

Crises of Women and Girls Rights in Egypt

2024 - 2019

Egypt 4th Cycle of Universal Periodic Review
July 2024



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Stakeholder Joint Submission by:

The Center for Egyptian Women's Legal Assistance (main submitting organization), The Egyptian Initiative for Personal Rights, Bar Aman, Barah Amen, New Woman Foundation, Tadwein for Gender Studies, Transat, The Regional Coalition for Women Human Rights Defenders in South West Asia and North Africa, and others.



This Submission is made by:

The Center for Egyptian Women's Legal Assistance (CEWLA) (main submitting organization) is a civil society organization that works on combating violations of women's rights and achieve legal, social, economic, sexual and reproductive health and rights, public participation of women, economic and social rights, and climate change and cultural rights for women.

<https://www.cewla.net> info@cewla.net

Barah Amen is a feminist organization aims to raise awareness and knowledge about resisting domestic violence in Egypt and ways to escape from it. Through their communication channels and partnerships with women's groups, they strive to break geographical barriers and reach women in various parts of Egypt. They also prioritize breaking geographical barriers in providing their services, building women's capabilities, and empowering them cognitively. <https://www.barahaamen.org/> barahaamen@gmail.com

The Egyptian Initiative for Personal Rights (EIPR) has been working since 2002 to strengthen and protect basic rights and freedoms in Egypt, through research, advocacy and litigation in the fields of civil liberties, economic and social rights, and criminal justice.

<https://eipr.org/en> eipr@eipr.org

New Woman Foundation (NWF) The New Woman Foundation (NWF) is an Egyptian feminist non-governmental organization. It began its activities in 1984 as an informal study group and was registered as a private organization according to law number 84/2002. NWF believes in women's unconditional right to freedom, equality, and social justice and considers women's social, political, economic, citizenship, and reproductive rights as an integral part of human rights.

<https://nwrcegypt.org/en/> nwrc@nwrcegypt.org

Tadwein for Gender Studies was established in 2014 with the aim of promoting evidence-based awareness on gender issues, implementing projects, formulating policies, and taking necessary actions to enhance the status of women in Egyptian society and to reduce violence against women and girls in general. <https://tadwein.org/en/> info@tadwein.org

Transat is an organization founded in 2017 by several transgender and non-binary individuals from the Middle East and North Africa. It is the first knowledge-based journalistic site dedicated to raising awareness about intersecting gender identities in general and issues of transgender and gender diversity in particular. It is managed by transgender and non-binary individuals in the region. Believing in the importance of on-the-ground work, we decided to create an economic alternative for members of our community in the region by providing urgent intervention services, legal support, capacity building, and knowledge development. <https://transatsite.com/> transatmena@gmail.com

The Regional Coalition for Women Human Rights Defenders in South West Asia and North Africa (WHRDMENA):

A coalition of women human rights defenders that aims at consolidating ways to protect defenders in the public sector, shed light on the violations against them, and offer support systems through advocacy, sharing experiences, knowledge, activities, and the production of knowledge and positive arrangements to challenge the culture of patriarchy and the hegemonic masculinity and discrimination against women.

<https://www.whrdmena.org/?lang=en> coordinator@whrdmena.org

Other organizations have equally contributed to this submission but chosen to remain anonymous due to several concerns.



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Introduction

1. Over the past five years, Egypt has faced a deepening crisis in women's and girls' rights. This human rights crisis has been further exacerbated by the ongoing economic crisis that started in 2020 and the state's socio-economic policies that have reduced spending on public services and subsidies targeting the poorest and most marginalised. The political context and increasing security control had already succeeded in shrinking public life; criminalising peaceful assembly; labour and political organizing; and making feminist organizing and civil society engagement an extremely risky activity. Despite this, since 2020, there has been a surge in women and girls' expression of dissent against the erosion of their rights to equality and protection from violence in the public and private spheres. Concurrently, the state has escalated the criminalisation of women's expression to include the most personal forms of online expression under the pretence of "protection of the family."
2. In UPR's 3rd cycle, Egypt received 82 recommendations on women's and girls' rights mostly concerning family laws, violence, and discrimination. Egypt accepted 70 recommendations; however, women's and girls' conditions continue to decline.





Gender-Based Violence (GBV)

- Despite efforts by civil society¹ and the National Council for Women (NCW), Egypt still lacks comprehensive legislation on violence against women, relying instead on scattered, flawed and ineffective penal code articles. The state focuses on increasing penalties, a limited approach that does not lead to higher reporting rates.



Domestic Violence (Intimate Partner Violence IPV)

- Data indicates an increase in violence against women (VAW) in the private sphere in Egypt^{2 3 4}: 17% of ever-married women experienced physical or sexual IPV in the prior 12 months up from 14% in 2014^{5 6}. A third of ever-married women have experienced IPV: 26% physical, 22% emotional, and 6% sexual.^{7 8} However, only 1.6% of women sought assistance from the police and 0% received social services.^{9 10} This underscores

1 A task force of six feminist organizations cooperated with parliamentarians to present a bill for a comprehensive law on violence against women. [Link](#) ^{قوة عمل المنظمات النسوية. «مشروع القانون الموحد لمكافحة العنف ضد المرأة. سبتمبر 2022}

2 Barah Amen. "Domestic violence annual reports in Egypt 2023". 2024 [link](#)

3 Barah Amen. "Domestic violence annual reports in Egypt 2021". 2022 . [link](#)

4 Barah Amen. "Domestic violence annual reports in Egypt 2022". 2023 . [link](#)

5 Ministry of Health and Population [Egypt], El-Zanaty and Associates [Egypt], and ICF International. 2015. Egypt Demographic and Health Survey 2014. Cairo, Egypt and Rockville, Maryland, USA: Ministry of Health and Population and ICF International.

6 Central Agency for public mobilization and statistics (CAPMAS) (2022): Egypt Family Health Survey 2021: [link](#)

7 ibid

8 Ibid.

9 Ibid

10 These results did not evolve much, as the 2015 survey measuring the cost of GBV in Egypt, indicated that only a third of women who experienced IPV sought help and the majority of this help was provided in family settings only, 11% sought the assistance of health providers and less

the inadequacy of services and protective measures provided by the state to GBV survivors, for example, only 9 violence shelters exist nationwide, in six governorates only.¹¹ Further, these services do not take into consideration intersectional issues; women in Upper Egypt are more likely to experience IPV and receive less help¹², yet only 3 of the 9 State-sponsored GBV shelters are located in Upper Egypt¹³. Rates of physical domestic violence rise to 34% among ever-married women at the intersection of gender and disability..¹⁴



Marital Rape

5. Egyptian law does not criminalize marital rape¹⁵, denying victims/survivors of sexual IPV access to justice. This reinforces the prevailing social norms that sex within marriage is the husband's inherent right¹⁶.



Sexual Violence

6. Despite the criminalization of certain forms of sexual violence, and the increased sexual harassment penalties in 2021¹⁷ crime rates remain high compared to reporting. Women face numerous challenges in reporting, including intimidation by police, pressure to recant, and personal data disclosure. Moreover, most girls and women experiencing sexual violence are not aware of existing legislation and procedures. A recent study found that 63% of participants are unfamiliar with the public VAW hotline and other services. Many expressed the belief that the state does not

than one percent (0,8%) reported the incidence to the police# and only 1.8% used shelters. [link](#)

11 Ministry of Social Solidarity (MOSS) [link](#)

12 ibid

13 ibid

14 UN Women . "Violence Against Women with Disabilities Study". 2022 . [link](#)

15 Human Rights Committee. "Concluding observations on the fifth periodic report of Egypt*" April 2023. CCPR/C/EGY/CO/5

16 TIMEP. "Marital Rape: normal, hidden crime without punishment".2024 [link](#)

17 As in article 306 A and B of the Penal code

encourage reporting on sexual violence¹⁸. Additionally, data on sexual violence, even when collected by the state, are not disclosed hampering effective civil society interventions. Legislative amendments and harsher sentences intended to deter violations often create additional barriers¹⁹ and discourage women from reporting. For instance, turning sexual harassment into a felony lengthened the legal processes increasing threats and pressure on women.²⁰ In a survey, 20% of women²¹ stated that complicated legal procedures as the primary reason for not pursuing charges as well as the incompetence of medical staff in sexual and violence cases²².



Rape

7. The definition of rape in Egyptian law is deeply flawed. It restricts the range of acts that constitute rape to only vaginal penetration with an erect penis, thus excluding all other forms or perpetrators. Rape of cis-gender men, anal, oral or rape of any person or by a tool is classified as “indecent assault” rather than rape.
8. While the National Council for Women (NCW) and UN organizations celebrated the launch of the national referral pathway for cases of violence against women²³, the Fairmont case in 2020 highlighted the struggles survivors face with the celebrated process. A gang rape incident from 2014 was investigated by the prosecution in 2020 after parts of a video of the crime surfaced, and after a virtual campaign in support of the victim gained traction. During the investigation, the prosecution illegally detained the witnesses for 3 days, then arrested them on charges of “habitual debauchery”, because of suspicions of homosexuality; as well as charges of drug use, “misuse of social media,” “threatening public security” and “spreading false news”. Instead of providing them with proper protection as victims and witnesses, they were prosecuted and exposed to media smear campaigns²⁴. The witnesses were released five months

18 Amel Fahmy. “Sexual Harassment in Egypt (Arabic)” [link](#)

19 Mada Masr. On harshening sexual harassment punishments. June 2021 [link](#)

20 Mada Masr. «محاكمة عن «تغليب عقوبات التحرش»: له إيجابياته.. ولكن | باحثة عن «تنمر جامعة طنطا»: الإحالة للنياحة ليست الحل الوحيد للمشكلة». 2021 [link](#)

21 Tadwein for Gender Studies. “Challenges that women face when reporting sexual harassment”. [link](#)

22 Shamseya . “Referral Pathway for Gender-Based Violence – Policy Brief”. [link](#)

23 “UNFPA. “National Referral Pathway for women and girls subjected to violence. December 2019 [link](#)

24 المبادرة المصرية للحقوق الشخصية. «المبادرة المصرية للحقوق الشخصية تطالب» المجلس القومي للمرأة» بحماية المبلّغات والشهود في «قضية فيرمونت» وعلى النيابة [link](#). العامة توضيح موقفهم القانوني» سبتمبر 2020

later, during which some were subjected to drug tests and forced anal examinations²⁵. Meanwhile, accused rapists fled the country and the remaining ones were not prosecuted. On 11 May 2021, the public prosecution announced that the case was closed due to insufficient evidence.^{26 27}

9. In the same year, the prosecution brought moralistic charges of “violating Egyptian family values” and drug use against a young woman who reported a rape case. While investigating this case, the victim was treated as an accused and spent 114 days in pretrial detention²⁸. These incidents reveal the urgent need for legislation and executive procedures that protect whistleblowers and witnesses, especially in cases of sexual violence²⁹.
10. Law 177 of 2020 was presented when issued as a legal amendment to protect the confidentiality of victims’ data in cases of sexual violence. However, it does not protect victims during trial, and it does not provide protection for witnesses and experts. It also does not include any penalties in case of data breaching or public smearing and does not protect victims from prosecution on moralistic charges³⁰.



Sexual harassment and Extortion

11. Incidents of online sexual harassment and extortion against women and girls have been on the rise in recent years without adequate response from authorities. According to a recent study, 90% of the participants who were subjected to online sexual harassment did not report it to authorities, cited reasons were lack of knowledge about reporting procedures, fear from family and society, and negative consequences of reporting³¹. A recent study that documented cases of online sexual

25 Human Rights Watch . Justice Stalled in Egypt’s ‘Fairmont’ Rape Case. Feb 2021. [link](#)

26 [link](#) مجموعة من المنظمات. «بيان مشترك: إغلاق التحقيق في اغتصاب الفيرومونت نتيجة طبيعية لإرهاب الشهود وملاحقة المبلغين طوال عام كامل». مايو 2021

27 نفس المصدر

28 المبادرة المصرية للحقوق الشخصية. «بعد احتجازها لمدة أربعة أيام والتحقيق معها كمتهمة، المبادرة المصرية للحقوق الشخصية تطالب بالإفراج الفوري عن مئة عبد العزيز». [link](#) العزير، وإسقاط التهم الموجهة لها». مايو 2020

29 المبادرة المصرية للحقوق الشخصية. «القضاء يعاقب معتصب مئة عبد العزيز والمتعدين عليها، والمبادرة المصرية تطالب النيابة بسياسة جديدة لحماية المبلغات والشهود في قضايا العنف الجنسي». مايو 2021 [link](#)

30 [link](#) . الجريدة الرسمية. سبتمبر 2020

31 [link](#) اتكلم/ي . «واقع جرائم التنمر والابتزاز الإلكتروني في مصر». مارس 2024

harassment stated that 41% of reported cases were closed without any action taken and in only 11% of the cases was the perpetrator arrested. Within these, only 35% were found guilty.³² The data reveals that 57% of extortions were for financial demands while 12% were for sexual demands³³.



Forced and Child marriage

12. In 2018, 11%³⁴ of women married off before the age of 18, despite the existence of Law 126 of 2008, which increased the age of marriage and penalized violators³⁵. The State does not take serious steps to curb forced and child marriage. Further, women face severe challenges to register the children in cases where there are no legal marriage certificates, while many husbands refuse to certify the marriage after the wife reaches the legal age.



Killing of Women

13. The past two years witnessed an increase in incidents of killing of women, according to recent reports more than 301 and 364 cases of femicide were recorded respectively in the years 2022 and 2023^{36,37}. Other studies highlighted that most perpetrators were family members predominantly intimate partners and that many women committed suicide after experiencing online sexual harassment and extortion^{38,39}.

32 نفس المصدر.

33 أحمد بدر، أمل فهمي (2023)، العنف الجنسي الإلكتروني في مصر: رصد وتحليل لحوادث الابتزاز والإكراه الجنسي الإلكتروني في الفترة من 2019-2022 مركز تدوين لدراسات [link](#). النوع الاجتماعي، القاهرة، مصر

34 Egypt Today. "11% of girls aged 15-19 are married: Health Min." [link](#)

35 The law stipulates: "No marriage contract may be notarized for a person of either sex who has not reached the age of 18 years, and anyone who notarizes a marriage in violation of the provisions of this article shall be disciplined."

36 2022 [link](#) إدراك. "مرصد جرائم العنف القائم على النوع الاجتماعي ضد النساء والفتيات".

37 [link](#) إدراك. "مرصد جرائم العنف الموجه ضد النساء والفتيات 2023"

38 Tadwein, "Killed Because We Are Women". November 2022. [link](#)

39 Some prominent cases in the past two years were the killings of Naira Ashraf, Kholoud al-Sayed, Salma Bahgat, and an administrative employee at Cairo University

In most cases, the victims had sought legal action and requested state protection against the violence and extortion they had experienced^{40 41}. In the case of Naira Ashraf, her family had filed multiple reports against her eventual killer and even tried to obtain a restraining order, but no action was taken by the state and the person they complained against eventually killed her. The lack of legal action discourages women from seeking legal redress.



Human Trafficking

14. Despite the presence of the National Coordinating Committee for Combating and Preventing Human Trafficking since 2007 and the enactment of the anti-human trafficking law, efforts remain limited. The current legislation contains several loopholes, as it does not include transactional marriage, forced marriage, and other forms of marriage that are considered human trafficking.⁴²
15. In several cases, the Public Prosecution charged trafficking victims with crimes for which the perpetrators themselves were prosecuted in what was obvious prosecutorial malpractice. In one case of a minor, who the court had ruled was a trafficking victim, she was charged with “habitual prostitution” and “violating family values” and sentenced to incarceration at both first and appeal courts⁴³. Contrary to the law, the courts did not protect the identity of victims of trafficking, including children.^{44 45}

40 Ibid.

41 [link](#) المبادرة المصرية للحقوق الشخصية. «الطريق إلى «حق طالبة العريش»: تحقيق جنائي وإداري شامل وحماية الأسرة والشهود لضمان حق كل نيرة». مارس 2024

42 In 2015, a decision was issued by the former Minister of Justice requesting any foreigner marrying an Egyptian woman with an age gap of 25 years and above to pay 50,000 pounds (equivalent to about \$2,825 in 2019). Egyptian feminist organizations considered this to be a violation of the law and a legalization of what may appear to be a transactional marriage which is considered by UN committees as a form of trafficking. [link](#)

43 المبادرة المصرية للحقوق الشخصية. «حكم استئناف صادم بالحبس عامين والاختبار القضائي ضد الطفلة موكا حجازي باتهامات من «قانون مكافحة الدعارة». يونيو ٢٠٢٢ [link](#)

44 New Arab. “University worker murdered in latest Egypt femicide case”. September 2023 [link](#)

45 المبادرة المصرية للحقوق الشخصية. «دليل السائلين عن قضية مودة وحنين: تقرير بشأن الأحكام المشددة ضد صانعات المحتوى على الإنترنت بتهمة الاتجار بالبشر». أغسطس ٢٠٢١ [link](#)



Migrants and Refugees

16. Refugee, migrant, and resident women and girls are subjected to the same patterns of discrimination and violence as Egyptian women and girls, but compounded with other forms of discrimination and violence are resulting from their vulnerable status, which allows them to be exploited with a greater lack of accountability. Such patterns have become more pronounced with the increase in the number of refugees fleeing the war in Sudan and the genocide in Gaza in 2023. At the same time, a recent spike in racist and incendiary rhetoric against migrants and refugees in general, and Sudanese in particular worsened the matter. Some of these statements came from media platforms owned by state entities. Refoulement practices and violence against Sudanese refugees and migrants, including women⁴⁶ increased as “Egyptian authorities detained thousands of Sudanese refugees who fled to neighbouring Egypt in a network of secret military bases then deported them to their war-torn countries of origin, often without the opportunity to seek asylum.”⁴⁷
17. The rape and murder of 10-month-old Sudanese girl Janet in April 2024 in Cairo illustrated the forms of violence suffered by many women in the migrant community. Although the Egyptian authorities took legal action against the perpetrator, the incident triggered multiple testimonies from non-Egyptian women living in Egypt about incidents of violence and discrimination. It is worth noting that non-Egyptian women residing in Egypt are not authorized to use the Ministry of Social Solidarity’s safe houses unless the husband is Egyptian.
18. School-age children who are not Egyptian and are not registered as refugees or have residency permits face severe difficulties in accessing basic education. This is in addition to the Egyptian state’s intransigence in dealing with women migrant workers and the imposition of prohibitive fees for work permits and basic education for their children. Such fees are expected to be paid in foreign currencies and are heavily disproportionate to their average wages⁴⁸.

⁴⁶ [link](#) منظمة العفو الدولية. «مصر: «كبلونا وكأئنا مجرمون خطرون»: الاحتجاز التعسفي والإعادة القسرية للاجئين السودانيين في مصر». يونيو ٢٠٢٤

⁴⁷ The New Humanitarian. “EXCLUSIVE: Inside Egypt’s secret scheme to detain and deport thousands of Sudanese refugees” April 2024 [link](#)

⁴⁸ According to conducted interviews with refugees and non-Egyptians residing on Egypt



Moral Policing

19. 2020 saw the emergence of a new pattern of criminalizing women's online expression, using the accusation of "infringing on Egyptian family values" by the Public Prosecution to prosecute social media users, especially TikTok from poor and middle-class socio-economic backgrounds. Since the spring of 2020, the Public Prosecution, under the leadership of the then new Public Prosecutor, Counselor Hamada El-Sawy, started targeting dozens of women and girls with charges of violating Egyptian family values based on the Cyber Crime Law 175 of 2018. This elastic charge criminalizes acts that Egyptian laws do not criminalize when they occur offline⁴⁹. Prosecution has been accompanied by sharp and preaching rhetoric in official statements by the public prosecution, offering moral advice to Egyptians, especially women, regarding optimal personal behavior⁵⁰. The term "infringing on Egyptian family values" mentioned in the law explicitly contradicts constitutional provisions that require penal texts to respect the principle of legitimacy of crimes and penalties, that legal texts be clear and specific in a way that is unambiguous, and that the elements of the crime be inferred from the apparent content of the text, not through different interpretations of its provisions⁵¹. The harshest example of these moralistic prosecutions was the prosecution of both Hanin Hossam and Mawada Al-Adham in two separate trials between 2020 and 2023 - for the same act, which contravenes the basic pillar of criminal law protecting defendants from double jeopardy. The charges were "violating family values" in one trial and "child exploitation and human trafficking" in another. This was an abusive twisting of those provisions as none of the legal tests for them had been met, but was intended to cause moral panic and to mobilize society against the two influencers^{52 53 54}.

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49 According to surveys conducted by EIPR through documentation and MEAL unit.

50 المبادرة المصرية للحقوق الشخصية. «دليل السائلين عن قضية مودة وحنين: تقرير بشأن الأحكام المشددة ضد صانعات المحتوى على الإنترنت بتهمة الاتجار بالبشر». [link](#) أغسطس 2021

51 [link](#). المركز الإقليمي للحقوق والحريات. «التريند قد يقودك إلى المحاكمة!» أغسطس 2021

52 [link](#). «المبادرة المصرية للحقوق الشخصية». «دليل السائلين عن قضية مودة وحنين: تقرير بشأن الأحكام المشددة ضد صانعات المحتوى على الإنترنت بتهمة الاتجار بالبشر»

53 Mada masr. "Content creator Mawada al-Adham, 3 others sentenced to 6 yrs on human trafficking charges" [link](#)

54 [link](#). المبادرة المصرية للحقوق الشخصية. «المبادرة المصرية ترحب بـ مذكرة نيابة النقض في طعن مودة الأدهم: نأمل أن يكون طريقا لإلغاء الحكم». فبراير 2023

55 BBC. "Egypt female TikTok star jailed for three years for human trafficking". [link](#)



Female Genital Mutilation/Cutting (FGM/C)

20. Multiple legislative amendments to the FGM law were introduced recently. In 2021, the Egyptian Parliament approved a bill to further increase penalties and penalize parents with imprisonment of up to three years. Such penalties discourage reporting from girls and family members. NGOs have called for decriminalizing parents in FGM cases if they cooperated with the investigation or sought medical help for victims to ensure increased reporting rates, to save girls' lives, and to condemn actual FGM practitioners, especially medical personnel⁵⁶.
21. In 2022, the state celebrated the reduction of FGM expectancy rates⁵⁷; mainly based on parental verbal intention. However, it overlooked alarming figures from the same survey. The National Strategy for the Empowerment of Egyptian Women 2030 aims for 55% of previously married women to have been subjected to FGM by 2030⁵⁸; yet, the 2021 survey revealed that 86% of women underwent FGM. Recent results also indicate a widening gap in the practice of FGM between rural and urban areas and according to income. This stresses the importance of addressing FGM comprehensively as a matter of sexual rights, autonomy, and bodily integrity. Additionally, the state still does not provide compensation or reparation services for women and girls who have undergone FGM.

⁵⁶ Task force Against FGM. [link](#)

⁵⁷ Central Agency for public mobilization and statistics (CAPMAS) (2022): Egypt Family Health Survey-2021: Cairo-CAPMAS-December 2022. Domestic Violence section. P 225

⁵⁸ 2030 المرأة المصرية «المجلس القومي للمرأة». [link](#)



Contraceptives and Childbirth services

22. According to the Egyptian Family Health Survey 2021, 20% of children born in the previous 5 years resulted from unwanted pregnancies, and 14% of previously married women reported unmet contraception needs, rising to 18% in rural Upper Egypt⁵⁹. Egypt restricts contraceptive use to married women, requiring parental consent for teenagers seeking contraceptives⁶⁰. All contraceptive methods target women, ignoring men's responsibilities, with little awareness of methods for men. The survey revealed a shocking 72% rate of c-section deliveries of all births that took place nationally during the survey period⁶¹. Despite official presidential and governmental rhetoric blaming overpopulation for lack of development, the state offers limited contraception services, even though the most recent survey showed a decrease in fertility rates. Official statements and interventions focus on fertility and birth rates rather than the quality of healthcare and women's rights. Comprehensive sexuality education is still absent from school curricula.

23. In March 2024, The Ministry of Health and Population issued Decision No. 75 of 2024⁶² to double the price of the cheapest clinic's ticket ten folds, which increases the financial burden on women against the backdrop of increasing inflation and as the comprehensive health insurance currently covers only 2.25 million women⁶³

59 Central Agency for public mobilization and statistics (CAPMAS) (2022): Egypt Family Health Survey-2021: Cairo-CAPMAS-December 2022. Contraception.

60 [link](#) العدالة بين الجنسين والقانون جمهورية مصر العربية

61 Central Agency for public mobilization and statistics (CAPMAS) (2022)

62 [link](#) الأهرام. «رسمياً.. إصدار اللائحة الأساسية للمنشآت الصحية التابعة لوحدات الإدارات المحلية». مارس 2024

63 [link](#) الصفحة الرسمية لرئاسة مجلس الوزراء المصري. مارس 2024



Safe Abortion

24. The Egyptian Penal Code prohibits⁶⁴ abortion under Articles 260-263, with one exception (not even mentioned in the text of the law): the threat to the health and life of the mother, which is applied minimally and under restrictive procedures⁶⁵. This forces women and girls to unsafe abortions, risking their health, particularly poorer and younger women, in addition to potential legal charges.

⁶⁴ [link](#). قانون العقوبات المصري

⁶⁵ يذكر الإستثناء في لائحة آداب المهنة لنقابة الأطباء ويصعب إلزام الأطباء والمنشآت الطبية به، ويستخدم في أضيق الحدود وبشكل شبه حصري في حالة الخطر على الحياة [link](#)



Women in the Public Sphere



Women in Judiciary

25. Egypt made progress in granting women access to all judicial positions for the first time in 2022; however, it is still far from achieving the desired percentage stated in the National Strategy for the Empowerment of Egyptian Women 2030, which stipulates that women's representation in Judicial positions should reach 15% by 2025 and 25% in judicial bodies by 2030⁶⁶ 68.



Political Participation

26. As per constitutional guarantees, women's parliamentary representation increased significantly in the 2021-2026 parliamentary session with a total number of 142 women based on the electoral list system and 6 based on the individual seats system out of 596 seats. The electoral laws did not mandate political parties to specify a quota for women's participation in their lists.. Furthermore, only one of the 27 parliamentary committees is headed by a woman.

27. Article 180 of the Egyptian Constitution reserves 25% of seats in local government councils for women. However, no local elections have taken place since the military council's decision in June 2011 to dissolve existing local councils. Despite the 2014 Constitution's stipulation to issue a new local councils and elections law, it has not been issued to date.

66 There is a difference between the judicial authorities and judicial entities. Judicial authorities are represented in public prosecution, state council, courts, and the constitutional courts, whereas the judicial entities are represented in administrative prosecution and state lawsuits authority. For years, women were able to hold positions in the judicial entities but not in judicial bodies (where discrimination lies). In the national strategy 2023, the 25% indicator meant the judicial authorities, but since this percentage is very difficult to achieve, the state calculate women in both bodies to fulfil the indicator.

67 [link](#) مرصد المرأة المصرية، نسبة الإناث في الهيئات القضائية

68 [link](#). «الهيئة العامة للاستعلامات». جهود مصر في ملف تمكين المرأة

28. Despite relative progress in women's representation in past cabinets, the most recent cabinet includes only 4 women out of 26 ministers⁶⁹. Additionally, only one woman has been appointed as governor out of 27. The total percentage of women holding senior positions stands at 26.6% across governorates with six governorates having no women in senior positions. The percentage of women holding general senior leadership positions in government agencies is 5%. The state aims to increase this percentage to 30% by 2030, but given current indicators, this goal does not seem imminent nor does it qualify as achieving equality.



Education

29. The Egyptian government has not yet implemented the constitutional entitlement of spending no less than 4% of the GDP on pre-university education, 2% on university education, and 1% on scientific research. According to data from the Ministry of Finance, the percentage of total spending on all levels of education and scientific research decreased to 1.94% in 2014-2015. This is the lowest level since the constitution was adopted, amounting to less than one-third of the required constitutional percentage.^{70 71}
30. In 2023, the Egyptian Ministry of Education issued a decree to amend school discipline regulations. Despite recognizing sexual abuse as a form of abuse experienced within schools, the regulations ignored other forms of gender-based violence⁷². Although the Ministry of Education issued decrees banning corporal and psychological punishment in compulsory education, there is no clear administrative path for their implementation.⁷³
31. The gap between female and male illiteracy remains wide, especially in border governorates. According to the labour force survey issued by the Central Agency for Public Mobilization and Statistics in 2022, the illiteracy rate among women is 22.8% compared to 12.4% among men⁷⁴.

69 [link](#). «الرئاسة». الرئيس عبد الفتاح السيسي يشهد أداء اليمين الدستورية للحكومة الجديدة

70 [link](#) تقرير المركز المصري للدراسات الاقتصادية

71 المبادرة المصرية للحقوق الشخصية. «في اليوم العالمي للتعليم.. نسبة الإنفاق على التعليم من الناتج المحلي في أدنى مستوياتها منذ تحديدها في الدستور المصري». يناير ٢٠٢٤ [link](#)

72 [link](#) الجريدة الرسمية. قرار وزاري رقم (١٨٧) بإصدار لائحة النظام والانضباط المدرسي بمرحلة التعليم ما قبل الجامعي

73 [link](#). الجريدة الرسمية. قرار وزاري رقم 287 لعام 2016

74 [link](#). «دراية». قراءة في مشكلة الأمية في مصر.. مؤشرات ومقترحات



Employment

32. According to the Central Agency for Public Mobilization and Statistics (MOSS), the unemployment rate in Egypt is 5% for men and 18.4% for women, indicating that the ratio of unemployment between men and women is 1:3.⁷⁵ This gap has persisted for nearly ten years, primarily due to the suspension of government sector appointments. In 2012, the number of women working in the government sector was 1,915,100,⁷⁶ while their number decreased to 1,757,000 in 2022. This decline continues as the policy of freezing government appointments persists while employees retire annually upon reaching retirement age.
33. In 2023, a new pattern of discrimination against women in the workplace emerged, with the state being the perpetrator. Thousands of women and men teachers were excluded from an appointment process after successfully passing a competition to appoint new public teachers based on arbitrary and discriminatory sports tests conducted by the Military College administration, which were not announced in advance. These tests were concerned with weight and physical fitness and excluded women teachers during pregnancy and postpartum periods⁷⁷.

⁷⁵ [link](#). الجهاز المركزي للتعبئة العامة والإحصاء. مصر في أرقام ٢٠٢٢

⁷⁶ الجهاز المركزي للتعبئة العامة والإحصاء. النشرة السنوية المجمعة لبحث القوى العاملة لعام 2012

⁷⁷ [link](#). المبادرة المصرية للحقوق الشخصية. «المبادرة المصرية تطعن على استبعاد ناجحات في مسابقة 30 ألف معلم بسبب الوزن الزائد أو الحمل أو اللياقة». ديسمبر ٢٠٢٣



Decent work

34. Official statistics consistently point to the barriers women face in entering and remaining in the formal private sector labour market. Women clearly suffer from the lack of enforcement of the minimum wage in the private sector, with the result being an average wage for women in the private sector in 2023 that was actually below the official minimum wage in the same year⁷⁸.



Domestic work

35. Domestic workers in Egypt lack any legislative protection to guarantee their rights, as Egyptian Labor Law No. 12 of the year 2003 does not cover them. This makes them more vulnerable to numerous violations and limits their ability to obtain basic rights related to working hours, wages, and protection from violence.

⁷⁸ [link](#) المبادرة المصرية للحقوق الشخصية. "نحو أجر منتصف للجميع في مصر". سبتمبر ٢٠٢٣. ص ٢٦



Transgender Women and Gender Non-Binary Persons



Entrapment

36. The Egyptian government continues⁷⁹ to entrapGBTQI+ individuals through online entrapment^{80 81}, luringGBTQI+ individuals by having police officers create fake accounts onGBTQI+ dating apps and initiating conversations with users. In the case files examined, most of the conversations are led by the person with a fake profile urging and pressuring users to engage in commercial sex work by offering money and pressuring them to accept, then luring them to places, arresting them, and presenting them to the prosecution with fabricated or manipulated incriminating evidence. This usually comprises of women's clothing, condoms, private sexual conversations⁸², private photos of individuals wearing women's clothing, and cosmetics. The prosecution then brings charges from articles of Law No. 10 of 1961, especially "habitual practice of debauchery"⁸³, in addition to articles from the Cybercrime Law⁸⁴.
37. During 2022-2024, 43 gay men and transgender women were arrested, lured, and trapped by Egyptian police using fake accounts on dating apps and social media,

79 [link](#)

80 [link](#). «بي بي سي عربي». «تحقيق لبي بي سي يكشف كيف تتصيد الشرطة في مصر مجتمع الميم»

81 EIPR. The Trap: Punishing Sexual Difference in Egypt. November 2017. [link](#)

82 In all "debauchery" cases in which transgender or gender non-conforming women are arrested, cosmetics, wigs, women's clothing, hormonal medications, and even hairdressing tools are used as incriminating evidence against the accused, as evidence of their commercial sex work or LGBTQI+ affiliation. In practice, this results in the prosecution of gender expression/female identity as evidence of guilt.

83 Ibid

84 [link](#). «القاهرة ٥٢». «قانون رقم 175 لسنة 2018 في شأن مكافحة جرائم تقنية المعلومات»



and then prosecuted. Sentences ranged from one year and a fine of 100,000 Egyptian pounds to five years in prison in some cases⁸⁵. Between June 2019 and June 2024, the number of documented cases using “habitual debauchery” accusations reached at least 93, where the number of men who have sex with men, gay, transgender women, or who were perceived as such reached 181⁸⁶.

38. According to at least one study⁸⁷, transgender women are 50% more likely to receive harsher sentences than gay men. Judges in “debauchery” cases usually issue defendants with a single sentence for all charges. In cases involving transgender women and gay men, the judge penalises gay men on the charges once and transgender women on each charge separately. This leads to a higher total sentence for transgender women, with one transgender woman receiving a 12-year sentence in a misdemeanour trial in 2021⁸⁸.



Torture and Detention Conditions

39. Forced anal examinations are almost routine in cases of “habitual debauchery”. In the second half of 2023, 52 people were arrested and all defendants were subjected to forced anal examinations and swabs⁸⁹.
40. Often, detainees are assaulted with insults and beatings by police officers and/or by other detainees who are directly instigated by the police, who sometimes supervise the assault themselves. Over the past three years, the prosecution refused to document and investigate many of these violations⁹⁰.
41. Egyptian legislation does not address the issue of detention spaces for transgender women, which leaves transgender women with only two options: being held in male detention facilities, which exposes them to sexual and physical violence, intimidation, and theft of personal belongings, or being held in “solitary confinement” for long

85 حصر القضايا من منظمتي ترانسات والمبادرة المصرية للحقوق الشخصية في خلال عامي ٢٠٢٣ و ٢٠٢٤.

86 حصر المبادرة المصرية للحقوق الشخصية. لا تعبر تلك الأرقام عن الأعداد الحقيقية للضحايا لكن الحد الأدنى مما توفر من المساعدة القانونية أو الإطلاع على أوراق القضايا.

87 [link](#). ترانسات. محاكمة الخروج عن النوع

88 Ibid

89 حصر منظمة ترانسات لعام ٢٠٢٣.

90 من لقاءات مع الضحايا وتقديم التمثيل القانوني

periods exceeding fifteen days, which is prohibited by the Nelson Mandela Rules, and which denies them their right to exercise, exposure to sunlight and air, and regular visits⁹¹.



Health Services

42. Egyptian laws do not cover transgender and intersex issues creating gaps in the ability of transgender and intersex people to enjoy their rights, the most important of which are the recognition of transgender people, gender reassignment, and changing identification papers. There is only reference to that in the Minister of Health's 2003 decree on the regulation of medical ethics⁹², but it is not legally binding to medical facilities that refuse to provide services sometimes. It establishes a decision mechanism to "approve" medical procedures with a committee that includes a member of Al-Azhar, while the mandate of Al-Azhar has nothing to do with medical procedures. Finally, the committee in question is extremely inefficient resulting in transgender women and men waiting for years for surgery they could easily get.

⁹¹ The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) [link](#)

⁹² Code Of Ethics, Egyptian Medical Syndicate. Article 43



The legal targeting of women human rights defenders (WHRDs) and civil society

43. Translator and WHRD Marwa Arafa has been in pre-trial detention for more than 4 years in stark violation of the law⁹³, since her arrest on April 20, 2020. After her arrest, Marwa was subjected to enforced disappearance for 14 days. Then on May 4, 2020, Arafa appeared before the Supreme State Security Prosecution, where she was interrogated in Case No. 570 of 2020 and accused of joining a terrorist organization and financing a terrorist organization. Marwa was providing humanitarian support to families affected by the detention by providing food, school materials, and medication⁹⁴.
44. Lawyer and WHRD Dr. Hoda Abdel Moneim has been arbitrarily detained for more than 2000 days after being rotated on more than one case with the same charges. Her prosecution began with case 1552 of 2018 on charges of joining a terrorist group and she was under enforced disappearance for 21 days. In 2020, she was tried on this charge and served a 5-year prison sentence, and on the last day of the end of her sentence, she was “recycled” in a new case No. 730 of 2020 on the same charge on which she was previously sentenced, in addition to a charge of financing terrorism, a charge she was previously acquitted of in an emergency court⁹⁵. Abdel Moneim has been denied medical treatment and visits on several occasions during her imprisonment⁹⁶.
45. Sudanese WHRD who have fled to Egypt from the war face threats and are afraid to appear in public or engage in public work, as they face potential targeting from supporters of Sudan’s old Bashir regime. They are also targeted by Sudanese and Egyptian security. Some activists, including members of a group helping Sudanese refugees in Egypt, have been threatened with deportation by members of Egyptian

93 Committee for Justice. “Egyptian court extends pretrial detention of rights defender Marwa Arafa, violating the law” [link](#)

94 WHRDMENA. “FREE MARWA ARAFA” [link](#)

95 Committee for Justice. “Egypt: 2,000 days of arbitrary detention for human rights defender Hoda Abdel-Moneim” [link](#)

96 Ibid.

and Sudanese security forces. In June 2023, three of them were summoned by Egyptian security and threatened on account of their work providing housing for refugees⁹⁷.

46. Although the investigative judge announced the closure of Case No. 173 of 2011, known as the Foreign Funding for NGOs case, in March 2024 due to lack of criminal evidence, some of the defendants in the case, including lawyer Azza Soliman, still have their assets frozen. Authorities have also banned lawyer Hoda Abdel Wahab, who is being prosecuted in a case carved out of the same Case No. 173/2011, from travelling and imposed an asset freeze on her.
47. On April 23, 2024, 14 WHRDs, journalists, feminists, activists and lawyers were arrested during a peaceful protest in solidarity with victims of the genocide in Gaza and the war in Sudan, outside the UN Women regional office in Cairo⁹⁸. The group presented an open letter urging UN Women to take an active role in condemning genocide and war and ensuring accountability for the rape and murder of 10-month-old Sudanese refugee girl Janet in Egypt. The women defenders were arrested and prosecuted by the Supreme State Security Prosecution the next day, where they were interrogated and then released on bail ranging from 5,000 to 10,000 Egyptian pounds⁹⁹. They were charged with participating in a assembly to damage public and private property, joining a terrorist group, and disturbing public peace and security, in case number 1567 of 2024¹⁰⁰.

⁹⁷ Information obtained during an interview with one of the WHRDMENA Coalition members.

⁹⁸ WHRDMENA. "UNWomen Supports the Arrest of WHRDs Defending Gaza and Sudan's Women" [link](#)

⁹⁹ WHRDMENA. Update . [link](#)

¹⁰⁰ Ibid



Family Laws (PSL)

48. Even though the Egyptian Personal Status Law (PSL) was issued in 1920 and passed through several amendments up until 2005, the discriminatory provisions against women are still enshrined in its articles. PSLs in Egypt create separate legal procedures of family laws depending on the religion of the family.
49. On June 5th, 2022, a decree by the Minister of Justice was issued to form a committee consisting of 11 judges¹⁰¹ – two women - to amend Muslim PSL. The committee's mandate was supposed to end after 4 months by producing a new PSL; however, to date, the PSL has not been amended or had any public consultations held on it. For Christian PSL, the proposal on the Unified Christian Family Law was not published or shared and it was drafted in utter secrecy without consulting any stakeholders. While the current legal framework does not allow in any case for civil marriage.



Marriage

50. According to Law No. 1 of 2000¹⁰², the Court may accept requests to examine whether a female needs the consent of her guardian to enter into a marriage contract, which contravenes Article 11 of the Constitution concerning gender equality and human rights principles that recognize women as full citizens. Additionally, unregistered/unofficial marriages are not legally prohibited, yet women are not guaranteed any financial rights in the marriage or after divorce. In addition, if the husband destroys the customary marriage document (in case it existed), the wife may be accused of having an extramarital affair. Also, since the law requires official registration of the marriage to issue birth certificates for children, several men refuse to register the child or the marriage leaving women seeking judiciary interventions that can take years to prove children's paternity.

101 Family Law committee structure [link](#)

102 Law No. 1 for the year 2000 (on litigation matters in Family issues) [Link](#)



Divorce

51. Unilateral divorce is still a right granted to men according to the law¹⁰³ whereas women have to seek judicial divorce by providing all necessary evidence to build strong grounds for divorce such as illness, imprisonment, harm, or absence of financial support. Such a request can take up to 4 years before courts. Furthermore, proving verbal divorce lies solely on women before courts. In this case, women find themselves in a societal and religious dilemma as they are religiously divorced, yet married before the law. In such situations, women are deprived from any legal post-divorce settlements, state's support, and do not have the right to remarry; therefore, they seek court decisions to prove verbal divorce.
52. For Christian Egyptians, there is a contradiction in court verdicts regarding divorce. Some judges would base their decisions on the 2008 bylaws¹⁰⁴ that only grant a divorce for 3 reasons (adultery – changing religion – death), while others would use the 1938 bylaws¹⁰⁵¹⁰⁶ that consider 8 bases for divorce. However, in case of obtaining a divorce from the court, the church does not recognize this divorce and therefore does not allow permission for the second marriage, leaving Christians without any real opportunities to start a new life, especially in the absence of a civil marriage law for people sharing the same religion and the impossibility of changing sect or religion.
53. For Egyptians who believe in non-abrahamic faiths, the difficulty of issuing identity cards without having to write incorrect personal information (selecting an abrahamic religion) completely denies them the right to document marriages and litigate family matters¹⁰⁷.

103 Law 100 for the year 1985. [link](#)

104 Coptic Orthodox family bylaws 1938 [link](#)

105 Ibid

106 General congregation council decision 2008 . [link](#)

107 EIPR. Identity documents, marriage certificates, and burial: The missing rights of adherents of “unrecognized” religions Executive and legislative proposals. [link](#)



Custody

54. According to Article 20/1 of Decree-Law No. 25 of 1929 as amended by Law 100 for the year 1985¹⁰⁸, a mother loses custody of her children if she remarries. However, the father has the right to remarry and retains the custody of his children in clear discrimination against women. Women are granted custody until the child reaches the age of 15 or until the mother remarries. For this reason, many mothers choose not to remarry so that they can keep the custody of their children. However, when the child is 15 years old, the mother is forced by law to leave the house if it was provided by the father.
55. In some cases, the difference in religion between the father and the mother can be a legal ground for a Christian mother married to a Muslim or a Christian man who has converted to Islam to lose custody¹⁰⁹.



Testimony

56. Although a woman's testimony has full power under the Penal Code, in Personal Status Law women's testimony is only equal to half that of men in a family court or marriage contracts.

108 Law 25 for the year 1929 amended by Law 100 for the year 1985 (on divorce) [link](#)

109 Hekmat Hanna. "Custody of a Christian mother is a right undermined by her husband's Islam". [link](#)

Discrimination



Discriminatory laws

57. Article 17 of the Penal Code allows the judge to use leniency to lower sentences. However, this article is heavily used in crimes committed against women, especially in rape and indecent violation, as well as the so-called “honour crimes”. Additionally, Article 60 of the penal code is used to justify domestic violence as it is considered a husband’s right to “discipline” his wife.
58. Adultery is criminalized by the penal code in articles 237, 274, and 277¹¹⁰; however, in contrast to the general legal principles and constitution, the penalties are discriminatory between men and women. The penalty for a married woman is imprisonment for a period not exceeding two years, with the husband retaining the right to suspend the penalty. While husbands can only be sentenced to a period not exceeding six months, provided that their act of adultery took place only at the marital residence, the wife’s action is considered adultery regardless of where it took place. It also allows the husband to benefit from a mitigating excuse if he kills his wife in case he catches her in the act of adultery which can limit the punishment to one year in jail with a suspended sentence. On the other hand, the wife’s punishment in the same circumstances can reach the death penalty, as the penalty for premeditated murder applies to her.

The Anti-Discrimination Commission

59. Article 53 of the Egyptian Constitution stipulates the elimination of all forms of discrimination and the establishment of an independent commission for this purpose. Although ten years have passed since this constitutional entitlement was promulgated, the commission has not yet been established¹¹¹.

110 Egyptian Penal Code, articles 237, 274, 277 [link](#)

111 Egyptian Constitution, article 53 [link](#)



National strategies and access to information

60. In the last ten years, several national strategies on women's rights were launched; however, they all lacked executive action plans and almost non-existent mid-term and end-of-term reports to objectively evaluate the strategies against clear indicators. Rather, the rare report issued merely lists the number of workshops and door-to-door activities that were implemented without considering their actual impact, and in some cases, celebrating the status quo as achievement. They were issued without consulting with civil society actors, especially those working from rights and feminist perspectives. Moreover, the National Human Rights Strategy (NHRS) lacks a deep understanding of the struggles of women's rights in Egypt.
61. The National Dialogue called for by the President in 2023 did not include women's issues as a main pillar. The few sessions that touched on women's rights were limited to superficial issues that did not dive into the reality of the women's rights crisis in Egypt, while the discussion on family issues came within the "Family and Social Cohesion" committee.

Crises of Women and Girls Rights in Egypt

2024 - 2019



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REGIONAL COALITION
OF WHRDs in the
Middle East and
North Africa

براح آمن

CEWLA Foundation

www.cewlacenter.org

E-mail: info@cewlacenter.org

مؤسسة قضايا المرأة المصرية

برج الحجاز - شارع المهندس عبد الهادي راضي
(المجنونة سابقا) ارض اللواء
ت- ف :- ٢٧٣١٦٥٨٥