



The first Arab platform to advocate for the right of justice

Serious Steps to Bridge the Gender Gap

A monthly report issued by the platform of Your Lawyer (Mo7amek) in cooperation with The Egyptian Center for Women's Rights and the Gender and Legal Expert House.

INTRODUCTION:

The past few years have witnessed serious and important steps to highlight the pioneering role of women in all fields, which is clearly evident through the steps that Egypt has taken. The month of May witnessed the start of the consultative sessions for Egypt's preparation of its first action plan on the international agenda for women, peace, and security. This comes in light of the Foreign Minister's announcement in May 2019, in which Egypt will begin preparing the first national action plan surrounding the Women, peace and Security Agenda. This is an important step that allows crystallizing Egyptian leadership in implementing the international dimension of this agenda.

This plan is carried out through the cooperation of three main bodies: The Egyptian Ministry of Foreign Affairs, the National Council for Women, and the Cairo International Center for conflict resolution, peacekeeping and peacebuilding.

These sessions affirm Egypt's full belief in the importance of the international agenda for Women, Peace and Security, which was officially launched with the adoption of UN Security Council Resolution 1325 in 2000. It is globally based on four main axes: participation, prevention, protection and relief, and recovery. The first Egypt Action Plan will constitute a general framework to guide the state's policies and programs in order to enhance Egypt's role in implementing the international dimension for the Women, Peace and Security Agenda, and an effective mechanism for achieving national goals, taking into account the relevant international obligations.

MAY 2021 STATISTICS

1474 consultations were received by "Mo7amek" across different platforms and means. The means of her communication were as follows:



895 consultations were received on both "Hekayat Nehad" as well as "Mo7amek" on Facebook. This made up 56.9% of the complaints.



378 consultations were received on both mobile and landline phones, making up 25.6% of the complaints.



257 consultations were received on the Mo7amek website, constituting 17.4% of the consultations.

HUMAN RIGHTS TEARMS

Discrimination against Women



The United Nations defines **discrimination against women** as follows:

"any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."

Source: CEDAW

What does the law say? On Non-Muslim Inheritance:

"I am a Christian, and my mother passed away. I would like to apply the Christian law regarding inheritance, which is based on equality between men and women.

What should I do, especially since the inheritance information was issued according to Islamic Sharia?"

The constitutional and legal text on the inheritance of non-Muslims:

Article 3 of the Constitution:

Christian and Jewish religious affairs: The principles of the laws of Egyptian Christians and Jews are the main source of laws regulating their personal status, religious affairs, and selection of spiritual leaders.

Article 245 of the Coptic Orthodox Regulations:

The descendants of the deceased take precedence over other relatives in the inheritance, so they take all the inheritance or what is left of it after the husband or wife's share has been met.

If there are many branches and they are of one degree, the amount is divided among them in equal shares. There is no difference in that between the male and the female. If there is a son and a daughter, they each get half. If there are 3 descendants from the second degree (a son's son), they each receive a third. However, if they were of different degrees and some of them were direct descendants of a living person, they take precedence.

If a person dies leaving a son and his son, the son inherits alone without his son. But if some of them refer to the inheritor as a son of a deceased person, then they take the place of that deceased person and take the share that would have been interpreted if he was alive.

If a person dies with a living son and the children of another son who died before him, the estate is divided into two halves, one of which is for the living son to inherit in this capacity, and the second for the children of the deceased son who inherits it by way of representation on behalf of their deceased father.

And the inheritance by proxy transcends from one branch to another and does not stop at a limit, and it is due to the aforementioned principle mentioned in the previous paragraph, which is that the branch is only obscured by its living origin.

So if a person left two sons, Mark and Peter, and Mark survived, and Peter died, leaving two sons, Paul and Hanna, and Hanna died of one or several children, and the benefactor died after that, then the estate is divided first into two halves, one of which is taken by Mark, and the second goes to the branches of the deceased Peter, then the share of Peter is divided into two parts, one of them The surviving police take him, and the second one, the son or sons of the deceased Hanna.

Obstacles to applying the law regarding the division of inheritance for non-Muslims:

1. Informs of inheritance are not given to Christians by dividing the inheritance according to their own Sharia, unless the plaintiff requests that from the court by applying the Christian Sharia, and the third article of the Egyptian Constitution. If no requests are made, the application divides the inheritance according to Islamic law.
2. The distribution of the inheritance according to Christian law is only for the Orthodox Copts in Egypt, according to the Coptic Orthodox regulation in force in Egypt and Article 3 of the Egyptian Constitution, and because there are no organized and written regulations for the rest of the other sects in Egypt.
3. Some Christians, especially men, did not demand the division of inheritance according to Christian law, due to the lack of equality between them and the women who inherited with them.
4. Failure to agree on a unified draft law for Christians despite the existence of several attempts, starting from 1978 until now, to agree on a unified law for the three sects in Egypt.

Women's Constitutional Gains:

Article 180: Election of local councils Every local unit elects a local council by direct, secret ballot for a term of four years. A candidate must be no younger than 21 years old. The law regulates other conditions for candidacy and procedures of election, provided that one quarter of the seats are allocated to youth under 35 years old, one quarter is allocated for women, workers and farmers are represented by no less than 50 percent of the total number of seats, and these percentages include a proper representation of Christians and people with disability. Local councils are responsible for developing and implementing the development plan, monitoring the activity's different aspects, exercising the tools of monitoring the executive authority such as proposals, and submitting questions, briefing motions, interpellations and others, and withdrawing confidence from the heads of local units, in the manner organized by law. The law defines the mandate of other local councils, their financial sources, guarantees of its members, and their independence.

Article 180 of the 2014 constitution stipulates a quota for women, "allocated seats," estimated at a quarter of the seats for women, which means about 15,000 seats for women only. In addition to this, there is the possibility of girls and women also running for seats for youth, Christians and people with disabilities, and therefore the number of girls and women in the upcoming local councils will be more than a quarter of the seats, which is the first precedent of its kind in local councils, as women were represented in the last local council elections that took place in Egypt in 2008 at only 5%.