

**SECOND SHADOW REPORT FOR THE CEDAW COALITION
EGYPT 2009**

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Enhancement (EACPE)**

Dedication

The second shadow report on CEDAW in Egypt is dedicated to
The Egyptian women workers
Who struggled with men defending the workers' rights
And all Egyptian women who raise their voices defending their
social, economic, political and cultural rights

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Introduction

After 12 years of establishing the CEDAW Coalition in Egypt, it produces this Report which is the second for the Coalition on women's status in Egypt, with reference to the Convention on the "Elimination of all Forms of Discrimination against Women" (CEDAW). The present Report comes 8 years after the first one which was produced in January 2001. During such period, many changes took place with regard to the status of women and the women's rights organizations. The performance of women's rights activists had also witnessed significant changes during these years, where the activities gathered momentum in terms of disseminating awareness on the Convention from the part of the National Council of Women (NCW) and the NGOs' activists who played an important role not only locally and nationally but also regionally, with the intent to build the capacity of a number of governmental and non governmental bodies to implement and enforce the Convention.

The present Report seeks to assess the progress in implementing the CEDAW in Egypt in the period following the report previously discussed in January 2001. The Report was developed by drawing on a standard tool¹ which was used by many states worldwide to assess women's legal conditions (de jure), as well as in the field monitoring reports which were prepared by the member organizations in the CEDAW Coalition in Egypt. This Report is an assessment of the de facto conditions of women in Egypt. The said member organizations also reviewed a range of studies, researches, surveys, and statistics extracted from reliable sources.

With this report, the CEDAW Coalition seeks to help all the concerned parties, such as the Egyptian government, NGOs, international organizations, and the citizens (men and women), with the aim to assess and enhance equality between men and women in Egypt.

The Methodology

This Report was developed by reviewing and compiling a number of important sources, including the government compiled report (6 & 7), which was submitted to the CEDAW Committee in January 2008 and was preliminary discussed in January 2009. These sources included reviewing researches and studies related to women's conditions in Egypt, in addition to field studies reflecting their conditions in real life and their daily sufferings. The Egyptian Association for Community Participation Enhancement (EACPE) was coordinating the preparation of the Report, where the member organizations in the Coalition took part in classifying it in terms of their competences and interests, which contributed to paying due attention to each part of the Report . The draft report was presented to 100 organizations from various governorates countrywide so as to reflect a wider view of such organizations.

Asia Pacific Tool measuring Women's conditions prepared by IWRAW¹

The Executive Summary

During recent years, some progress has been made towards improving women's conditions in Egypt, for example, 64 seats were allocated for women in the People's Assembly as a provisional measure; the Family Courts Law was promulgated; the discrimination against women was removed with respect to granting the Egyptian nationality to the children of the Egyptian wives married to non Egyptians; giving access to women to work in the Administrative Prosecution Offices and in judicial posts; and enacting a law to criminalize female circumcision. Nevertheless, Egyptian women are still enduring a range of discrimination aspects in the law, in addition to the discrimination and violence they are exposed to in the real life. Divorce is still legally an absolute right for men, and women may not seek for divorce except in cases where the marriage contract stipulates that the husband gives the wife the power to divorce herself. Apart from these rare cases, women have to endure prolonged years in the Family courts, or have to resort to divorce themselves by way of "khul" which in fact means that they give up all their financial rights in return of securing a relatively speedy divorce. The Penal Code does not stop at the imprisonment punishment for committing adultery, but prescribes a harsher punishment in the case of wives (2 years for women compared to 6 months for men). It also stipulates a more difficult burden of proof for women as opposed to men. Egypt still maintains reservation on 3 Articles of the CEDAW, namely Articles 2, 16 and 29 (Para. 2). The most serious reservation is the one made on Article 2 which provides that the ratifying states should take the necessary measures to amend the national legislations in contravention with the objectives of the Convention which would remain an unenforced text unless these measures are taken. With regard to the "de facto" discrimination, all national and international statistics report a higher illiteracy rate among women than men (especially in the rural areas). They also show that women have less access to health care services (including pre- and postnatal health services, which explain the high mortality pregnancy rate in Egypt), working women do not obtain fair wages as they are one fifth of the wages of men, and unemployment rate is far higher among women than men.

Human Trafficking (Article 6):

Human trafficking is on the rise in Egypt, yet the Egyptian government has neither taken any effective counter measures, nor enforced the related laws, whether Article 91 of the Penal Code, or Article 6 of the CEDAW. The trafficking of women and girls still exists, and families are selling their daughters under the so-called summer marriages which are socially accepted.

Domestic labour hides another form of human trafficking which is continuously increasing, where they are all women and girls. It is worth noting the lack of statistics in this sector, as they do not fall into the framework of the NGOs or the State, which exacerbates their working conditions. Further, statistics on cases of violence and abuse committed against domestic workers are not available either. As for the press, it rarely pays attention to the abuse of domestic workers in the society. Some local

newspapers published stories revealing violations committed against some female domestic workers, to the extent of physical and sexual assaults, leading sometimes to death. This is in addition to degrading treatment, forced confinement in the workplace, deprivation of food and health care, working long and limitless hours with no days off, failing to or delaying payment of their wages, and assigning heavy chores beyond their capacity. They also have no links to defend their rights and the female domestic workers tend to be exposed to exploitation in prostitution. Despite the lack of accurate statistics around this problem, the press publishes stories that give us an indication on the volume of this problem and the deficiency of the existing mechanisms to combat it.

- Despite the efforts exerted by the "Shura" Council (the Upper House) to open the debate around the phenomena, and draw up a bill intended to tackle summer marriages; the several awareness campaign adopted by the Ministry of Family and Housing, and a number of NGOs, with the aim to find solutions for such phenomena; and the juvenile anti-trafficking unit established by the National Council for Childhood and Motherhood (NCCM), there are still many challenges facing the work achieved to resolve this problem.

The Challenges:

- Lack of data, statistics and information on human trafficking in Egypt;
- The status of immigrants and asylum seekers, and the long delays in issuing decisions in their regard;
- Poverty and its repercussions on marrying under age girls and selling children, with the control mechanism deficiency;
- Lack of legislative protection;
- Existence of organized crimes and individual criminals inside and outside the borders, with interest in human trafficking;
- Collusion of families with marriage brokers and physicians to marry under age girls, after issuing certificates asserting that they come of legal age to marry.
- Truancy caused by abject poverty, and employing female minors as domestic workers or marrying them to old Arabs from the Gulf area, with the help of their families;
- Existence of notorious brokers who earn their livings from such trade and are still at large, as the families collude with them to keep their unreported affairs in disguise and secrecy.

The recommendations:

- Enforcing the Child Law which determines that a child's age is up to 18, and contains a law article on human trafficking and the punishments applicable to offenders;
- Completion of enacting and implementing the Human Anti-trafficking Law and the executive regulations thereof;

- Enforcing anti poverty strategies and empowering poor families for economic development;
- Providing domestic workers with legal protection;
- Enforcing control mechanisms in the infamous areas where trafficking takes place;
- International cooperation with the UN organizations with respect to immigrants so as to speed the decisions regarding their applications.

Political Participation (Article 7)

Efforts Achieved:

- Throughout the previous period, intensive efforts have been exerted to grant women official documents, and to encourage them to issue election cards making them aware of the legal role of women and the importance of their participation as voters and candidates (Project of Legal Forum for Women), and carrying out many programmes to enhance women's leadership capacity.
- Egyptian women gained access to the judicial field, as they were appointed in untraditional posts, although still very limited.

The Challenges:

- Seats granted to women in the People's Assembly were added to the original parliament's seats, and not allocated as a percentage of the total seats; which suggests to the public that men have incontestably exclusive rights to the original seats, in the present and the future. Besides, the seats were allocated to women according to demographic constituencies (at the governorate level) much larger than those for men (at the district and village levels); which creates challenges to women candidates who have a much wider constituency, heavier election campaign burdens, and more needs for resources and funds. The duration was also limited to 2 terms only, which make it impossible to achieve the expected results (this contravenes with the Committee's Recommendation No. 25 which rejected prior determination of the temporary measure term and rather being subject to achieving the expected results). The constitutional amendments did not comprise the "Shura" Council or the local councils.
- Buying women's votes for influential and authoritative candidates due to their needs for money and the deterioration of their economic conditions. This shows a lack of awareness, shortcomings in the efforts made in this regard, whether by the government bodies or the political parties, and a deficiency in the NGOs performance due to the difficulties hindering their progress.
- The prevalence of violence and bullying in the election campaigns is a substantial obstacle for women who wish to practise their political roles, since this field became unsafe, subjecting them to risks.

- Divergence in gender equilibrium in the society, where power is devoted to men, often leading to men's votes prevailing on women's votes, especially in the rural communities.
- The fundamentalist expansion in the Egyptian society since the 70s and the decline of liberal and progressive streams, have adverse impacts on the Egyptians' perception of women's role in the political and economic life.
- The political environment is a major constraint to women's political participation, due to the restrictions imposed upon the parties' activities and the pressures exercised on the opposition parties; which create a public impression that such activities are risky and unacceptable from the part of the Authority and have negative implications on women's (and men's) participation in the political and parties' activities. Furthermore, the existing parties suffer from favouritism, power personification, and lack of internal democracy, all of which have negative impacts on the will of male and female citizens to join any opposition parties.
- Women's economic and social conditions have an adverse effect on their political participation. A large segment of women in Egypt is still suffering from poverty and illiteracy².
- Deficiency in measures taken by the State to empower women to conciliate between their roles inside and outside their families spheres.
- Social upbringing is based on discrimination against women and labelling their roles in such a way that reduces their freedom of choice and decision, as well as their opportunities for effective social participation.
- The role of education and media in stigmatizing women's role, which strengthens the traditional culture that refuses women's political and community participation.

The recommendations:

- Adopting the election systems which support women's participation so as to ensure the increase in women's representation in the electoral councils.
- Adopting a media policy designed to change the stigmatized look on women's role in the household care and to display their political role.
- Providing equal opportunity for women's participation in the deliberation on legislative amendments and local administrative laws, as different alternatives could be put forward to increase women's representation.
- Coordinating between the NCW and the NGOs, based on partnership, regarding the efforts exerted to combat all forms of discrimination against women, especially in the field of policies and legislations, without limiting their role in the practices.
- Enacting a law to deter violence practised in the electoral process, and to aggravate the punishment in case of gender-based violence.
- Providing women with security while practising their political rights.
- Voting by virtue of the national ID, facilitating the registration transfer procedures from one constituency to another, and transferring the registration committees from the police stations to the Civil Registry Offices.

- Intensifying awareness campaigns on women's political rights, with special regard to the State's various institutions.
- Encouraging the establishment of equality committees within the parties, to take into consideration equal candidature and leadership between men and women.
- Liberate the civil society work and empower the NGOs to effectuate women's political participation.
- Including the values of citizenship, participation and equality in the educational curricula, and effectuate the female students' practices within the educational institutions.

Education (Article 10):

While the Constitution provides for equal rights to education, the evidence shows a contradicting reality. The enrolment rate of children between the age of 8-11 years to the basic education is around 90%, where only 84% of girls are enrolled. As for illiteracy, the female rate is 62% while the male rate is 38%. The main reason for the lack of female enrolment is insufficient and inefficient schools, as well as the lack of parents' persuasion as to the effectiveness of their daughters' education. Besides, some families do not send their daughters to mixed schools, where the girls are taught household management and the boys are taught agriculture, according to the social roles expected from both genders. As for the tertiary education, the gap is wider in the enrolment in applied faculties, such as medicine, dentistry and engineering, where the girls tend to apply less to these faculties in comparison with the boys. The curricula taught in the various school years also reflect a divergence in producing a picture of women suitable only for household chores, and in some other cases, women's rights issues are discussed; which show no clear strategy to modify school curricula and include rights syllabus.

The Challenges:

- Contradiction in rights' concept in the basic education curricula;
- Training and qualifying male and female teachers is based on extreme stigmatization by the government organs, and redirects the community culture towards the patriarchal concept;
- The educational policies and strategies did not include protection and care programmes for truant pupils or those at risk of truancy, with special regard to the girls;
- The weak moral instructions programmes inside the schools, where the role of the social worker needs effectuating, with the absence of psychologists in the vast majority of the schools;
- Widening the pyramid base in the employment hierarchy for women in the labour market, to include working in teaching jobs as well as lecturers in universities; however, they represent maximum 20% in the leading positions;
- Revoking the ministerial decree on the civil society participation as a key member in the board of governors;

- Existence of many obstacles and challenges facing women who wish to enroll for literacy programmes, such as having a national ID card as a prerequisite to join the classes, and limiting the age group for enrolment to range between 15-35 years;
- The General Authority for Literacy and Adult Education in Egypt cancelled all vocational and skills training programmes, which was an important approach and a basic need for women to join literacy classes;
- Inadequate official policies and strategies for literacy and adult education to meet the basic needs of illiterate women;
- The official educational curricula in the Literacy Division did not respond to women's needs, such as taking into account the demographic and gender diversity in the education programmes intended for rural and Bedouin women, as well as women living in the informal settlements and marginalized areas.

The Recommendations:

- To increase of government budget allocated for public education, to build schools and develop literacy outreach programmes for women, especially in the areas marginalized and excluded from human development programmes;
- To respond to the lobbying and monitoring powers in the society, who are active in the education field, so as to develop strong and effective partnership bases;
- To design strategies and national plans for women and girls literacy, adopt the training mechanism, and combat poverty as a good approach to improve the standard of living of poor women;
- To develop national strategies for the protection from and prevention of truancy, especially among girls, and provide a suitable environment for the concerned actors in the society to take part in these strategies, for example, to annul all educational fees, direct and indirect, in the basic education system;
- To call on the government to fully coordinate with all social and cultural educational institutions, from the Ministries of Education, High Education, Communication, and Culture, with the aim to foster the concept of justice, equality, and political rights for all, based on citizenship and without gender-related discrimination;
- To establish links and networks supporting the civil society and the NGOs which contribute in producing a good role model in the context of regular and irregular education systems, which fulfils the needs of women and girls;
- To improve and modernize the academic curricula in the pre-tertiary and tertiary education systems, so as to adopt the rights approach of justice and equality bases on citizenship, and to lay down the scientific bases to measure the effect thereof upon the students and the society;
- To develop effective strategic plans on training, build and improve women's capacity in the field of tertiary and pre-tertiary education systems, and to measure the effects thereof.

Work (Article 11):

The Labour Law unified and promulgated in 2003 contained some articles focusing on inequality between men and women in some provisions related to women's work in night shifts or in dangerous or harmful works, while some others are related to motherhood. Despite women's increased economic contributions (33% of Egyptian families are supported by women) under the economic open-door policies, the rapid privatization, the decline of the State's provision to basic services and the rising unemployment rates, such a role was a response to the prevailing poverty and unemployed husbands or breadwinners, and did not confer any privilege or greater legal rights within the family. And while there is an extreme need to legal protection within this framework, the unified Labour Law detracted many advantages previously enjoyed by women: Women may no more obtain maternity leave before 10 months counting from work commencement, while they were previously 6 months only. The Law also specified 90 days for child care leave without pay, on condition that the number of employees in the firm be more than 50. It also stipulated that in order to have a crèche in the firm, there should be at least 100 female workers. Further, the female workers suffer from discrimination in wages based on gender. According to many female workers in various governorates, the basic wage in the beginning of employment is less among women than men, and women are deprived of promotion or occupying supervisory positions, they are rather treated as temporary labour which would leave work at any point due to their reproduction role in the family, and consequently they are denied promotion, increase in wages, and incentives given to supervisors. It is noteworthy that there are two female categories that do not even enjoy the minimum level of protection provided by the Labour Law, namely female workers in agriculture, and domestic servants, claiming that they tend to be domestic workers in the first case, while in the second case, it depends on the judge who would see them as private family matters. Hence, the lawmaker opted to favour employers, turning a blind eye to most complaints by domestic workers, from failing to pay the agreed wage, or being exposed to sexual harassment by the male members of the family³.

Health (Article 12):

In Egypt, the citizens bear the major part of health costs, where the direct spending on health care services amounts to 60% of the total health care spending, and 95% of the total private spending. They spend 58% of the total medicines spending. Thus, it is evident that women's access to health care services in Egypt faces many challenges. With the rising health care costs, millions of women are unable to access it, and those working in the irregular and peripheral sectors are unable to access it either.

The population census for 2006⁴ shows that there is still a gap between men and women as regards the right to live, which is wider in the rural than in the urban

UPR Report to HR Council_NGOs_Egypt ³
CAPMAS 2006 ⁴

areas. The phenomenon of women's disappearing is still mainly caused by the discrimination in all age groups.

There is a constant rise in female infant mortality after the first month of the birth compared to the male infant mortality, and especially in the rural areas than in the cities, where the female circumcision rate is 95.8% which is associated with the contraction of the virus hepatitis C.

Maternal mortality rate is 62.7 for every 100'000 live births. The decrease in fertility rates has stopped, and has even risen in some cases due to the prevailing culture regarding family planning and birth control. There is a problem related to ceasing to use birth control means, either for health reasons, lack of knowledge on how to administer them properly, or upon the husband's request. The family planning programmes are directed to women who do not obtain many of the anti/post natal health needs.

With regard to AIDS there is a lack of awareness of the disease and the way it spreads, even amongst the medical team, therefore AIDS patients don't received any help if they go to governmental hospitals, and medical team almost will escape from them , unless they hide that they have AIDS . There is also a social stigma attached to the AIDS patients, and treatment is not available to those who cannot afford it.

The Challenges:

The budget deficit in and poor quality of health care services, the inadequate outlets to provide the services, the non-compliance with international protocols regarding difficult delivery cases and AIDS, the prevailing reactionary culture which influences the doctors treating women, the decreasing wages of doctors and nurses which has a negative effect on their professional performance, and the inadequate awareness of health care and weak awareness campaign efforts.

The Recommendations:

- To increase the budget allocated to spend on health care services;
- To include poor women, female workers in the rural areas and in the irregular and peripheral sectors, under the umbrella of health care insurance;
- To pay attention to provide preventative services and develop tailored programmes (early detection of cancers, Hepatitis A, B and C, etc.)
- To allow outreach health care services (setting up new health units/convoys for health care providers);
- To train doctors with the aim to improve their performance and tackle the discrimination, stemmed from the prevailing culture, against women patients and even against the female medical staff.
- To study the unsatisfied health care needs of women (old age and disabled women, etc.)
- To develop awareness programmes for the citizens' health (enhance the role of the health care and first aid units in raising the awareness) especially

among women, and incorporate them in the strategies of health care quality improvement;

- To improve the health care services provided to the rural areas, especially the preventative programmes, and provision of vaccines for diarrhea and respiratory diseases for children;
- To focus on awareness programmes provided to mothers, as a part of the vaccination scheme visits;
- To enhance nutrition in poor rural families and pregnant women;
- To continue and intensify the female circumcision national campaign;
- To assure discipline in all health care services related to pregnancy, delivery and post natal care;
- To redistribute the medical specialists to comprise all geographical areas and hospitals, and to support and improve the referral system ensuring better care provided to women.

Rural Women (Article 14):

Rural women come under the agricultural sector (including pastoral work) and are the most deprived category in the society. The female agricultural workers are 23% of the total workers in this sector and 58% of the total female rural workers. The female adolescent workers (aged between 15 and 19) are around 21% of the total female agricultural workers. 60% of the female agricultural workers in the rural areas work without pay within the family framework. Women take part in all agricultural stages, especially tasks such as storing, marketing, cultivating and harvesting. Women's role in the rural economy varies according to the type of activity, where we notice that the data and statistics do not reflect a correct picture of women's contributions in the agricultural production and rural economy, as they tend not to include seasonal works of women, as well as their production role within the family. As a consequence of the migration of many men from the rural to urban areas, or to Arab or foreign countries, women's economic role has been maximized as they took over the responsibility of the agricultural activities and the managing of the household affairs.

The Challenges:

1. Increasing illiteracy rates.
2. Poverty prevalence among rural women.
3. Lack of equality in sharing authority and decision making.
4. Institutional inefficiency affecting the progressive role of rural women.
5. Lack of awareness of rural women regarding their rights.
6. Low opportunities for women to access services and production inputs.
7. Difficult access to financing sources and credit facilities.
8. Low opportunities to access good education and health care services.
9. Negative customs and traditions in the Egyptian rural areas.
10. Lack of appropriate modern technology assisting women to work better.
11. Inadequate or unavailable guidance services provided to rural women.
12. Low standard of living and services in the rural areas.

13. Increased burdens imposed upon rural women due to men's migration.
14. Lack of database and statistics on rural women conditions.

The Recommendations:

1. To increase the literacy efforts made for women and girls, and mainstreaming community schools, small schools, one-class schools, girl-friendly schools in all rural areas.
2. To develop a programme providing women with credit facilities and loan guarantees, increase income-generating projects, combating poverty in rural areas, and expand health and social insurance network for rural women.
3. To devise gender-sensitive policies and development programmes for the Egyptian rural areas, enhance women's units and development, and support rural women's participation in planning projects.
4. To raise and disseminate intensive and comprehensive awareness among rural women, and to expand agricultural extension programmes with training intended to provide women with the necessary skills to improve their work efficiency.
5. To develop intensive training programmes oriented towards women, so as to help them perform their household affairs and various agricultural activities.
6. To support the use of simple modern technology by rural women in the agricultural activities, to improve work and save efforts and time, allowing them more time to rest and care for the family.
7. To set up a database on the Egyptian rural areas, classified according to gender, showing the status of rural women and their role in the agricultural production, and to train a technical workforce on analyzing data according to gender.
8. To establish training centres in the rural areas to train the girls, and provide more attention to train rural community leaders and health advisers, taking into consideration the circumstances of rural women and adapting the training timetable accordingly.
9. To improve the conditions of the Egyptian rural areas, enhance the services, and advance the living standards.
10. To pay regard to health convoys for women health, endemic diseases, eye and respiratory diseases, agricultural pesticide-caused diseases, with regular outreach visits to remote hamlets and villages.
11. To introduce simplified technologies aimed at training rural women in production, which provide them with a surplus of time and effort, and help them improve their products, especially dairy products, as it is noticed that women tend to care for cattle raising and production, which represents a large percentage of the projects.
12. To introduce legal awareness programmes and train the girls on how to deal with credit providers and to facilitate access to loans and grants, without requiring guarantees that poor women cannot fulfil, so as to empower them economically.

Family Law (Article 16):

While the Arab Republic of Egypt signing the CEDAW is a progressive achievement, women's status continues to suffer from many shortcomings. Observers would notice that enacting an equitable law for personal status is still facing social, cultural and political problems, where calling for it means to some religious groups a deviation from religion and norms. Thus, serious and effective measures should be taken by the government to speed up changes towards realizing equality and non discrimination principle.

Egypt made reservations on Article 16 (regarding personal status and prevention of discrimination against women in matters related to marriage and family relationships), which contributed to undermine the Convention's spirit and essence.

- a) Egypt made reservations on this Article without any prejudice to matters related to the Islamic Sharia provisions. Given that this Article is concerned with marriage and family relationships, equal rights and responsibilities between men and women, and other matters governing the family life, it is worth mentioning that there is no equitable law for personal status until the present moment, regulating laws of marriage, divorce, child custody, inheritance, guardianship and tutelage, to protect women and ensure equality in rights. The Egyptian judicial system works in compliance with the Islamic Sharia provisions in deciding family disputes, which leads to many legal problems due to the discretionary reasoning of judges, which is sometimes divergent due to different cultural backgrounds.
- b) Under the prevailing male chauvinism in the society, lack of legislations and preventative measures to protect women in the family spheres; and by monitoring the "de facto" lawsuits filed in courts of law, it is evident that women are rarely granted access to same rights and responsibilities during marriage or after its dissolution. Men have the exclusive right to divorce women, where women would embark on a tumultuous journey of litigations that take years to resolve in courts, forcing them to resort to "khul" which means divorcing the husbands by paying compensation and releasing their pecuniary consideration.
- c) With regard to guardianship, tutelage and custodianship, it is conferred to the father/husband.
- d) Despite the fact that women have a separate financial estate, they share with the husbands in bearing the matrimonial financial costs without a regulating law or specific measure, allowing the wives to maintain their pecuniary rights in cases of divorce. As a consequence, they come out without a home or property, even if they shared in the possession such home or property.
- e) Divorce cases have increased in Egypt, reaching 2 million 459 thousand divorcees, i.e. 240 divorce cases every day of which 43.5% are cases of divorce during the first year of marriage, and around

12.5% in the second year. 40% of these women are over 30 years. This contributed to family disintegration leading to social phenomena adversely affecting development in Egypt. Single mothers who are supporting their families amount to 24% approximately. Child labour is on the rise in Egypt, while street children have increased from around 2 million in 2004 to 3 million in 2007.

Law No 1 of 2000 was enacted after many efforts exerted to produce a new marriage contract, in which there is a vacant area allowing both spouses to add any conditions so long as they do not contravene with the Sharia or the Law. However, this vacant area is not used in most cases and by the majority of the spouses, for the following reasons:

- Lack of legal awareness of this new contract and these conditions among the majority of married couples and their relatives, and even if some of them are aware of them, in the middle and popular classes the wives are embarrassed to lay down conditions on the husbands. The religious marriage officers (ma'azoon) do not play a role either in making the couples and their parents aware of the importance of such conditions.
- The legal process in the new courts system is discriminating between both sexes, as follows:

The substantive laws implemented in the family courts do not grant equal rights for both spouses, as husbands have an unconditional and unilateral right to divorce their wives, as well as the right to marry more than one and maintain their obedience. As for the wives' right to divorce, it is conditional on satisfying multiple requirements and procedures, some of which are extremely difficult such as proof of injury, or waiting for one year after an imprisonment sentence imposed on husbands, to secure a divorce. Despite the right to custody granted to mothers in case of divorce, until the child attains the age of 15 years, or even until the daughter is married, they lose such rights if they are remarried, Fathers have full custodianship of their children, while mothers do not enjoy such rights, even if they are in their mothers' care.

The challenges:

1. An explanatory note of the above mentioned Law has not been issued yet, which opens a wide door to individual discretionary reasoning.
2. In case of divorce because of injury It is difficult for women to provide proof of injury, as the judges require witnesses testifying the occurrence of injury, which is hard to provide.
3. There is a glaring discrimination in Article 6 of Law No. 25 of 1920, amended by Law 100 of 1985 regarding the injury criteria which is left to the judicial discretion where the upbringing and cultural background come to play. The matter does not differ much in the case of Christian Egyptians after revoking the Regulations of 1939 and enacting the Regulations of 2008, which limited the grounds for divorce only to

adultery cases. It is well known how hard it is to prove the committal of adultery; hence there is a tendency to resort to fraudulent methods for the dissolution of failing marriages, such as changing of confessions, and in few cases the religion. When the wives seek a court order after long endurance the Church does not grant them any canonical licence to remarry, which led to increasing divorce law cases as a result of the rigidly applied regulations.

The Recommendations:

1. To lift the reservations made by the Egyptian government on Article 16 which does not contravene with Islamic Sharia, with the exception of adoption cases that are replaced by child fostering or sponsoring.
2. To enact a unified family law for all Egyptians, without prejudice to:
 - a) Implementing the principle of citizenship and equality before the law prescribed in the Egyptian Constitution.
 - b) Human rights prescribed in the international covenants, especially the CEDAW, and removing all aspects undermining women's value and dignity.
3. To mend the "de jure" and "de facto" gap.
4. To lift the sufferance of securing legal rights and achieve justice, by streamlining the litigation procedures and speeding up the family court rulings.

Violence against Women (Article 19):

Despite the absence of the terms "crimes of honour" in the Egyptian laws, killing women on the grounds of honour is met with complaisance and leniency from the part of the judges, for crimes which are in fact murders. Such mitigation is based upon Article 17 of the Penal Code permitting the judge to mitigate the sentence down to two degrees if he sees the accompanying circumstances require that. The courts rely on the same Article to pass mitigated sentences in some cases of rape and sexual violence. The Egyptian law does not contain any provision criminalizing domestic violence, and women who seek divorce on such ground need to submit medical proofs and provide witnesses to testify on the harm committed. Psychological violence is excluded even if evidences are available; the final decision rests with the discretionary reasoning of the judge. The Egyptian law does not recognize marital rape, and there is no explicit legislative text criminalizing sexual harassment at work.

The overall Recommendations:

1. To lift the reservations made by the Egyptian government on Articles 2, 16 and 29, and to adopt the Optional Protocol to the CEDAW.

2. To eliminate all forms of legal discrimination, to introduce the necessary legislative amendments, and to enact laws protecting women from all forms of violence.
3. To expand the legal protection and insurance umbrella covering the female agricultural workers, female irregular workers and female domestic servants.
4. To promulgate a unified family law for all Egyptians, without detriment to implementing the principle of citizenship and equality before the law as prescribed in the Egyptian Constitution and in the international covenants, with special regard to the CEDAW, where all matters undermining women's value and dignity are eliminated.
5. To improve health and educational services provided to women, and develop policies and programmes taking gender into consideration.
6. To ensure equal opportunities and women's access to trainings, scholarships, and employment and professional promotion.
7. To advance and enhance rural women's conditions by all means to improve living standards for them and their families, and to raise their legal and health awareness.
8. To allow high quality gender-sensitive services so that the best benefits are gained from them.
9. To adopt a media policy which supports women's role in development and their rights, and which leads to changing the reactionary culture that holds women back.
10. To provide all forms of support to facilitate women's access to leading positions and to help in building their capacity.
11. To provide social security services to poor elderly, and disabled women, ensuring a decent life for them and their families.
12. To provide information on the non-Egyptian groups of women living in Egypt such as refugees and foreign domestic workers.

Detailed Report

Article 2

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;

(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;

(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;

(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;

(g) To repeal all national penal provisions which constitute discrimination against women.

The State of Affairs:

The Egyptian Government made a general reservation on Article 2, that it shall not abide by the provisions stated therein, where there is any contravention with the Islamic "Sharia" law. Despite the efforts exerted by the CEDAW Coalition members to lift the reservations since 1998, and the government's pledge to respond to their calls, the reservations had not been lifted while the said Article is the essence of the Convention. Further, the Egyptian Constitution recognizes the principle of equality between men and women, where Article 40 states that: "All citizens are equal before the law. They have equal public rights and duties without discrimination between

them due to race, ethnic origin, language, religion or creed." Hence, women thereby enjoy equal rights to men and assume equal obligations to men.

The Efforts Exerted:

The government set up Equal Opportunity Units (EOU) in the various ministries to ensure equality between men and women, in opportunities, promotions and leadership positions.

The government report referred to the intensive efforts made to lift the reservations on Article 2 with all its provisions.

The CEDAW Coalition for NGOs in Egypt has been launching a national campaign to lift the reservations and adopt the Optional Protocol, and has been coordinating the efforts made on the regional and international levels.

The Challenges:

- Lack of awareness of female workers and employees of the EOUs and their implementation mechanisms. The effectiveness of such EOUs is inadequate;
- Failing to present the subject of reservations to the relevant bodies (People's Assembly and "Shura" Council);
- Legislative gaps where discrimination against women is evident;
- Inadequate partnership mechanisms between the governmental and non governmental organizations concerned with women's rights; and
- Continuation of such reservation forms an obstacle to enact a law prohibiting discrimination against women.

The recommendations:

- To lift the reservation on Article 2;
- To fully review all laws and close legislative loopholes, and remove all forms of discrimination existing therein;
- To train judges and lawyers to draw upon the CEDAW in considering and settling lawsuits;
- To effectuate the role of EOUs, and to spread information among male and female workers about their existence and the role entrusted to them; and
- To coordinate the efforts between national mechanisms to implement the Convention and the NGOs with the aim to lift the reservations and adopt the Optional Protocol.

Article 4

1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

The State of Affairs and Efforts Exerted:

There were 64 additional parliamentary seats allocated for women as a measure towards positive discrimination to support political women's participation, and as a preliminary step towards a constitutional amendment in 2007 (Article 62).

In this context, it should be noted that while there is an ongoing political debate in the society, and a divergence in views, it is considered a step forward to equality.

It should be taken into consideration that the seat allocation measure (the quota) needs a long time to be implemented so that trends and prevailing cultures are changed with respect to the more declining social roles, compared to the seventies.

The Challenges:

1. Reservations noticed by the opposition political parties on the "quota system" as they expect the ruling party to exploit this percentage allocated for women to push their female party members into the parliament and not any other parties.
2. The prevailing cultural conditions in the society are more regressive and conservative regarding women's roles than twenty years ago, posing a burden and requiring long-term action to change the predominant social patterns in the present culture.
3. The quota system did not include the "Shura" or the local councils, which is a first step to prepare the members of parliament. Hence, this will have adverse effects on women's representation ratios in the local councils.
4. The quota system was provisionally implemented for a pre-determined period of two rounds.

The recommendations:

1. To amend the law governing the political life in Egypt so that it reflects the ambitions of the Egyptian people with regard to democracy and real multi-party system, to ensure the application of the ratio lists through which

women could be candidates, provided that it is mentioned in the lists (every third name), so that a minimum of 33% of women's seats are secured in the parliament and their representation reflects party pluralism.

2. To apply the same amendment in all representation elections so that women participate with a minimum of 33% in the election of representative and local councils.
 3. To set up a unit annexed to the parliament with the aim to enhance the capacity of elected members of parliament, male and female, so that they can efficiently and effectively assume the roles entrusted to them.
 4. To start at once changing the prevailing cultural trends regarding the community roles for both men and women, and promoting the values of equality, participation and mutual respect, through education, the media and the legal amendments necessary to ensure and protect effective equality.
 5. To take actions to develop indicators for the Egyptian Women's political participation, so as to periodically measure the progress of this participation and propose other interventions according to the progress achieved.
- Women's rights national organizations, the civil society and the political parties shall participate on equal footing.

Article 5

States Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

(b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

The State of Affairs:

The prevailing social and cultural patterns in the society continue to exist in the context of the customs and traditions system. These patterns tend to be associated with the religious aspect which sanctifies them, particularly that the community beliefs are a mere result of its predominantly social cultures and heritages which have nothing to do with the religion; however, this often makes them acceptable and common, hard to resist and to call them discriminatory.

Women's roles that are still culturally and morally accepted, desired and expected by the society are the same roles stemming from its culture and people's views. They are also the same roles promoted in the educational curricula. The accepted roles

are those in which women's priorities are assuming the traditional duties and tasks, and sharing responsibilities with men in the traditional framework. Further, the custom and value heritage still focuses on men as "the head of the family" and the sole breadwinner.

The State policies stress on the necessity to eliminate negative social patterns among men and women, through the Ministries of Information and Education. Nevertheless, the media is still playing a key role in the ARE as regards the stereotype presented of men and women.

Women undertake many responsibilities, whether inside or outside the family. The predominant view of the society to women is based on a gender-related view where they are limited to traditional roles, particularly that of mothers and wives. The burden of bringing up children and caring for them often lies with the mothers. Any person who monitors the status of women in Egypt could conclude that the main reasons behind focusing on this stereotype are inadequate awareness of the society in general, and the family in particular; deep-seated discrimination in sex treatment; women's satisfaction with their marginalized role and their ignorance of their lawful and legal rights; in addition to the negative role played by the media in strengthening the traditional pattern of women's roles. The lawmaker referred to the equality principle between both sexes in the Egyptian constitution, yet it failed to mention the implementation mechanisms and how to apply it in the real world.

The social patterns related to the roles of men and women will remain one of the most critical mainstays to change women's status, where the prevailing culture in the society is a discriminatory one against women, limiting their role to the traditional ones (women at home and men at paid work and in the public arena). Resistance to change aggressively increases in the name of preserving the community's identity. The extreme trends also evoke such culture to reinforce the status quo, keeping women in the lower and marginal position. This is confirmed by the official report, when dealing with women's status in all articles of the Convention, as it emphasized the widespread social and cultural patterns as one of the first challenges standing in the way of further progress in women's conditions. Notwithstanding, the media and education policies disguised elements ingraining such culture, despite all efforts exerted by the government to highlight untraditional models of women.

Making further efforts in this regard is a vital and decisive necessity to effect a concrete change in women's status.

The efforts Exerted:

Many efforts aim to change the stereotype of men and women.

- The National Council for Women (NCW) set up a Media Watch Unit (MWU) to monitor the works produced via the various media channels. Many drama

works also presented a positive image of women and dealt with sensitive issues, such as rape;

- Pressure was also exerted on some drama works which had a positive effect on some work progress to present a better model than that which is currently presented;
- Extensive cooperation by the NGOs, for example, many MWUs were established to monitor the stereotype presented of men and women in the press, drama, video clips, cartoons, folk idioms, and advertisements. A big number of media conferences were held to produce the conclusions and recommendations of these studies, for the necessary implementation⁵;
- A study was conducted on how far the literacy curricula and the basic education for genders is taken into consideration. The outcomes and recommendations of this study were put forward to the UNESCO⁶;
- The Egyptian Network was set up to monitor and change the image of men and women in the media⁷;
- The media staff are trained on how to change this stereotype and combat negative concepts related to men and women⁸;
- Some partial amendments are made by the Ministry of Education for all grades, so as to filter out the curricula of any aspects leading to favour one sex over the other and to combat customary habits and negative practices;
- Human rights are also mentioned in the curricula of basic education, and a human rights book is for tertiary education. This is a positive step which necessitates many steps to reach the desired results, as a book or a chapter in the curricula does not mean changing concepts; and
- The civil society exerts strenuous efforts in human rights education instruction.

The Challenges:

- The societal customs and traditions and prevailing culture, especially in the rural communities which contribute to the stereotype and discrimination between men and women. The social upbringing of the sons and daughters distorts women's figures, and discriminates in the treatment of sons and daughters;
- Media policy needs continued efforts and developing criteria to measure the impacts; and
- Lack of a policy for human rights' education, while there are some dispersed efforts, the most important of which are those made by the civil society.

The recommendations:

- To coordinate between media organs and civil society institutions for media recognition, to be as a media code of ethics directing all different media

⁵ Appropriate Communication Centre for Development - ACT

⁶ Idem

⁷ Egyptian Association for voluntary work development

⁸ ACT

- professionals and providing an alternative media image of men and women, different to the stereotype widespread in the society;
- To continue supporting women's organizations and study centres, and extended media awareness campaign, to change the stereotype of men and women;
 - To stress on the multimedia, especially the television with its numerous satellite channels, to produce programmes, drama series, films, symposia and conferences to raise public awareness;
 - To conduct opinion polls for the worst and best achieved media work related to present the image of men and women in the media;
 - To intensify the efforts monitoring media programmes, educational curricula, and community-oriented cultural programmes, and to tackle all matters leading to discrimination or to a stereotype of men and women;
 - To build the capacity of the teaching staff in schools and universities so as to enable them to include concepts of equality and human rights in all curricular and extra-curricular school/university grade activities; and
 - The State to sponsor, support and coordinate these initiatives with the civil society to nationally mainstream the successful experiences, which will prepare new generations believing in the principles and values of human rights, and be able to respect and practise these values in their daily life and surrounding social networks.

Article 6

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

The State of Affairs:

A new report⁹ revealed that around one million street children in Egypt were exploited in prostitution and forced vagrancy, arguing that Egyptian children were employed to carry out domestic and agricultural works in slave-like conditions, where their movements are restricted and they are denied their wages, in addition to threatens them of physical or sexual abuse. The report which is entitled "Human Trafficking in 2009" stated that Egypt became an attractive central place for traffickers in children and women to sexually exploit them, referring to the rich Arabs who come to marry girls younger than 18 years, a phenomena known as "temporary marriage", usually through marriage brokers or the girl's family. The report indicated the increasing sexual tourism with children from Cairo, Alexandria and Luxor claiming that young female Sudanese refugees, under the age of 18 years, are coerced to prostitution in Cairo night clubs, via their families or Sudanese gangs. It considered Egypt a "transit state" for trafficking women coming from Uzbekistan, Moldova, Ukraine, Russia and the Eastern European States, and heading to Israel for sexual exploitation, as the organized criminal groups were involved in such trafficking. The report held the Egyptian government responsible for failing to achieve any progress in enforcing the Human Trafficking Law over the last year, pointing out that it failed to officially identify the victims and provide them with

⁹ US State Department's Human Trafficking Report

protective measures; to the extent that some of these victims were punished for committing acts they were forced to do. It also argued that the Egyptian government did not fulfill the minimum standards required to combat human trafficking, despite its prohibition in the newly adopted Child Law, indicating that the Egyptian Penal Code does not prohibit all forms of trafficking, and the Labour Law does not include a definition for coercive labour or any provisions against it.

Women Trafficking and Exploitation in Commercial Sexual Acts

Sexual tourism has become highly widespread in Egypt during recent times, especially in Guiza rural areas, such as Elhawamdeya, Tamouah, Elbadrasheen, etc., where female minors are temporarily and unofficially married to men coming from the Gulf area. A middle man (called broker "semsar") is mediator for the marriage, which takes place in return for an agreed sum of money.

The said report noticed that human trafficking in Egypt was still a source, means and target for human trafficking of women and children, by imposing forced labour and sexual exploitation; placing Egypt in the list of states under observation for the fourth consecutive year.

The increasing domestic labour is also another aspect of human trafficking, where they are all women and girls. It is noteworthy the lack of statistics in this sector as no work on this concern is carried out either by the civil society or the State; which makes the work conditions for this category harsher and more coercive. Some local papers published cases revealing the violations committed against some female servants, to the extent of physical and sexual assaults, even leading in some cases to death, degrading treatment and forced confinement in the work place, deprivation of food and health care, unlimited working hours without days off, in addition to failing to or delaying to pay their wages and assigning to them chores far beyond their capabilities. Networks to defend their rights do not exist, and domestic female workers are often at risk of being exploited for prostitution. While there are no accurate statistics regarding this problem, the published information in the newspapers provides us with an indicator of its volume and the inadequate mechanisms existing to tackle it.

The Efforts Exerted

1. The Shura Council opened a debate regarding this phenomenon with a draft law aimed to tackle it. The Ministry of Family and Population and a number of civil society organizations also conducted several awareness campaigns to find solutions for it.
2. The Ministry of Family and Population started developing an integrated strategy to combat the phenomenon of female minor marriages, with all its aspects related to public policies intended to address the community divergences in the long run, by coordinating with the concerned bodies to

ensure interaction with the root causes of this phenomenon over many years. This is done by raising families' awareness and protecting the targeted villages from brokers and those involved in such crimes, by training rural community leaders within the local authorities and coordinating with the protection sub-committees in the villages, which are legal mechanisms to report under age girls at risk of early marriages, and to empower their families through small enterprises implemented via the partner civil society organizations which are being trained to implement integrated activities to reduce this phenomenon.

3. Cabinet Ministerial Decree No. 1584 of 2007 was issued to form a coordinating national committee to combat and prevent human trafficking. The committee drafted a bill for human trafficking and discussed it with the relevant parties.
4. A children anti-trafficking unit was set up in the National Council for Childhood and Motherhood (NCCM).
5. The new Child Law contains an article added to the Penal Code criminalizing child trafficking.

The Challenges

- Lack of data, statistics and information regarding human trafficking in Egypt;
- Immigrants' and asylum seekers' conditions, and long delays for deciding their status;
- Poverty and its negative impacts on marrying female minors and selling children, as well as weak control mechanisms;
- Lack of legislative protection;
- Existence of organizations, individuals and gangs outside the borders, with internal links;
- Girls' families use deceptive means with the help of the GPs to issue an age estimation certificate so that they can legally marry their female minor;
- Truancy due to extreme poverty which prompts the families to send their minor daughters to work as domestic servants or marry with Arabs from the Gulf area even if they are old aged; and
- Presence of known marriage brokers who earn their living from such trade and evade any legal accountability because of the families colluding with them to secrecy and abstention from reporting such deals.

The recommendations:

- To enforce the Child Law which defines the age of a child up to 18 years and contains an article on human trafficking, and to implement punishments on law violators;
- To complete the enactment and implementation of the Human Trafficking Law and the executive regulations thereof;
- To implement Poverty Reduction Strategies (PRSs) and empower poor families with economic development;
- To provide female domestic servants with legal protection;

- To implement control mechanisms on areas known for human trafficking; and
- To cooperate internationally and with the UN organizations to expedite the decision on immigrants' applications.

Article 7

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

The State of Affairs for Women's Participation in the Political Life of Egypt:

Women's political participation remains the weakest area of Egyptian women's status. While they secured their political rights over 50 years ago and entered the parliament in 1957 with two members (0.57%), and the many radical changes in the economic, social and cultural women's status in Egypt, their participation remained extremely marginal. They gained in the latest parliamentary elections only 4 seats (1%), which prompted the political leaders to appoint 5 seats for women from a total of 10 seats for those appointed to the Assembly. This shows a decline in parliamentary women's representation (first legislative council) from 2.4% in the 2000 elections to less than 2% in the 2005 elections.

First: Women as Voters

The rate of women enlisted in the voting tables evolved greatly during the previous period, as it increased from 18% in 1986 to 35% in 2000, and then to 39.8% in 2006¹⁰.

Second: Women as Candidates

Women in the People's Assembly and Shura Council:

Despite the significant increase in the numbers of those listed in the electoral slates mentioned above, the latest election results showed a decline in women's

¹⁰ Source: Publications of the Second Intellectual Forum for the NCW regarding political participation, 12/7/2000 – Ministry of Interior – Information Centre, 2005 – Periodical Reports No. 6 & 7

representation, as their representation share in the People's Assembly was less than 2% in 2005 of the total members (it was 2.4% in the 2000 elections). This could be due to the gaps in the election process which hindered the electorates' performance, in addition to the widespread violence and bullying which caused fears among the candidates, where some female candidates were exposed to harassment and difficulties in the election war (please refer to the case studies in this report, in the section of violence against women). With regard to the Shura Council, their number increased from 3.3% in 1980 to 5.7% in 2002, due to the appointment of some members in the Council. This rate stayed the same in 2005, while in the election for renewing two thirds of the Council which took place in 2007, one lady gained a seat by election and some others were appointed seats, bringing the rate to 7%.

It is striking to note the contradiction between the number of women candidates and the results previously mentioned, where there was a progression in the candidates' rates over the last 20 years, compared to a regression in their representation rate, which indicates their increasing self-confidence and leadership capacity, thanks to the efforts exerted by the NCW and the NGOs in supporting women's leadership capacity. Meanwhile, the society environment remained the same, and even in some cases regressed, reluctant to allow women decision-making offices. This indicates insufficient efforts made, especially by the State, its media and education institutions, to change that traditional culture associated with stereotyping gender roles and limiting women's roles to the reproductive function. It also shows that the various political parties, with the ruling party on top of the list, do not assume their roles in this regard.

The political leadership uses the appointing mechanisms as a kind of positive discrimination in an attempt to improve women's status and increase their representation. However, the appointed representatives tend to be from the ruling party. By tracking back the appointing mechanisms since the parliament of 64-68 and through that of 2005-2010, it is noted that there is an inverted relationship between the numbers of women elected and those appointed in the Assembly.

Women in the Local Councils:

The rate of women's participation in the local councils was nearly 5% in the last round, as a result of the directives made by the ruling party to increase women's representation rates which was 1.8% nationwide in 2002 (the previous election of the local councils); while it was 1.3% in the rural areas and 5.2% in the urban district areas, which shows the considerable effect of the traditional culture in the rural areas and inadequate efforts made to empower rural women.

The declining rate of women's representation could indicate the limited efforts exerted in the villages and towns in the rural areas, whether regarding female leadership training programmes or changing the prevailing culture related to tribes and clans, as the most prominent hindrance to women's political participation in these regions.

Political Parties and Women's Participation:

All aspects and studies show how feeble the performance of the parties is in forming female political leaders and introducing them to the public life.

The statistics and information on women's participation rate in the political parties is scarce; which makes it difficult to accurately assess the progress achieved in this concern. In fact, the lack of such information is an indicator of the poor level of interest to effectuate women's participation by the parties.

The parties did not welcome the nomination of women to their list of candidates for the parliamentary election of 1995, 2000 or 2005, despite the increasing turnout of candidates, from 87 in 1995, to 121 in 2000, to 127 in 2005. The parties' voting for women remained close to nothing.

Women's Status in the Workers' Unions:

Women's representation in the boards of directors of the workers' unions in the 2006-2011 election had improved as 10 women were successful at the level of general unions, while there were only 4 in the election round in which the last report was presented. This rate is increasing as a result of the decline in female workers' rates in light of privatization policies and structural adjustment procedures which had a negative impact on female labour as a large percentage left work in return for an early retirement settlement. However, the representation rate is still below the proportional representation level (Analysis study of the workers' union election in the 12th round "2001-2006", prepared by Eng. Magdy Abdallah, Friedrich Ebert Institution, Egypt Workers Union).

Women's Status in Trade Unions:

Women's representation rates in trade unions indicate the same gender-based distribution of work, which stereotypes and limits women to some fields, such as nursing and education, while their representation in other domains, such as engineering and sciences, is significantly low. The gap widens in the boards of these unions, where their representation is almost non-existent, such as lawyers, doctors and pharmacists. In the journalist union one woman gained a seat in the board in the recent elections of 2007 after two rounds where the board comprised only men.

Women and Non-Governmental Organizations (NGOs):

In recent years the NGOs movement expanded and their number significantly increased. Female members' rate was nearly 35%, yet their representation in the board of directors was no more than 18% on average, while the decision-making positions are still limited to men. Further, the previously mentioned rate hides stereotyping of women's role, as most of them work in administrative positions in the family planning organizations (42%) and the motherhood and childhood organizations (37%).

Source: Draft of the 6th report – Legislations and Political Participation – Mona Dhoulfaqr.

Women and Public Employment:

The 6th and 7th periodical reports of Egypt did not mention any development in the rates of women's employment in the Public Department, so as to be able to monitor the progress achieved in this respect.

- However, the limited progress achieved could be noted in the ministerial posts women gained, as 3 women were appointed in ministerial offices during the last cabinet reshuffle, namely, the Ministry of Labour, Ministry of International Cooperation, and Ministry of Family and Population. This came after one minister was appointed in the former cabinet structure to the post of Minister of Social Affairs.
- Women's percentage in public employment on the national level is still very limited, and their empowerment in leadership positions on the level of local administration is insignificant. One woman or two are heads of a village or a district, which is not in proportion with the capacity and role of women in the local community, and does not contribute to changing the society's trend to accept the social and political role of women.
- For the first time, Egyptian women stepped into the judicial domain in 2003, as a female judge was appointed in the Supreme Constitutional Court, followed by 3 female judges appointed in the negotiating panel of the Supreme Constitutional Court. In 2007 and 2008, 30 and 15 female judges were appointed consecutively. This step is evidently a great achievement towards eliminating one of the forms of discrimination against women, however, it does not represent an integrated system to empower women in assuming judicial tasks, where they should have equal opportunity starting from the base of the ladder in the judiciary, i.e. the public prosecution posts, where they face discrimination and are not allowed to be appointed, let alone applying for a job there. The female judges are also limited to certain fields in the judiciary.
- Some posts are still closed to women such as that of the governor.
- Women did not participate in the drafting committee of the new constitutional amendments.

The Efforts Achieved:

- During the last period, strenuous efforts were made to issue official documents for women, encourage them to apply for voting cards, make them aware of women's political role and their participation as voters and candidates (Political Forum Project for Women), and to implement many programmes to support female leadership capacity; and
- Egyptian women entered the judicial system and were appointed to untraditional offices, with extreme restrictions.

The Challenges:

- Seats granted to women in the People's Assembly were added to the original parliament's seats, and not allocated as a percentage of the total seats; which suggests to the public that men have incontestably exclusive rights to the original seats, in the present and the future. Further, the seats were allocated to women according to demographic constituencies (at the governorate level) much larger than those for men (at the district and village levels); which creates challenges to women candidates who have a much wider constituency, heavier election campaign burdens, and more needs for resources and funds. The duration was also limited to 2 terms only, which make it impossible to achieve the expected results (this contravenes with the Committee's Recommendation No. 25 which rejected prior determination of the temporary measure term and rather being subject to achieving the expected results). The constitutional amendments did not comprise the "Shura" Council or the local councils;
- Buying women's votes for influential and authoritative candidates due to their needs for money and the deterioration of their economic conditions. This shows a lack of awareness, shortcomings in the efforts made in this regard, whether by the government bodies or the political parties, and a deficiency in the NGOs performance due to the difficulties hindering their progress;
- The prevalence of violence and bullying in the election campaigns is a substantial obstacle for women who wish to practise their political roles, since this field became unsafe, subjecting them to risks;
- Divergence in gender equilibrium in the society, where power is devoted to men, often leading to men's votes prevailing over women's votes, especially in the rural communities;
- The fundamentalist expansion in the Egyptian society since the 70s and the decline of liberal and progressive streams, have adverse impacts on the Egyptians' perception of women's role in the political and economic life;
- The political environment is a major constraint to women's political participation, due to the restrictions imposed upon the parties' activities and the pressures exercised on the opposition parties; which create a public impression that such activities are risky and unacceptable from the part of the Authority and have negative implications on women's (and men's) participation in the political and parties' activities. Furthermore, the existing parties suffer from favouritism, power personification, and lack of internal democracy, all of which have negative impacts on the will of male and female citizens to join any opposition parties*;
- Women's economic and social conditions have an adverse effect on their political participation. A large segment of women in Egypt is still suffering from poverty and illiteracy¹¹;
- Deficiency in measures taken by the State to empower women to conciliate between their roles inside and outside their family spheres;

- Social upbringing is based on discrimination against women and labeling their roles in such a way that reduces their freedom of choice and decision, as well as their opportunities for effective social participation; and
- The role of education and media in stigmatizing women's role, which strengthens the traditional culture that refuses women's political and community participation.

The recommendations:

- Adopting the election systems which support women's participation so as to ensure an increase in women's representation in the electoral councils;
- Adopting a media policy designed to change the stigmatized look on women's role in the household care and to display their political role;
- Providing equal opportunity for women's participation in the deliberation on legislative amendments and local administrative laws, as different alternatives could be put forward to increase women's representation;
- Coordinating between the NCW and the NGOs, based on partnership, regarding the efforts exerted to combat all forms of discrimination against women, especially in the field of policies and legislations, without limiting their role in the practices;
- Enacting a law to deter violence practised in the electoral process, and to aggravate the punishment in case of gender-based violence.
- Providing women with security while practising their political rights;
- Voting by virtue of the national ID, facilitating the registration transfer procedures from one constituency to another, and transferring the registration committees from the police stations to the Civil Registry Offices.
- Intensifying awareness campaigns on women's political rights, with special regard to the State's various institutions;
- Encouraging the establishment of equality committees within the parties, to take into consideration equal candidature and leadership between men and women;
- Liberate the civil society work and empower the NGOs to effectuate women's political participation; and
- Including the values of citizenship, participation and equality in the educational curricula, and effectuate the female students' practices within the educational institutions.

Article 9

1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.

2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

The Egyptian mother has the right to attribute her nationality to her children like the father; discrimination was eliminated from the law. However, there are still predicaments on children born before the enforcement of the law, especially those born to a Palestinian father. In addition, the Egyptian wife to a non-national husband does not have the right to attribute her nationality to the husband same as the Egyptian man.

The Efforts Achieved:

On the level of law of nationality, the law has been amended to grant the Egyptian mother the right to attribute her nationality to her children like men, eliminating the discrimination in the law through two articles by virtue of law No 154 of 2004 amended by law No 26 of 1975 on Egyptian nationality:

The first article: 2/1 a) Any child born to an Egyptian father or mother shall be an Egyptian national. This applies to all children of an Egyptian mother born after the enforcement of the law.

The second article: Resolving the problem of those not included in the law after its enforcement, such as children born to an Egyptian mother and non-national father before the law issuance and enforcement. It was amended by the third article as follows:

Article 3 - Law No 154 of 2004:

Those born to an Egyptian mother and non-national father before the date of the enforcement of the law shall advise the Minister of Interior of their desire to acquire the Egyptian nationality. They shall be granted the Egyptian nationality upon the Minister's decree or after a year of the date of their advice without the issuance of any decree refusing their request. As per the previous paragraph, acquiring the Egyptian nationality entails minors acquiring such nationality, as for adult children, they shall follow the aforementioned procedures to acquire such nationality.

If those born to an Egyptian mother and non-national father died before the date of the enforcement of the law; their children shall acquire the Egyptian nationality by virtue of the previous two paragraphs.

In all cases, minors shall advise their desire to acquire the Egyptian nationality through their legal guardians or mothers or in case of the absence of both; those in charge of upbringing shall advise such desire.

The Efforts Achieved:

- The law has been amended to ensure equality between men and women in attributing nationality to their children.
- The Egyptian Government withheld its reservations on Article (9) and it has been submitted officially to CEDAW Committee in January 2008.

- Prior to amending the law, many facilitations were granted in attributing nationality to the children of women married to foreigners, including the granting of nationality upon a ministerial decree for many children and the cancelling of educational fees.
- Civil society organizations performed researches and studies on the follow-up of the enforcement of law No 154 of 2004 amending law No 26 of 1975 on Egyptian nationality.
- Judicial assistance to some cases including the children of an Egyptian mother married to a Palestinian father; forced to go to court.
- Acquiring rulings asserting the enforcement of the law on all children of the Egyptian mother, regardless of the father's nationality without exception, however they were not enforced yet.
- The judicial rulings asserting on the legal right of the Egyptian mother to attribute nationality to her children, regardless of the father's nationality; were promulgated.
- "Al Ahaly" newspaper published a series of articles and reportages to disseminate awareness on the law amendment and its supporting judicial rulings.
- Civil society organizations are calling for the Egyptian women right to attribute their nationality to their husband same as Egyptian men, while the Egyptian law does not entail such right and does not grant the non-national husband any privileges or exceptions regarding residence or work.

The Challenges:

Following up on the enforcement of the law as per its third article, several predicaments were found as follows:

1. All requests are submitted in one place at the General Department for Passports, Immigration and Citizenship in Cairo for all Egypt's governorates causing great disturbance and trouble.
2. The condition on paying financial fees for those children born before the enforcement of the law which constitutes huge financial burden on most families.
3. The child of the Egyptian mother married to a foreigner and born before the enforcement of the law shall not acquire the nationality until a grace period of one year has passed in case the Minister of Interior did not respond.
4. The administrative bodies refuse to grant nationality to the children of Egyptian mothers and Palestinian fathers infringing the law and adding to the obstacles and sufferings facing the Egyptian mother, such as the following:
 - She has to go to court passing through many stages and procedures at the administrative body entitled of the law enforcement, then three stages before court until acquiring a ruling that stipulates her children right in the Egyptian nationality as per the law.
 - The financial costs she endures going to court in order to prove her lawful right.
 - Tardiness in enforcing the issued judicial rulings resulting in wasting time and money despite the amendment of the law and ratifying the equality principle

in attributing nationality to all children without the exception of the children of the Palestinian father.

The recommendations:

1. Exempting the children of the Egyptian woman married to a foreigner, born before the issuance of the new law, from the due fees.
2. Revoking the adverse decision infringing the law of the administrative body that prohibits the children of the Egyptian woman married from a Palestinian from their right in their mother's nationality.
3. Revoking the conditions on Egyptian women's rights to attribute her nationality to her foreigner husband similar to the same right granted to the Egyptian men married to a foreigner.
4. Working on the equality between men and women in attributing her nationality to her non-national husband.

References – documentation:

1. "Arab women and citizenship – steps towards equality" - Mervat Abu El Teeg, May 2006.
2. "The rights of Egyptian woman between text and application" - Mervat Abu El Teeg, 2008.
3. Reportages with mothers married from Palestinians – Al Ahaly newspaper, 2008.
4. Center for Judicial Support – "Omy" Mother Association for rights and development.

Article 10

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women

The State of Affairs:

- Article 18 of the Egyptian constitution stipulates "education is a right guaranteed by the State, which is compulsory at the primary stage", while Article 8 thereof stipulates "The State shall guarantee equal opportunities for all citizens".
- As per the official statistics of Ministry of Education on education year 2007/2008, the gender gap in all pre-tertiary education stages was reduced, except for industrial secondary education as the gender gap reached 40% of

the total enrolled in the industrial secondary education. A study presented by the Central Agency for Public Mobilization and Statistics (CAPMAS) referred to the total number of pupils in the basic public education stages equals to 11.8 million pupils – while female pupils equalled to 5.7 million (48.2%) during 2006/2007.

- The number of basic education schools in Egypt in 2006/2007 equals to 31.6 thousand schools including the religious education schools, which means that the average class intensity equals to 43 pupils and mounting to reach more than 100 pupils per class in poor areas and informal settlements, such as schools in “Saft El Laban – Bashtel – Embaba”.
- The increased number of private schools in the basic education stages during the last five years is higher than governmental/public schools.
- Number of truant pupils in basic education reached 8,848 pupils between the age of 6-18, where girls represent 60% of such number. (Source: initial data of Egypt census 2006)
- Illiteracy rate in Egypt equals to 29.3% of the total population in the age group between 15-35, where women represent 64% of such rate, i.e. more than 15 million girls and women, mostly in the rural areas and informal settlements. (Source: statistics of Egypt census 2006)
- Convergence of the enrollment rate between female and male students in the tertiary education through the period from 2001-2004, while there is a decline in female students enrolment in applied faculties “dentistry – medicine – engineering” during the period from 2005-2008. (Source: Higher Council for Education – Statistics Department)

The Efforts Achieved:

- Governmental policies adopting the establishment of new schools in order to narrow the gender gap of girls in the primary education stage, based on a study prepared by Dr. Nader El Fergany in 2000 on the volume of the gender gap as a result of the enrolment of girls in the primary education equals to 650 thousand girls. Based on the above study girls schools were established in 2003 in addition to the one-class schools and society schools established 20 years ago to address such a gap.
- The Government is depending on the active education approach as a good mechanism to sustain an adequate educational environment to encourage students to continue in basic education especially girls, “as a recent field study proved their good interaction with such an approach”.
- In 2007, the national plan was designed to develop education in Egypt based on the pressure and social direction towards developing and reforming education to include the capacity building of humans and to depend on innovative thinking, criticism, dialogue and analysis.
- The Convention of the Elimination of all Forms of Violence against Women (CEDAW) in the academic curricula of some Egyptian faculties, especially in Faculty of Law. In addition training and awareness programs were designed for university students on the Convention in cooperation with universities and civil society organizations.

- The Ministry of Education amended some of the educational curricula and incorporated Child Rights Agreement in such curricula.

The Challenges and Gaps:

- The government did not adopt the rights and equality approach in the educational curricula despite the incorporation of Child Rights Agreement in some of them, yet they did not include The Convention of the Elimination of all Forms of Violence against Women (CEDAW). In addition there is a divergence in the rights concept in the educational curricula of the basic education stage. In 2007, a study performed by the Woman and Society Association, pointed to the content of the educational books of the primary stage (first, second and third years) which was amended in 2007/2008, proves that such content continues to reflect a stigmatized picture of women as a consumption creature suitable only for household chores (mother and teacher roles only). On the other hand, men are pictured as the great business maker outside home, boys meant for playing or studying while girls help mothers in household chores. This is apparent in the Arabic language books of the first and second years of primary school, as images in the book affirm the narrow role of mothers only in the kitchen and cleaning the house. While the books from the fourth year of primary schools till the third year of preparatory schools discussed the issues of women's rights in work, equality with men, the circumcision issue and fostering women social role (why such inconsistency and divergence?).
- Training and qualifying male and female teachers is based on extreme stigmatization by the government organs and redirects the community culture towards the patriarchal concept which is directly reflected on the new generation of pupils in the different educational stages through the daily management of classes. In addition, this is reflected in some of the discriminatory practices to include the compulsory direction of the school administration concerning the leadership activities in order to regulate that student unions in mixed schools and general unions shall be presided over by male students, as the assisting leaders or the second posts are given to female students.
- The government did not provide plans or programs that ensure and support the education right stipulated in Article 18 of the constitution (education is a right guaranteed by the State, which is compulsory at the primary stage for all children in the required age". The educational policies and strategies did not include protection and care programmes for truant pupils or those at risk of truancy, with special regard to the girls, where their educational future is sacrificed, especially in families suffering from low income rates (at the poverty line or under the poverty line). National Human Development Reports show that such families are equal to 48% of the total number of the Egyptian families. Furthermore, the government did not coordinate between development policies and combating poverty for such families as an incentive and encouraging factor to retain their children in the education system.

- The weak moral instructions programmes inside schools, where the role of the social worker needs effectuating, with the absence of psychologists in the vast majority of the schools. This led to a weak school role in following up pupils, addressing problems and challenges and an increase in truancy rates, especially in girls, constituting a far more serious and deeper problem, namely street and working children.
- The great decline in female students enrolling in applied faculties like medicine and engineering during the past five years.
- Despite the widening of the pyramid base of employment hierarchy for women in the education field in the teachers and lecturers posts, nevertheless they only constitute 20% of the leading posts inside their educational institutions.
- Revoking the ministerial decree on the civil society participation as a key member in the board of governors on the level of the Ministry, directorates, departments and schools at Ministry of Education led to the non-representation of women in the decision making centres of such boards, schools and local communities.
- At the beginning of the current century, planning and implementation for a girls-friendly schools initiative took place. They are found in hard-to-reach areas in the hamlets and smallest villages of Egypt and characterized with high education quality and efficiency. However, ultimately they did not achieve the planned objectives they were founded upon. It was planned to build 5,119 schools to accommodate 50% of the total girls not enrolled in education (equal to 179,139 girls). Unfortunately the initiative did not fully succeed and only 1070 schools were build (i.e. 20% of the planned number) receiving 31,740 girls (17.7% of the targeted number in 2007). (Source: the national plan for the initiative of girls education)
- The General Authority for Literacy and Adult Education in Egypt placed more obstacles and challenges for women who wish to enrol for literacy programmes, such as having a national ID card as a prerequisite to join the classes and limiting the age group for enrolment to range between 15-35 years only. Further the situation became inhuman and illegal in dealing with those older than such age group. Despite the non governmental efforts to include those elder than such age group specified by the government organs entitled with the literacy programs, the latter did not cooperate to facilitate issuing documents and certificates to prove completing literacy classes.
- Despite the incorporation of literacy programmes as one of good mechanisms in adult education system, however the General Authority for Literacy and Adult Education in Egypt cancelled all vocational and skills training programmes, which was an important approach and a basic need for women to join literacy classes in the new system of life learning and continuing education.
- Inadequate official policies and strategies for literacy and adult education to meet the basic needs of illiterate women. They did not include policies on combating poverty, economic empowerment and awareness programs. They only included reading and writing without learning any other skills, as well as marginalizing the state role in granting education opportunities for women

after completing literacy programs in order to continue in other education stages.

- The official educational curricula in the Literacy Division did not respond to women's needs, such as taking into account the demographic and gender diversity in the education programmes intended for rural and Bedouin women, as well as women living in the informal settlements and marginalized areas.

The recommendations:

- To increase of government budget allocated for public education, to build schools and develop literacy outreach programmes for women, especially in the areas marginalized and excluded from human development programmes; where girls and women are deprived of education. In addition to calling for excluding education from budgets affected by the world economic crisis and issues of economic restructuring and privatization;
- To respond to the lobbying and monitoring powers in the society, who are active in the education field, so as to develop strong and effective partnership bases; and to ask the government to approve and reinforce rights syllables and to place guarantees to implement the constitutional right of education for all citizens;
- To design strategies and national plans for women and girls literacy, adopt the training mechanism and combat poverty as a good approach to improve the standard of living of poor women;
- To develop national strategies for the protection from and prevention of truancy, especially among girls, and provide a suitable environment for the concerned actors in the society to take part in these strategies, for example, to annul all educational fees, direct and indirect, in the basic education system;
- To call on the government to fully coordinate with all social and cultural educational institutions, from the Ministries of Education, Higher Education, Communication and Culture, with the aim to foster the concept of justice, equality and political rights for all, based on citizenship and without gender-related discrimination;
- To establish links and networks supporting the civil society and the NGOs which contribute to producing a good role model in the context of regular and irregular education systems, which fulfils the needs of women and girls for training and educational programmes, qualifying facilitators and teachers to manage classes and continue education, support distinguished women in this aspect to become a promotional, media and social models to maintain and develop women's capacity;
- To improve and modernize the academic curricula in the pre-tertiary and tertiary education systems, so as to adopt the rights approach of justice and equality bases on citizenship and to lay down the scientific bases to measure the effect thereof upon the students and the society;

- To develop effective strategic plans on training, build and improve women's capacity in the field of tertiary and pre-tertiary education systems and to measure the effects thereof.

Article 11

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights

The State of Affairs:

In 1960 Egypt ratified on the ILO Conventions No. 100 of 1951 and No. 111 of 1958 regarding discrimination in work and employment. Nevertheless, the rate of women's economic activities in Egypt is 40% of that of men. The female labour force is 25-30% of the total labour force. In 2002, the official unemployment rate was 13% where the female share was 23%¹².

Statistics suggest that there is an inverse proportion between the age and illiteracy rate among women compared to men. Such a rate is higher in the rural areas and Upper Egypt than in the urban areas and the delta regions, for example it reaches 57.8% in Elminia¹³. By comparing the statistics of the previous Human Development Reports with those of 2008, a decline was noticed in the female school enrolment rates, in the first grade of the primary education, as it was 93.9% compared with the statistics of 1995 and 2002. Other studies also suggest increasing illiteracy rates among the poor, reaching approximately 48%.

As regards principal work domains for women, they are in the rural sector and irregular employment, where income is low and protection mechanisms are non existent.

Despite the higher women's participation in the official economic activity, the HDR of 2004 showed that women in Egypt are the group most affected by the reduction of the services.

Further, according to the ILO report, the salary rates for women in Egypt are around 83% of those gained by men, although Convention No. 10 ensures equal wages for equally paid jobs, and the Egyptian law stipulates equal wages for the same job. The gap closes though in the public sector, while women receive in the private sector slightly more than two thirds of men's wages.

Labour laws reduce the employment opportunities for women, as the unified Labour Law of 2003 removed and reduced many advantages granted to female workers in the

(ICFTU (Discrimination against Women at Work 2006 – Case of Egypt)¹²

CEDAW Coalition Observatory Report – Source: AbdelNasser Ismail, Privatization of¹³ Education and its Impacts on Development Efforts, 2006

past, by stipulating that the leave without pay given to women to care for their children be two years maximum for one single instance, to be no more than two instances throughout their employment life, and that they are also not allowed to obtain maternity leave before 10 months of commencing work. Further, there is a clause in the said law related to female employment, stating that: "...implementing control, management and employment of female workers without differentiation", yet it does not include the following groups:

- Female domestic servants; and
- Female agricultural workers.

In general, there is insufficient control on enforcing the laws related to labour rights in Egypt, and on protection mechanisms from discrimination at work and in employment. Women are also employed in lower income jobs.

The Trade Union Law stipulates that temporary labour may not join union committees, which is a violation of the international standards of labour and union rights. As a result of this defective legislation the majority of female workers, especially in the new industrial zones and the industrial sectors which rely on female labour, who have temporary employment contracts in the business sectors are denied the right to organize unions and cannot join the union committees even though they know that such committees do represent their interests. The situation is exacerbated in the investment businesses within the new industrial zones, where there are no union committees, which allow employers to exploit their employees who have no protection or defence mechanisms to secure their rights.

One of the most abominable violations committed against female workers is being exposed to rape attempts inside the industrial zones as they are far from residential areas and are not provided with heavy security.

Field monitoring of women's rights at work recorded an incident where a female worker was subject to a rape attempt inside the industrial zone in Port Said as she was leaving work at night; the whole matter was hushed up and she was offered a sum of money as compensation. Female workers also mentioned being exposed to assaults as they were leaving work at night. Most of them live in the nearby villages and have to walk long distances through the agricultural ways¹⁴.

During recent years and under the predominant political, economic and social conditions, with the ensuing dangerous cultural changes in Egyptian society, some voices were calling for the return of women to their homes. Discrimination emerged, and there were attempts to drive out women from work in many sectors through advertisement requiring male candidates "only", and explicitly acknowledging that they do not wish to have to waste time and money to respond to female workers' rights, such as maternity and child care leaves, and other rights prescribed by law.

They were also allowed not to observe the working hours stated by law, which in the new cities reached over 12 hours per day¹⁵.

The Labour Law excluded some groups from its legislative protection (those who are under the age of 18 years, who have no regular relationship with the employers, domestic servants, agriculture workers and peddlers).

This suggests that not all workers are subject to the Labour Law, and consequently are not covered by the social security umbrella.

1. It is worth mentioning that more than 98% of domestic servants are female workers, which necessitates maximum attention to incorporate them in the Labour Law and social security schemes, so that they enjoy the same rights as the other female workers who are included in the Labour Law, knowing that their work conditions are harsher and more coercive, if compared with other groups protected by the said law, and especially that most of them are young girls whose age ranges between 9 and 18 years. This is the second group excluded from the protection provided by the law, as they are minors and the articles of the Labour Law do not apply to them, despite the fact that they are workers without the least legal protection.
2. Although the international conventions and the laws governing work prescribe that no discrimination may take place between men and women, the reality reveals patterns and forms of discrimination against female workers at work, which differ from one sector to another according to the nature, place and statutes of work.
There are intentional practices to increase the rate of failing job appraisals among women, leading to freezing any promotion in general, which hinders the ambitions women yearn to realize, by promotion and by occupying leading positions before going into pension. There were also forms of discrimination related to the type of work, as women were given marginal works which do not require skills. Thus, they are deprived of promotion opportunities and consequently pay rise. With regard to the working hours, some women work more than 8 hours per day. The investment sector is the most transgressive sector in this concern, beside some other sectors in which women are forced to work overtime otherwise they lose their jobs; meanwhile they do not receive appropriate compensation in return for working extra hours.
3. Occupational casualties and diseases are another significant problem for female workers, especially those working under unsafe conditions, leading to the many health problems that they are faced with. There are a number of reasons, the most important of which is the shortcoming in the services provided by the industrial security, and health and safety committees. The situation worsens in the absence of any legal guarantees for female workers. Further, there are no crèche facilities in the work premises where there are less than 100 female workers, according to the law; and there is a lack in

The Rise of Labor Movement – a book by the Association for Community Participation, 2008 ¹⁵

transportation services, especially in the remote areas, which subjects female workers to hazards and attempts of rape.

4. With regard to female workers' condition inside the work premises, they are often subject to sexual harassment by their superiors. Further, the Labour Law does not contain any article criminalizing sexual harassment inside the work premises. Hence, many civil society organizations requested the inclusion of an article for this purpose, and the matter is still under consideration.
5. The main motive for women to work under the present conditions is their dire need for an income, even if it is low. This reflects the economic urges necessitating women to go out for work under such harsh conditions. Female labour is also higher in the industries that require intensive and cheap manpower, as they have an inferior position, socially, culturally, educationally and legally, which makes them inexpensive to employ and easy to exploit, in addition to the great lack of awareness of their rights and how to claim them, as they are engaged in a more important struggle, which is fighting poverty. Further, some investment businesses tend to rely on unmarried female workers and cast married workers away from the labour market, after they have a baby and under the temporary contract agreements which grant employers the disadvantage of not having to renew the employment contracts. Such favouritism is related to the wish of employers not to incur financial costs due to the reproductive role of women, although they are reduced by virtue of the new Labour Law.
6. The call of civil society organizations for including an article in the Labour Law criminalizing sexual harassment has not yet been decided. All forms of gender-related violations at work are not monitored by the civil society that should also encourage women to claim for the inclusion of such article, and should make them legally aware of the Labour Law and bylaws through symposia and workshops organized by experts in this field.
7. Job picketing and union strikes inside the work premises are another means to call for the rights to increased wages, social insurance, and monthly bonuses, as well as having the promotion activities in their due time, and detach bonuses from annual and sick leaves.

The Challenges:

1. There are many forms of discrimination against women in the work relationship, such as in selecting supervisors among male workers, assigning marginal unskilled tasks to women and thus delivering lower income, and in some business sectors like the weaving industries, denying women the benefit of the shift system; which again means lower net income.
2. The main motive for women to work is their severe need to gain income. The glaring example of the low income female workers gain in the labour market indicates the economic necessity driving women to go out for work to fulfil basic needs for their families, especially if they are divorcees, widows or the main breadwinners where men are unemployed.

3. Work conditions in the investment business sectors are extremely degrading as far as the working hours, leaves, lack of legal employment agreements and lack of awareness of the contract clauses, resulting in the exploitation of female workers.
4. In industries requiring cheap and intensive manpower, female labour is higher as they have a lower position, socially, culturally, educationally and legally; which makes them easy and cheap workers to exploit. Further, female workers are subject to all types of non-economical exploitation, such as sexual harassment with special regard to the private sector, where no laws or mechanisms exist to protect them from such exploitation.
5. Female workers lack awareness of their rights and how to claim them.
6. Lack of control mechanisms to monitor occupational hazards or support female workers to protect themselves from them. There is also a lack of mechanisms regarding occupational diseases, to grant them appropriate compensation.
7. The investment business sector prefers young labour, sometimes even under the legal age (under 18 years). The rate was around 22% of the total female workers in the said sector, where no controlling authorities were available.
8. There is a trend to employ unmarried female workers in the investment business sector and to push aside married workers from the labour market, after they have a baby and under the temporary contract agreements which grant employers the advantage of not having to renew the employment contracts. Such favouritism is related to the wish of employers not to incur financial costs due to the reproductive role of women, although they are reduced by virtue of the new Labour Law.
9. Female workers are forced to work without social insurance; otherwise their employers would reduce their wages. On the other hand, those insured in the investment business sector tend to have a lower rank and wage, as a means to pay less social insurance. Some female workers bear the extra cost to maintain their insurance by having it deducted from the wages as provided in their employment agreements. In all cases, they have to endure such work conditions so that they do not lose their jobs.
10. Weak union committees in the investment businesses because of the provisions provided by the law, fear of not renewing employment agreements and a lack of conviction of the effectiveness of such provisions.

The recommendations:

- To adjust laws and bylaws in line with the international labour standards regarding any form of discrimination against women;
- To endeavour to include an article in the Labour Law criminalizing sexual harassment inside the work premises;
- To call for the amendment of the article related to setting up a crèche in the work premises even if the number of female workers is less than 100;
- To inspire female workers to demand to form a committee catering for the interests of workers (e.g. promotion committee, complaint committee, housing committee, etc.);

- To exert pressure on businessmen in order to draft employment contracts for those who do not have any, and to abide by the international labour standards;
- To limit the working hours of shifts to a maximum of 8 instead of 12 hours, and allocate a break during the shifts; and
- To develop bylaws ensuring punitive regulations according to logical standards and in conformity with the Labour Law and the international labour conventions.

Article 12

States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

The State of Affairs:

While half of the country's population enjoys health insurance coverage, the public spending on health remains extremely low, not exceeding 3.6% of the state budget for public spending for 2008/09; even decreasing during recent years. According to the national calculations of health issued by the Egyptian Ministry of Health in 2005, the public health spending rate fell from 46% of the total spending on health in 1995 to 31% in 2002; while the health private spending rate rose from 51% to 61% in the same year. Here again discrimination is noted, as there is a gap in public health spending between the rural and urban areas of nearly 67%. According to the Ministry of Health's statistics for 2008, the share of rural areas of health clinics is approximately 3,000 units from a total of 87,000 units nationwide. The lowest income classes have a share of 16% of the health public spending, while the share of the highest income classes is 24%. The citizens, not the State, bear the largest costs for health spending in Egypt, where their direct spending on health care services reaches 60% of the total public health spending, and 95% of the total private health spending. Not only that, but the citizens' spending on medicines is 58% of the total spending on medicines¹⁶.

In this context, it is found out that women's access to health care services in Egypt faces many challenges, as the citizens are burdened with the major part of these costs, and consequently millions of women are unable to access them. There are also many problems related to the low health care service quality especially in the first aid health care centres in the rural areas. Further, millions of female workers in the irregular and marginal sectors are unable to access these services when needed. The present trend of the Ministry of Health and the State is towards establishing a health system based on the free economy which leads to a higher quality of health care services, yet has adverse impacts upon those who cannot afford them, such as the poor, marginalized, breadwinners, old aged, and those with special needs; so long as

¹⁶ UPR report_NGOs_Egypt

there are no strong and applicable guarantees to identify those groups and provide them with special care.

The latest consensus in Egypt for 2006¹⁷ indicates a gap remaining between men and women regarding the right to live; which is wider in the rural than in the urban areas. Discrimination in all age groups is the main reason behind the disappearance of women.

Mortality rates are higher among female infants than male infants, as of the first month after birth (although the gap is somewhat closer). The rates are even higher in the rural areas, especially among the poor uneducated mothers in Upper Egypt. The 2005 Annual Report¹⁸ of the World Health Organization (WHO) found that the potential mortality rate among children under the age of 5 in Egypt is still higher among female children than male children.

With regard to female circumcision, it was found that the rate of girls and women (age ranging between 15 and 49 years) who were married and circumcised is 95.8%¹⁹, while it was 97% in 2000, which is a positive trend although very limited.

There is top level political support provided by the State's first lady and the Chairperson of the NCW. The law criminalizing female circumcision, whether through doctors or others, is a step on the right path; however it resulted in higher costs requested by doctors to conduct such an operation, as their legal liability is higher here they are caught red handed or reported.

Case studies carried out by a lecturer in Elmansoura University showed the link between female circumcision and contracting Hepatitis C virus, which is widespread in Egypt (according to the WHO the rate is 12%)²⁰.

Awareness efforts are mainly concentrated in the NCCM and NGOs, with many educational efforts made by the relevant ministries, such as the Ministry of Health and Ministry of Education, regarding female circumcision.

The present maternal mortality rate is: 62.7 for every 100,000 live births. While the rate is lower than in 2000, as it was 84 deaths for every 100,000 live births, all of the causes of the mothers' death could be avoided, particularly that such a rate is a critical indicator measuring the health system's efficiency and equity in the society.

Caesarean birth rates are 19.9%, reaching 32.2% in private hospitals, due to the doctors' desire to provide a rapid service and achieve financial gains which tend to be the case in the caesarean cases rather than in natural birth deliveries.

¹⁷ CAPMAS 2006

¹⁸ WHO Annual Health Report 2005

¹⁹ DHS 2005

²⁰ WHO Annual Health Report 2005

A case study which was conducted on the governorate of Suez found that some death cases happen during the pregnancy, labour or post natal complications, where the causes are often due to gross negligence which could easily be avoided, such as:

- 1- Delay in ambulance arrival upon calling for help.
- 2- Absence of obstetricians, gynaecologists, or anaesthetists in the hospital after admission.
- 3- Lack of an appropriate blood group in case of the need for blood transfusion (the family relatives are requested to donate blood).

A case study which was carried out in a university hospital in Cairo "Elgalaa Maternity Hospital", regarding the actual practices in dealing with natural child birth²¹, found that the labours were induced in 91% of the study cases, of which 93% were incorrectly done: 41% cases were prematurely treated with oxytocin and 24% of the cases were treated with the hormone despite the fact that the labour seemed quite natural. With regard to birth control pills, there were two concurrent reasons in 45% cases, which required them to stop administering them. With respect to the methods of dealing with womb haemorrhage in stage 3 of delivery, it was found that only in 15% of cases was the correct method applied, while 65% cases had their uterus contraction induced after the placenta was expelled. The study concluded that the positive preventative intervention in cases of uterus haemorrhage in the stage 3 of the delivery was absent in most birth cases studied.

The prenatal health care rates are improving as they reached 58.4% while it was 40% in 2000; and 78.5% of pregnant women received a tetanus vaccination.

However, there is a huge demographic and economic gap; as the prenatal health care rates in the fifth least economically empowered groups was 30.7%, while it reaches 86.9%²² in the fifth most economically empowered groups.

Total fertility rates were reduced as a result of the efforts exerted by the Family Planning Programme, however, during the last ten years, the decline was brought to a halt and sometimes went further, which may be caused by the increasing female unemployment rate, driving them to focus on the reproductive rather than the productive role outside of the home²³.

The prevailing culture and trend to stop family planning also comes into play (the conservative trend that calls for stopping family planning, and many families, especially the rich, tend toward having large families).

²¹ Cherine, Mohamed, **Karima Khalil**, Nevine Hassanein, Hania Sholkamy, **Miral Breebaart**, and Amr-Elnoury. 2004. "Management of the third stage of labor in an Egyptian teaching hospital," *International Journal of Gynecology and Obstetrics* 87(1): 54–58.

²² Nabil Younis et al., "A Community Study of Gynecological and Related Morbidity in Rural Egypt," *Studies in Family Planning* 24, no. 3 (1993): 175-86.

²³ Role of Women as Family Planning Employees in Egypt - WSP

In the demographic survey of 2006 it was found that: 7.3% of births were accepted (planned), 11.7% of births were unaccepted (unplanned), which indicates a rise in unplanned and unwanted birth rates among uneducated and unemployed women, suggesting that there are unfulfilled requirements for family planning.

Another problem is discontinuing the use of contraceptive pills, either for health problems, inadequate knowledge on how to administer them, or as per the husband's request. Another matter is related to the Family Planning Programmes which target women.

A study conducted by WSP²⁴, where a survey on 1,300 unplanned and unwanted pregnancy cases was made, suggested that:

1. 49% of the cases mentioned the impact of such pregnancy on increasing the family economic burdens.
2. 7% of women were obliged, for economic reasons, to go back to work after child birth.
3. 4% of surveyed women were obliged to resign after child birth.

AIDS

In the demographic survey of 2005, it was found that:

- There is a lack of awareness regarding the disease and the way it spreads, and AIDS patients are severely stigmatized by the society;
- Knowledge of AIDS is lower among girls than boys.
- There is insufficient awareness among the youth, especially girls, of sexually transmitted diseases;
- It is critical to study the role of immigrants/asylum seekers from Africa contributing to the spreading of AIDS and their need for health care services.

The medical staff attitude towards AIDS patients: There are still concerns, even among the medical staff, regarding handing suspected AIDS patients; since their culture is part of the society's prevailing culture, and it is hard to change it by medical information. This is reflected in the fears of the majority of health service providers to care for and treat AIDS patients.

Case Study (source: Al-Ahram gazette): An AIDS patient who was pregnant in El-hommeyat Hospital in El-Abbasseyya, was refused by the doctors and nurses to attend her labour due to fear of contracting the virus, until a female worker volunteered to assist her in the delivery.

Violence and Women's Health:

²⁴ Survey of 1,300 women who had an unplanned pregnancy between 1991 and 1993 - WSP

According to a study conducted by the World Bank in a case country, violence addressed to women was the cause of a 30% loss of the national income²⁵; and Egypt may also incur colossal annual loss because of violence against women.

Furthermore, a study made by the WHO found that women who are at risk of violence lose around 46% of their income.

While national health surveys focus on domestic violence, and only on beaten wives, violence against women in Egypt takes various forms, such as domestic and societal and institutional violence.

The Efforts Achieved:

Many efforts were exerted as mentioned in the government report, mainly constituting a new ministry called "The Ministry of Family and Planning" which pays special care to women's health in all age groups, to enact a law criminalizing female circumcision and to run awareness campaigns for the early detection of breast cancer.

The following comments are made on the government report:

- With respect to the health and rural community leaders, there is the problem of not appointing them by the Ministry of Health and employing them under temporary contracts, which makes them feel insecure and threatened and consequently affects their performance in entrusted tasks;
- With regard to blood transmitted diseases, such as Hepatitis C, there is a lack of medicines to treat the patients with in some remote governorates, which poses further burdens on the patients who have to move to distant governorates to receive them;
- While the basic health care services are provided for nominal prices, the proportionally increasing prices of medicines, especially for chronic diseases, remain one of the biggest challenges;
- The shortcoming in emergency services, and weak referral systems to the specialized hospitals; and
- Although the reproduction health component is included in the school curricula, teachers do not teach it and they still consider it a subject that may not be discussed or taught.

The Challenges:

- Shortages of the budget allocated for public spending on health services, as confirmed by the WHO;
- Insufficient number of health service outlets for women, especially in the rural and remote areas, where the transportation means are difficult and costly;

²⁵ World Bank study on violence against women

- Inadequate quality of the health care provided;
- Inadequate awareness of women regarding their health rights;
- High costs for health care and deprivation of the poor, especially women;
- Poor attention paid to physiotherapy and dental services;
- The ongoing female circumcision leads to numerous health complications which affect the quality of life for girls and women, as well as their general health;
- Low income for doctors has a negative impact of their professional performance, either in the form negligence or taking unnecessary measures for the sake of extra profit;
- Failing to follow the internationally applicable protocols for handling labour and delivery, cases of uterus haemorrhage and AIDS;
- The unfulfilled need for family planning should be studied and taken into consideration; and
- The widespread reactionary thoughts which call against birth control.

The recommendations:

- To increase spending on health care services;
- To cover poor women and female workers in the rural, irregular and marginalized sectors with health insurance, and develop clear systems and mechanisms to exempt them from paying contributions, wholly or partly, according to accurate and impartial standards, free from any inclination, or bureaucratic negligence;
- To provide preventative services and develop tailored programmes (early detection of cancer, Hepatitis A, B, C, etc.);
- To allow access to medical services in the remote areas (establish new clinics, health care providing convoys, etc.);
- To train doctors with the aim to raise their performance and avoid the effects of discrimination stemmed from the prevailing culture, even among the medical staff, on the health of women and girls;
- To study the unfulfilled needs of health care services provided to women (health of old age women, the female disabled, etc.);
- To develop an awareness programme for the citizens (by enhancing the role of basic health care units and centres on the awareness level), especially women, and include them in the health care quality improvement strategies;
- To improve health services provided in the rural areas, especially preventative programmes, and to provide vaccines necessary for the prevention of diarrhoea and respiratory illnesses for children;
- To pay special attention to awareness programmes for mothers, which could be made part of the vaccination programmes;
- To support the nutrition of rural poor children and pregnant women;
- To sustain and intensify the female circumcision campaign currently run, and to target all classes of the society and highlight the good examples (villages free from circumcision), as collective abstention is key to the problem;
- To relentlessly confront female circumcision in the school curricula and activities, in a wise and firm manner, by developing programmes intended for

this purpose, such as capacity building and designing tools to help assume this role;

- To ensure a means of timely transport in emergency cases to hospitals in well-equipped ambulances;
- To muster and analyse data to identify patterns of delivery in various hospitals, and to take the necessary action in this regard;
- To achieve discipline in all health services related to pregnancy, delivery and postnatal care, and to examine each death case by a top committee from the Ministry of Health, doctors' union, and the civil society, to investigate the causes of death and take deterrent measures in case of ascertained negligence or malpractice (accountability mechanism);
- To provide safe blood with various groups in hospitals in order to tackle emergency cases of delivery;
- To redistribute specialists to cover all geographic regions and hospitals, and to support and develop the referral system so as to ensure the best care provided to women;
- To develop awareness programmes on family planning by targeting men and women;
- To meet unfulfilled needs, and to provide and make women aware of alternatives for birth control;
- To run media campaigns and talk shows in order to face the reactionary views and its adverse impact on using birth control means;
- To raise awareness of the AIDS disease and the means to contract it and prevent it, and to remove the social stigma attached to AIDS patients; and
- To include sexual health educational programmes in the school curricula.

Article 14

States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

The State of Affairs:

Rural women belong to the agricultural and pastoral sectors, which are the most deprived sectors in society. Agricultural female workers represent 23% of the total workers and 58% of total rural female workers. Rural female adolescents (age

ranging between 15 and 19) are 21% of the total agricultural female workers, 60% of whom are also working in the household without pay. Women take part in all agricultural processes, with the focus on certain tasks such as storage, marketing, cultivating and harvesting. Women's role in the rural economy varies from one activity to another. It is noted that the data and statistics do not provide an accurate picture of the scope of contribution made by women in the agricultural production and rural economy, as they do not often include seasonal work or women's role in the household production. Women's economic role expanded after the emigration of many men to the cities, or abroad, leaving the agricultural tasks and household management under the responsibility of women.

Attention should be paid to rural women due to the problems encountered in obstructing their participation in development, and is reflected in their health, educational, economic and cultural life. The political leadership realized this matter and held the first conference in March 1998 to discuss and monitor such problems. Several interventions and efforts were then made to improve rural women's status, as follows:

The Efforts Achieved:

With regard to female circumcision and early marriage of young girls, a project was initiated in 1998 by the Ministry of Social Solidarity in 18 villages out of a total of 270 villages. The project gained considerable momentum thanks to the efforts exerted by the NCCM since the female circumcision rate was 97%. The NCCM and the UNICEF reached out to the greatest possible number of villages through as many NGOs as possible, and the Social Fund covered a significant scope of villages through the reproductive health programmes. An indicator of these endeavours' success is the declaration of "Kom Ghareeb" village to be the 2006 free from circumcision village, which is eventually followed by "Beni Mazar" village. However, there is no social survey showing the effect of such efforts and the rate of beneficiaries.

With respect to the educational status, it is noted that more attention is paid to rural women, yet it is not proportionate to the problem size. The efforts exerted in literacy classes, and community, small, one-class, girl-friendly schools.

As regards the legal status, there are still shortcomings in the legal protection provided to female workers employed by others and in the health and social insurance laws.

There are efforts made by the government and the civil society organizations to combat poverty. Income-generating projects were developed, such as rural women development projects, productive family projects, lending projects and capitalizing small loans.

The NCW was concerned with heritage and handicrafts revival in the governorates renowned for such, e.g. lace work in Suhag. The NCW calculated the number of girls working in this trade, and trained them to be qualified to teach the rest of the girls in

the villages. Places are being prepared for productive girls to provide a suitable healthy work environment, and a cooperative association for heritage trades and handicrafts was publicized, of which the board of directors is constituted by girls. Furthermore, the NCW was involved in holding a training course, funded by the Handicrafts Industries Agency in Cairo, in order for the girls to improve their skills by providing them with developed models and encouraging them financially during the training, which started in 2004. The training is currently being held in 6 civil society organizations and the target group is 180 female trainees. This is a pioneering project which could inspire many trades requiring attention, such as beading, weaving, and others.

As for the political support efforts provided for rural women, symposia and seminars were held to discuss a number of issues, such as the importance of the ID card, the necessity of women's political participation in elections and enlisting them in the slates of electors.

The Challenges:

1. Increased illiteracy rates.
2. Widespread poverty among rural women.
3. Unequal distribution in power and decision taking.
4. Inadequate institutional role to advance rural women.
5. Inadequate awareness of rural women regarding their rights.
6. Low opportunities for rural women to access services and production inputs.
7. Difficult access to financing and credit facilities.
8. Low opportunities to access education and proper health care services.
9. Negative customs and traditions in the rural villages.
10. Insufficient modern technology suitable for women and helping them perform their duties in the best way possible.
11. Lacking and inefficient guidance services provided to rural women.
12. Low standard of living and services in the rural areas.
13. Increasing responsibilities burdening rural women due to men's migration.
14. Unavailable databases and statistics on rural women's conditions.

The recommendations:

1. To increase the literacy efforts targeting women and girls, to reach out to all villages within society, small, one-class, girls-friendly schools.
2. To develop programmes for granting rural women credit facilities and loans, increase income-generating and poverty-reduction projects, extend health and social insurance networks for rural women.
3. To design gender-sensitive policies and programmes to develop the Egyptian rural areas, support women's units and development, and rural women's participation in planning projects.
4. To increase and disseminate intensive and comprehensive awareness programmes for rural women, to expand agricultural extension programmes

with training in order to provide women with the necessary skills to improve their work performance.

5. To develop intensive training programmes comprising women-oriented programmes intended to help them manage their household responsibilities and various agricultural activities.
6. To support rural women's use of simple modern technology in agricultural activities with the aim to improve the work performance and spare them efforts and time so that they may rest and care for their families.
7. To develop a gender-classified database on the Egyptian rural areas to show the conditions of rural women and their role in agricultural production, and to train the technical qualified taskforce to analyze the database according to the gender.
8. To set up girl training centres in the villages, and to focus more on rural community female leaders and health guides, taking into consideration that the training hours do not disagree with their circumstances.
9. To pay attention to health service convoys targeting women's health, endemic diseases, eyes and respiratory diseases, and pesticide-triggered diseases, so that the convoys reach out to all hamlets and villages on a regular basis.
10. To introduce simplified technology to train rural women on quality production that could spare them time and effort, especially in dairy products, as it is noted that due to women's tendency to be involved in cattle raising activities, a high percentage of projects are related thereto.
11. To introduce legal awareness programmes, train girls on how to deal with credit facilities providers, and to facilitate their access to loans and grants without credit requirements which constrain poor women from being economically empowered.

Article 15

1. States Parties shall accord to women equality with men before the law.
2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.
3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.
4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

Discrimination against Women in the Various Laws:

After reviewing the articles of the Egyptian Constitution and international conventions signed by Egypt, all of which are applicable laws pursuant to Article 151 of the Constitution, ensuring equality between both sexes, and despite Egypt's reservations on some articles in contravention with the Constitution or "Sharia" law, it is established that demanding equality be applied in all the different laws do not in the least contravene with the Constitution or "Sharia" which represents the main source thereof.

Below is a review of the various Egyptian laws that detract from women's status and discriminate against them, by placing them on a lower cast than men, as follows:

Discrimination against Women in the Penal Code:

Discrimination against women in the Penal Code could be manifest in the punitive text, the application, as well as in some texts lacking true protection of women's rights. With regard to the punitive text, Article 237 of the Penal Code stipulates that: "The husband who surprises his wife in the act of committing adultery, and instantly kills her and her partner, shall be punished by imprisonment, instead of the penalties determined in Articles 234 and 236 Penalties." The mitigation here is mandatory at the court's discretion, and the reason is the provocation that the husband experienced and his and his family's honour that was put into jeopardy. This provocation pretext is limited to the husband, and is not applied to the wife who kills her husband in the act of committing adultery. Instead, she is charged for a felony of manslaughter, with punishment of either a life sentence or aggravated imprisonment for a period not more than 15 years, pursuant to the provisions of Article 234.

The penalty of adultery differs in the case of the husband from that of the wife. Similarly, the adultery punishment differs in the case of the husband from that of the wife; while Article 274 of the Penal Code punishes the adulterous wife by imprisonment for a period not exceeding 2 years, Article 277 punishes the adulterous husband by imprisonment for a period not exceeding 6 months. The elements of a crime also discriminate between the husband and the wife, although the act is the same. In order to impose the penalty upon the husband, it is required that the act be committed in the marital residence, while the same is not required for the wife. Thus, if the husband commits adultery anywhere else it not a crime, and therefore there is no punishment. However, adultery committed by the wife is a crime regardless of the place where it occurred.

Furthermore, the lawmaker made a difference between men and women, with regard to the procedures necessary to set the criminal action in motion. The wife is legally called to account only if the husband files for a lawsuit, although he is entitled to stop the order execution, after trying and convicting her, by consenting to cohabit with her. However, the wife is not entitled to stop the order execution. And finally, Article 274 allowed the husband to stop the final court order convicting the

adulterous wife, while the same right is not granted to the wife, in case of convicting the husband with the crime of adultery by virtue of a final court order.

The Problem of Delaying Litigation Procedures:

This is the most hindering problem for women to secure their legal rights, for a number of reasons. The following are examples of the problems which lead to a delay in the pleadings: The dates scheduled for speedy settlement of lawsuits are a matter of organizing timetables for hearings, which bear no consequences for a failure to observe them, the high number of lawsuits and low number of judges, the lack of judicial specialization, complication of litigation procedures, and long procedures for challenging and appeals in various courts of law.

Prevention of the Wife by the Husband to Travel Abroad:

Prior to the promulgation of Law No. 1 of 2000 on Litigation in Personal Status Matters, the rule was to prevent the wife from travelling, and the exception was to grant such right by the law. The wife is now entitled to travel, as a natural right, yet the husband is entitled to stop her by virtue of Family Law No. 10 of 2004, where the judge is the competent authority issuing orders for the claims brought forward.

Guardianship of Minors (the principle of tutelage):

While the law insists on the father's guardianship even where he has no custody to the children, mothers cannot even apply for their children to be enrolled in public schools, or to be transferred from one school to another. They have no right to open for them a savings account in any post office or bank, since the father is the guardian. It is worth mentioning that having joint guardianship does not jeopardize the children's interests and does not contravene with any provisions stated in the Quran with regard to the matter of tutelage or guardianship.

Hence, the problem of right to custody and guardianship arises. The law provides the mother the right to custody so long as they are in the prescribed custody age, yet such right contravenes with the father's guardianship in the matters mentioned before; which denies the mother any disposition to manage the different aspects of the children's life and affairs. She has the lawful and legal right to custody, but the father remains their official guardian who has disposition on many matters as explained above.

Discrimination against Women in the new Tax Law:

While the new Tax Law rectified the discrimination against women regarding tax exemption threshold, and consequently such exemption of family charges in the Tax Law is "de facto" applicable to men and not to women if the wives are partners in the business, although the Law stipulates no discrimination between them.

Article 16

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

- (a) The same right to enter into marriage;
- (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
- (c) The same rights and responsibilities during marriage and at its dissolution;
- (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
- (e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
- (f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;
- (g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;
- (h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

The State of Affairs:

While the Arab Republic of Egypt's signature on the CEDAW is progress, women's status still suffers from many shortcomings. It is noted that enacting a just law for personal status provokes multiple social, cultural and political problems; as for some religious groups, this means a deviation from religion and norms. Thus, serious and effective measures should be taken by the government to increase the pace of change towards achieving equality and removing discrimination.

Egypt made reservations on Article 16 regarding personal status and elimination of discrimination against women in matters related to marriage and family relationships, which contributed to undermine the Convention's spirit and essence.

- f) Egypt made reservations on this Article without any prejudice to matters related to the Islamic Sharia provisions. Given that this Article is concerned with marriage and family relationships, equal rights and

responsibilities between men and women, and other matters governing the family life, it is worth mentioning that there is no equitable law for personal status until the present moment, regulating laws of marriage, divorce, child custody, inheritance, guardianship and tutelage, to protect women and ensure equality in rights. The Egyptian judicial system works in compliance with the Islamic Sharia provisions in deciding family disputes, which leads to many legal problems due to the discretionary reasoning of judges, which is sometimes divergent due to different cultural backgrounds.

- g) Under the prevailing male chauvinism in the society, lack of legislations and preventative measures to protect women in the family spheres; and by monitoring the "de facto" lawsuits filed in courts of law, it is evident that women are rarely granted access to same rights and responsibilities during marriage or after its dissolution. Men have the exclusive right to divorce women, where women would embark on a tumultuous journey of litigations that take years to resolve in courts, forcing them to resort to "khul" which means divorcing the husbands by paying compensation and releasing their pecuniary consideration.
- h) With regard to guardianship, tutelage and custodianship, it is conferred to the father/husband.
- i) Despite the fact that women have a separate financial estate, they share with the husbands in bearing the matrimonial financial costs without a regulating law or specific measure, allowing the wives to maintain their pecuniary rights in cases of divorce. As a consequence, they come out without a home or property, even if they shared in the possession such home or property.
- j) Divorce cases have increased in Egypt, reaching 2 million 459 thousand divorcees, i.e. 240 divorce cases every day of which 43.5% are cases of divorce during the first year of marriage, and around 12.5% in the second year. 40% of these women are over 30 years. This contributed to family disintegration leading to social phenomena adversely affecting development in Egypt. Single mothers who are supporting their families amount to 24% approximately. Child labour is on the rise in Egypt, while street children have increased from around 2 million in 2004 to 3 million in 2007. Although marriage and family should maintain the greatest social value as an indispensable institution in assuming the task of production in the society, and caring and raising of the future generations, the practices in the marriage and the family are affected by the social changes which witness a deterioration of social values and undermining women's status, in spite of their educational achievements and appointment in leading posts, where they proved competent. The legislations of personal status, although partially amended from time to time, are not yet in line with the social and economic shifts experienced by the Egyptian families, which consequently endured huge suffering

because of the litigation in family matters, whether Muslims or Christians.

The Efforts Achieved:

1. Some laws were partially amended to facilitate the litigation procedures and achieve full justice.
2. The Ombudsman's Office within the NCW provides free legal assistance to women in most governorates.
3. The Family Insurance Fund paid alimonies for the period from 1/10/2004 to 3/9/2006.
4. Child Law No. 126 of 2008 was promulgated and by virtue of which the marriage age was increased to be equal for men and women (18 years), the spouses-to-be had to undertake a medical examination prior to marriage, and the parent with the right to custody was granted the educational guardianship.
5. Some civil society organizations provide free legal assistance in several governorates, such as Cairo, Alexandria and Suhag, through the legal assistance centres hotline (Center for Egyptian Women's Legal Assistance). They also assist women in applying for official documents, raising legal awareness of the society regarding women's legal rights and empowering them before the courts of law.
6. Governmental and non-governmental attempts are being made to submit a proposal for a bill amending the Personal Status Law²⁶.

The Challenges:

1. Although the CEDAW Committee made recommendations to the Egyptian government to remove the discrimination against women in Law No. 1 of 2000, this has not yet taken place, as the law requires women to waive all their financial rights if they resort to "khul" marriage (divorcing the husbands by paying compensation and releasing their pecuniary consideration), which applies to both Muslims and Christians.
2. Litigation settlement offices and legal experts in the family courts are not able to assume an effective role as they lack legal authorities, training, appropriate resources, execution mechanisms, and a legal and social supportive environment; all of which led to delayed litigation procedures.
3. Court decisions are frequently postponed and prolonged without reasonable, legal or lawful reasons.
4. New courts, just like the old courts, still adopt an approach largely based on proceedings with respect to law implementation, which sometimes results in a misuse of the system from the part of lawyers and litigants.
5. The agreements made through settlement offices regarding alimonies allow women a fast way to secure financial support and spare them the long litigation process. However, these amicable agreements rely on the good intention of both spouses as any party could withdraw from any obligation

²⁶ A research on the Personal Status Law, between de jure and de facto - EACPE

agreed upon. In addition, The Board of Directors of Nasser Bank issued a decision not to execute any agreements made by the settlement offices, which undermines the advantage of an out of court settlement.

6. The recurrence of serving the notice although they have already been legally and properly served upon the husband.
7. The long investigation procedures taken to establish the husband's income, especially if he is a private sector employee or a tradesman, and the easy use of deceptive means to conceal his resources and his pretending to be poor and unemployed; all of which deprives the wife (and the children) of a true and appropriate assessment of the alimony to be paid by the respondent husband.
8. In the case of the husband abandons his wife and works abroad, the wife cannot establish his real income.
9. A common deceptive way which is identified and tackled by EACPE is to create a false litigation where one or both paternal grand parents file an action for alimony so that they share the divorced wife's (and children's) maintenance paid.
10. The divorced wife is forced to waive her right to remarry out of fear of losing custody of her children, while the husband remarries and files a lawsuit to request reduction of the already underestimated alimony paid.
11. Some substantive laws applied in the family courts still suggest inequality between both sexes and bias against women, which undermines the role of the new legal order to support women's legal rights.
12. Law No. 1 of 2000 prescribes a new marriage contract which, after several attempts, leaves a blank area in the marriage contracts so that both spouses can add any additional provisions as long as they do not contravene with the "Sharia" or the law. Nevertheless, this blank area is virtually unused in most cases and by most spouses, as the marriage officer himself does not make them aware of its significance.
13. The wife who has right to custody can claim for child maintenance for a year or more preceding the date of filing the action, while the law grants the wife the right to claim for her alimony for only one year preceding the date of filing the action.
14. The substantive laws applied in the family courts do not confer equal rights for husband and wife, as the first has an unconditional right to unilaterally divorce the second, to marry more than one, and to demand that the wife remain at the husband's home. In addition, fathers enjoy full guardianship of their minors while mothers are denied such right, even when they have the right to custody.
15. The explanatory note for the Family Courts Law has not yet been issued, which leaves the door open to individual reasoning.
16. Harm inflicted upon women is difficult to prove as the court requires the testimony of eye witnesses, which is hard to provide.

The situation does not differ much between Egyptian and Christians, following the revocation of the Regulations of 1939 and the enactment of the Regulations of 2008, which limited the grounds for divorce only to adultery cases. It is well

known how hard it is to prove the committal of adultery; hence there is a tendency to resort to fraudulent methods for the dissolution of failing marriages, such as changing of confessions, and in few cases the religion. When the wives seek a court order after long endurance the Church does not grant them any canonical licence to remarry, which led to increasing divorce law cases as a result of the rigidly applied regulations.

The recommendations:

First: To lift the reservations made by the Egyptian government on Article 16, which does not contravene with Islamic "Sharia", with the exception of adoption cases that are replaced by child fostering or sponsoring.

Second: To enact a unified family law for all Egyptians, which contains chapters for: general procedures, engagement and marriage, Muslim-related matters, Christian-related matters, and penalties; without prejudice to:

1. Implementing the principle of citizenship and equality before the law prescribed in the Egyptian Constitution.
2. Human rights prescribed in the international covenants, especially the CEDAW, and removing all aspects undermining women's value and dignity.
3. To mend the "de jure" and "de facto" gap.
4. To strike a balance between rights and duties within the family.
5. To lift the sufferance of securing legal rights and achieve justice, by streamlining the litigation procedures and speeding up the family court rulings.
6. To take into consideration the legal conditions women experience, develop a participatory mechanism for victims, male and female, to deal with the laws and the family courts, from the perspective that the law fulfils the community needs; hence, members of the community should take part in discussing legal matters concerning them.
7. If the concept of guardianship, tutelage and custodianship of children is considered to be a joint right between men and women, it will elevate the matrimonial relationship to a level of partnership, where there is no master or servant.
8. Aspiring to base marriage and family on love, compassion and partnership, it is necessary to revoke the provisions related to the wives' remaining at husbands' home and recalcitrance in the Personal Status Law.

Third: It is necessary to effectuate Article 15 of Law 10 of 2004 in administering execution orders, and to find effective mechanisms for rapid execution.

Fourth: To coordinate with the media and religious scholars so as to interact with the social issues and to correct wrong concepts and negative cultural heritages.

Fifth: It is important to develop integrated programmes to support the family in the fields of family assistance and guidance, awareness of the importance of concerting

the efforts within the family unit, and for effective participation by the governmental and non-governmental organizations and donors.

Recommendation No. 19: Violence against Women

The State of Affairs:

First: Domestic Violence

According to the health population survey of 2005, half of married women (or those who were previously married) of the age group 15-49 years were beaten, slapped, kicked, or were exposed to other forms of physical violence since the age of 15 years²⁷.

In the same survey report around five women confirmed that they were subject to physical violence during the last twelve months previous to the survey date.

- Wife Beating

During the Elnadeem center campaign to enact a domestic violence law a significant number of cases was monitored where women were beaten and the judges used Article 60 which states that: "The Provisions governing the Penal Code do not apply to any act committed in bona fide using a right granted in pursuance with the "Sharia".

- Marital Rape

The Egyptian law does not criminalize coercive sexual relationships within the marriage institution. The definition of rape in the law, which is: "to have intercourse with a female without her consent", clearly excludes the wife. However, the Egyptian law criminalizes anal sexual intercourse with the wife and defines it as a sexual assault, yet the present law states, through a judicial order by the Court of Cassation, that: "a husband is entitled to sexual intercourse even if he divorces her "talaq radjei" (revocable divorce*) since it does not lift marriage rules before the lapse of "iddah" (retreat period**), it is rather thought of as a way to reconsider revocation²⁸.

Second: Sexual Violence

- Sexual Harassment:

The phenomenon of sexual harassment committed against women is exacerbating in an unprecedented way during recent years. According to Dr. Moshira Khattab, the Secretary-General for the NCCM, **there were 152,000 incidents of sexual**

²⁷ Health Population Survey of Egypt in 2005

²⁸ Dr. Fadia Abu Shahba, Dr. Magda AbdelGhany: The Phenomenon of Violence in the Egyptian Family: The first report on domestic violence: a social and legal perspective

harassment in 2006; as per the charge sheets at the Ministry of Interior²⁹, some of which took place in the street in public. The most striking incident which shook the public opinion was as follows:

- On 25 May 2005 a female journalist and rights advocate, who was participating in a demonstration organized to protest against constitutional amendments regarding the election of the Republic president, was exposed to sexual harassment before the eyes of officers from the Ministry of Interior and leaders from the ruling political party. A complaint was lodged to the Attorney-General by the victim. His order was to leave the enquiries in the record as "the offender was not established", and **no official measures were taken to protect women from such situations.**
- On 31 December 2007, girls were exposed to collective sexual harassment in the Cairo city centre, and the incidents reoccurred in more than one place, prompting a number of civil society organizations to organize a campaign and pressure groups to tackle and combat the phenomenon of street harassment.
- Sexual harassment in work places is common in Egypt, especially that there is no law enacted for this purpose and taking into consideration the special relationship between female workers and employers. There are many groups in Egypt who are the most at risk to sexual harassment at work, as they are not included in the Labour Law, such as the agricultural female workers, shop assistants, peddlers and domestic servants.

- Rape:

Security enforcement reports confirm that 27 rape incidents take place every day, i.e. 10,000 rape crimes every year. It is worth mentioning that these numbers are those reported and recorded by the law enforcement services in Egypt, whilst the victim is usually accused of being the reason behind it, which forces them to decline to report any case.

- There is a severe shortcoming in the response of the health and forensic system in sexual violence cases. A study carried out by the New Woman Research Center (NWRC) in cooperation with the WHO, entitled "Medical and forensic services for victims of sexual violence: Egypt study case", showed many difficulties facing women, as follows:
 - **No coordination between the various service providers** to cater for victims of sexual violence, such as a treatment health sector in the Ministry of Health, a forensic medical board within the Ministry of Justice, and the NGOs.
 - Forensic doctors cannot undertake sexual violence cases unless they are officially requested by the Public Prosecution. Hence, victims cannot directly head to the forensic medical board, but must first report to the police. This affects many victims of sexual violence who require professional assistance.

²⁹ An interview with Dr Moshira Khattab in a television programme "Filmamnoue" conducted by the journalist Magdy Mhanna, and published in the newspaper "Elmasry Elyoam", issue No. 1157, on 14/8/2007.

- Victims of sexual violence who resort to the health system through the casualty wards in hospitals or the basic health units should be referred to the police and medically re-examined by the forensic doctors, which worsens their ordeal, especially in cases of rape, incest, and child molestation.
- **Incest:** It is a case met with tacit, however, some women's rights organizations talked about it recently although with extreme discretion. In some observers' reports³⁰, cases of incest were revealed in the inner city areas, as the observatory report which monitored the governorate of Alexandria to the condition of a victim who was brought by her mother to the premises of "Women and Development Association" complaining that her husband sexually assaulted her daughter and was beating the mother every time she tried to stop him. He forced her to leave the house and return after he had finished. The mother was advised to report him to the police, or to allow a member of the organization to go and talk to him, yet she refused claiming that she feared his reaction.

Few cases reach the court, one of which was case No. 16222 of 2007 which was considered by Elgiza Court, and until the time of writing this report, the court is still deliberating. The case is regarding a 17 year old girl who delivered a child from her uncle who put sleeping tablets in a juice given to the mother and daughter (the victim); within few minutes she fell asleep, he assaulted her and when she woke up she realized the abhorrent incident, she screamed and the police was involved. The offender was arrested and put on trial, during which he became convicted by analysing and matching DNAs. During the trial the girl delivered an incest child³¹.

Third: Physical Violence:

- **Honor Crimes:** According to a study conducted in 2002 by the Center for Egyptian Women's Legal Assistance, some women are still losing their lives under the so-called "honor crimes", because of doubts cast on their behavior. The study was called: "Honor Crimes: Analytical View and Future Outlooks". There is no deterrent legal punishment which encourages a perpetuation of these crimes.
- **Female Circumcision:** Female circumcision rates are still considerably high in Egypt, despite the efforts exerted to prevent this practice which stems from a cultural heritage and misunderstanding of religion, and despite amending the Child Law of 2008 with the intent to aggravate the penalty on those committing such an act, however, a text in the said law stipulated that the Penal Code had an additional Article 242(bis) stating the following:
 "Without prejudice to the provision of Article 61 of the Penal Code and to any more aggravated penalty by virtue of another law, anyone who causes injuries

³⁰ Observatory report of forms of discrimination against women – Forum for Women in Development

³¹Elmassry Elyoam Newspaper, 9 May 2008

referred to in Articles 241 and 242 in the Penal Code by circumcising a female, shall be punished by imprisonment for a period not less than three months and not exceeding two years or by payment of fine not less than L.E. 1,000 (one thousand EGP) and not more than L.E. 5,000 (five thousand EGP)".

Article 61 of the Penal Code states that no punishment is imposed on anyone who commits a crime as a result of being forced to protect himself or someone else from a grievous imminent danger, where he has no intentional involvement or otherwise was unable to prevent it".

This leaves a loophole in the law, especially with the prevailing culture concerning the necessity of female circumcision to safeguards morals.

Fourth: Psychological Violence:

Lawsuits for Proof of Lineage in Egypt:

Many women face extreme psychological violence as a consequence of what they endure in the courts of law to prove the lineage of their children from official and "urfi" (unofficial) marriages, and extra marital relationships. They experience various forms of humiliation, scorn and rejection.

Forced Marriage (marriage of relatives)³²: The widespread customs and traditions in the Bedouin communities, such as in Sinai and Matrooh, or in the Bedouin-origin families that live in the urban and rural areas, and in Upper Egypt (Assiut and Suhag), girls are forced to marry one of their paternal cousins, which results in higher rates of delayed marriage, constituting a psychological violence inflicted upon women as these communities hold them guilty for such delay and stigmatize them.

Institutional Violence:

- A large number of human rights organizations' reports³³ monitored an increasing threat of sexual assault, and actual incidents of such in the police stations; which are serious forms of torture that never existed before.

- Women are detained as hostages by the security forces during their search for wanted offenders. Tens of women from Elareesh (wives, mothers and sisters) were taken to the police stations during the search for suspected offenders in the Taba bombing, so that they would surrender (2004). In a village in Elbeheira governorate, many farmers' wives were taken to the police station and exposed to torture, humiliation and harsh beating, to the extent that one woman was killed (called Nefeesa Elmarakby) a while after they released her, as a result of psychological and physical torture. (See attached Case Study 2).

The Efforts Achieved:

- A network of Egyptian NGOs (25 organizations) was formed to seek the enactment of a law criminalizing domestic violence, while there is still a draft law which had not yet been enacted;

³² Observatory report on forms of discrimination against women – Forum for Women in Development

³³ Elnadeem Center's report: Days of torture: Experiences of women in police stations", 2004 – Reports of the Egyptian Organization for Human Rights, Center for Egyptian Women's Legal Assistance, and Human Rights Center for the Assistance of Prisoners

- The NCW also adopted the issue of violence against women, by setting up ombudsman's offices to receive complaints from women nationwide, however, it is useful to assess the capability of these offices to address these complaints and remove discrimination imposed upon the complainants;
- Subsequently, a movement named "The Street is Ours" was formed to call for women's rights to feel secure in the streets. A conference was also held under the same name, in which many women participated and who were victims of all forms of violence (expulsion from their lands, arrest as hostages until their family members surrendered in Elareesh, etc);
- Amendments were introduced to Child Law of 2008 ensuring the right of the child to his father's paternity, as the text states that: "**A child has the right to be filiated to his lawful parents and to enjoy their care; and has the right to prove his lawful lineage by any means including lawful scientific means**". As a result, women's sufferings to prove their children's lineage were reduced; and
- A Decree No. 1584 of 2007 was issued by the Cabinet to form a national coordinating committee to combat and prevent human trafficking, which drafted a bill for combating human trafficking to discuss it with all relevant parties.

The Challenges:

1. Customs and traditions which are predominant in the society and incite forms of violence, such as the beating of wives and children, female circumcision, crimes of honour, and accusing victims of sexual harassment and rape.
2. Discrimination exists in the Penal Code provisions which permit mitigating punishment, such as Articles 17, 60 and 61 used in cases related to women.
3. Organized violence committed by the Executive Authority against women.
4. The government is adamantly reluctant to discuss many draft laws, such as the domestic violence law.
5. While the Child Law facilitated proof of lineage for children, it erred to consider matters related to speedy settlement in proof of lineage lawsuits, and overlooked the importance of bearing the cost of DNA analysis by the government, ignoring the suffering of poor women who waive their rights to file actions because of the high costs of proceedings.
6. Women's economic conditions are deteriorating, exposing them to the risk of sexual exploitation, and the ineffective role of the national coordinating committee to prevent women trafficking.
7. Researches and service provision are limited in the framework of domestic violence, while there are numerous forms of violence committed against women.
8. The small number and inadequate quality of the service outlets provided to women who are victims of violence.
9. Women status in the society and how it has an adverse effect in the case of violence committed against them, by colluding with the perpetrators.

The recommendations:

1. To enact a domestic violence law to be drafted through community debates with the strong participation of civil society organizations.
2. To close the loopholes in the law article related to criminalizing female circumcision so as to prevent any use of deceptive means.
3. To introduce deterrent measures and punishments for civil servants who practice of violence against the citizens, in an organized official fashion, with the aim to put an end to the phenomenon of torturing and taking women as hostages in police stations.
4. To enact an integral law containing deterrent punishments for the prevention of all forms of women trafficking.
5. To take measures ensuring that the law articles are not used to mitigate sentences in lawsuits related to violence against women (to restrict the judicial discretionary power by virtue of Article 17, Penal Code).
6. To plan for further economic empowerment programs for women.
7. To develop policies, programs and plans, and to allocate a budget for tackling the phenomenon of violence against women in the society, at all levels.
8. To raise community awareness regarding the impacts of violence upon women, the family and the society, so as to ensure that all segments of the society reject all practices of violence against women.
9. To develop programs targeting the family as the girls are the members most at risk of violence (female circumcision, beating, deprivation of rights, etc).
10. To train those working in the legal system, law enforcement agencies, and medical care, according to a set of standards used to assess the impact of such training programs.
11. To provide health care and any related services necessary for women victims of violence, to train the workforce involved in such services, and raise their capacity for diagnosing, documenting and collecting information on female victims of violence and in providing them with the necessary care and support.
12. To conduct a serious and comprehensive study on the phenomenon of violence against women in all its forms, and to assess its impact on the Egyptian society, so as to raise awareness of the repercussions of such practices.

Case Study 1

In 2005, "Hoda Farook Elzاهر", was a victim of the crime of kidnapping and rape, leading to her death as she was a heart patient. In such cases of rape and murder crimes, the sentence passed by the court is aggravated. While the Egyptian law prescribes deterrent punishment for rape crime which can reach life sentence with labor, the judge who was trying the case of Hoda used Article 17 which states that: "in the articles of felonies, if the circumstances of the crime for which an action is filed, require a death sentence, the judge may use leniency and change the penalty to the following: life sentence to aggravated imprisonment, or imprisonment; aggravated imprisonment to imprisonment for more than three years, or

imprisonment for a period not less than 6 months; and imprisonment for more than three years, to imprisonment for a period not less than three months.

In the case of Hoda, one of the perpetrators received a sentence of three year imprisonment and his associate received three month imprisonment. Consequently, 9 NGOs launched a campaign calling for excluding the use of Article 17 of the Penal Codes in rape crimes; which allow for the judges to employ discretionary power to pass sentences according to their personal views.

Study Case 2

One of the female companions of "Nefeesa Elmarakby" who were arrested with her, gave her accounts in the blog called "Torture in Egypt: Safety of individuals and the responsibility of the society", as follows: "They took us all; Nefeesa had "niqab" (face veil) on; they took her "niqab" off her face and beat her. The officer said to her: "I thought you were fair but you're black", and held her body and kept beating her; then he took her to another place and we haven't seen her since. Then we knew that she was dead!" In the accounts of other women from the village, it was said: "Nefeesa went out on Monday and she was in a very critical state; she was screaming all the time and had some fits. She stayed away for a while and then was committed to the hospital where she died"³⁴. Subsequently, 8 human rights' organizations, including Elnadeem Center for Rehabilitation of Victims of Violence, Hesham Mubarak Law Center, Legal Assistance Center, El-Ard Foundation, and others, requested to investigate in the death of Nefeesa Elmarakby, and enquire about the forms of torture practised by the Damanhour investigation officer and his aids. According to the accounts of women who were arrested, they were taken blind folded to unknown places, beaten and left to sleep in cold and dark areas on the floor without any covers, so that they confess of the whereabouts of the male villagers, then they were released blind folded and left astray in some roads.

³⁴ <http://www.tortureinegypt.net/node/1015>

No	Acronym	Term
1	CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
2	NCW	National Council of Women
3	NGOs	Non Governmental Organizations
4	EACPE	The Egyptian Association for Community Participation Enhancement
5	NCCM	National Council for Childhood and Motherhood
6	EOU	Equal Opportunity Units
7	MWU	Media Watch Unit
8	PRSs	Poverty Reduction Strategies
9	CAPMAS	Central Agency for Public Mobilization and Statistics
10	WHO	World Health Organization
11	ILO	International Labor Organization

Glossary of Terms

The list of organizations participated in the preparation of the shadow report 2009:

.NO	Association	Governorate
1	The Egyptian Association For Community Participation Enhancement	Cairo
2	Forum for Women in Development	Cairo
3	Center for Egyptian Women's Legal Assistance CEWLA	Cairo
4	Coptic Center for Social Studies	Cairo
5	The Egyptian center for women's rights	Cairo
6	New woman foundation	Cairo
7	Alternative Development Foundation	Cairo
8	Heya Foundation	Cairo
9	Arab Center for Consultancy and Training ACCT	Cairo
10	Arab Program for Human Rights Activists APHRA	Cairo
11	Legal Assistance Group for Human Rights	Cairo
12	Egyptian initiative for Personal Rights	Cairo
13	Association for Human Communication	Cairo
14	The Coptic Evangelical Organization for Social Services	Cairo
15	Arab Council for Supporting Fair Trial& Human Rights	Cairo
16	Helwan Foundation for Community Development (Bashayer)	Helwan
17	Ommy association for rights and development	Giza
18	Egyptian foundation for family development	Giza
19	Women and Society Association	Giza
20	The Egyptian association for human rights	Giza
21	Family planning association women protection	Giza
22	Women and development association	Alexandria
23	Family planning association	Suez
24	Arab Women's Association for Development	Ismailia
25	Sinai women's rights association	North Sinai
26	child care and family promotion Association	Dakahliya
27	Family planning association	Sharkiya
28	Association of community participation	fayioum
29	Integrated Care Association	Assuit
30	Business men association	Suhag 72
31	Foundation Health and Environmental Development	Aswan

