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A portal for providing legal knowledge and offering solutions managed by a team of specialized lawyers and supervised by Ms. Nehad Abulkomsan, senior lawyer

Legal articles ... Issue Article



ECWR CONTINUES ITS ACTIVE ROLE IN THE "NOT BEFORE 18" CAMPAIGN TO COMBAT CHILD MARRIAGE

The Egyptian Center for Women's Rights (ECWR) continues its active participation in the "Not Before 18" campaign, alongside a coalition of women's initiatives, calling for the enactment of comprehensive legislation that criminalizes child marriage by prohibiting the marriage of girls under the legal age of 18 and closes the legislative loopholes that allow the practice to persist.

The campaign also highlights the severe consequences of child marriage, including:

Health: Increased risks of pregnancy and childbirth complications due to girls' incomplete physical development.
Psychological: Deprivation of childhood and education, while placing family responsibilities on girls long before they are emotionally prepared to bear them.
Social: Denial of girls' economic empowerment opportunities, perpetuating cycles of poverty and illiteracy.

Calls for Decisive Legislation and Effective Protection

The campaign's slogan, **#Together_For_A_Law_Criminalizing_Child_Marriage**, reflects the primary objective of the participating organizations. Through this initiative, ECWR and its partners are mobilizing public and legislative support to expedite the enactment of a comprehensive legal framework that closes all loopholes exploited to circumvent the legal minimum age of marriage. Community awareness and legislative advocacy go hand in hand in protecting the future of thousands of girls and ensuring every girl's right to grow, learn, and determine the course of her own life, free from exploitation and school dropout.

Through its slogan, **#TogetherForALawCriminalizingChildMarriage**, the campaign seeks to combine public awareness with legislative advocacy as two essential pillars for safeguarding girls' futures and guaranteeing their right to education, healthy development, and a life free from child marriage.

YOUR LAWYER'S LEGAL SERVICES IN THE FIELD OF FREE CONSULTATIONS:

YOUR LAWYER PLATFORM IS A PORTAL FOR LEGAL KNOWLEDGE AND PROVIDING SOLUTIONS. THIS IS MANAGED BY A TEAM OF SPECIALIZED LAWYERS UNDER THE SUPERVISION OF MS. NEHAD ABUELKOMSAN, SENIOR LAWYER.

Ask Your Lawyer



A question:

Is the marriage of a minor legally invalid, or is it simply considered unregistered?



The Answer

Under Egyptian law, a marriage in which one or both parties are under the age of 18 is not recognized as an official marriage. Marriage registrars (ma'zouns) are prohibited from registering such marriages, meaning they are treated as unregistered customary marriages ('urfi marriages) and do not enjoy the full protection of the law. From a legal perspective, the status of a minor's marriage involves two distinct issues: the validity of the marriage contract under Islamic law (Sharia) and its eligibility for official registration and legal enforcement under state law.



LEGAL INFORMATION

Criminal Liability: Filing a lawsuit to establish the existence of a child marriage may help protect civil rights, including marital rights and the child's legal parentage. However, it may also expose the husband, the legal guardian, and anyone involved in arranging or facilitating the marriage of a minor to criminal prosecution under Article 227 of the Egyptian Penal Code, on charges related to document forgery, failure to comply with official registration requirements, or circumventing the legal minimum age for marriage.

Legal Concepts



The Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW - Article 16) recognize child marriage as a grave violation of human rights. They call upon states to establish the minimum legal age for marriage at 18 years and to require official registration of marriages.

Addressing child marriage also contributes to achieving the Sustainable Development Goals (SDGs), particularly:

Goal 1: No Poverty

Goal 5: Gender Equality

Goal 10: Reduced Inequalities

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Legal Updates

Article (227) of the Egyptian Penal Code

"A person shall be punished with imprisonment for a period not exceeding two years or a fine not exceeding three hundred Egyptian pounds if, before the competent authority, with the intent of proving that one of the spouses has reached the legally prescribed age for registering a marriage contract, they knowingly provide false statements or submit or prepare false documents.

The same penalty shall apply to any person who knows that one of the parties has reached the legally prescribed age, or knows of the existence of a legal impediment to registration, and nevertheless arranges or prepares for the marriage, conducts the marriage contract as a witness or marriage registrar (ma'zoun), or acts on behalf of either spouse in an unregistered customary marriage contract, or records such a marriage in a customary contract without officially registering it."

OUR CLIENTS



This month, , a total 450 of consultations were received by "Mohamek" across its 2 different communications means, including Facebook pages, and telephone, , as follows:

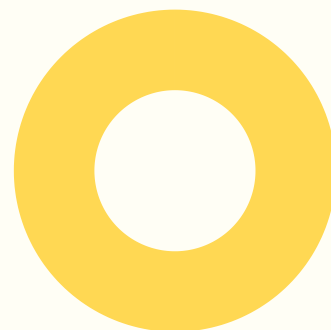
- Phone
- Facebook



Phone: : 450 consultations were received on mobile and landlines, making up 100 % of the complaints

Facebook: - consultations were received on Facebook, making up 0%

● Phone consultations



Your Legal Advisor in Family Matters. ..Nermine, the "Child," Seeks to Establish the Parentage of Her "Child"



Sixteen-year-old "Nermine S.K." stood carrying on her shoulder a child who was not yet two years old, recounting a story that began when she was only 13. She lives in the village of Al-Barba, in Sadfa District, with her family, which consists of her father, who works as a daily laborer in agricultural fields; her mother; five sisters; and three brothers.

Because of the family's financial hardship, neither Nermine nor any of her siblings was able to attend school. In addition, her father believed that raising daughters was a burden that needed to be relieved. As a result, he agreed to the first marriage proposal that came for his daughter, Nermine, despite the fact that the prospective husband was only 19 years old.

Since the legal age for marriage had not been reached, her father resorted to a common practice in rural areas: an unregistered customary marriage ('urfi marriage). A written customary marriage agreement was prepared in the presence of family members and relatives, with the understanding that the marriage would be officially registered once the girl reached the legal age required for formal marriage documentation.

The marriage took place, and only a few months later, the family discovered that the young girl was pregnant. The news was initially celebrated as a happy occasion—a child was about to give birth to a child. However, the happiness did not last long. Before the seventh month of her pregnancy ended, her husband traveled abroad in search of work. Tensions then began to arise between Nermine and her husband's family, eventually resulting in her being expelled from their home while she was in her ninth month of pregnancy.

She returned to her father's house carrying in her womb a child who was innocent and had no fault in the circumstances surrounding his birth. When she gave birth and informed her husband's family, she received a devastating response: they denied the child's parentage and denied that the marriage had ever taken place.

Nermine remained in this situation for more than a year until she reached the Family Court, where she filed a lawsuit seeking to establish her child's parentage and have him legally recognized as the son of his father, whom she had heard nothing from since he left her during the seventh month of her pregnancy.

Legal Position: Your Lawyer Explains

The legal framework governing this issue is set out in the following provisions: Article 17 of Law No. 1 of 2000 (Regulating Certain Procedures and Litigation in Personal Status Matters) provides:

"Lawsuits arising from a marriage contract shall not be admissible if, at the time the lawsuit is filed, either the wife or the husband is under eighteen (18) years of age.

In cases where the marriage is denied, lawsuits arising from a marriage contract relating to events occurring after 1 August 1931 shall not be admissible unless the marriage is evidenced by an official document. However, only an action for divorce or annulment, as the case may be, shall be admissible, provided that the marriage is evidenced by any written document.

Article 15 of Decree-Law No. 25 of 1929, as amended by Law No. 100 of 1985, provides:

"Where paternity is denied, a claim to establish the parentage of a child shall not be heard if it is established that the spouses could not have met from the date of the marriage contract; nor for a child born to a wife more than one year after the husband's absence from her; nor for a child born to a woman under a marriage contract if the child is born within six months of the date of the marriage contract."

Article 15 of the Child Law No. 12 of 1996, as amended by Law No. 126 of 2008, provides:

"Every birth must be reported within fifteen (15) days of the date of birth. A mother's notification of her child's birth shall be accepted if she submits any official document proving the marital relationship, together with a signed declaration stating that the child was born as a result of that relationship."

**For a free consultation
Please fill out an online
form, send us an email,
or call us via phone for
30 minutes**



working days

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Contact Us

Phone :
01061496144
01066854655
0225242141

WhatsApp:
01061496144



E-mail:

info@mohamek.com
complaints@mohamek.com

**To contact the support team or
complaints (messages via WhatsApp
only) 01024234501**

Sunday - Thursday from
10:00 am to 04:00 pm