

**Concluding comments of the Committee on the Elimination of
Discrimination against Women: Egypt**

Third and combined fourth and fifth periodic reports

312. The Committee considered the third report and the combined fourth and fifth periodic reports of Egypt (CEDAW/C/EGY/3 and CEDAW/C/EGY/4-5) at its 492nd and 493rd meetings, on 19 January 2001 (see CEDAW/C/SR.492 and 493).

(a) Introduction by the State party

313. In introducing the reports, the representative of Egypt emphasized the improvement in favour of women in the legal, institutional and practical domains. In the legal domain, many laws, such as family laws, had been amended in favour of women. The National Council for Women had been created in February 2000 by Presidential decree as the first political institution focusing on the empowerment of women, monitoring of implementation of the Convention and laws and policies affecting women's lives. The Council reported directly to the President, and its 30 members had been selected from different disciplines and sectors, including the academic community and non-governmental organizations. The representative stressed the importance of collaboration between non-governmental organizations, and the Council, particularly with regard to the implementation of programmes aimed at the reduction of poverty resulting from privatization and structural adjustment programmes, particularly among female heads of household in both rural and urban poor areas.

314. The representative informed the Committee that, during the 2000 elections, the National Council for Women had supported the participation of women both as candidates and as voters. Women's awareness of the importance of political participation had consequently increased, and the number of female candidates had increased from 87 in 1995 to 120 in 2000, with 7 candidates being elected in 2000, compared to 5 in 1995.

315. The legislative committee of the National Council for Women had reviewed the current nationality law and recommended that it be amended to entitle Egyptian women married to foreigners the right to confer their nationality on their children. It had reviewed the draft labour law, recommending amendments to ensure that existing benefits, including maternity leave and leave to care for children, remained available for all working women, including those in the governmental, public and private sectors. In addition, the legislative committee was reviewing the draft law on passports, which had been formulated in response to the ruling of the Supreme Constitutional Court that a ministerial decree requiring the husband's consent to the issue of a wife's passport was unconstitutional. The legislative committee within the National Council for Women would initiate a campaign to raise awareness of the draft law, and had formed a committee to elaborate a new family code.

316. The representative informed the Committee of recent laws and regulations that sought to eliminate discrimination between women and men. These included Law No. 12 of 1996, passed in compliance with the Convention on the Rights of the Child⁷ to provide protective measures for mothers and children and to guarantee the rights of women as mothers and working women, and Law No. 1 of 2000, enacted after a 10-year period of consultation. Law No. 1, which entered into force on 1 March 2000, grants women the right to “khul”, or unilateral divorce by repudiation without the need to prove damage. Executive decrees issued as a result of Law No. 1 of 2000 included a new marriage contract, which came into effect on 16 August 2000, elaborating protective provisions relating to finances and polygamy. In addition, article 291 of the Penal Code, which provided a defence in cases of kidnap and rape where the defendant marries the victim, was repealed.

317. The representative noted that, despite the progress that had been made in implementing the Convention, there were a number of areas that required attention. They included discrimination against women with regard to the nationality of their children, the low number of women in many areas of decision-making, including the Parliament, the absence of women in the judiciary, the high levels of illiteracy among women and girls and violence against women. In order to overcome these obstacles, human rights education was important. The National Council for Women was pursuing an awareness campaign with the aid of the concerned authority. Human rights education had been included in law courses taught at the Police Academy. She referred to the ongoing awareness campaign and training courses on human rights for law-enforcement and legal personnel.

318. The representative said that the Government intended to enhance efforts towards the achievement of equality between women and men and the elimination of discrimination against women. She noted that cultural constraints and traditions sometimes impeded change and obstructed implementation of the law. In this context, she said that the Government, through the National Council for Women and in collaboration with the Egyptian intelligentsia, both men and women would seek to use indigenous formulations, which were deeply rooted in Egyptian and Islamic culture and which asserted the equality between women and men. With the aid of all concerned, governmental and non-governmental organizations, the National Council for Women would participate in campaigns to raise awareness and ensure proper interpretations, clarify misinterpretations of religious concepts and demonstrate that the principles of sharia provide for the full equality of women with men, and respect for women’s human dignity.

319. In conclusion, the representative informed the Committee that efforts were under way to address the reservations entered by the Government of Egypt upon ratification of the Convention. It had recommended the withdrawal of the reservation to article 2 of the Convention and those to article 9, paragraph 2, and article 16 were actively under review.

(b) Concluding comments of the Committee

Introduction

320. The Committee commends the Government of Egypt on its third and combined fourth and fifth periodic reports, which are in accordance with the Committee’s guidelines for the preparation of periodic reports. It also commends the Government for the comprehensive written replies to the questions of the Committee’s pre-session working group, and the oral presentation of the

delegation, who sought to clarify the current situation of women in Egypt and provided additional information on the implementation of the Convention.

321. The Committee congratulates the Government for its high-level and large delegation, headed by the Secretary-General of the National Council for Women. The Committee appreciates the open dialogue that took place between the delegation and the members of the Committee.

Positive aspects

322. The Committee welcomes the establishment of the National Council for Women, which was created by Presidential decree, reports directly to the President and is mandated to monitor laws and policies affecting women's lives, raise awareness and monitor the implementation of the Convention. The Committee considers that the establishment of the Council reflects strong political will and the Government's commitment to enhancing the status of women in compliance with the Convention. The Committee commends the fact that non-governmental organizations are represented in the Council and that they participated in the preparation of the reports.

323. The Committee notes the introduction of legal reforms aimed at the elimination of discrimination against women, particularly Law No. 1 of 2000, which, inter alia, gives women a right to terminate a marriage unilaterally (khul).

324. The Committee takes note with appreciation of the important reduction of female illiteracy rates obtained by Egypt by implementing special programmes and specific budgetary allocations.

Factors and difficulties affecting the implementation of the Convention

325. The Committee notes that, although the Constitution guarantees equality of men and women and the Convention prevails over national legislation, the persistence of patriarchal attitudes and stereotypical behaviour with respect to the role of women and men in the family and society limit the full implementation of the Convention.

Principal areas of concern and recommendations

326. While appreciating the efforts of the National Council for Women to encourage the Government to withdraw its reservations to articles 2 and 9, paragraph 2, and article 16 of the Convention, the Committee expresses its concern that these reservations entered by the State party upon ratification have been retained.

327. The Committee urges the State party to expedite the steps necessary for the withdrawal of its reservations and in that regard draws its attention to the Committee's statement on reservations in its report on its nineteenth session⁸ and, in particular, its view that articles 2 and 16 are central to the object and purpose of the Convention and that, in accordance with article 28, paragraph 2, they should be withdrawn.

328. The Committee notes with concern that women who seek divorce by unilateral termination of their marriage contract under Law No. 1 of 2000 (khul) must in all cases forego their rights to financial provision, including the dower.

329. The Committee recommends that the Government consider a revision of Law No. 1 of 2000, in order to eliminate this financial discrimination against women.

330. The Committee expresses its concern that the Egyptian nationality law prevents an Egyptian woman from passing on her nationality to her children if her husband is not Egyptian, while Egyptian men married to non-Egyptians may do so. It is concerned by the hardship faced by the children of Egyptian women married to non-Egyptian men, including financial hardship with regard to education. The Committee considers this limitation on the rights of women to be inconsistent with the Convention.

331. The Committee calls upon the State party to revise the legislation governing nationality in order to make it consistent with the provisions of the Convention.

332. The Committee notes with concern that the persistence of cultural stereotypes and patriarchal attitudes impedes progress in the implementation of the Convention and the full enjoyment of their human rights. In this regard, the Committee is concerned that article 11 of the Egyptian Constitution, which states that the State shall enable a woman to reconcile her duties towards her family with her work in society and guarantee her equality with men in the sphere of political, social, cultural and economic life, appears to entrench the woman's primary role as mother and homemaker.

333. The Committee urges the Government to increase awareness-raising programmes, including those specifically directed towards men, and to take measures to change stereotypical attitudes and perceptions about the roles and responsibilities of women and men.

334. The Committee expresses its concern at the continuing stereotypical portrayal of women in the media, which encourages discrimination and undermines equality between men and women.

335. The Committee urges the Government, including the National Council for Women, to support the important role of the media in changing stereotypical attitudes towards women and in promoting equality between men and women as prescribed by the Constitution and international standards. It recommends that opportunities be created for the portrayal of positive, non-traditional images of women and that the number of women in decision-making positions in the media be increased. It also recommends that the Government establish, within the Council, a monitoring body on the representation of women in the media.

336. The Committee expresses its concern that the Government has addressed HIV/AIDS only as a health issue.

337. The Committee urges the Government of Egypt to address the multidimensional and cross-cutting nature of HIV/AIDS, including its human rights, economic, social, development and security dimensions.

338. Taking note of the successful efforts by the Government to reduce the drop-out rate for girls in primary education, the Committee notes with concern the remaining high level of illiteracy among women, and the rate at which girls and young women drop out of secondary school and university.

339. The Committee calls upon the Government to continue to strengthen its efforts to eradicate female illiteracy, in particular in the rural areas. It urges the Government to continue its programmes to prevent drop-outs by girls in primary education, and to reduce the drop-out rate of girls and young women at secondary school and university, including through the use of incentives for parents, so as to provide young women with the necessary skills and knowledge to participate on the basis of equality with men in the labour market.

340. The Committee expresses its concern that stereotypical attitudes about the roles of women and men in the family and society are reflected in the low level of representation of women in decision-making at all levels and in all areas. The Committee expresses its concern in particular that, although there is no law that prohibits the appointment of women as judges, no woman has ever been so appointed.

341. The Committee calls upon the Government to increase the number of women at all levels of decision-making, including in government and Parliament. It urges the Government to implement temporary special measures, such as numerical goals and quotas connected to time frames, in accordance with article 4, paragraph 1, of the Convention, in order to increase the representation of women at decision-making levels in all areas.

342. The Committee expresses its concern at the lack of information on the participation and conditions of women in the labour market, including in the private and informal sectors, and that there is little information and data on the impact of the recent privatization measures taken by the Government.

343. The Committee calls upon the Government to provide more information on this area in its next periodic report.

344. The Committee expresses its concern that, although efforts have been made, there is no holistic approach to the prevention and elimination of violence against women, including domestic violence, marital rape, violence against women in detention centres and crimes committed in the name of honour or the punishment of perpetrators. The Committee is also concerned at the high level of violence against adolescent girls and young married women.

345. The Committee urges the Government to conduct a national survey of the extent of violence against women, including rural women. It calls upon the Government to assess the impact of existing measures to address the various forms of violence against women. It recommends that the root causes of violence against women, especially domestic violence, be investigated so as to improve the effectiveness of legislation, policies and programmes aimed at combating such violence. It also recommends that the Government implement training and sensitization programmes for the judiciary, law-enforcement officials and members of the legal and health professions, as well as awareness-raising measures to create zero tolerance in society with regard to violence against women.

346. The Committee expresses its concern that several provisions of the Penal Code discriminate against women. In particular, in case of murder following the crime of adultery, men and women are not treated equally. In addition, prostitutes are penalized, while their clients are not.

347. The Committee urges the Government to eliminate any discriminatory penal provisions, in accordance with the Constitution and the Convention.

348. While welcoming the Minister of Health's Decree of 1996 on female genital mutilation, the Committee expresses its concern at the lack of information on the implementation of this Decree.

349. The Committee requests the Government to provide full details on the implementation of this Decree in its next report, including on public awareness-raising campaigns run by all actors (ministries, the National Council for Women and non-governmental organizations) and on measures that have been taken to educate those whose livelihood depends on performing such procedures.

350. The Committee expresses its concern at the lack of information on rural women, especially in the informal sector.
351. The Committee calls upon the Government to provide in its next periodic report a comprehensive picture of the situation of rural women, in particular with regard to education, health and employment. The Committee recommends that the Government monitor existing programmes and develop additional policies and programmes aimed at the economic empowerment of rural women, ensuring their access to productive resources and capital as well as to health-care services and to social and cultural opportunities.
352. The Committee expresses its concern about the high number of early marriages of girls, especially in rural areas.
353. The Committee recommends that the Government amend the law on the legal age of marriage to prevent early marriage, in line with its obligations as a State party to the Convention.
354. The Committee expresses its concern regarding the continued legal authorization of polygamy.
355. The Committee urges the Government to take measures to prevent the practice of polygamy in accordance with the provisions of the Convention and the Committee's general recommendation 21.⁹
356. The Committee urges the Government to sign and ratify the Optional Protocol to the Convention and to deposit, as soon as possible, its instrument of acceptance of the amendment to article 20, paragraph 1, of the Convention, concerning the meeting time of the Committee.
357. The Committee requests the Government to respond to the concerns expressed in the present concluding comments in its next periodic report submitted under article 18 of the Convention.
358. The Committee requests the wide dissemination in Egypt of the present concluding comments in order to make the people of Egypt, in particular governmental administrators and politicians, aware of the steps that have been taken to ensure de jure and de facto equality for women and of the future steps that are required in this regard. It requests the Government to continue to disseminate widely, in particular to women's and human rights organizations, the Convention and its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the results of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".