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Statement submitted by Nazra for Feminist Studies, a non-governmental organization in consultative status with the Economic and Social Council*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* The present statement is issued without formal editing.



Statement

The public space in Egypt continues to be a hostile arena for women, women human rights defenders and women politicians, and they continue to pay a hefty price for their activism. Sexual violence against women is a daily phenomenon that they struggle with. A national strategy to combat Violence Against Women has been announced and published on 7 May 2015, yet, we emphasize the importance of monitoring its implementation, per the “Agreed Conclusions” adopted by the Commission on the Status of Women at the conclusion of its 57th session (E/2013/27): “Develop and implement effective multisectoral national policies, strategies and programmes, with the full and effective participation of women and girls, which include measures for prevention, protection and support services and responses; data collection, research, monitoring and evaluation; the establishment of coordination mechanisms; ... and clear timelines and national benchmarks for results to be achieved.”, in addition to: “Develop national monitoring and evaluation mechanisms to assess policies and programmes, including preventive and response strategies to address violence against women and girls in both public and private spheres.”

While a national strategy has been designed, there is no mention of a follow-up mechanism for its implementation, nor any reference to accountability of state actors, which include security forces personnel, police, or those in position of authority. This makes it impossible to properly document and investigate such crimes in detention centres and prisons, in addition to sending a clear message of the immunity of state actors, and negligence of the following conclusions: “End impunity by ensuring accountability and punishing perpetrators of the most serious crimes against women and girls under national and international law... or, where applicable, international justice.” In addition to “Prevent, investigate and punish acts of violence against women and girls that are perpetrated by people in positions of authority ... in order to end impunity for these crimes.”

This practice of lack of transparency is mirrored in the Unit to Combat Violence Against Women, that was established in May 2013 and is affiliated to the Human Rights Department of the Ministry of Interior, which does not announce numbers of cases it documented or intervened in regularly, nor does it periodically announce the times at which it will be present in the public space to protect women in times of heightened crimes of Sexual Violence and instances where huge crowds are present.

Moreover, articles relating to crimes of rape, sexual assault and harassment in the Penal Code are currently deficient in nature and do not address the epidemic of sexual assault as well as rape. It also fails to address the right of survivors to privacy and their protection when submitting reports. While the Penal Code defined and addressed sexual harassment in the new amendment to Article 306 (5 June 2014), the amendment is insufficient in its scope and the article is limited and only considers a crime sexual harassment if the intent is proven to be related to obtaining sexual benefits. With the exception of the Tahrir mob-sexual assaults and gang rapes in June 2014 during the inauguration of President ElSisi, no one has been held accountable for Sexual Violence Against Women committed since November 2012, in addition to individual cases of sexual assault and rape by police officials. The continuation of insufficient codes in the Egyptian penal code ignore the following agreed conclusion: “Review and where appropriate, revise, amend or abolish all

laws, regulations, policies, practices and customs that discriminate against women or have a discriminatory impact on women, and ensure the provisions of multiple legal systems, where they exist, comply with international human rights obligations, commitments and principles, including the principle of non-discrimination.”

Similarly, the situation of women human rights defenders remains dismal as women human rights defenders and feminists in Egypt are targeted for their activism. The women human rights defenders resolution ([A/RES/68/181](#)) was adopted by the General Assembly on 18 December 2013, which calls on States to protect women human rights defenders from reprisals, in addition to calling on states to exercise due diligence in preventing violations and abuses against human rights defenders, including through practical steps to prevent threats, harassment and violence against women human rights defenders, who face particular risks, and in combating impunity by ensuring that those responsible for violations and abuses, including gender-based violence and threats against women human rights defenders, committed by State and non-State actors are promptly brought to justice through impartial investigations. The concerned resolution is not being put in practice in Egypt, and women human rights defenders are not recognized by the state whatsoever.

To list in summary a few cases as examples of these violations, an emblematic case is that of women human rights defenders, Lawyer, Feminist and the Head of the Trustees Board in the Center for Egyptian Women’s Legal Assistance, Azza Soliman, who witnessed the killing of women human rights defender Shaimaa El-Sabbagh and voluntarily went to testify at the Prosecutor’s Office, where she was turned into a suspect and charges were directed at her that include rallying and participating in a demonstration that jeopardized public security. The Qasr El Nile Appeal Court will issue the verdict on 24 October 2015, which could punish Ms. Soliman for her activism and the testimony she submitted. Esraa Abdel-Fattah had a travel ban issued against her on 13 January 2015, who did not know about it until she was in the airport traveling to Germany. The Administrative Court issued a verdict on 16 June 2015 confirming her travel ban.

In addition, a shocking lifetime imprisonment verdict and a fine of 17 Million Egyptian Pounds (USD 2,229,215.84) was issued on 4 February 2015 in the case known as the Ministerial Cabinet Case by the Sayeda Zeinab Felonies Court, related to incidents dating back to December 16-20, 2011 which included the infamous “blue-bra girl” incident. The trial is currently being re-conducted for 81 defendants, including 2 women human rights defenders, who are still detained since 3 March 2015, namely Shaimaa Ahmed Saad and Abeer Saeed Mohamed Mostafa. Another example is the one issued on 9 February 2015 for Case No. 6868 for the year 2013, by El Raml Misdemeanor Court in Alexandria governorate against women human rights defender and Lawyer Mahienour El-Massry and other 9 activists from Alexandria to two years in prison and bail amounting to 5000 EGP (655.37USD) to suspend the verdict. On 31 May 2015, a verdict was issued for imprisonment for Mahienour El-Massry and 2 other activists for 15 months.

Women are subject to forced disappearance and not having the presidential pardon implemented for them. Esraa El-Taweel was abducted along with two friends of hers outside a restaurant by three masked men who introduced themselves as police officers on 1 June 2015. She was forcibly disappeared for 15 days, after which her family learned that she is in Qanater Women’s prison. Although her

family reported her missing and submitted a complaint to the National Security Office, they stated that there is no available information about her. She is currently under investigations by the National Security Office. Asmaa A. Aziz Shehata, is being held in prison despite her inclusion in the presidential pardon issued on 23 September 2015. She is under investigation by the Military Court. The basis for her inclusion in the referred to pardon is a medical one, and has a documented report from a governmental committee proving that, while the Military Court refuses to release her until now.

In regards to political participation, there are clear flaws within the government's approach to enabling women's participation. For instance, in the current parliamentary elections there is a quota only on the absolute lists (There are 568 seats in parliament, 120 of which are reserved for the absolute lists) which will result in women having 56 seats out of 120. Also, the Supreme Election Commission stated that less than 20 per cent of the individual-seat candidates are women. Therefore, the representation of women could range between 10.374 per cent (This is the case if the president does not appoint any members) and 14.65 per cent (if the president decided to appoint all female members) at best.

Meanwhile, judicial bodies, including the State Council, continue to marginalize women and hinder their inclusion in the judiciary despite the fact that it has become a constitutional entitlement. Women were refused appointment in the State Council recently and several law graduates filed legal complaints concerning their deliberate exclusion from being appointed in the State Council.
