HUMAN RIGHTS COUNCIL

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EGYPT

Joint submission of

THE EGYPT COALITION FOR WOMEN'S POLITICAL PARTICIPATION

Composed with:

MASHREQ FOUNDATION FOR DEVELOPMENT AND POPULATION
In collaboration with:
ABNAA EL-MAHROUSA FOR DEVELOPMENT AND PARTICIPATION (EL-MAHROUSA)
CEDAW ASSOCIATION FOR DEVELOPMENT AND HUMAN RIGHTS
DOING
EGYPTIANS WITHOUT BORDERS foundation for Development; (EWB)
HERAK ASSOCIATION FOR DEVELOPMENT
MEHNA MOSTAKBAL ASSOCIATION FOR DEVELOPMENT
PARTICIPATORY DEVELOPMEN SOLUTIONS (PDS)
PARTNERSHIP NETWORK INTERNATIONAL (PNI)
QADROUN FOR COMPREHENSIVE DEVELOPMENT
SHABAB ALKHEIR ASSOCIATION FOR DEVELOPMENT AND SERVICES
THE EGYPTIAN YOUTH COUNCIL
WOMEN FOR DEVELOPMENT ASSOCIATION

Cairo, March 22- 26th 2019

Consultation and Elaboration of
A UPR WRITTEN CIVIL SOCIETY COALITION'S CONTRIBUTION
to the Universal Periodic Review (UPR) of EGYPT

ENSURING WOMEN FULL RECOGNITION, INCLUSION AND PARTICIPATION
IN THE POLITICAL AND CIVIL PROCESS OF EGYPT

INTRODUCTION

1. MASHREQ FOUNDATION FOR DEVELOPMENT AND POPULATION; ABNAA EL-MAHROUSA FOR DEVELOPMENT AND PARTICIPATION (EL-MAHROUSA); CEDAW ASSOCIATION FOR DEVELOPMENT AND HUMAN RIGHTS; DOING; EGYPTIANS WITHOUT BORDERS foundation for Development; (EWB); HERAK ASSOCIATION FOR DEVELOPMENT; MEHNA MOSTAKBAL ASSOCIATION FOR DEVELOPMENT; PARTICIPATORY DEVELOPMEN SOLUTIONS (PDS); PARTNERSHIP NETWORK INTERNATIONAL (PNI); QADROUN FOR COMPREHENSIVE DEVELOPMENT; SHABAB ALKHEIR ASSOCIATION FOR DEVELOPMENT AND SERVICES; THE EGYPTIAN YOUTH COUNCIL; WOMEN FOR DEVELOPMENT ASSOCIATION:

2. MASHREQ FOUNDATION FOR DEVELOPMENT AND POPULATION is an Egyptian NGO established in 2008. It aims at supporting and promoting the institutional and human development in the economic, social and human rights sectors and focused on promoting women's economic and social rights had an electoral awareness project for women in rural areas supported by the International Foundation for Electoral Systems, a project 'strengthen the mechanisms of transparency, accountability and community supervision on local development plans' supported by (USAID). And 'a safe working environment for women' project supported by the United Nations Fund. AL MASHREQ FOUNDATION is partnering with the Ministry of Social Solidarity, Ministry of Youth and Sports and the Ministry of Education.

3. ABNAA EL-MAHROUSA FOR DEVELOPMENT AND PARTICIPATION (EL-MAHROUSA); Is a nonprofit organization registered in 2017 but has been working in the society since 2011 with the aim to promote economic empowerment, the freedom of civil society and the promotion of citizens' participation in public life, it has been keen to enable NGOs, trade unions and youth to have effective roles in achieving sustainable development of society within the framework of public rights and freedoms that protect the rights of all citizens without any form of discrimination.

4. CEDAW ASSOCIATION FOR DEVELOPMENT AND HUMAN RIGHTS; is a non-governmental organization established in 2015 that works in the field of empowerment and support of women and aims to obtain women's rights granted to them by the Constitution and the law and the exercise of those rights without any discrimination, The activities of the Foundation provide legal services for women, the preparation of studies and legal research, Women's rights in particular, by educating women about their rights, provide training and developing women's skills, issuing of qualitative and periodic reports on women. The association works with nearly 5000 women beneficiaries of the services provided.

5. DOING; Founded in the Netherlands in 2018, with a strong local presence in MENA. Our work is dedicated to equip communities, businesses and organizations with the tools, knowledge and connections they need to increase their incomes, empower their capacity, increase their resilience, enhance their sustainable development, and gain access to basic services – empowering them to participate effectively in their public spheres and respecting the universal values of human rights.

6. EGYPTIANS WITHOUT BORDERS foundation for Development; (EWB) is an Egyptian Organization established in 2007 aiming at promoting the role of civil society in policy making to achieve a more inclusive, open, peaceful and progressive Egyptian society. In particular concerned with

the Economic and social empowerment for Women and Youth also to create innovative mechanisms to reduce poverty and ensure marginalized groups have access to economic opportunities with adequate social and environmental. (EWB) provided direct opportunities for the political empowerment for more than 150 female activists and economic empowerment to more than 300 young men and women and direct social empowerment to more than 600 young men and women in addition to awareness activities targeting more than 15000 beneficiaries in Aswan Governorate and about 10,000 beneficiaries in other governorates. (EWB)The organization is the national coordinator of the Egyptian Coalition for Education and a member of the Global Campaign for Education for All

7. HERAK ASSOCIATION FOR DEVELOPMENT; an Egyptian civil society organization established in the year 2015 aiming to spread the culture of teamwork through training and skills development, initiatives and partnerships, organizing dialogues, debates, professional, vocational and administrative support programs and activating national, regional and international human rights instruments. HERAK fields of work are Human rights, social defense, women and children, economic empowerment

8. MEHNA MOSTAKBAL ASSOCIATION FOR DEVELOPMENT; Established in 2015 with the aim to empower all groups of society, especially women and youth, for a inclusive and sustainable development and seeks to contribute to the elimination of societal gaps that impact negatively on the growth and development of the society. The Foundation is concerned with the economic and social empowerment of the most needy groups, especially in marginalized areas, especially women and youth, to support and build the skills and abilities of these groups and give them tools that enable them to manage their lives effectively and facilitate access to better life opportunities.

9. **PARTICIPATORY DEVELOPMENT SOLUTIONS (PDS)** Founded in 2011 a consultancy organization dedicated to the advancement of sustainable human development in Egypt and the Arab region through fostering of economic empowerment, vibrant civil society, citizen-centered policies, peace-building, social transformation, and sustainable solutions for food security, water management, and solar energy. PDS achieves its mission by implementing capacity building, strategizing, research, advocacy and networking, business development, project management, and evaluation.

10. PARTNERSHIP NETWORK INTERNATIONAL (PNI) is an NGO based in Geneva, Switzerland. It was founded in 2014 to promote human rights and sustainable development through capacity building, project sponsorship, and international advocacy transmitting to the United Nations (UN) the concerns of the civil society. PNI is active in some fifteen countries. HOMENA is one of PNI section working in Human rights and Development in the Mena region.

11. QADROUN FOR COMPREHENSIVE DEVELOPMENT; Was established in 2016 to promote the social and economic empowerment of individuals and communities through education, career and vocational training, and public health programs to enhance access to health services and promote the participation of women and youth in public life and the provision of basic services for the most needy and the most vulnerable. The most important projects were “Education and All” Project, “Vocational Training and professional Training” Project, “Economic Empowerment for Women” Project, the” Public Health” Project, which aimed to raise citizens' awareness of the principles of public health, “public rights and positive participation” project that focused on enhancing the participation of women and youth in public life through their participation in public decision-making

12. SHABAB ALKHEIR ASSOCIATION FOR DEVELOPMENT AND SERVICES; Founded in 2006, it works to develop and care for marginalized, poor and disabled people, to promote active engagement of youth and women, and to raise awareness to enable access to rights through the investment of community resources of the governmental and civil institutions and the private sector. SHABAB ALKHEIR areas of Work are Community Development - Health, Education, Cultural and Religious Development, Child Care, Human Rights, Consumer Protection.

13. THE EGYPTIAN YOUTH COUNCIL; The Egyptian council for Development was established in 2016, in Cairo its aim is to support youth in all areas of development, concerned with Women Empowerment, Community Development, Institutional Development, Organization and management, Social Defense, Support disadvantaged families Supporting investment opportunities, Environmental initiatives, Participating in building an effective civil society, Human Rights and reach sustainable development in accordance with international laws and regulations and based on the foundations of human rights and social justice. The Council is specialized in developing strategies for young people, identifying challenges and proposing appropriate solutions through training and developmental programs **.**

14. WOMEN FOR DEVELOPMENT ASSOCIATION; The association was established in 2009 in Giza to empower the rural women in the villages of the center of Kerdasa especially the marginalized women and their children in the social, health, educational, economic rights. WOMEN FOR DEVELOPMENT ASSOCIATION also works in the field of environment protection and preservation and social defense, providing scientific and cultural services, peace building and also it focuses on the labor organizations. The women for development Association had more than 2500 beneficiaries from its target groups benefited from its various activities.

THE EGYPT COALITION FOR WOMEN'S POLITICAL PARTICIPATION *is partnering with the Coalition for Human Rights and Sustainable Development*[1] *and submits written comments on Egypt, for consideration by the Working Group on the Universal Periodic Review (UPR) at its 34th session (13rd November 2019).*

INTRODUCTION

15. In the third cycle of the UPR of Egypt in November 2019, the Coalition submits a report **focusing inter alia on the promotion of women civil and political rights.**

The report highlights the main concerns related to the issues directly related to the Egypt Coalition partners in their respective work for the protection and promotion of human rights and improvement of sustainable and inclusive and participative development in Egypt.

This report takes into account data from various sources, including first-hand information and those collected by their partner organizations working in the field.

It notes the remaining gaps in the progressive realization of the right to participate in political process and the effective presence of women in Egypt's legislative councils. Particular attention is devoted to the challenges of women's equality and inclusive participation in Egypt.

Women have played an important role in the political process. Nevertheless the existing legal frameworks, politics and programs do not fully protect their rights and are not enough for women needs.

The real pursuit of the defense of the right of women to full political participation in Egypt, requires *executing laws and policies that aim at ensuring that all citizen have same political rights particularly women.*

[1] This Coalition gathered during a UPR consultation and writing contribution on 23-26th March 2019 in Cairo – Egypt submitted written comments on Egypt, for consideration by the Working Group on the Universal Periodic Review (UPR) at its 34th session (13rd November 2019) about "The improvement of the standards of living of all Egyptian citizen, through social protection, the right to housing, access to water and clean environment".

SITUATION

16. Egyptian women have participated extensively in the various electoral entitlements since 2012 and the 2014 Constitution guaranteed equality with men in all civil, political, economic, social and cultural rights. It also guaranteed their right to hold public office and senior administrative positions in the state and to appoint them in judicial bodies without discrimination against them".

However, the presence of women in Egypt's legislative councils is still limited and does not reflect the real percentage of women. The actual role of women in society is not appreciated. Women's political participation in Egypt has not received enough attention, despite the wide changes that have taken place in Egyptian society over the past few years.

I. WOMEN AND ELECTORAL PARTICIPATION

17. Electoral participation is one form of political participation that takes different forms and levels. Elections, participation in election campaigns and working for a candidate or political party are all different levels of participation. Women occupy 49% of the voting bloc in Egypt with an average of 25 million electoral votes. This percentage has enabled it to become one of the decisive cards in the elections.

It sought to strengthen its political participation in the various electoral entitlements, whether presidential or parliamentary, until its voice has become a significant weight and weight.

- On the electoral level, the vote in the referendum on the Constitution of 2014 was about 55%, and the participation of women in the presidential elections in 2014 was about by 54%.

- In the parliamentary elections in 2015, women topped the election stage in the first stage, and the percentage of women voters and women to 55%. Thus, the political participation of women has increased significantly compared to the rates of participation before 2012.

- The Global Gender Gap reflects the low status of women in Egypt. At the level of political empowerment, Egypt ranked 124th out of the 130 countries surveyed and ranked 122th in terms of the status of women in parliament.

- Candidacy level: The recent parliamentary elections in 2015 witnessed a significant increase in the proportion of female candidates. Where 949 candidates ran out of 5,518, constituting 17.19%.

- The Constitution also gave a great deal of distinction to women, which helped to make this parliament the largest in the history of Egyptian parliamentary life in terms of the number of female parliamentarians. The number of deputies in the Council is 90, of whom 76 were elected, and 14 were appointed by the President. Also the current parliament also has for the first time in Egypt history seven female parliamentarians' with disabilities and two women held the Secretary General of the National Council for Disability.

II. WOMEN AND POLITICAL IMPACT

18. While women showed their seriousness in the process of political participation by election and candidacy, they proved their ability to assume responsibility within the Council. This was manifested through the introduction of laws and serious discussions of many issues and legislations relating to women's rights, the most important of which are amendments to the provisions on circumcision, and the Women's Right to Inheritance Law.

Women's participation has not only manifested in the parliament, but it also extended to many institutions, especially the National Council for Women. The Council's activities witnessed **several** draft laws on women and their rights, the most prominent of which was the Violence against Women and Personal Status Law, the draft law against the Marriage of Minors, and many others.

III. WOMEN AND POLITICAL EMPOWERMENT[2]

19. Women have played an important role in the political process. They also have space in the speeches of President Abdel Fattah al-Sissi and his meetings from the moment he declared his victory in the first term. On more than one occasion, he expressed his appreciation to the women of Egypt and described them in various speeches as "the greatness of Egypt". He also stressed in more than one occasion that the State gave special attention to women, promising to have a fair share in the Parliament, executive positions in the State, and overcome the obstacles in front of them in parliamentary positions.

These promises have already been translated into a number of actual steps on the ground. In February 2015, the judiciary appointed the first Bench Female Judge. Unprecedentedly, The first female governor and the first female head of a district were appointed in Egypt's modern history.

IV. WOMEN AND POLITICAL RECOGNITION

20. The share of women in the current cabinet increased to be 25 % of all ministers (holding the ministries of health, environment, culture, tourism, social solidarity, investment and international cooperation, planning and administrative reform, and emigration and affairs of Egyptians abroad).

This was one of the most important gains of women during the first term. Previously, the appointment was made to achieve the objectives of the facade and form, where one or two seats are allocated to women to show the state as if it cares about women and empower them politically.

21. In the same context, President Sisi announced in 2017 the "Year of Women", where many initiatives have been launched to empower women politically and economically. The most important of which is the "Egyptian Women's Strategy 2030" aiming at empowering women in various fields. Also, the national campaign known as "Ta' Marbota or ad the female element to everything in life" which fights against the negative perception given to women in public life. Additionally, the allocation of 2 billion Egyptian pounds annually to address violence against women.

It should be noted that support for women did not stop at this level, but also extended to moral support. The President received and honored many women, as in July 2014, when he visited the girl who was harassed in Tahrir Square, promising to hold the perpetrators accountable. He met the Iraqi Yazidi girl Nadia Murad, who had been captured by Da'ash. This is in addition to his meetings with many women who donated their money to the Tahia Masr Fund.

22. The challenges of women's political participation. Despite this support, the road is not yet complete. There are still many challenges facing the empowerment of women politically, the most prominent of which can be summarized in a number of points.

[2] 166.86. Continue to strengthen the empowerment of women in all areas of public life (China); Source of position: A/HRC/28/16/Add.1
166.92. Keep on its national efforts aimed at ensuring the empowerment of women (Iran (Islamic Republic of)); Source of position: A/HRC/28/16/Add.1

23. Although women receive 15% of the total number of members of the House of Representatives, this percentage is weak at the global level, which means that the challenge of political participation and access to fair rates at the higher political levels will still exist.

24. Egypt is still ranked among the top 10 countries in the area of gender in equality, according to the World Economic Forum's gender gap report for 2018. There are still many jobs reserved for men, such as the State Council, women are excluded from holding positions in the Council In general, the percentage of women taking leadership positions in Egypt is not satisfactory and inappropriate compared to Arab countries where Egypt is ranked 14th in the position of women in leadership positions.

25. Although the President is interested in providing new positions to women, this does not mean that there is a strategy and public policies in the country to escalate them. It is still limited to being a grant from the presidency, and the absence of public policies to improve the situation of women makes any steps taken ineffective.

26. The efforts of the state and the National Council for Women continue to suffer from many shortcomings: there is insufficient awareness of its activities, and there is a general impression that it is of an elitist nature, ie dealing with the elite rather than ordinary people in society. "Even though the state issued a national strategy to combat violence against women more than a year ago, this strategy still lacks monitoring and evaluation mechanisms.

27. In general, the factors that impede political empowerment of women can be categorized into three groups: (1) Societal and cultural challenges such as customs and traditions; (2) The capacity development of women leadership and the lack of training and experience given to women; (3) The absence of public policies that enable women from being fully integrated in political life.

28. It is not only about promoting women and the need to expand opportunities for them, but more about existing legal frameworks that do not fully protect their rights, as well as their masculine outlook and social implications that transcend equality debates. Women's access to decision-making positions is not only a matter of ensuring quantitative representation, but also of achieving a clear qualitative shift in the integration of women's issues into all development efforts and public policies.

V. WOMEN AND MEN : LEGAL EQUALITY

29. The CEDAW agreement and Egypt and reservation of some of its clauses. The reservation to article 9/2 was no longer necessary after the legal equality of men and women in the right to grant citizenship to their children was recognized. The reservation to article 29.1 did not relate to the principle of equality between men and women, as it concerned the possibility of settling disputes between States parties through arbitration.

We have seen that the reservation to the second article on the principle of equality and applications incompatible with the object and purpose, and therefore invalidate the reservation and be appropriate to withdraw it, the lack of usefulness in releasing the State from its obligations arising from this article. The reservation to article 16 gender equality in marriage and family relations, the correct understanding of the content of the paragraphs of this article could dispel the belief by some that some of these paragraphs is contrary to the provisions of Islamic Sharia.

VI. WOMEN AND CIVIL RIGHTS[3]

30. Law of Civil Associations 70 of 2017. The new law consists of 89 articles defining the mechanisms of action and means of funding NGOs, as well as penalties against those who violate this law both in activity and in receiving funding from abroad.

31. At the youth conference in November 2018, the President of Egypt announced the need to discuss the law and make the necessary amendments to facilitate the civil work, which called on the Minister of Social Solidarity Dr. Ghada Waly to open a wide community dialogue in which all actors and stakeholders and a large number of civil associations submitted proposals for change.

32. Although the current Constitution stipulates in article 76 the right of citizens "to form civil associations and institutions on a democratic basis, and to have legal personality as soon as notification and exercise freely and administrative bodies may not interfere in their affairs," the new law effectively empties this article of its content, Where it imposes strict restrictions both in terms of the establishment procedures and the manner and type of activities carried out by these organizations, or funding and others, effectively placing them under the control of governmental agencies. Article 21 of the law states that any organization requires donations to be made to NGOs. It need to notify the competent administrative authority, the Ministry of Social Solidarity before receiving donations or collecting them within thirty days, and issuing the necessary approval.

The law includes severe penalties of up to five years imprisonment and a fine of up to one Million pounds for those who collect donations without prior permission. Anyone who assisted or participated in a foreign organization in the exercise of a civil activity in Egypt without a permit or who participated in conducting a survey or field research in the field of civil work without prior consent shall be punished with imprisonment and the same fine. The law requires all associations and NGOs to amend their status in accordance with its provisions within six months from the date of its implementation, otherwise it will be dissolved.

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[3] 166.264. Continue the practice of implementing socially orientated programs (Turkmenistan); Source of position: A/HRC/28/16/Add.1
166.246. Respect the free exercise of the associations defending human rights, ensure that the Egyptian legislation complies with the International Covenant on Civil and Political Rights, and guarantee the right to freedom of association (France); Source of position: A/HRC/28/16/Add.1
166.212. Guarantee an environment conducive to the work of journalists, human rights defenders and civil society organizations (Tunisia); Source of position: A/HRC/28/16/Add.1
166.207. Stop limits on Constitutional rights of peaceful assembly and freedom of expression and release all those imprisoned for exercising their constitutional rights, including media representatives (Estonia); Source of position: A/HRC/28/16/Add.1
166.221. Ensure that the legislative framework guarantees the full enjoyment of freedom of expression and association (Mexico);

"The NGO law passed last summer left charities struggling to attract the funding they need. "The law strictly controls NGOs, including those in the realm of social and development work, and makes it difficult for charities to deliver services. It bans domestic and foreign groups from engaging in rights work or anything that can be said to harm national security, public order, public morals or public health,"
https://www.middleeastmonitor.com/20180110-unicef-30-poverty-rate-in-egypt/

33. THE COALITION FOR WOMEN'S POLITICAL PARTICIPATION RECOMMENDS THE FOLLOWING:

IN REGARD TO EMPOWER EGYPTIAN WOMEN, THE COALITION RECOMMENDS THE FOLLOWING:

33.1 Establish a commission to combat discrimination against women as accepted by Egyptian's government during the 2014 UPR but not implemented yet.

33.2 Changing the culture of society towards women by preventing all forms of abuse directed at Egyptian women and correcting the mental image that the media constitute for Egyptian women.

33.3 Adopting all groups of society to empower women as a collective responsibility and encouraging participation in their achievement, especially by men and young men.

33.4 Supporting women in obtaining their legal rights in full and without delay, with particular attention to marginalized, poor and disabled women, to amend personal status laws in such a way as to guarantee their rights and maximize opportunities for increased family cohesion;

33.5 Renewing the religious discourse regarding the role of women in the public sphere and their ability to hold public office in the framework of modernizing religious discourse and making it more responsive to the requirements of the times.

33.6 Providing conditions related to the appropriate political environment in which the elections are conducted in all its forms and the conduct of the electoral process and its integrity, as well as support of women deputies during the parliamentary session to maximize quota benefit and improve it on the quantitative and qualitative level of women's participation in the political process.

33.7 Committing to issue local administration law to ensure representation of women in the process of participation and decision-making.

33.8 Providing a comprehensive vision for the process of rehabilitation and capacity building of women cadres in all governmental and non-governmental bodies, as well as activating units of equal opportunities in ministries as they are not effective.

33.9 Increasing the percentage of women in parliament and in local councils to balance their voting power and give them more space to express women's rights within legislative and executive councils.

33.10 Setting a quota system in the parliamentary and local elections ensures greater participation of women in the election process to match their voting power within the community

34. IN REGARD TO HAVE A GOOD ENVIRONMENT FOR EGYPTIAN CIVIL SOCIETY ASSOCIATIONS: THE COALITION RECOMMENDS THE FOLLOWING:

34.1 Amending the law to guarantee the freedom of civil work for associations and ensure a safe working environment for them in light of the challenges facing Egypt.

34.2 Formulating independent articles regarding the establishment of associations whose founders include foreign persons, provided that the advertisement is approved and not notified and separated from the associations that are published by Egyptians.

34.3 Not limiting the areas of work of NGOs in the scope of state plans that the associations are one of the supporters of those plans and has the right to monitor and deal with the community needs.

34.4 Asking in the case of foreign financing, the approval is up to a maximum of 30 days. In the case of non-response, approval shall be considered to be subsequent to the funding from the Ministry of Solidarity. In the case of refusal, there is a justified decision and allows the shareholder to challenge the decision.

34.5 Notifying of extending the activity and the opening of offices or offices of another governorate to the administrative authority and not the approval of the competent minister.

34.6 Cancelling of the articles concerning the organization of the national apparatus to regulate the work of foreign organizations and the shortening of the process of review, follow-up, supervision and permits to the administrative body represented in the Ministry of Social Solidarity.

34.7 Abolishing the section on penalties for deprivation of liberty and to refer them to the Penal Code.

34.8 Determining the cases of dissolution of the association provided that the solution is by a judicial decision.

34.9 Cancelling fees for the establishment of foreign associations operating in Egypt.

34.10 Cancelling Article 80 (g) of 1% of the net proceeds of the collection of funds and their referral to the Social and Non-Governmental Grants Fund.