave may start before the month of delivery.The number of daily working hours of a female breastfeeding employee shall be reduced till her child reaches the age of two. A female employee may be allowed a child care leave, for a duration of two years at a time with a maximum of six years throughout the duration of hercareer. The state shall coverher due social insurance subscription or grants her a quarter of her pay, according to her choice.

The State with the private sector and NGOs shall, also, secure numerous women employment programs and avail employment opportunities for them.

3-**Health**: The Constitution emphasized women's rights to: health care, a healthy environment, food, a hygienic home, improved living accommodations, protection from environmental hazards and health security.

(Articles 8,14,17,18,27,29,41,46,59,78,79 of the Constitution).

The State adopted several measures and policies to improve health care for women and children:

- Declaration of the Second Decade for the Protection of Egyptian Children (2000-2010).

- Developing a national strategy for the protection of childhood and motherhood in 2018, one of the manifestations of such is the medical examination of those wishing to marry to verify that they are free from diseases that may affect the life or health of each of them or the health of their offspring as a condition for concluding the marriage contract.

-Providing maternal care services during pregnancy, developing gynecological and obstetrics departments in public and central hospitals and actualizing the role of rural women leaders to comprise raising awareness of the health of the entire family.

-Launching a series of health programs, such as breast cancer, gynecology and reproductive health awareness program.

-Launching the campaign “Prisons Free of Male or Female Insolvent Debtors”, a major problem for female breadwinners.

-Enhancing participation of women in social and promotional activities, sports and cultural life without discrimination and their participation in Egyptian championships at the national, regional and international levels.

4-**Rural women:** The state paid rural women special attention due to rife illiteracy, poverty and other difficulties.

-The government supports rural women through national development programs that offer soft loans, training and technical assistance needed by small and micro-economic and craft enterprises.

5-**Marriage and Family life**: For Muslims, Islamic jurisprudence is the basis of laws governing family relations of marriage, divorce, custody and inheritance. While for Christians and Jews, there are relevant legislations governing their personal and religious affairs (Articles 2, 3 of the Constitution)

The Inheritance Law 77/1943, amended by Law 219/ 2019, guaranteed women financial rights to inheritance in a fair and just manner based on the duties of women and the financial obligations of men, in accordance with the laws of the Islamic jurisprudence. The law determined their share of inheritance, according to the degree of their kinship to the deceased.

**II-Civil and Political Rights:**

1- **Political Actions:** The government has taken measures to refine procedures, laws and regulations from any form of discrimination against women, comprising:

- Egyptian Women's Charter was issued in June 2011, which was discussed throughout 27 provinces in the presence of 3,000 citizens from Egypt's governorates and signed by 500,000 citizens.

-A legal framework has been established to identify the beneficiaries of the social security pension set according to Law137/2010. Successive ministerial decisions have been issued to support the most vulnerable groups, particularly in the category of widowed, family breadwinners, divorced and elderly women.

-Recognition of women as family breadwinners, in accordance with the Unified Tax Law 91/ 2005 amended by Law 11/2013.

**2-Human Rights and Fundamental Freedoms:** Egyptian laws stressed women's right to set up and run businesses like men, own real estate, financial liability independent of the husband's and property disposal right.

The Prisons Code, amended by Law 6/2009, granted special care for any pregnant inmate, as of the date of her pregnancy proven by a medical report till the elapse of 40 days following the delivery date. Moreover, a nursery was established in each women's prison to house children of female prisoners until the age of four, provided that each mother would keep her baby till the age of two.

-Establishment of the Department for Women and Children in the Human Rights sector of the Ministry of Justice to: fight violence against women;provide legal protection; prosecute offenders and establish a public administration to follow up women's support offices at first instance courts.

-Establishment of a General Human Rights Department affiliated to the Office of the Attorney-General, in 2017. Among the jurisdictions of this department is to follow up on practices relating to the infringement of women's rights.

-Developing a fair social protection network and providing a package of programs targeting women and families suffering from poverty that prevents them from attaining their basic needs, while securing the health and education rights of the irchildren.

-Launching a Women’s Illiteracy Program through the Initiative “No Illiteracy with Solidarity”, positively boosting family planning through the “Two are Enough” initiative, improving housing through “A Good Home” initiative and helping families to obtain ration cards.

-The Social Security Programg rants monthly cash aid to impoverished individuals and families. The sum of the cash aid is determined by the number of the members of each family. The Social Security Program, also, pays a monthly education grant for families with children in basic or intermediate education for 8 months (October to May) of each school year.

- Launch of 430 projects for productive families to train low-income women in heritage, environmental and domestic occupations and crafts.

- Establishment of a rapid intervention team to deal with cases of homeless women and place them at care homes to receive social, psychological and health care.

**Violence Against Women:**

Violence against women is a phenomenon that is manifested in different forms. It is a gender-based phenomenon mostly related to the social role of males and females according to the different norms and culture that looks down on women. Such condescending perspective of women is conducive to attempting to exercise power and control over the life of woman.

To combat gender-based violence, the State has taken a number of measures on top of which comes enshrining in the Constitution the following” The State shall be committed to protect woman against all forms of violence”. In response to the recommendations number 15, 16, 23, 24 and the commentary of Article 12 specified in the report, the State, enacted a package of laws and issued a number of judicial decisions enforcing the provisions of the aforementioned Article.

The National Strategy for Combating Violence against Women discusses **four main pillars** they are “Prevention, Protection, Intervention and Legal Procedures.”

The State imposed stricter measures to combat the dangerous patterns of violence against women; in particular cases of rape and sexual harassment. Awareness campaigns on such crimes were initiated and harsher sentences were enforced for both cases, especially, in cases of rapes.

- The Ministry of Interior has established departments to combat violence against women in security directorates with female police staff.

- The NCW and NCCW signed a cooperation protocol to offer assistance to women, female victims of violence and children.

- The Ministry of Interior, in collaboration with UN Women, launched an initiative to eradicate violence against women. The initiative aimed at creating a social and cultural climate free of any violent practices against women through promoting positive media and clear and decisive religious discourse that rejects all forms of violence.

- In 2008, in cooperation with the UNDP, Legal Aid Offices were established inside Family Courts; to provide legal assistance and advice in Family Courts. The number of the offices reached 34.

- The Ministry of Social Solidarity set up shelters for accommodating and orienting women. Such shelters offer family counselling through one-on-one meetings, group meetings or phone calls. The shelters, furthermore, hold family counselling and reconciliation sessions; offer psychological and legal services for women; refer cases to get medical attention whenever the need might arise and accommodate women who are victims of any form of violence together with her children and offer them job opportunities.

- As for FGM i.e. “circumcision” though progress was achieved and was embodied in the criminalizing FGM and the measures and procedures taken within the framework of the National Campaign of Abandonment of such practice, yet the phenomenon persists. Hence the State took a number of measures the most important of which were the following:

- Establishing the National Committee for the Eradication of Female Genital Mutilation in cooperation with many national councils, government bodies and CSOs.

-Aggravating penalties for performing FGM without medical justification to become imprisonment for a period of not less than five years and not more than seven years or aggravated imprisonment in case of causing permanent disability or death.

-Adopting the Anti-FGM Action Plan.

-Training rural female pioneers on combating FGM and offer counseling.

-Plugging the legal loopholes that help the FGM perpetrator to flee punishment; in particular physicians who classify FGM as a cosmetic surgery.

Egypt has ratified all the agreements on the eradication of all forms of slavery-like practices and human trafficking. The Constitution, moreover, has proscribing all forms of slavery, enslavement, oppression, forced human exploitation, sex trade and all other forms human trafficking (Article 89). Law 64/ 2010 on combating human trafficking criminalizes all forms and types of human trafficking. Criminal chambers within appellate courts were allocated to examine human trafficking cases.

-Within the framework of combating such crimes, strict control procedures are in place to monitor the exit and entrance points to and from the country in view of the fact that Egypt is a transit country. Such procedures are undertaken by the Department of Combating Illegal Migration and Human Trafficking Crimes affiliated to the Ministry of Interior.

-Control procedures are actualized through mutual cooperation between the Egyptian authorities and the Interpol, foreign travel agencies and a number of countries in terms of swapping of information.

-Introducing social welfare chapter to Child’s Law entitled “Prohibiting Child Marriage” and adding a new article to the Penal Code No. 2/227 criminalizing the marriage of children under the age of 18 years. Such crimes have no statute of limitation.

-The Red Crescent Association, in collaboration with other competent bodies, is in the course of establishing, in Al Qalubiyya Governorate, a shelter for victims of human trafficking whether women or children. The shelter will be furnished with qualified technical and medical staff trained to deal with victims of such crimes.

-Upon the Ministerial Decree No. 192 of 2017, the National Coordinating Committee for Combating and Preventing Human Trafficking will be reinstated and merged into the Illegal Migration Combating Committee and will be affiliated to the Council of Ministers. The new Committee will be charged with the two portfolios of illegal migration and human trafficking.

-Enhancing international security cooperation in the domains of transnational organized crimes through encouraging bilateral and regional agreements and the enforcement of the provisions of international multilateral agreements.

-Adopting media policies, in collaboration with competent bodies and ministries of information, to educate the public on the threats and dangers of human trafficking crimes.

-Encouraging human trafficking victims to testify and disclose information concerning the perpetrators by offering them protection programs. The victims should be informed with their legal status. Foreign victims should be availed interpretation services.

- Ministry of Social Solidarity offers “Single Mother” care services through women’s protection competent bodies in three governorates. The Ministry, furthermore, avails post-incarceration care for females convicted in prostitution cases by the help of specialized organization.

-The National Council for Childhood and Motherhood has established a Children Anti Human Trafficking Unit to combat “trade or sale marriage” dubbed as seasonal or summer marriages. The Unit, moreover, is charged with compilation of comparative studies to monitor child marriage in the poorest village; publishing pamphlets and awareness material in collaboration with IOM to educate parents on the risks of child trade and rehabilitation of victims of child trade.

-The Comprehensive National Strategy on Combating and Preventing Human Trafficking (2016-2021)was launched for the first time. The Strategy aims at the effective enforcement of Law 64/2010 on Combating Human Trafficking. The main objectives of the Strategy are: (a) preventing and combating such a crime; (b) protection and assistance of the victims and witnesses of such crime; (c) pursuit and punishment of the perpetrator of human trafficking and (d) establishing national, regional and international partnerships to combat the human trafficking.

-Preparing a draft law to establish a “Human Trafficking Trust Fund” to offer assistance to victims of human trafficking affiliated to the Council of Ministers in compliance with Article (27) of Law 64/2010.

-Setting up the general framework of the National Human Trafficking’ Referral Mechanism to manage and accelerate communications between different national competent bodies working in the field of human trafficking and law enforcement organizations.

**III**- **Recommendations**

In its sixth and seventh reports, the Committee for the Eradication of all Forms of Discrimination against Women, addressed 38 recommendations to the Egyptian State. The final recommendations of the Committee were sent to all the competent authorities. Periodical consultation sessions were held to overview, discuss and follow up the implementation of such recommendations. The meetings were attended by: Parliament Representatives; members from NCCM and other national councils; some CSO and NGO; representatives of Equal Opportunity Units and Departments of different Ministries and representatives from the National Media Authority. The consultation sessions aimed at overviewing the recommendations, swapping of experiences and adopting an action plan for the actualization of the recommendations, as per the specialization of the attendees.

1-Recommendations no. (11) and (12): The two recommendations called upon the State to “concentrate on the activities undertaken by the State conducive to the enforcement of the Convention. The recommendations, furthermore, advised that such recommendations should be addressed to the competent ministries, the Parliament and the Judiciary”. The State of Egypt has readily committed to implement the two recommendations.

2-Recommendations No. (15) and (16): The two recommendations called for “the prioritization of the legislative reform of gender-based discriminatory provisions specifically those pertinent to the Penal Code and the Personal Statue Law. Such legislative reform would be undertaken in collaboration with religious and local community leaders, lawyers, judges, trade unions and associations and Civil Society Association CSOs.

The State complied with such recommendations by giving precedence to legislative reform process. Accordingly, upon the Presidential Decree No. 187 of 2014, the Supreme Legislative Reform Committee was established.

3-Recommendations No. (17) and (18): The two recommendations called for “taking all the appropriate measures to ensure educating all the governmental bodies including the judiciary on the Convention and its applications. The recommendations encourage the State, also, to mainstream the provisions of the Conventions as an integral part of the legal education and training programs of judges, lawyers, prosecutors and to sensitize the women on CEDAW”.

With the ratification of Egypt to the Convention and its promulgation in the Formal Gazette, it becomes an integral part of the national legislations, well recognized, enforceable and invoked. The CEDAW, consequently is included in educational programs in congruence with Article (24) of the Constitution.

4-Recommendations No. (19) and (20): The two recommendations demonstrated “The concern of the Committee towards the fact that Women Complaints’ office is not charged with the mandate of investigating the complaints lodged by women”.

The State commented on the two recommendations by warning that Women Complaints’ Office is the competent authority to receive the complaints and reports of gender-based discriminatory practices the women face. The Office, moreover, is responsible for providing legal assistance through the Legal Aid and Counseling Program. The Office, meanwhile, is not an executive body nor is it invested with judicial authorities to investigate complaints. The Office is in charge of referring the complaints to the competent authorities and offers legal assistance in Personal Statute cases.

-The report prepared by the State presented statistics indicating the figures of the complaints received by the Women Complaints’ Office during 2008-2019. The report showed that the complaints amounted to 50841 and were varied and included cases pertinent to: personal statute, violence, socioeconomic assistance, social welfare and legal assistance. The statistics stated that 23705 complaints are still being processed, 3296 were positively settled while 749 were settled negatively. The remaining complaints, amounting to 15806, were either dismissed for lack of entitlement or ended in conciliation, waiver or dismissal.

5-Recommendations No. (21) and (22): “Laying down a holistic strategy that includes: oversite, enactment of legislations, identifying objectives and setting up a timeline to change and ultimately eradicate the stereotyping practices that discriminate again women”.

In 2017, the State has adopted “the National Strategy for the Empowerment of Egyptian Women 2030” as a document for the empowerment of women. The Executive Framework and the Five-Year Strategy for the Implementation of the 2015 Strategy of Combating Violence Against Women were also launched.

“Door-to-Door” campaigns were initiated to raise the awareness of women on their different rights. Arts were, also, employed to send the message home to the society.

6-Recommendations No. (23) and (24): “Prioritizing combating violence against women and girls and taking comprehensive measures to combat such violence”.

The response of the State has alluded to: the commitments specified in the Egyptian Constitutions on the matter; the National Strategy for Combating Violence Against Women (2015-2020); the National Strategy for the Empowerment of Egyptian Women 2030; seven national strategies for decreasing early marriage; the National Strategy for Population; the National Female Genital Mutilation (FGM) Abandonment Strategy (2016-2020); the Industrial Development Strategy adopted by the Ministry of Industry in 2016 to improve the status of women and the Sustainable Development Strategy (Egypt’s Vision 2030).

7-Recommendations No. (29) and (30): The two recommendations tackled ” the absence of women’s representation in the Shura Council; the restriction of women’s representation in the House of Representatives to only two sessions and the limited participation of women in the political and public life.”

In 2019, a Constitutional amendment was introduced earmarking a minimum of one quarter of the permanent seats of the House of Representatives to women. Article 180 of the Constitution, moreover, allocated women one quarter of the seats of the elected local council, thus making the total numbers of seats to be filled by women around 13500 seats in the first local council elections to be held during five years as of the date of the approval of the 2014 Constitutional Amendments.

8-Recommendations No. (31) and (32): The dwindling numbers of females enrolled in primary education in many villages and rural areas in addition to high dropout rates of female secondary and university students.

The efforts exerted by the government in the domain of access to education and in centivization for girls’ enrollment in education achieved significant success that was demonstrated in increasing the rates of the enrollment of girls in different education tiers during the period of the report. Copious statistics on the matter were presented.

9-Recommendations No. (33) and (34): The two recommendations discussed “bridging the salary gender-gap; the concentration of female workers in informal sectors depriving them from social insurance and other benefits and workplace harassment”.

The response of the State highlighted that gender-based discrimination in salaries and wages are prohibited by the Egyptian Labour Law that specified a criminal penalty incurred by any employer who practices such kind of discriminatory act. The Labour Law, furthermore, has aggravated the penalty on sexual harassment if the perpetrator has a functional authority over the victim.

10- Recommendations No. (35) and (36): The two recommendations tackled the regulation of the work of domestic service workers including migrants. The recommendations indicated that Labour Law No.12 of 2003 Articles (27) to (30) regulated foreigner (alien) workers’ employment. Article (28) was specified in the recommendations for regulating the work of the domestic service workers.

“The State responded stating that there are model form contracts that organize the relationship between household owner and the domestic service worker as a temporary alternative to safeguard improving the working conditions of domestic service workers and their rights until introducing a new chapter to the Labour Law on the rights and means of protecting domestic service workers or enacting a separate law on the matter.”

11-Recommendations No. (37) and (38): The two recommendations advocated amending the Nationality Law in congruence with Article (9) of the Convention. The recommendations noted that the Egyptian woman is not allowed to pass her nationality to her foreign spouse, contrary to the Egyptian man who enjoys such a right. Such limitation has consequences on the children of the Egyptian women married to foreign spouse.”

Law 154/2004 equated between man and woman in acquiring, retaining or changing the nationality and in passing the Egyptian nationality to their offspring if any of the spouses is a non-Egyptian national. Now the children of Egyptian women married to foreigners obtain the Egyptian nationality upon application to obtain it. Following such a move, Egypt has deposited a document removing its reservation on Article (9) of the Convention.

As for the right of the non-Egyptian husband to acquire the nationality of his Egyptian wife, the husband shall be subject to Law26/1975, Article (4) Item Fifth that allows the foreigner who has taken up his normal residence in Egypt for 10 consecutive years to apply to acquire the nationality in case he is of age and fulfils all the conditions specified in the Article.

Article (6) of the Constitution ensures the right of any child born to an Egyptian mother or an Egyptian father to obtain the Egyptian nationality. The law sets forth conditions for acquiring, retaining or changing the nationality. The nationality of an Egyptian woman does not automatically change by her marriage to a foreigner or if the nationality of her husband changed. The nationality of the Egyptian woman changes upon her formal expression of intent to change her nationality. Moreover, the Egyptian woman is not allowed to become without nationality.

The number of children who obtained the Egyptian nationality from their mother in 2008-2018 is 37835 children, born on 1/1/2008.

**IV: The Reservations of Egypt on the Convention**

Egypt had four reservations on the following articles of the Convention:

Article 2 – Article 9 paragraph 2 – Article 16 – Article 29 paragraph 1.

The National Council for Human Rights concurs with the opinion of the state stated in its report. The reason of reservation of the government on Article 9, paragraph 2, though, is no longer justified after the Egyptian law equated men and women in passing their nationality to their children. The Council, hence, calls upon the government to remove such reservation.