



The Egyptian Center for Women's Rights

Report on the Status of Egyptian Women in 2008

Unimplemented Legal Reforms: Egypt's Declining International Reputation

supervised by
Nehad Aboul Komsan
Chair of ECWR

NGO in Special Consultative Status with the Economic and Social Council of the United Nations

Introduction

As the year 2008 comes to a close, several questions remain unanswered and issues unresolved. Hopefully, 2009 will see answers to these questions and achievement of the unresolved goals of 2008, fulfillment of political and governmental promises, social activism that produces real change, and a vocal women's movement that demands tangible results at all levels rather than merely verbal assurances.

1. Women's political participation

- During the 2008 local council election, the parties nominated low percentages of women candidates. Of the National Democratic Party's (NDP) 52000 candidates, only 6000 were women; the Wafd Party nominated 24 women out of their 520 candidates; El Tagamo'a Party nominated 16 women of their 234 candidates; the Generation Party (El Gil) nominated 7 women of their 74 candidates, the Nasserist party nominated only 5 women out of 151 total candidates.; and of the Republican Party's (El Gomhory) 14 candidates, 2 were women.
- Of these, only 2335 women were elected, totaling 4.4% of the total local council members.
- The 2008 report of the International Parliamentary Union on Women's Status ranks Egypt 134 in women's participation in parliament out of 188 countries. Rwanda, Sudan, and Cuba come in first, second and third respectively.

2. Women, decision-making and leadership positions

- A Presidential Decree issued on March 19, 2008 will appoint 103 new female law school graduates to "clerkship" positions, a similar action to the 2005 Presidential Decree appointing 133 top Sharia law school graduates to clerkships. Judge Fathy Abdel Wahab Shalakan, the vice-president of the District Attorney's Office, and the General Secretary announced their decision to appoint 103 women and 30 men to the 133 clerkships. This is the first time in the history of District Attorney's Office that 80% of their appointments in a certain area are women.
- A Presidential Decree was issued to appoint Faten Abdel Aziz Sharawy as President of State Commissioner in the High Constitutional Court. She is the first woman to occupy this position since the Constitutional Court was established in 1969.
- In May, 12 female judges were sworn in to the High Judiciary Council by the Chief Justice, Mokepl Shaker, and the President of the Appeals Court. The new judges are former members of both bodies of the District Attorney's office.
- Nagwa El Ashery was the first woman appointed Mayor. Also, Hana'a Mahmoud Abdel Aziz was the first woman appointed General Secretary of the 6 of October Governorate.
- Port Said witnessed the first women to occupy a leadership position in local councils.

- Five local governors lost reelection in Port Said, and Nashwa Mousa, Deputy to the General Secretary.
- In Asuit Governorate, Dayrout District, and Koma Yoha village, Eva Habel was elected the first female Mayor in a community where a woman's voice and body are traditionally considered too seductive to be part of the public sphere.
- Although women have achieved a great deal, in February, Mohamed Mahgoub, the Minister of Local Development made appointments in local councils in 5 governorates - none of them women.
- Mahgoub's decision was followed with other decisions in November by the new election movement. Decision No. 171 made 76 appointments and Decision No. 172 made 72 appointments to the position of General Director. Decision No. 173 involved appointing 259 local leaders in the governorates. 3 of them were General Secretaries in their governorate, 19 were Assistant Secretaries, 18 were Governors. Only 4 women were appointed, and they were named Assistants to the General Secretary and a one Governor.

3. Women in the labor force

- The 2008 report of the Central Agency for Public Mobilization & Statistics entitled "Women's and Men's Status in Egypt" showed the progress of women in the labor force from 1984 to 2005. Women made up 18% of the formal sector workforce in 1984 and 23% in 2005.
- On February 26, 2008, Aml Soluman Afify, age 32, became the first woman in Egypt to apply for the job of Ma'zoun. The Family Court in Zakazek appointed her and she received her official documents in October.
- Dr. Souad Saleh demanded that the head of the Fiqh Department in the Faculty of Islamic Studies at Al Azhar University allow women to work in Ifta'a.
- For the first time, a number of security companies have appointed women to work as guards to buildings and VIPs.

4. Legal reforms

Several advocacy NGOs drafted reforms to laws related to women, indicating an interest in Egyptian women's status and rights. However, the role played by these NGOs in confronting the challenges and difficulties that women face has not always been effective. Although many draft laws were formulated in 2008, few of them were submitted to the Parliament. Among those submitted are:

- The National Council for Women's draft of a law criminalizing obstructing women from obtaining their rightful inheritance
- The legislative committee in the National Council for Women presented a set of criminal laws that included amendments to the articles on rape, abduction, and assault.
- A draft of a law was submitted by Zenab Radwan, MP, on the need to postpone a sentence of execution in cases where a woman is breastfeeding to a time when she is no longer breastfeeding.

- El Nadeem Center for Victims of Violence submitted a draft of a law to criminalize domestic violence against women.
- The Egyptian Center for Women's Rights, The National Council for Women and the MP Khalil Quata submitted three drafts of laws to amend the sentence in the penal code for the crime of sexual harassment.
- In President Mubarak's opening speech for the new parliamentary session, he announced that he will submit legislative amendments to Parliament that will increase the number of women in the People's Assembly, the Shoura Council, and Local Councils.
- The Politics Committee of the National Democratic Party, in cooperation with the Justice Ministry discussed amending items in the Personal Status Law relating to divorce, alimony, and home ownership.

Although there are many drafts, the only one being seriously discussed is the draft of a law by Dr. Zeinab Radwan on the need to postpone sentencing in cases where a woman is breastfeeding. This draft is being considered in the People's Assembly Council and is facing many challenges and criticisms.

5. Laws

The People's Assembly issued the Child Law No 126/2008. It addresses a number of important issues such as criminalizing female circumcision (FGM), and criminalizing the certification of marriage contracts for couples under 18 years old. In order to license a marriage, the couple must undergo a medical checkup to make sure that neither of them have any diseases that could affect the life or health of the other. The law prohibits any act harming the rights of the child, emphasizing the need for protection for children against trafficking or sexual, commercial, and economic exploitation of any kind. Also, the law prohibits using children in any research or scientific experiments. ECWR suggests that awareness among children of these rights and dangers be raised and methods for proving parenthood be enforced.

6. Fatwa pertaining to women

The most important fatwas issued in 2008 are as follows:

- The Supreme Council for Islamic Affairs declared that raped women have the right to an abortion in the first 120 days of pregnancy. After 120 days, abortion is forbidden in all cases.
- Dr. Ali Goma'a, Egypt's Grand Mufti, declared an official Fatwa permitting women to work as Ma'azoun because it is not against Islamic Sharia'a law.
- Dr. Abdel Fatah El Sheikh, the head of the Fiqh committee at the Islamic Center for Research at Al Azhar University, stated that the Fatwa permitting adopted children to use the last names of their adopted families is contrary to Islamic Sharia'a Law because it mixes lineages.
- The Islamic Center for Research refused all ten drafts that were submitted by the Arab Union for NGOs on polygamy, adultery, and amending the system of inheritance.
- The Islamic Center for Research objected to six articles in the new Child Law.

- The Egyptian Efta'a House issued a fatwa (no. 6670) permitting women to be members of the judiciary and to be elected President
- Al Azhar supported a Turkish and Saudi Arabian fatwa permitting women to beat their husband in self-defense.

7. Protests and Strikes

This year has witnessed a wave of strikes and protests. Through our monitoring of the media, we noted that women's voices have started to rise in demanding their rights. Working class women were the first to demand their rights at work.

In the medical field:

- 150 female nurses held a strike in January in the Central Hospital of Sars El Layan. The female nurses abstained from work, thereby halting all work at the hospital, and demanded the attendance of the health minister to solve their financial problems.
- 50 female nurses held a protest because of their low salaries.
- 450 female nurses held a strike in the Shebeen El Qoum Teaching Hospital demanding to be included in the Health Ministry and that Ministry decisions should be applied to all hospitals under it. Some of the external clinics joined them, making a total of 5000 protestors.
- 70 female nurses staged a protest and refused to work at the International Mansoura Hospital. The protest was against the hospital administration's dismissal of their demands to have their financial rights recognized according to the law.
- 80 female nurses in the National Medical Institution in Damanhour, Giza held a strike because they were not given their salary bonuses.
- Over 450 female nurses from Kafr El Zayat Hospital and several external clinics held a protest because they were not given their salary bonuses, which translate to a cut of 75% from their salaries. In addition, the strikers protested a 25% cut in their bonuses, a decision which was made by the head of the Ministry.

In social affairs:

- 1000 citizens, both men and women, held a protest at the Social Affairs administration in Giza on February against a declaration that was issued by Dr. Ali El Meselhy, Minister of Social Solidarity, stating that they do not follow procedures set by the Ministry in regards to financial bonuses but instead follow local bodies. The protesters demanded a raise in their bonuses from 20% to 25%.
- A large number of female employees in the Social Affairs Office in Giza protested in front of the government buildings, including government offices in the south of Cairo, against gender inequality in the Social Solidarity Ministry and bad working conditions. They emphasized the difficulties they faced because of the deterioration in the structure and management of their work.

In education:

- In September, 50 female teachers in Azhar institutions threatened a strike in Alexandria against their arbitrary transfer from one school to another each year. As a result of the transfers they did not feel stable in their work environment.
- A female supervisor of services held a food strike against bad treatment by the school's director in El Rayania village, Qena.
- In October, 20 female teachers and supervisors in El Fardous nursery followed the Students Care Association, Shebeen El Qom, Monofaya, held a food strike against the cancellation of their contracts that were meant to be valid for 20 more years. The cancellation occurred because there were no financial resources to continue the contracts.
- In November, 75 female students from Azhar held a protest in Souhag against the transfer of the director of their institution.

8. Egyptian women's status outside Egypt

Egyptian women working abroad have witnessed a number of problems relating to protection of their rights:

- In Saudi Arabia: El Wafd newspaper published in October news of the disappearance of 20 Egyptian women in Saudi Arabia. Most of the families were informed that the twenty women were arrested after the Saudi government fabricated accusations against them because the women had refused to work without pay at a hairdresser's shop in Riyadh.
- In Kuwait: El Masry El Youm newspaper published an article on November 19 on the miserable experience of about 1500 Egyptian teachers in Kuwait because they have not gotten their salaries for three months. These teachers had faced ill-treatment since arriving in Kuwait on the first of August 2008.

9. Human Trafficking

- The eighth annual report of the American Foreign Ministry on human trafficking emphasized Egypt's failure to provide mechanisms that prevent human trafficking. The report emphasized that Egypt has become a transit country for trafficking women sex workers, particularly cities with high tourism. These women are sometimes forced to work as domestic servants or trafficked to Israel to work in prostitution. The report referred to the failure of the Egyptian government to prevent the increase of this phenomenon. The target audience for this trafficking is rich people from the Gulf states who come to Egypt and have "temporary" marriages with Egyptian women who in some cases are under 18 years old.
- In response to the human trafficking problem, Egypt declared the formation of the Coordinated National Committee to Combat and Prevent Human Trafficking. The decision of the Head of Cabinet who established the committee (Annex No 1) states that the Head of the Committee will be a female ambassador, the assistant of the Foreign Minister for the Affairs of International Organizations. The technical Secretariat will be the deputy to the assistant of the Foreign Minister for Human Rights Affairs.

- The committee published its first annual report in September 2008. This report contained an overview of the Coordinated National Committee to Combat and Prevent Human Trafficking.
- In October, an international conference on the United Nations Convention Against Transnational Organized Crime was held in Vienna. In its conclusion, the conference members agreed on the Egyptian decision regarding the human trafficking phenomenon to form a team of the countries members. This team aims to attract a great number in support of the anti-trafficking protocol.

10. Violence against women

Honor Crimes:

- An exciting study by the National Center for Social and Criminal Research shows that honor killings make up 29% of all murders. In addition, in 70% of honor killings the reason behind the killing is rumor. Recently in Egypt, the study showed that 29% of murders fall under the category of crimes of honor. These crimes committed by husbands, fathers or brothers to preserve family honor. 70% of these crimes are committed by husbands against their wives, 20% are committed by brothers against their sisters, and 7% of these crimes are committed by fathers against their daughters. The remaining 3% of these crimes are committed by sons against their mothers. The most dangerous finding of the study was that men commit these crimes without proof that their honor has been betrayed. Instead they rely on rumors from friends, acquaintances, and neighbors.

Female Circumcision:

- The annual newsletter of the Central Agency for Public Mobilization and Statistics on the status of women and men in Egypt in 2008 showed that 95.8% of ever-married women have been circumcised. The percentage of circumcisions has decreased to 92.2% in urban areas in comparison with 98.3% in rural areas.
- In attempting to confront this harmful traditional practice, the government issued amendments to the Child Law in June 2008 to criminalize the practice of female circumcision in Egypt for the first time. Article 242 was added to the Penal Code Act No. 58 of 1937 to create a new law, law number 126 of 2008. This law states, "taking into account the provision of Article 61 of the Penal Code and without prejudice to any greater penalty stipulated by another law, anyone who performs female circumcision shall be punished by imprisonment for not less than three months and not exceeding two years or a fine of no less than 1000 pounds and no more than 5000 pounds according to articles 241 and 242 of the Penal Code."
- In the Atsa district of Fayoum, The Ministry of Health and the National Council for Childhood and Motherhood filed a lawsuit against two female doctors, Amal Farouq and Nariman Shaaban, for performing female circumcision on 60 girls.

Rape:

- The security reports show that 27 incidents of rape are committed every day and 10,000 incidents of rape are committed per year. Although this is already a horrible figure, the absence of accurate documentation of rape and the fact that victims often do not report incidents of rape means that this figure is probably much lower than in reality.
- A security report published in March 2008 shows that in 2007 Egypt witnessed 20,000 cases of rape. This figure was confirmed by Fadia Abu Shabha, Professor of Criminal Law. According to Professor Shabha, Dakahlia governorate is ranked first in terms of incidences of rape, followed by Alexandria, Giza, and Gharbeyya governorates. 51.4% of rape victims are under 18 years old.
- A report by the Center for Public Mobilization and Statistics shows that in 2007 there were 232 cases of indecent assault and rape compared to 203 cases in 2006. This is an increase of 15.4% in the reported cases which show that the number of reported cases represent only a small proportion of cases that actually occur because most victims do not file reports when subjected to these crimes.

Domestic Violence:

- A report in January from the Center for Public Mobilization and Statistics confirms the existence of 12,000 khula lawsuits (divorce initiated by a woman without the need for her husband's consent) per year in Egypt at a rate of 23 cases per day. This figure is increasing because of the current economic and social crisis in the community.
- In a letter from Member of Parliament Mohsen Radi to Dr. Ali Meselhi, Minister of Social Solidarity, Mr. Radi calls attention to the nearly 2 million divorced women in Egypt. Over 40% of women in Egypt are divorced. The letter also emphasized that the incidence of divorce has reached 240 cases per day, amounting to 1 case every 6 minutes. Many of the divorce cases, 44%, are between newly-wed couples. Mr. Radi has called for immediate action to stop this dangerous phenomenon that, according to the report issues by the Central Agency for Public Mobilization and Statistics, is destroying the social structure of the community.
- A report issued by the National Council for Motherhood and Childhood shows the proportion of female minors who are subjected to physical violence by their husbands is increasing. According to the report, the percentage of violence against wives in Egypt is 21%. A report issued by the National Council for Childhood and Womanhood entitled "The World Report" on violence against children stated that physical violence against female minors includes slapping, punching, kicking, dragging on the floor, strangling, burning with a hot iron, and threatening violence with weapons.
- A report issued by the Central Agency for Public Mobilization and Statistics in June 2008 on violence against women states that half of the ever-married women who have reached child-bearing age begin to be subjected to violence

at the age of 15. In addition, one out of every five women had been subjected to some form of violence over the year preceding the survey. The main perpetrators of violence are husbands, and to a lesser degree mothers, fathers, and brothers. Results indicated that half of the women believed that their husband had the right to beat their wives in at least one of the following cases: if she burns the food, if she argues with him, if she leaves the house without telling him, if she neglects the children, or if she refuses to have sex with him. 17% of women believe that beating is justified in any of the above reasons.

Therefore, Egypt was ranked first in the world for the prevalence of wife-beating husbands. The percentage of Egyptian women who reported domestic violence went up from 23% in 2003 to 40% this year.

Sexual Harassment:

- This year, the issue of sexual harassment attracted a lot of attention from the media, the general public, security officials, and the legal community. As a result of this attention, it is no longer possible to deny the existence of sexual harassment in Egypt, as was often done in the past. In fact, today there is a significant ongoing dialogue to develop ways to eradicate this phenomenon. In addition, public opinion has shifted so that the victim is no longer blamed for the act of sexual harassment. Instead, there has been an increased interest in the public's interest in analyzing the problem, finding the underlying reasons for it, and identifying the responsibilities of the concerned bodies to eradicate sexual harassment.
- Because the volume of data on this subject is so great, this report will only highlight the most significant events which have been addressed in the media.
- The incidents of sexual harassment during the most recent Eid El Fitr holiday led to the arrest of 38 men, 36 of whom were released. The remaining two were tried and sentenced for misdemeanors in Agouza. Islam Magdi, a 19 year-old student, was sentenced to prison for one year with hard labor after the first session of his trial. Mohamed Medhat, aged 17, was transferred to the juvenile court and charged for incitement of sexual harassment, sexual harassment, and indecent assault in public. Despite these charges, the courts acquitted both of the accused without carrying out any sentence.

Reports of harassment filed in police stations:

- This year, Noha Rushdie filed a report against a driver for sexual harassment and indecent assault. The Criminal Court sentenced the man to 3 years in prison and a fine of 5001 Egyptian pounds.
- Abdel Muti Mustafa, a teacher at Ahmed Orabi School, harassed some female teachers, even trying to kiss one of them inside the teacher's lounge. The Director of Administration investigated this incident and did nothing but transferred the teacher to an administrative job in the Ministry of Education.
- A lawyer from the village of Dahreya in the district of Itay Albarood woke up at dawn to find a stranger in her bedroom attempting to sexual harass her. She managed to scream for help from her neighbors.

- The Hurgada police arrested a tour guide for trying to sexual harass a Russian tourist after bringing her to his apartment under the pretext of needed to get something from his apartment. To escape, the Russian woman jumped out of the second floor window.
- Ahmed Nasr, a 22 year old glasses-shop worker, tried to grab the breast of Marwa, aged 25, as she was walking down July 26 Street with her fiancé to buy household appliances. Ahmed tried to sexual harass her as her fiancé spoke on his mobile phone and then tried to flee. He was caught and arrested and taken to the Azpakia Police Station. Marwa filed a report for the District Attorney to follow up the case.
- A woman named Hend accused a man named Mohsen of sexual harassment on Gamra bridge.
- 28 year old Shimaa AbdEl Rahman filed a report against a microbus driver in Omrania for sexual harassment.
- The head of the District Attorney's Office, Nasr Habib, imprisoned a mathematics teacher who harassed his 8 year old student in the classroom in a primary school in El Yazghi Rod El Farag.
- A young 23 year old newly married woman wearing a headscarf, abaya (a conservative, loose-fitting cloak), and gloves was walking with her 3 year old niece in 6th of October was sexual harassed by a passer-by who first verbally harassed her and then proceeded to come close and grab her breasts and other sensitive parts. The women fell to the ground and asked for help from other pedestrians.
- The fathers of two fifth-graders, Taher Salem Ibrahim and Abdullah Adel Mohammed, at Khamseen Primary School in El Gharaq village in Fayyoun filed a report of sexual harassment against a teacher, Ahmed Qassim, who stripped the two boys naked in front of their colleagues and proceeded to harass them.
- Three female members of a syndicate in Ghazleh El Mahala, Wedad Demerdash, Amal Al Sayyid Hassan, and Reda Sultan, accused Gamal Abul El Esaad, Tarek Abdel Moneim, and Mohammed Shalabi for sexual harassment.
- A 28 year old secretary, Hend, who works at a private company and lives in El Zaher district was sexual harassed by a 30 year old man who tried to grab her breast as she walked down the stairs of the Gamra pedestrian bridge. The woman asked the security services on the bridge to help her and they followed and arrested the man.
- The traffic police arrested a man who went into the women's car of the metro wearing women's clothes and tried to sexual harass the women in the car. The arrested him and put him in jail for 4 days as they completed the investigation.

Serious crimes prompted by sexual harassment

- In April, 3 men tried to harass a female university student from Sohag in Sadfa district. Another man tried to help her and a fight broke out between him and the harassers. The 3 harassers attacked the man with pocket knives.
- In the village El Tiba in Samalut, one young Coptic man was killed and 4 other men injured in a fight that broke out over a Muslim man who was seen flirting with a Coptic girl.
- 16 people were injured in a fight involving clubs and firearms between the Hawara and Abu Sahla tribes in the city of Farshut. The fight broke out over the harassment of a girl from the Hawara tribe.
- A young man in El Salakhana in Tanta lost his life for harassing girls. Three brothers and their friend waited for him in the street then proceeded to attack him with pocket knives. They were arrested and confessed to their crime.
- A fight broke out between 23 year old Ahmad Sherif and 17 year old Mustafa Abdel Nabi when Ahmad Sherif accused Mustafa Abdel Nabi of flirting with his sister as she stood on their balcony which overlooks the Ahmed Maher Industrial Secondary School. The school director filed a report at the Sayeda Zeinab police station saying that Ahmad Sherif attacked one of his students and disturbed the peace of the school.
- Abdel Alim Ali Ahmed, a farmer, killed his neighbor, Ragab Ashour Atteya for harassing his wife. Ahmed took Atteya to his nephew and together they stabbed him to death. Later, a police officer, Mohammed El Fayoum, found the body and after an investigation discovered that the victim had tried to kiss Ahmed's wife after which Ahmed killed him.
- A former prisoner killed a man under Safwat Bridge in Kerdesa by chopping his body into pieces after the man harassed his sister.

Security campaigns to stop sexual harassment:

- In September, the British government issued a warning to its citizens that British tourists were being subjected to sexual harassment in Egypt. The government also sent a formal letter to the Egyptian Tourism Office in London relating the same warnings. The office in London proceeding to forward the letter to the Egyptian Tourism Office in Cairo.
- The Minister of Tourism, Zuhair Garrana, announced that the phenomenon of sexual harassment is one of the most dangerous phenomena for tourism in Egypt. The Minister made this announcement only after sexual harassment had received a great deal of coverage in both national and international media. The Ministry broke with their usual trend of avoiding the issue by addressing the problem of sexual harassment directly through a massive advertisement campaign.

After the events of the last Eid El Fitr, the security services launched a number of security campaigns including the following:

- The General Administration of Investigation in Cairo arrested 146 men who harassed young girls during the Eid holiday. Major General Ismail El Sha'er, the first Assistant to the Minister of the Interior and Director of Security in

Cairo, ordered an increase in the security presence in central Cairo, tourist areas, and public parks during the Eid holiday.

- A campaign was launched by the Security Administration in Monufia under the guidance of the Ministry of Foreign Affairs to arrest a large number of unemployed men who were harassing female students and pedestrians on the street.
- Policemen in Cairo launched an extensive campaign to restore order in the city's streets and arrest cases of sexual harassment. The supervisor of this campaign was Major General Ashraf Ismail El Sha'er, first Assistant of the Minister of the Interior. They arrested 300 men for harassment, 30 for incitement of debauchery, and 80 indecent behavior in public.
- In one day, the General Administration of Investigation of Cairo made 550 arrests for sexual harassment in front of several girls' schools. They also made many other arrests for criminal acts around the schools. This campaign took place under the guidance of Habib El Adly, the Interior Minister, to eradicate all illegal acts.
- The security services in Giza launched a campaign to restore order in the street which resulted in 41 arrests for indecent assault, 7 people were suspected of harassment, and 8 harassment cases.
- During the last Eid El Adha holiday the streets of Cairo witnessed a major security presence, which allowed people to enjoy the holidays without harassment.

Sexual harassment ... the draft laws:

- Three drafts of the sexual harassment law were submitted to Parliament - one by The National Council for Women, the Egyptian Center for Women's Rights, and a Member of Parliament, Mohamad Khalil Qawaita. Although the public showed interest in legal provisions addressing sexual harassment, the Parliament did not put this issue on its agenda for the year 2008/2009.
- Despite these many efforts, this draft law has not yet been discussed while the Saudi newspapers have discussed a proposed Saudi law to address sexual harassment which has been submitted to the Saudi Shura Council. According to the proposed Saudi law, sexual harassment is any act, saying, or reference that is sexually suggestive and done with the intention to sexually harass. It also includes acts of inappropriate exposure or gender-based insults. The first paragraph of the proposed Saudi law states that sexual harassment is punishable by one year in prison and a fine of 100,000 riyals. Thus, Saudi Arabia may succeed in implementing a sexual harassment law before Egypt despite many efforts in Egypt to propose such a law.