



Convention on the Rights of the Child

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Committee on the Rights of the Child

Consideration of reports submitted by States parties under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

Initial reports of States parties due in 2004

Egypt* **

[5 February 2010]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

** Annexes can be consulted in the files of the Secretariat.

Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction.....	1–7	4
II. General guidelines	8–52	5
A. Report preparation process	8	5
B. Compliance with the general principles of the Convention on the Rights of the Child (right to non-discrimination, primacy of the best interests of the child, right to life, survival and development, and the right of the child to be heard).....	9–15	5
C. Implementation of the Optional Protocol and its contribution to implementation of the Convention on the Rights of the Child	16–23	7
D. Legal status of the Optional Protocol in domestic law	24–25	8
E. Reservations to the Optional Protocol	26	9
F. Factors and difficulties affecting fulfilment of the obligations under the Optional Protocol.....	27–39	9
G. Implementation of the Optional Protocol in the Arab Republic of Egypt	40	10
H. Relevant legislative texts	41–51	10
III. Data.....	52–65	14
A. Disaggregated data	52–53	14
B. Status of the offences referred to in the Optional Protocol.....	54–61	16
C. Child prostitution.....	62	19
D. Pornography	63–64	19
IV. General measures of implementation.....	65–99	19
A. Bodies responsible for giving effect to the Optional Protocol.....	65–70	19
B. Dissemination of and training in the Optional Protocol	71–81	22
C. Budget allocated to activities relating to implementation of the Optional Protocol.....	82–84	25
D. Overall strategy of the State	85–87	26
E. Participation by civil society	88–90	27
F. Monitoring and detection mechanisms.....	91–99	28
V. Preventive measures.....	100–108	30
A. Protection of children most vulnerable to risk.....	100–103	30
B. Awareness-raising campaigns	104–108	30
VI. Prohibition of the sale of children, child prostitution and child pornography.....	109–133	32
A. Maximum and minimum penalties	109–122	32
B. Legal obstacles	124	34
C. Criminal responsibility	125	34

D.	Adoption.....	126	35
E.	Laws prohibiting advertising in connection with offences covered by the Optional Protocol.....	127	35
F.	Legal jurisdiction.....	128	35
G.	Extradition of suspects	129	35
H.	Seizure and confiscation.....	130–133	35
VII.	Protection of the rights and interests of victims.....	134–145	36
A.	Measures taken to protect victims	134–135	36
B.	Investigation of offences	136	36
C.	Ensuring the best interests of the child.....	137	36
D.	Provision of training.....	138	37
E.	Right to a fair and impartial trial	139–140	37
F.	Social reintegration.....	141–142	37
G.	Recovery of identity	143	37
H.	Remedies	144–145	37
VIII.	International assistance and cooperation.....	146–160	38
A.	Strengthening cooperation and coordination	146–151	38
B.	Technical support	152	40
C.	Tackling the root causes of the offences covered by the Optional Protocol...	153–160	41
IX.	Other legal provisions	161	42
X.	Conclusion	162	42

List of tables

1.	Reports received by the Child Helpline and Family Advice Line concerning offences covered by the Optional Protocol.....	14
2.	Spending allocation for programmes relating to the Optional Protocol in the NCCM (domestic) budget for the period 2004–2005 to 2008–2009 (in LE thousands).....	25
3.	Spending allocation for programmes relating to the subject of the Optional Protocol in the NCCM budget (international and private sector) (in LE millions)	26

Annexes

1. Relevant international instruments to which Egypt is a signatory
2. List of those involved in preparing the report
3. Text of the Children's Code promulgated by Act No. 12 of 1996, as amended by Act No. 126 of 2008
4. Relevant Egyptian legislation
5. Circular No. 21 of 2008 on forms of combating child-trafficking offences
6. National plan to prevent child trafficking in the Arab Republic of Egypt

I. Introduction

1. The Arab Republic of Egypt is pleased to submit its initial report, covering the period from 2004 to 2009, on implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

2. It takes this opportunity to affirm its commitment to the relevant international treaties and conventions, the Arab Republic of Egypt having been among the first 20 States to ratify the Convention on the Rights of the Child, to which it no longer has any reservations. It also ratified the Optional Protocol, without reservations, on 12 July 2002. It is worth mentioning that Egypt has ratified all of the international and regional instruments relating to the protection of children against the offences covered by the Optional Protocol, as enumerated in annex 1.

3. With reference to its third and fourth combined periodic report to the Committee on the Rights of the Child ("the Committee"), which has not yet been considered, the Arab Republic of Egypt affirms the importance that it attaches to children's issues. A sign of that importance was the establishment of the National Council for Childhood and Motherhood (NCCM) in 1989 as the highest authority for coordinating, following up and evaluating national efforts to give effect to the rights of the child as set forth in the Convention and its two Optional Protocols and for planning the programmes required to that end. On 11 March 2009, the Ministry of State for Family and Population, under which NCCM falls, was created, indicating the growing concern of the political leadership to support and empower the family in order to fulfil its role of protecting family members and giving effect to the rights of those members, including children.

4. While there are issues relating to political, civil, economic and social rights that the Egyptian public views as meriting the same degree of concern, the Arab Republic of Egypt is devoting unprecedented attention to the issues covered by the Optional Protocol. In so doing, it is motivated by its concern to fulfil its obligations under the human rights conventions that it has ratified and not simply by humanitarian considerations that prompt it to take a moral stance against the offences concerned.

5. The Arab Republic of Egypt affirms that headway has been made over the past few years in implementing the rights of the child as defined in the Convention and its Optional Protocols, particularly with regard to the right to education, health care, protection and participation. To that end, Egypt is following an integrated methodology in keeping with the perspective of the Convention and its Optional Protocols, based on: development of the legislative framework protecting the rights of the child; provision of continuous training for personnel working to give effect to children's rights; the organization of community discussions and wide-scale information campaigns to raise public awareness of children's rights; and the prosecution, trial and punishment of offenders, with use of publicity as a deterrent. Work in these areas is carried out in close cooperation with governmental bodies, civil society organizations and the media, as well as with the participation of children themselves, which serves as an encouragement for citizens and non-governmental organizations (NGOs) to report and investigate any violations to which children are subjected.

6. The Arab Republic of Egypt nonetheless continues to face challenges at the domestic level, relating chiefly to child labour, marriage of underage girls in rural areas and street children. It should be made clear that the offences covered by the Optional Protocol are not rampant in Egypt.

7. This report is compiled in the belief that it is essential to monitor efforts made to protect children from all types of exploitation and also imperative to acknowledge that problems exist in order for them to be tackled effectively.

II. General guidelines

A. Report preparation process

8. In accordance with article 12, paragraph 1, of the Optional Protocol, and in affirmation of the principle of participation adopted in preparing Egypt's third and fourth combined periodic report submitted to the Committee, NCCM, which has been under the Ministry of State for Family and Population since March 2009, held a series of consultative meetings with the key experts concerned and with governmental bodies and NGOs working in relevant fields and in different areas of the Republic (see annex 2 for information on those involved in preparing the report). Some of the bodies participating in these meetings provided NCCM with the latest data available to them on the issues with which the Optional Protocol is concerned. Those data were used in the preparation of Egypt's initial report.

B. Compliance with the general principles of the Convention on the Rights of the Child (right to non-discrimination, primacy of the best interests of the child, right to life, survival and development, and the right of the child to be heard)

9. In striving to implement children's rights under the Optional Protocol, the Arab Republic of Egypt is guided by the letter and spirit of the Convention, as is made clear in its periodic reports to the Committee.¹ Based on the general principles of the Convention, Egypt seeks to implement those rights in a holistic manner across three levels, namely legislation, general policies and programmes. The report will refer to legislation and general policies where appropriate. As to the key national programmes implemented by Egypt during the reporting period to combat the offences covered by the Optional Protocol, they are listed below.

Programme for the expansion of girl-friendly schools

10. Through the establishment of 1,152 girl-friendly schools affording to over 3,000 largely female beneficiaries the right to a good-quality education, the programme has contributed to the elimination of discrimination between males and females in governorates where the quantitative gap in enrolment in basic education is above the national average. Girl-friendly schools have also helped among students and in the target communities to raise awareness of the rights and concepts enunciated in the Convention and its two Optional Protocols, employing an active learning methodology to do so. This methodology is designed to empower students with all of the life skills needed to participate effectively in society (such as high self-confidence, cooperation, critical thinking and self-expression) by way of educational mechanisms that promote the concepts of freedom, democracy and acceptance of difference. This empowerment of students, particularly girls, is seen as a

¹ The Arab Republic of Egypt has submitted two reports to the Committee on the Rights of the Child, which were presented during the sessions of January 1993 and 2001. It has also submitted its third and fourth combined periodic report, which is to be presented during a forthcoming session.

critical means of ensuring protection against the manifestations of violence that may trouble disadvantaged communities, including sexual exploitation and other offences covered by the Optional Protocol. Spending on this programme has thus far amounted to US\$ 37 million.

Children-at-risk programme²

11. Targeted at five categories of children at risk (street children, child labourers, children with disabilities, girls likely to be or already circumcised and children outside education), the programme was implemented in cooperation with the European Union, with a budget of 20 million euros. Through the programme, 101 NGOs implemented projects in the most disadvantaged governorates with the aim of improving the quality of children's lives and promoting their right to life, survival and development.

Programme to combat violence against children

12. This programme seeks to operationalize the provisions of the Children's Code promulgated by Act No. 12 of 1996, as amended by Act No. 126 of 2008, by training personnel working to give effect to children's rights, improving services provided by governmental bodies and NGOs to children at risk and enhancing the level of protection offered, with the emphasis on street children and children in conflict with the law. Financed by the United States Agency for International Development (USAID), the programme is implemented by NCCM. Its budget stands at US\$ 10 million.

The Aflatoun programme to disseminate a culture of children's rights and provide social and financial education

13. Under NCCM auspices, the Aflatoun programme promotes financial and economic education through the establishment of school clubs serving as forums in which students can express their opinions, communicate on subjects of interest to them and engage in student issues. The programme also spreads awareness of the Convention through an appealing technique based on conducting literary and artistic activities in a lively interactive framework. Targeted to reach 300,000 children, the programme focuses on those from marginalized groups and is being implemented in 450 schools by NCCM, in cooperation with the Aflatoun base in Amsterdam.

Programme to reduce poverty and promote the legal rights of children and young people

14. Implemented in collaboration with the World Bank and with financing from Italian Cooperation, the programme aims to ensure the right to identity as a gateway to the exercise of all economic, social and political rights insofar as the possession of official papers is a vital means of empowerment for children, young people and women. The project sensitizes the target groups to the importance of obtaining those papers (such as birth certificates, personal identity cards, etc.) and makes it possible for them to acquire them. Focusing on seven governorates in acute need of this type of intervention, one of its major successes has been to enable 120,000 beneficiaries to obtain official papers and access basic services.

National programme to combat female circumcision

15. This programme adopts a rights-based methodology, serving as a comprehensive sociocultural means of strengthening the rights of females through a package of

² http://ec.europa.eu/europeaid/documents/case-studies/egypt_children-at-risk_en.pdf.

development interventions. These interventions are aimed at local communities and lay emphasis on their right to health and social services. Work is also coordinated with the media and with Muslim and Christian institutions with a view to eliminating circumcision from a rights-based perspective that seeks to realize the best interests of the child and the right to life, survival and development. The programme's most significant achievements include its success in creating a sociocultural climate in which the practice of female circumcision is shunned; over 50 Egyptian villages have declared their rejection of it and legislation has been enacted to criminalize it.

C. Implementation of the Optional Protocol and its contribution to implementation of the Convention on the Rights of the Child

16. The measures taken by the Arab Republic of Egypt to implement the Optional Protocol complement its commitment to implementation of the Convention, which is undertaken in an integrated rights-based framework in cooperation with the competent government agencies and NGOs, as detailed in Egypt's periodic reports to the Committee under article 44 of the Convention. Following below are examples of how and to what extent application of the Optional Protocol contributes to implementation of the Convention, in particular the articles mentioned in the guidelines (see annex 3).

17. Article 1: Under article 2 of the Children's Code, a child is defined as anyone below 18 years of age according to a birth certificate, national number card or other official document.

18. Article 11: Concerning measures to combat the transfer of children abroad, pursuant to amendments to the Children's Code, the Penal Code No. 58 of 1937 was supplemented by article 291, which provides that any person who causes children to be bought or sold, offers them for sale, or delivers, receives or transfers them for use as slaves, is punishable by rigorous imprisonment for a term of not less than 5 years or by a fine of not less than 50,000 Egyptian pounds (LE) and not more than LE 200,000, even if the offence was committed abroad.

19. Article 21: Adoption is prohibited under Egyptian legislation, which recognizes the *kafalah* system and urges the provision of alternative care for children deprived of care within their own families. Civil society works together with the State to provide such care by means other than adoption, such as alternative families, shelter institutions or the *kafalah* system. In view of the importance of this issue, a full section of the Children's Code is devoted to alternative care.

20. Article 32: With regard to the protection of children from economic exploitation, the Children's Code contains a section on the welfare of child labourers, which — in accordance with strict rules — sets the minimum age for training at 13 years and for labour at 15 years. The Code also structures working hours so as not to exceed six hours daily, interspersed with a one-hour break. In cases where children are exploited either commercially or in forced labour, or where such exploitation is induced, article 291 of the Penal Code imposes a penalty of rigorous imprisonment for a term of not less than 5 years and a fine of not less than LE 50,000.

21. Article 34: Both the Children's Code and the Penal Code address the protection of children from all forms of sexual exploitation and sexual abuse:

- Under article 116 bis (a) of the Children's Code, anyone who imports, publishes, produces, prepares, exhibits, prints, promotes, obtains or transmits any pornographic materials involving children or relating to the sexual exploitation of children is punishable by imprisonment for a term of not less than 2 years and by a fine of not

less than LE 10,000 and not more than LE 50,000. A confiscation order is made in respect of tools and equipment used in committing the offence and of proceeds from the offence. A closure notice is also issued against the premises where the offence was committed. Likewise punishable by the same penalty are:

(a) Use of a computer, the Internet, information networks or animated drawings to prepare, store, process, display, print, disseminate or promote pornographic activities or materials involving the inducement or exploitation of children for prostitution and pornography or their defamation or sale;

(b) Use of a computer, the Internet, information networks or animated drawings to induce children to engage in depravity, exploit them in committing an offence or incite them to perform illicit or indecent activities or acts, even if the offence did not occur.

- Under article 291 of the Penal Code, any person who induces or engages in the sexual exploitation of children is punishable by imprisonment for a term of not less than 5 years and by a fine of up to LE 50,000

22. Article 35: Egypt is a signatory to all of the conventions relevant to preventing the abduction of, the sale of or traffic in children (see annex 1).

23. Article 36: Concerning the protection of children against all forms of exploitation prejudicial to their welfare, Egyptian legislation contains more than one text, specifically:

- Article 3 of the Children's Code, which ensures the protection of children from all forms of violence, harm, physical, mental or sexual abuse, neglect, dereliction or other ill-treatment or exploitation.
- Article 94 of the Children's Code, pursuant to which the age of criminal responsibility was raised from 7 to 12 years.
- Article 96 of the Children's Code, which spells out the circumstances that compromise the sound upbringing with which children must be provided.
- Article 97 of the Children's Code, which provides for the establishment of a general committee for child protection in every governorate with the task of formulating and monitoring the implementation of a general child protection policy. It also provides for the establishment of a subcommittee on child protection in all police districts.
- Article 116 bis (b) of the Children's Code, which criminalizes the dissemination of images of child victims.
- Article 31 bis of the Civil Status Act No. 143 of 1994, added pursuant to the Children's Code, which raised the minimum marriage age for both sexes to 18 years.
- Article 242 of the Penal Code, added pursuant to the Children's Code, which criminalizes female circumcision.

D. Legal status of the Optional Protocol in domestic law

24. Article 151 of the Egyptian Constitution provides that the President of the Republic shall conclude treaties and communicate them to the People's Assembly, together with appropriate clarification, and that they shall acquire the force of law after their conclusion, ratification and publication in accordance with the established procedures. All treaties are consequently applicable in Egypt as soon as the two conditions of ratification by the President of the Republic and publication in the *Official Gazette* are satisfied, with the result that the concerned State authorities are required to apply and enforce their provisions. Under article 23 of the Civil Code, international treaties have the same effect as the law.

The Egyptian judiciary also gives precedence to international treaties over Egyptian domestic legislation in the event of conflict between the two.

25. Article 1 of the Children's Code provides that the State shall guarantee, as a minimum, the rights enunciated in the Convention on the Rights of the Child and other relevant international instruments in force in Egypt. This provision confers executive force on domestic law in giving effect to the provisions of the Convention and its two Optional Protocols.

E. Reservations to the Optional Protocol

26. The Arab Republic of Egypt has no reservations to the Optional Protocol.

F. Factors and difficulties affecting fulfilment of the obligations under the Optional Protocol

27. The issues with which the Optional Protocol is concerned are extremely multifaceted, complex and delicate. The Arab Republic of Egypt is consequently faced with a number of difficulties that affect its fulfilment of the obligations under the Optional Protocol, which can be summed up as difficulties relating to data, education/awareness-raising and application.

Difficulties relating to data

28. The State is working to counter these difficulties by carrying out various studies on the issues covered under the Optional Protocol. NCCM also plays a role in that context; with a budget of LE 16 million and in collaboration with Italian Cooperation, the United Nations Children's Fund (UNICEF) and the Cabinet's Information and Decision Support Centre (IDSC), it established a child rights observatory as a mechanism for collecting data on and monitoring the situation of children. In 2007, it also conducted a national survey, in cooperation with UNICEF, to determine the size of the problem of street children and the extent of its connection with child-trafficking gangs. Given the small number revealed by this survey (9,111 children in four governorates, namely Cairo, Gizah, Qalyubiyah and Alexandria), a study was carried out in 2009, in cooperation with the World Bank and the Arab Urban Development Institute, but the data it produced were similar to the findings of the earlier survey (5,700 children in the governorate of Cairo). In conjunction with the NCCM information centre, the Child Helpline mapped the communities of street children in four governorates (Cairo, Gizah, Qalyubiyah and Alexandria) with the aim of understanding their problems and needs. NCCM provided support to a number of NGOs involved in monitoring issues relating to street children, including the Future Association for Development and Consumer and Environment Protection, which ran a study on at-risk children in four administrative districts in the governorate of Aswan.³

29. It is worth mentioning that, in conjunction with the National Coordinating Committee for Combating and Preventing Trafficking in Persons, United Nations agencies and the International Organization for Migration (IOM), the National Centre for Social and Criminological Studies is currently engaged in a comprehensive research study to determine the extent, forms and causes of trafficking in persons in Egypt.⁴ The study is

³ Hanan Jum`a Bakri, final report on the street research conducted as part of the "*Kunuz al-mustaqbal*" (Future Treasures) project, May 2009.

⁴ Global Report on Trafficking in Persons, United Nations Office on Drugs and Crime, February 2009.

centred on five problems: trafficking in human organs; trafficking in street children; sexual exploitation; exploitation of child labour; and the marriage of young girls and women in the trafficking context.

30. Despite all of these endeavours, the information sector in general faces challenges at both the centralized and decentralized levels. Given these challenges, the State is unable to assess the size of the problem and monitor properly the issues covered by the Optional Protocol, which affects all of its efforts to achieve fair and sustainable development and also hampers the elaboration of precise plans for providing essential needs to disadvantaged groups. A conspicuously small quantity of accurate data is available on the offences covered by the Optional Protocol, particularly in that some of them are shrouded in secrecy and little reported, either because of poor awareness or for fear of social stigma in a conservative culture.

Difficulties relating to education/awareness-raising

31. In order to tackle the difficulties relating to education/awareness-raising, Egypt introduced an integrated social media methodology that was championed by NCCM, as well as by civil society organizations, the Egyptian Radio and Television Union, the Egyptian Railway Authority and the private sector (see part V.B of the present report). Key issues successfully addressed by the social media programme were: sensitization to the perspective of child rights and marginalized groups in particular and to the importance of listening to children's views, of children's active involvement and of girls' education; and awareness-raising of the risks of child labour, the serious issue of the marriage of girl minors, the question of street children and the fight against female circumcision.

32. Difficulties relating to the social media are nevertheless still encountered in connection with raising awareness of children's rights, including:

- The high cost of television broadcasting and the tax levy of over 30 per cent on media aimed at raising community awareness (i.e. it is treated in the same way as the entertainment and commercial media)
- The continuing need for a number of the concerned bodies to work on achieving clear and specific goals, notwithstanding that NCCM successfully elaborated a national strategy for raising awareness of social issues
- Poor coordination of media campaigns organized by the different bodies and failure to plan continuously for media activities designed to raise social awareness
- Shortage of media professionals trained to address issues from a rights-based perspective and lack of long-term planning for ongoing capacity-building of media personnel

33. In addition to these difficulties are other factors that pose a major problem with regard to implementation of the Optional Protocol. To be precise, there are groups in society who commit or aid the commission of violations and there are other groups who either refuse to acknowledge that violations occur or are afraid of being stigmatized if they were to acknowledge them. Examples include violations committed by a small number of destitute families, such as the marriage of underage girls to elderly non-Egyptians for short or temporary periods, the employment of such girls in domestic work and the coercion of girls⁵ or married women⁶ to engage in activities that could make them vulnerable to

⁵ Lamia Moustafa, "*Al-`unf wal-istighlal al-jinsi li-fatayat al-shari`*", working paper presented at the Cultural Salon of the Cairo Institute for Human Rights Studies on 23 May 2007.

⁶ Oussama al-Ghazouli, "*Al-ittijar fil-bashar hudud al-ma'sah`*", working paper presented at the

exploitation. The fact that some — albeit few — children are without birth certificates also puts them at risk of such violations as early marriage following an age estimation (which may judge them to be older than they really are).

Difficulties relating to application

34. I. At the NGO level:
- NGOs take in street children on condition that they are no older than 14 years of age, meaning that shelters for street children aged between 14 and 18 are non-existent
 - Most NGO-run shelters take in street children on a day basis only
 - There are few shelters for street children with disabilities or in need of medical care
 - Personnel dealing with marginalized children lack capacities and have no education in or perspective on the rights of children, including their right to family protection
35. II. At the level of the Ministry of Social Solidarity:
- Some of the care homes attached to the Ministry of Social Solidarity are ill-equipped to cater for sick children
 - Care institutions suffer from a shortage of technical personnel who are specialized in dealing with children
 - There are few shelters for child victims of family violence
 - Social assistance is difficult to obtain, in addition to which families are not permitted to combine more than one solidarity pension
 - There is no punishment to deter families who abandon a child for whom they are caring under the *kafalah* system
 - There is a shortage of female night supervisors in shelters for girls
 - Programmes for the rehabilitation and social reintegration of victims are limited in number
36. III. In police divisions:
- Psychologists and social workers play a minimal role in police divisions
 - Capacity-building for law enforcement personnel is needed
37. IV. The General Authority for Health Insurance:
- Incubators fitted with ventilators for premature babies are in short supply
 - Health insurance services are lacking for Egyptian children registered in government-run schools
 - Capacity-building is needed to enable some doctors and nurses in certain health centres to deal with child victims of the offences provided for in the Optional Protocol
38. V. Psychological service centres:
- There are few centres offering psychological services and family counselling nor are they available in every university, which makes it difficult to refer child cases and obliges families to travel to Cairo in order to receive such services

Cultural Salon of the Cairo Institute for Human Rights Studies on 23 May 2007.

- The psychological service offices of the General Authority for Health Insurance are not equipped to perform their work

39. VI. In schools:

- The Ministry of Education imposes only mild sanctions on teachers who assault pupils
- Some teachers in schools in disadvantaged areas lack the ability to communicate with the children
- Although education is free of charge, there is in fact a nominal cost that is burdensome for poor families who may be unable to secure the amount concerned

G. Implementation of the Optional Protocol in the Arab Republic of Egypt

40. The Optional Protocol is in force throughout the Republic.

H. Relevant legislative texts

41. Egyptian legislative texts have devoted attention to issues relating to the exploitation of children ever since the 1930s, comprising as they do articles on abduction, rape, prostitution, pandering, sexual exploitation and encouragement of prostitution. They also govern the penalties for offenders. Annex 4 sets out the main texts on this subject, contained in the following laws:

- The Children's Code No. 12 of 1996, as amended by Act No. 126 of 2008
- The Unified Labour Code No. 12 of 2003
- The Money-laundering Act No. 80 of 2002
- The Permanent Constitution of the Arab Republic of Egypt, proclaimed in 1971
- The Suppression of Prostitution Act No. 10 of 1961
- The Aliens (Entry to and Exit from the Arab Republic of Egypt) Act No. 89 of 1960
- The Narcotics (Regulation of Use and Trafficking) Act No. 128 of 1960, as amended by Act No. 122 of 1989
- The Passports Act No. 97 of 1959
- The Entertainment Venues Act No. 372 of 1956, as amended by Act No. 169 of 1957
- The Code of Criminal Procedure No. 150 of 1959
- The Penal Code No. 58 of 1937
- The Begging Act No. 49 of 1933

42. In the past few decades, Egyptian legislation has progressed within a framework of openness to relevant international treaties and responded to the calls articulated in those treaties to combat human rights offences, including the sale of children, child prostitution and child pornography. A major piece of Egyptian legislation concerned with the subject of the Optional Protocol is the Children's Code No. 12 of 1996, as amended by Act No. 126 of 2008, which is seen as a distinctive landmark in the course of Egyptian legislation, not only for its success in accomplishing a high degree of harmonization with the Convention and its two Optional Protocols but also on account of the community participation driven by

NCCM. Through that participation, it was possible to coordinate with all those concerned, including children, in drafting essential legislative amendments and promoting relevant international instruments and the culture of child rights in general.

43. The Children's Code provides that the State shall guarantee, as a minimum, all of the rights enunciated in the Convention and its two Optional Protocols and that the four principles of the Convention shall govern the interpretation of all its provisions. The Code comprises detailed provisions dealing with all of the offences covered by the Optional Protocol through objective procedural rules, starting with the stage where a child is at risk and moving on through to the criminalization of child-trafficking activities and the imposition of penalties as high as a term of rigorous imprisonment and a fine. For the first time ever in Egypt, the offences under the Optional Protocol were accordingly recognized and clearly described, their essential elements defined, their victims protected and their perpetrators punished (see annex 3).

44. One of the key matters emphasized by the amendments to the Children's Code is the imperative to safeguard the right of the child to protection against violence in the full sense. On that basis, the following offences relating to the subject matter of the Optional Protocol are criminalized and the heaviest penalties imposed:

- The sale of children or their organs, the exploitation of children in prostitution, pornography, forced labour or trafficking of any form, including their use in research and scientific experiments, even if the offence took place abroad
- Use of a computer, the Internet, information networks or animated drawings or the inducement or exploitation of children for prostitution and pornography, even if the offence did not take place
- The worst forms of child labour, as prescribed in the International Labour Organization (ILO) Convention No. 182 (1999) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour
- Violation of the right of the child to privacy

45. In the belief that legislative reform demands a comprehensive view of intertwined issues, the Code provides for the establishment of a new decentralized protection system to strengthen the role and responsibility of local communities (through general protection committees and subcommittees and the General Department for Child Rescue). See paragraph 99 for further details of protection committees.

46. The amendments to the Children's Code created a new child justice system that recognizes the rights of three groups of children: children at risk; child victims and witnesses of crime; and children in conflict with the law. The focus is aimed at the prevention of child delinquency and the reintegration of delinquent children. Reform measures have also been put in place for children under 15 years of age and deprivation of liberty is now used as the last resort and for the shortest possible period, in addition to which a periodic review is mandatory. Similarly, neither the death penalty nor lifelong or rigorous imprisonment is applicable to children under 18 years of age.

47. Since promulgation of the Code in June 2008, several training courses have thus far been organized on an uninterrupted basis, in cooperation with governmental institutions and civil society, for judges, prosecutors, court experts, social workers, police officers and media professionals in order to sensitize them to the Code and its philosophy.

48. The Select Committee of the National Coordinating Committee for Combating and Preventing Trafficking in Persons also finalized the drafting of an Integrated Bill on Combating Trafficking in Persons that is tabled before the People's Assembly at its current session. The bill was prepared in accordance with United Nations rules and relevant

international and regional treaties to which Egypt is a signatory. The main features of the bill are that it defines the offence of trafficking in persons; sets out examples of the forms of activity constituting trafficking in persons; imposes deterrent penalties for those involved in such offences; provides all manner of legal, social, health and economic assistance for the protection and welfare of trafficking victims through a victims' protection fund; criminalizes not only cross-border trafficking in persons but also domestic trafficking offences; and emphasizes cooperation with foreign judicial authorities.⁷

49. The bill devotes considerable attention to child victims so as to achieve the best interests of the child by increasing the penalty in cases where the victim is a child. It emphasizes that under no circumstances must child victims be placed in prisons or in detention centres for criminals or suspects; they must instead be housed in purpose-built premises until such time as investigations and trial are complete. They must also be provided with adequate services, including access to information on their rights, to medical and psychological care appropriate to their age and needs, and to educational programmes consistent with the general criterion for the education system in place in the Arab Republic of Egypt. Appropriate conditions for child witnesses must likewise be provided, the confidentiality of their testimony assured and consideration given to the reunification of children with their families in their countries of origin in order to guarantee protection of the rights of child victims and witnesses in accordance with the United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime.

50. It is worth mentioning that the Children's Code and the Integrated Bill on Combating Trafficking in Persons address the offences covered by the Optional Protocol from a rights-based perspective in which the victims of those crimes are treated as having rights.⁸

51. In addition to the above efforts, it should be mentioned that at its current session, the People's Assembly is discussing a Bill on the Removal of Human Organs that refers to the prohibition under the Children's Code on removing a child's organs, even with the consent of persons exercising parental authority or guardianship.⁹

III. Data

A. Disaggregated data

52. This paragraph provides data on offences involving the sale of children, child prostitution and child pornography reported to the Child Helpline and the NCCM Family Advice Line, which are among the monitoring mechanisms referred to in part IV.F of the report.

⁷ Website of the Egyptian Ministry of Foreign Affairs, National Committee for Combating and Preventing Trafficking in Persons: http://www.mfa.gov.eg/MFA_Portal/en-GB/comittee/.

⁸ Shahidul Haque, Md., "*Rights-based approach to address human trafficking*", Regional Expert Meeting on Rights-based Assistance to Victims of Trafficking, Cairo, 15 December 2008.

⁹ Global Report on Trafficking in Persons, United Nations Office on Drugs and Crime, February 2009.

received the highest percentage of reports insofar as its inhabitants constitute some 11 per cent of Egypt's total population, according to the 2006 census. This is attributable to the fact that the Cairene community is a hive of social activity and also acts as a magnet for human migration, leading to slum areas and new problems.

B. Status of the offences referred to in the Optional Protocol

54. Egypt has made due efforts to protect children from all forms of exploitation in order to ensure their well-being. These efforts range from national programmes (see part II.B) to wide-scale legislative amendments (see part II.C) and general policies addressing the issues covered by the Optional Protocol through parallel areas of concern, namely: prevention, protection, prosecution of offenders and rehabilitation of victims. Core challenges still remain, however, posing difficulties that impede Egypt's fulfilment of its obligations vis-à-vis the Optional Protocol, particularly in the areas of child labour, child marriage and street children.

Child labour

55. The national survey conducted in 2001 by NCCM, in cooperation with the Central Agency for Public Mobilization and Statistics, indicates the following:

- The largest percentage of child labourers is in the 12–14 age group, followed by the 9–11 age group and lastly the 6–8 age group.
- Child labour is very common in areas with low development indicators and the survey showed the variation between governorates, with the highest percentage recorded in Fayum, followed by the governorates of Minya, Sharqiyah, Suhag, Damietta and Gharbiyah. The fewest cases of child labour were recorded in the governorate of Port Said.
- The age of first employment is higher in urban areas than in rural areas.
- Males account for 73 per cent of child labourers, whereas females account for 27 per cent in the 6–14 age group, with females in general entering the labour market at a slightly younger age than males.
- A total of 70 per cent of child labourers work without pay for relatives, as against 26 per cent who work either on their own account or for others in return for cash or payment in kind.

Child marriage

56. A report published by IDSC indicates that the average age at which females marry rose from 19.2 years in 1992 to 20.6 years in 2008.¹⁰ Some marriages of underage girls were nonetheless identified in Lower Egypt and in a number of towns and villages in the 6 October governorate (notably the villages of Badrashin, Abu al-Namras and Hawamdiyah). In order to monitor awareness of this phenomenon and take countermeasures, the NCCM Child Trafficking Unit, in cooperation with a number of partners, conducted a field study on a sample of 2,000 individuals from three administrative districts in the 6 October governorate. The findings of the study were as follows:

¹⁰ “*Ta’akhhur sinn al-zawwaj: hal asbaha mushkilah tabhath `an hall?*”, report by the Cabinet’s Information and Decision Support Centre (IDSC).

- Seventy-four per cent of the study sample admitted knowing of cases in their home villages where girls under the legal age were married to non-Egyptians, with 67 per cent stating that marriages to non-Egyptians were rife in their villages
- The inhabitants of these villages believe that marriages take place between Egyptian girl children and non-Egyptians because of: the high bridal prices paid by non-Egyptian grooms; household poverty and low family incomes; the high cost of a girl's marriage to an Egyptian; the large number of children in families; the substantial gifts offered to girls by non-Egyptian grooms; the escape from hard labour and difficult living conditions that such marriages offer to girls; and the late age at which girls marry if they fail to marry young.

57. Egypt addressed this challenge by raising the age of marriage under the Children's Code to 18 years of age for both sexes and by providing ongoing training for those working to give effect to children's rights. A national media campaign was also launched to acquaint the public with the risks associated with the marriage of children below the legal age. The Children's Code was implemented in this respect when Egypt — for the first time — successfully brought charges against officials involved in performing illegal child marriages, who received penalties ranging between a 1-year term of imprisonment and a fine based on the number of offences (see paragraph 131 below). Having additionally attracted widespread media coverage and discussion, these efforts had a major positive impact as a deterrent to other marriage officials, resulting in a marked fall in the number of child marriages in subsequent seasons. For Egypt to have effectively shifted public opinion against such a long-standing and socially acceptable practice is deemed a triumph.

Street children

58. NCCM has championed the issues street children, as a consequence of which the interest of the Egyptian Government and public in those issues has manifestly increased since the start of the new millennium. There is now greater awareness that street children are a priority issue insofar as they are among the children at highest risk of and most vulnerable to physical and mental abuse. The State affirmed this as a serious matter to be addressed from a rights-based perspective in which such children are regarded as victims of difficult social circumstances in need of support and care with a view to their reintegration into society. Accordingly, Mrs. Suzanne Mubarak, wife of the President of the Republic, launched the National Strategy for the Protection, Rehabilitation and Integration of Street Children in 2003. The basic responsibility for implementation of the Strategy lies with the Ministry of Social Solidarity.

59. The Strategy is designed to curtail the phenomenon of street children through a holistic rights-based approach rooted in high-level coordination among all of the concerned bodies with the aim of achieving the following objectives:

- Changing the negative and uncharitable public attitude towards street children
- Building a comprehensive database on street children
- Providing adequate numbers of personnel qualified to deal with the problems of street children
- Providing and mobilizing national resources to fund programmes for the protection and rehabilitation of street children
- Drawing children away from the streets by eradicating the situations that drove them there, empowering them to obtain their social and economic rights and building their capacities for full integration into society

60. In the context of achieving the objectives of the Strategy, NCCM explored the phenomenon in order to elaborate a general framework for coordinating the efforts of all social, educational and cultural institutions towards finding a pragmatic remedy that was neither disproportionate nor patronizing. As stated earlier, this was done by conducting two studies in 2007 and 2009 on street children in most governorates affected by the problem, in association with civil society, NGOs, governmental bodies, international organizations, the Central Agency for Public Mobilization and Statistics, the Higher Institute for Social Services and UNICEF.

61. The findings of the two studies indicated that violence was the chief reason for children running away from home, that most street children had never completed primary school and that they came mainly from impoverished and broken homes. Both studies found that males constituted the overwhelming majority of street children. The main nuisances to which street children were subjected included police arrest, harassment from older street children, abuse and beatings. Although no more than 1.4 per cent of females were found to experience sexual harassment, other studies indicate that girl street children are more vulnerable than males to forms of violence, intrusion and exploitation, such as:

- Forced imprisonment with intent to rape and engage in sexual exploitation
- Use of threat or extortion to exploit minor girls for prostitution¹¹

C. Child prostitution

62. The offence of child prostitution is not widespread in the Republic but does exist to a limited extent in certain tourist areas.¹²

D. Pornography

63. The offence of child pornography is likewise not widespread at the national level, although there are violations on record involving images of children being taken by tourists using mobile telephones.¹³

64. National efforts to prevent the exploitation of children on the Internet primarily include the initiative launched by Mrs. Suzanne Mubarak in September 2007, through the Suzanne Mubarak Women's International Peace Movement (SMWIPM), to disseminate a culture of peace through information technology, in cooperation with the Ministry of the Interior, Communications and Information Technology, the Ministry of Education and the country's Internet service providers. The initiative seeks to promote the culture of safe Internet use by children and young people, in which context Egypt hosted the fourth meeting of the Internet Governance Forum (Sharm El Sheikh, 2009), where panellists addressed issues relating to the protection of children on the Internet.

¹¹ Layma' Lutfi, "*Al-`unf wal-istighlal al-jinsi li-fatayat al-shari`*", working paper presented at the Cultural Salon of the Cairo Institute for Human Rights Studies on 23 May 2007.

¹² Report by the Aswan-based Future Association for Development and Consumer and Environment Protection.

¹³ Ibid.

IV. General measures of implementation

Application of the Optional Protocol

A. Bodies responsible for giving effect to the Optional Protocol

65. The body responsible for coordinating national efforts to give effect to the Optional Protocol in the Arab Republic of Egypt is the Ministry of State for Family and Population (NCCM). The Ministry works to coordinate the efforts of numerous entities, namely the Ministries of the Interior,¹⁴ Social Solidarity, Justice, Tourism, International Cooperation, Manpower and Migration, Health, Awqaf, Information, Culture, Communications and Information Technology, and Education, in addition to the Office of the Public Prosecutor, the National Council for Human Rights, the National Council for Youth, the National Telecommunications Regulatory Authority, SMWIPM and various NGOs involved in this area of work.

66. Set up in 2007, the NCCM Child Trafficking Unit is Egypt's first specialist trafficking unit. Its establishment was accompanied by Mrs. Suzanne Mubarak's launch of an initial awareness-raising campaign through an appeal directed to the business community at a round table organized in Athens in 2006 on the theme of "*End human trafficking now!*", the aim being to draw public attention to the issue at the domestic, regional and international levels in order to expand the awareness-raising network and step up efforts to fight such trafficking.

67. The capacities of the Unit's personnel were built through a series of specialist training courses held in Austria, the United States of America and the United Kingdom in 2008 and 2009, as well as through ongoing participation in relevant conferences and workshops at the national, international and regional levels in order to share experiences.

68. The Unit is now a repository of expertise in combating trafficking in persons and its personnel have taken part as trainers in workshops organized by the National Coordinating Committee for Combating and Preventing Trafficking in Persons, IOM and the General Authority for Information. In that context, the Unit hosted a delegation from Johns Hopkins University for the purpose of acquainting it with its activities. It also welcomes Egyptian researchers and students, who benefit from its expertise, its specialist library and its electronic website.

69. The Unit works in coordination with the competent bodies in order to:

(a) Elaborate a national plan of action to combat child trafficking, covering prevention, protection and prosecution, as well as:

- Protection and assistance for victims and those at risk

¹⁴ The Ministry of the Interior has a department responsible for combating offences against public decency, which falls under the Social Protection Sector. This department is concerned with protection against the prostitution, sale and sexual exploitation of females; the prevention of activities relating to international prostitution; the adoption of all necessary measures for monitoring the prostitution-related activities of Egyptians abroad and of foreigners in Egypt; and monitoring of the activities of organizations involved in sending females abroad. The Ministry also has a general department for child protection, which records all violations involving the exploitation of minors by adults (including sexual exploitation and in prostitution), conducts fact-finding to protect females who are approached for work abroad, and deals with social problems arising from the sexual exploitation of females. Note addressed to the Special Rapporteur on the sale of children, child prostitution and child pornography.

- Psychological and physical rehabilitation for victims and their integration into society
 - Training to enhance the skills of those working with child victims or children at risk
 - A review of national legislation and elaboration of minimum standards for combating child trafficking
 - Guarantee of the necessary resources
 - Follow-up and assessment
- (b) Raise awareness and mobilize public opinion;
- (c) Exchange expertise with States having had successful experiences in combating child trafficking and participate effectively in all international meetings and conferences at which the issue is discussed;
- (d) Coordinate the roles of the concerned governmental bodies and NGOs;
- (e) Set up a central database for monitoring child-trafficking offences.

70. Pursuant to a decision of the Prime Minister, the National Coordinating Committee for Combating and Preventing Trafficking in Persons was established in 2007 as the institutional framework for combating and preventing trafficking in persons in Egypt.¹⁵ Composed of all concerned national entities,¹⁶ the Committee works in an advisory capacity with national authorities, bodies and organizations to achieve the following missions:

- Draft a national plan of action to address the question of trafficking in persons
- Formulate a unified Egyptian vision reflecting all of the legal, security and political aspects of the subject
- Prepare an annual report on national efforts to tackle the issue of trafficking in persons
- Monitor Egypt's compliance with its international obligations under international conventions relevant to combating the exploitation of persons
- Maintain contact with the concerned bodies in connection with proposing essential legislative and executive measures, monitoring steps taken to implement those measures and completing questionnaires periodically received by Egypt on legislative and executive measures taken in fulfilment of its international obligations arising out of its treaty ratifications and reflected by the level of implementation of those obligations
- Review relevant national legislation and propose how to achieve its harmonization with the international conventions ratified by Egypt

¹⁵ Website of the Egyptian Ministry of Foreign Affairs, National Committee for Combating and Preventing Trafficking in Persons: http://www.mfa.gov.eg/MFA_Portal/en-GB/comitee/comitee/2462009Specialization.htm.

¹⁶ The Committee membership comprises the Ministries of Foreign Affairs, the Interior, Defence, Health, Family and Population, Information, Social Solidarity, Tourism, Manpower and Migration, Higher Education, and Education, as well as the General Intelligence Directorate, the Office of the Public Prosecutor, the National Council for Human Rights, NCCM and the National Council for Women. The Office of the Deputy Assistant Foreign Minister for Human Rights Affairs is responsible for the Committee's Technical Secretariat.

- Study the proposal for drafting unified legislation to address the issue of trafficking in persons in an integrated manner
- Propose necessary measures, policies and programmes for the assistance and protection of trafficking victims, prepare research and awareness-raising campaigns, develop educational curricula and cooperate with NGOs and other civil society organizations concerned with the subject
- Encourage efforts aimed at training and improving the standard of national personnel working to give effect to the provisions of the relevant international conventions
- Assist in preparing training programmes and support the capacities of law enforcement bodies and those involved in the administration of criminal justice
- Compile a central database in collaboration with research centres in order to gather and analyse information, data and expertise on trafficking in persons, share them with authorities, associations and humanitarian organizations engaged in that area of work and forge ties with national, regional and international committees and structures with a view to the mutual exchange of information and expertise
- Expedite cooperation with the United Nations Office on Drugs and Crime (UNODC), the Global Programme against Trafficking in Human Beings (GPAT) and other entities and organizations working to combat trafficking in persons, the aim being to promote the implementation of international instruments and provide technical support to assist the Egyptian Government in combating offences involving trafficking in persons
- Strengthen mechanisms for international judicial cooperation in criminal matters at all levels by promoting bilateral and regional agreements and implementing the provisions of relevant multilateral international conventions

B. Dissemination of and training in the Optional Protocol

71. With the leadership and support of Mrs. Suzanne Mubarak over the past 10 years, NCCM has made substantial efforts to raise awareness of the Convention and its two Optional Protocols. Since the start of the millennium and becoming NCCM Secretary-General, the Minister of State for Family and Population (who is a member of the Committee on the Rights of the Child) has been intensively involved in this area of work. The tangible success of these efforts contributed to a number of achievements, including legislative reform in the field of children's rights, the formulation of strategies to protect the rights of at-risk groups and the development of training programmes for personnel working in law enforcement and with children. Thanks to those efforts, which were combined with those of civil society, the State and its institutions now devote maximum attention to dissemination of the Optional Protocol and skills improvement through training and use of handbooks for persons working with children.

Training courses

72. The following bodies have organized training courses and workshops.

NCCM

73. The Child Trafficking Unit, in cooperation with the Ministries of Tourism, Manpower and Migration, Health, Education, Foreign Affairs, the Interior, and Justice, as well as the Office of the Public Prosecutor, organized a number of capacity-building

training courses for professionals and government law enforcement officers. These courses were targeted at:

- Male and female judges, psychological personnel and social workers from family court offices for the settlement of disputes in the governorates of Cairo, Fayum and Gizah (Ministry of Justice)
- Solicitors-general and prosecutors (Office of the Public Prosecutor)
- Law enforcement officials, including port security, police, passport and organized crime officers and officers from the Internet and Juvenile Crimes Department (Ministry of Justice)
- Tourism inspectors (Ministry of Tourism)
- The health task force (Ministry of Health)
- Religious clerics (Ministry of Awqaf)
- Labour inspectors (Ministry of Manpower and Migration)
- Environment specialists and demographers (Ministry of Education)
- Training for trainers from associations, as well as for teachers, on participation in the implementation of Suzanne Mubarak's Cyber Peace Initiative in the context of her previously mentioned initiative, launched through SMWIPM, to raise awareness of the danger of Internet child pornography
- Protection committees

74. The Child Helpline also organized several training courses and interactive workshops for partners (specialists working in NGOs and ministry representatives) to raise awareness of the Convention and the Egyptian Children's Code. In the context of the Aflatoun, volunteer and drug prevention programmes, 1,400 social experts and volunteers received training and in turn went on to sensitize 16,000 children in 14 governorates, who constitute the essential starting point for raising awareness of and providing an introduction to the provisions of the Convention in schools, youth centres and all other places where children and young people congregate. As to social media programmes, 10 capacity-building workshops and training courses were run for media personnel (editors-in-chief, journalists and presenters of programmes on Egyptian television, satellite channels and local radio stations), in addition to 100 training courses and workshops for sensitizing young people to children's issues.

Ministry of Justice

75. The Ministry of Justice played an important role in the approval and implementation of the amendments to the Children's Code. The Ministry also organizes discussion circles and training courses on children's rights for members of the judiciary and has tackled issues relating to the abduction of children by a parent in cases of mixed marriage. It has taken part in various international meetings on the subject (including the "Malta process" meetings, in cooperation with The Hague Conference on Private International Law) and has signed several memoranda of understanding with the United Kingdom. In that context, it held a conference in December 2009 in cooperation with the Ministry of State for Family and Population and the British Embassy in Cairo.

The Office of the Public Prosecutor

76. The Public Prosecutor and members of his Office have taken on a prominent role in implementation of the Optional Protocol. The fight against trafficking in persons is among the human rights subjects in which the Office provides training for its members, a select

group of whom accordingly participated in a workshop organized by the United Nations Development Programme (UNDP) on transnational organized crime, including trafficking in persons (2007). It is also worth mentioning indictments issued by the Public Prosecutor in various cases that refer to the provisions of the Convention and the Optional Protocol. These include indictments in recorded cases of child marriage and in Case No. 2490 of 2009 (Raml Criminal Court) concerning the commercial and sexual exploitation by adults of street children, to be mentioned later in the report, as well as the indictment for an illegal adoption reported by the United States Embassy in Cairo (Case No. 414 of 2009, Qasr al-Nil Criminal Court).¹⁷

77. Setting a precedent for implementation of the amendments to the Children's Code and the enforcement of penalties, the Cairo Criminal Court sentenced a supervisor of the Bait Tubiya Social Services Association, together with a gynaecologist and obstetrician and the secretary of the Association's fund, to a 5-year term of imprisonment and a fine of LE 100,000 on charges of having formed a transnational gang, bought four infants and forged official birth notifications and birth certificates in their name. Eight other co-accused were also sentenced to a 2-year term of imprisonment and fined LE 100,000 on the same charges. The Public Prosecutor had earlier announced an indictment against the accused in which it was stated that they had sold and facilitated the sale and purchase of four newborn infants for the purpose of adoption – which is prohibited by law in Egypt; forged official and customary documents, i.e. birth notifications, birth certificates, birth registrations and passports; used them to establish false parentage of those children; obtained fraudulent birth certificates and passports; and attempted to remove the infants from the country.

78. The Public Prosecutor also issued Circular No. 21 of 2008 on combating the various forms of human trafficking offences, which comprises directives to be observed and followed in applying the provisions of the Children's Code (see annex 5).

The National Training Institute of the Ministry of Social Solidarity

79. The Institute organized social defence training for social and psychological experts in order to enhance their skills, develop their capacities and increase their knowledge of the Convention.¹⁸

The National Centre for Social and Criminological Research

80. In cooperation with the National Council for Human Rights, the Centre organized a series of discussion circles on various themes, in particular forced marriage, marriage of minor girls, trafficking in street children and sexual exploitation. It also jointly organized a workshop with IOM.

The National Centre for Judicial Studies of the Ministry of Justice

81. Training courses on children's rights and the Optional Protocol were held for judges and prosecutors.¹⁹

Handbooks

- IOM published an Arabic version of its *Handbook on Direct Assistance for Victims of Trafficking* (2008).²⁰ The Handbook is designed to assist those working to combat

¹⁷ The accused appealed against the judgement. No decision on the appeal has yet been given.

¹⁸ Information from the Ministry of Social Solidarity.

¹⁹ Information from the Ministry of Justice.

²⁰ The *Handbook* was presented at the Regional Meeting of Arab Experts on Rights-based Assistance to

trafficking in persons to put legislation and policies into practice in order to provide direct assistance to victims.²¹

- NCCM published a training manual for bodies working to combat child labour, which is seen as a specific reference work for building special capacities and skills in the context of a holistic training approach.
- The training manuals for the Aflatoun programme comprise a special component to raise children's awareness of all forms of abuse and sexual exploitation, of ways of dealing with them and of the role of the Child Helpline as a fundamental protection mechanism.
- The Child Trafficking Unit published a series of training manuals, including: a training manual on tools for combating trafficking in human beings, especially women and children; a simplified guide to ensuring the safety of newborn infants; and the Arab family guide to safe Internet use. The Unit also developed draft indicators for the identification of child victims in the light of the United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime. In that context, the Unit trained children in their rights as articulated in the Guidelines and heard their assessment. It also prepared a training manual for law enforcement officers on the international instruments on children's rights ratified by Egypt, including the Optional Protocol.

C. Budget allocated to activities relating to implementation of the Optional Protocol

82. Concerning the allocated budget for activities relating to implementation of the Optional Protocol, as stated in paragraph 55 of Egypt's third and fourth combined periodic report to the Committee, Egypt produced a successful initial study in 2005 on monitoring of the general budget from the child rights perspective. A budget methodology incorporating the rights of Egyptian children is seen as an enabling tool for monitoring government spending and its linkage with child rights; using a set of techniques to establish a model for linking activities and rights, the idea is to help the evaluation of government policies through budget and other processes, of measures that fulfil the Government's obligations towards children, of governmental and non-governmental programmes and of the finances allocated to children's rights in Egypt.

83. Table 2 — which refers to the content of Egypt's third and fourth combined periodic report — shows the budget for NCCM programmes (all of which are targeted at marginalized groups at risk of the offences covered by the Optional Protocol) for the period 2004/05 to 2008/09. Data on the financial allocations for spending by other relevant governmental bodies will be provided subsequently.

Table 2

Trafficking Victims, held from 14 to 16 December 2008, organized by the Egyptian Ministry of Foreign Affairs in Cairo, in cooperation with IOM, and attended by delegations from 12 Arab States and representatives of non-governmental, international and regional organizations, United Nations agencies, research centres and universities.

²¹ Talk given by Mr. Richard Danziger at the Regional Meeting of Arab Experts on Rights-based Assistance to Trafficking Victims (Cairo, 14 to 16 December 2008), website of the Egyptian Ministry of Foreign Affairs, National Committee for Combating and Preventing Trafficking in Persons: http://www.mfa.gov.eg/MFA_Portal/en-GB/comitee/conf/2462009Documents.htm.

Spending allocation for programmes relating to the Optional Protocol in the NCCM (domestic) budget for the period 2004/05 to 2008/09

<i>Item</i>	<i>2004/05</i>	<i>2005/06</i>	<i>2006/07</i>	<i>2007/08</i>	<i>2008/09</i>	<i>Total</i>
Child and maternal welfare project	1 300	1 100	1 100	1 800	2 000	7 300
Literacy project	2 000	1 500	1 500	2 000	2 000	9 000
Children and women's project	5 000	4 000	4 000	4 000	4 000	21 000
Girls' Education Initiative project	5 100	24 230	24 500	12 200	8 000	74 030
Project for contribution to the "Participation for children" fund			10 000	10 000	10 000	30 000
Total	13 400	30 830	41 100	30 000	26 000	141 330

84. In addition to the State funding of NCCM programmes detailed in the above table, programmes relating to the subject of the Optional Protocol are also partly subsidized by international and private Egyptian financing, as illustrated in table 3.

Table 3

Spending allocation for programmes relating to the subject of the Optional Protocol in the NCCM budget (international and private sector)

(In millions (LE))

<i>Sector</i>	<i>International and private sources</i>
Children-at-risk programme	156
Girls' education	108.4
Combating violence against children	55
Female circumcision	37.1
National Child Rights Observatory	16.7
Poverty reduction	11
Protection of young people against drugs	8
Prevention of child trafficking	7.1
Aflatoun programme	2
Total	401.3

D. Overall strategy of the State

85. Egypt announced a number of plans and strategies formulated by NCCM, in association with the competent governmental bodies, civil society, United Nations agencies and international and donor organizations, after asking children for their opinions. These plans and strategies are designed to address the root causes of the offences covered by the Optional Protocol and to afford priority to the protection of children from marginalized and at-risk groups insofar as it is they who fall victim to those offences. This level of intervention is important, given the contrasting (social, economic, educational, health, geographical and other) circumstances of Egyptian children, on account of which some are subjected to specific forms of discrimination and are also more vulnerable to the risks spelled out in the Optional Protocol.

86. These general policies therefore aim to protect these children in order to ensure their right to life, development and non-discrimination, as well as safeguard their best interests

and provide opportunities for them to express their opinions. Examples of such policies that are closely related to the subject matter of the Optional Protocol include:

- The National Plan to Combat Child Trafficking (2009) – see annex 6
- The draft national strategy for family empowerment (2007)
- The National Plan to Combat Violence against Children (2006)
- The National Strategy and Plan of Action for the Elimination of Child Labour (2006)
- The National Strategy to Protect Young People against Drugs (2005)
- The National Strategy for the Protection, Rehabilitation and Integration of Street Children (2003)
- The National Plan for Girls' Education (2002)

87. The Ministry of the Interior also developed a strategy focused on two key areas, one relating to safety and the other to social prevention, with a view to providing ample protection for children, especially those from the most disadvantaged groups, monitoring offences committed against them and apprehending those who corrupt and exploit children in any act designated as an offence by law, including in connection with pornographic art works and sexual assault.²²

E. Civil society participation

88. Civil society plays an important role as a governmental agency partner in combating the sale of children, child prostitution and child pornography through studies/data collection, the provision of direct services and awareness-raising. Some examples of the NGO role in this area follow below.

Studies/data collection

89. Examples include the aforementioned study on street children conducted by the Aswan-based Future Association for Development and Consumer and Environment Protection,²³ a study by the Port Fouad Association for Family and Child Welfare on the rights of Egyptian children under international conventions and domestic law,²⁴ and the study on the problem of marriage of underage girls in the rural areas of one of Egypt's governorates, referred to earlier, on which an NGO collaborated with NCCM and the Higher Institute for Social Services.

Provision of direct services

- The private sector, in cooperation with NCCM, is involved in an initiative to create integrated care homes for street children at risk of offences covered by the Optional Protocol
- NGOs participating in the children-at-risk programme provided various services to at-risk children in a number of governorates

²² Report of the Ministry of the Interior.

²³ Hanan Jum'a Bakri, final report on the street research conducted as part of the "Kunuz al-mustaqbal" (Future Treasures) project, May 2009.

²⁴ Report presented by the Port Fouad Association for Family and Child Welfare in Port Said.

- Partner NGOs in the Child Helpline 16000 provided shelter for over 860 children and also began work to rehabilitate street children and deliver other services to those making reports
- NCCM, the Cairo governorate, the Belgium NGO FACE and the Danone Institute cooperated to establish a centre in the City of Peace (Sharm El Sheikh) for rehabilitating child-trafficking victims and taking in street children with disabilities
- A number of businessmen made donations to help poor families enrol their children in education

Awareness-raising

90. The Port Fouad Association for Family and Child Welfare ran awareness-raising and education programmes on the child rights enunciated in different instruments and treaties and in domestic law for persons exercising parental authority, parent councils and teachers from schools providing basic education in the Port Fouad district.²⁵

F. Monitoring and detection mechanisms

91. Working also in close cooperation with the media, Egypt successfully coordinated with the competent governmental bodies, NGOs and international entities to establish powerful mechanisms for monitoring application of the Optional Protocol and detecting violations through the Ministry of State for Family and Population, to which NCCM is attached. The Ministry detects violations against children through the Child Helpline, the Family Advice Line and the Disability Line.

Child Helpline 16000

92. This free telephone helpline providing uninterrupted service throughout all areas of the Republic was established by NCCM, in cooperation with Child Helpline International in Amsterdam, as a mechanism for monitoring children's rights and receiving complaints from the perspective of the Convention and its two Optional Protocols, on the basis of recommendations made in the Committee's concluding observations on Egypt's second periodic report. The Child Helpline is for children up to 18 years of age and serves as the initial point for learning about their problems through listening to their complaints, although it does also take complaints from adults. The Helpline endeavours to address these problems and seeks the punishment of offenders via an integrated structural framework and national partner network.²⁶ The Helpline's database helped in channelling proposals for amendment of the Children's Code and the Helpline itself has legal status as a monitoring mechanism empowered to receive, handle and refer complaints, request their investigation and follow up investigation findings (article 97 of the Code).

93. The Helpline takes its services to schools and other places where children congregate and works through contracts with NGOs and in cooperation with universities and their psychological counselling centres. It also supports the establishment of new

²⁵ Ibid.

²⁶ Coordination among the ministries concerned with children is considered a mainstay in helping to deal with reports made to the Helpline, which accordingly established an organizational framework for coordination in line with the speed of initiative concerning all risk points for children. The national partner network comprises the Ministries of the Interior, Health, Education, Higher Education, Justice, and Social Solidarity, as well as the General Authority for Health Insurance, the Psychological Service Centre at Ain Shams University and 29 NGOs countrywide.

psychological and family counselling centres in governorates where there is a high concentration of children at risk. The Helpline — which has thus far received over 1.4 million telephone calls — has helped to resolve many problems and has instituted a system for following up complaints. It publishes quarterly and end-of-year reports. The Helpline is linked to an electronic service and has a database employing the latest information technologies, which is compiled in cooperation with the Ministry of Communications and Information Technology and the Cabinet's IDSC.

Family Advice Line 16021

94. This free nationwide telephone hotline is a means of providing advice and facilitating access for families to the services that they need. It offers advice to families, cautions against the dangers of child marriage and has a facility for reporting such marriages. It also works in cooperation with the Office of the Public Prosecutor in order to bring about the arrest and criminal prosecution of persons implicated in such marriages and has had recent success in uncovering several cases of law-breaking. The Advice Line further serves as a tool for identifying the main problems encountered by families. It seeks to realize the Ministry's objectives of empowering Egyptian families by helping them to take informed decisions concerning marriage and reproduction and by instilling reproductive health concepts from a rights-based perspective in the interest of comprehensive development. Such decisions are key to population growth control, improved demography and a better quality of life for citizens. The Advice Line additionally provides legal advice with help from experts specializing in the rights of children and families and in cooperation with persons active in civil society.

Disability Line 0800 666 8888

95. Children with disabilities are one of the groups most vulnerable to the offences covered by the Optional Protocol. In 2003, NCCM therefore established a free Disability Line as a mechanism for communicating with and receiving complaints from such children and their families. The Line plays a part in protecting children with disabilities by furnishing information on services provided for them countrywide by the State and civil society. It also furnishes them with information on the laws guaranteeing their rights and dispenses advice in areas of major concern to them (medical, social, educational, psychological and other).

96. *The National Council for Human Rights:* The concluding observations of the Committee on the Rights of the Child concerning Egypt's second periodic report encouraged the establishment of an independent national institution in accordance with the Paris Principles. The National Council for Human Rights was therefore established, pursuant to Republican Decree No. 94 of 2003, as a body independent from the executive that reports to the Shura Council. Its mandate includes follow-up of the implementation of human rights conventions and treaties and the submission of proposals and comments to the relevant bodies. It works in coordination and cooperation with the State institutions concerned with human rights and is empowered to receive and handle complaints and refer them to the competent authorities (it has no committee or office for children and women, although it occasionally follows up children's issues in coordination with NCCM and the National Council for Women).

97. *The National Council for Women:* The National Council for Women cooperates by referring any complaints relating to children and women that it receives.

98. *Protection committees:* Protection committees are essentially a preventive mechanism working to ensure social protection for children. These committees, for which provision is made under article 97 of the Children's Code, formulate the general policy for child protection at the governorate level, monitor implementation, identify at-risk cases and

intervene as necessary to prevent and deal with them and follow up measures taken. The committees periodically monitor procedures for and outcomes of the implementation of child-related measures and may — where necessary — recommend that such measures be reviewed, replaced or discontinued so as to ensure, to the extent possible, that children remain in their family setting, are removed from it only as a last resort and for the shortest possible period of time, and are returned to it at the earliest opportunity (see annex 3 for further information on protection committees).

99. *The Standing National Committee on Child Labour* is attached to NCCM and has a membership comprising the competent bodies from the governmental, non-governmental and private sectors and international organizations (including UNICEF and ILO).

V. Preventive measures

A. Protection of children most vulnerable to risk

100. The NCCM Technical Advisory Committee, which has been chaired by Mrs. Suzanne Mubarak since 2000, made at-risk children a priority on the State agenda. In that context, through an integrated approach to legislation, general policy and programmes, the emphasis has been on the most marginalized and disadvantaged groups, including: girls (outside education and at risk of circumcision and early marriage), child labourers, street children, children with disabilities and drug victims.

101. Examples in addition to those already set forth in the report include the efforts of the Ministry of Health to promote realization of the strategy for the protection and rehabilitation of street children by elaborating a plan to deliver health care and medical services to those children, in cooperation with the Ministry of the Interior, the Ministry of Social Solidarity, NCCM, the media, NGOs and members of the public.²⁷ The care centres of the Ministry of Social Solidarity also successfully prevented some street children from falling victim to prostitution or forced labour.

102. The National Anti-Violence Committee adopted a charter of honour for tourism workers, comprising standards and guidelines on preventing the offences covered by the Optional Protocol, including training for persons working in tourism (in hotels, the police and tourism support services) in how to operationalize and apply the standards of the charter, with the emphasis on tourism areas.

103. It is worth mentioning in this context that the Children's Code treats child victims of the offences covered by the Optional Protocol as having rights and recognizes them as being at risk, whereas the former Code treated them as being at risk of delinquency. The current Code consequently altered the prevailing thought pattern whereby juveniles were regarded as criminals, with children now treated as victims. Article 96 of the Code enumerates 14 circumstances that pose a risk to children (see annex 3).

²⁷ The Ministry of Health plan comprises five core areas of concern, namely: (1) Preparation and design of records and forms; (2) Issuance of directives to Ministry of Health units; (3) Free comprehensive medical examinations for children benefiting from the service; (4) Conduct of a case study; and (5) Coordination with the competent bodies. Report of the Ministry of Health.

B. Awareness-raising campaigns

104. Egypt introduced an integrated methodology for raising public awareness of the rights of children from disadvantaged and at-risk groups, successfully changing negative attitudes nationwide through awareness-raising programmes and interventions, one example of which is the social media programme targeted through the core areas below at all bodies concerned with children's issues.

Media campaigns

105. In 2002, Mrs. Suzanne Mubarak launched a campaign named "*al-Bint Masriyah*" (The Girl is Egyptian), which focused on raising awareness of the harmful consequences of being denied an education, of early marriage and of female circumcision. The campaign achieved tangible success, paving the way for important interventions in connection with the Girls' Education Initiative, the elimination of child marriage, child labour and the fight against female circumcision. A social media programme ("Think Twice"), implemented in cooperation with Italian Cooperation and UNDP, comprises a key section on children's initiatives and their participation in raising awareness of these issues. Three media campaigns were launched in that context, focusing on child labour issues, education drop out, early marriage and child trafficking, namely: the campaign against child trafficking (2007); the "Red Card to Child Labour" campaign (2006); and the Child Helpline campaign (2005). Items produced as part of these campaigns included posters, tributes, media reports, radio programmes and an animated film illustrating the Convention in simplified form. Also included was a special television programme called "*Isma`u-na*" (Listen to Us) that dealt with the subject of children's participation and the free expression of their views on issues of concern to them. The programme was compiled and presented by children themselves and executed by NCCM, in cooperation with Plan International, the private sector, NGOs and Egyptian television.

Community initiatives

106. These initiatives spread awareness of children's rights and give young people opportunities to express their opinions on a range of community issues, using technical equipment (photography) or media devices (puppet theatres and animated films). The initiatives were carried out in partnership with a team of young volunteers from nine NGOs in seven of the country's governorates (Cairo, Alexandria, Qalyubiyah, Gharbiyah, Minya, Luxor and Aswan). Key outcomes delivered from this core area by children involved in the project included the design of a teaching folder on children's rights, harmful phenomena and child-related issues, and the production of animated films on children's rights.

Institution-building and capacity support

107. In the context of this core area, capacity-building workshops and training sessions were held for media personnel and young people. Media coverage was also given to a number of key events and conferences, including a regional conference on violence against children.

Mobilization of the public and decision makers

- Round tables were organized for media personnel, decision makers and parliamentarians in order to explain the amendments to the Children's Code, urge their support for those amendments and raise their awareness of the issues covered by the Optional Protocol.
- Artists and celebrities serving as goodwill ambassadors were encouraged to promote children's issues, in particular child trafficking, in their artistic work.

- Two model information technology buses containing information on child-related issues were sent to tour the country.
- Several plays were composed and staged, including one named “Think Twice”, which dealt with a number of relevant issues and was seen by some 250,000 people in eight governorates, a play on the legal rights of children and women and the right to identity, and a play on the right to a healthy environment, in which children took part.
- Egypt hosted three Middle East and North Africa (MENA) regional consultations in 2005, 2006 and 2007 for the United Nations study on violence against children. The agenda of the consultations focused on the offences covered by the Optional Protocol.
- There is no doubt that NCCM achieved success in channelling media interest to the question of marginalized groups of children. The media has played an important role in bringing to light a number of issues and violations and in mobilizing public opinion, the executive authorities and NGOs to devote attention to those issues.

108. The Child Trafficking Unit is also engaged in efforts to raise awareness of the types of offences covered by the Optional Protocol and the dangers associated with them, specifically by:

- Launching the website www.child-trafficking.info.
- Compiling a guide to raising children’s awareness of the risks of sexual exploitation over the World Wide Web, in cooperation with the Ministry of Communications and Information Technology.
- Developing a plan to raise awareness of the need for measures ensuring the security and protection of newborn babies in hospitals and maternity clinics and elaborating programmes for training medical teams and expectant mothers in ways of protecting babies against being stolen, swapped or ill-treated.
- Running cultural and artistic workshops to develop children’s involvement and raise awareness of the Optional Protocol through mobile information and communication technology (ICT) units, in association with schools, youth centres and NGOs. These activities are designed in particular for children at risk, such as dropouts from education.
- Training children and adolescents through the electronic portal for teenagers “*Yomgedid*” (New Day) in how to navigate the World Wide Web securely and participate safely in blogs and in sharing experiences and knowledge.

VI. Prohibition of the sale of children, child prostitution and child pornography

A. Maximum and minimum penalties

109. Annex 4 lists the provisions and penalties relating to violations with which the Optional Protocol is concerned, primarily as cited below.

The Suppression of Prostitution Act No. 10 of 1961

110. Article 1: Anyone who incites a male or female to commit an immoral act or who grooms or entices him or her with intent to commit an immoral act or prostitution shall be punishable by a term of imprisonment of not less than 1 year and not more than 3 years and

by a fine of between LE 100 and LE 300. If the person against whom the offence was committed is under 21 years of age, the penalty shall be imprisonment for a term of not less than 1 year and not more than 5 years.

111. Article 2: Any person who uses deception, force, threat, abuse of authority or any other method of coercion to employ, groom or entice a male or female with intent to commit an immoral act or prostitution shall be punishable by a term of imprisonment of not less than 1 year and not more than 5 years, as shall any person who employs any such method to detain a male or female against their will in premises used for immoral acts or prostitution.

112. Article 3: Any person who incites a male under 21 years of age or a female of any age to leave the Arab Republic of Egypt or who facilitates such departure or employs or accompanies such person abroad for the purpose of engaging in immoral acts or prostitution shall be punishable by imprisonment for a term of not less than 1 year and not more than 5 years and by a fine of between LE 100 and LE 500, as shall anyone who knowingly aids that person therein.

113. Article 4: In the circumstances prescribed in the preceding three articles, the penalty shall be imprisonment of between 3 and 7 years if the person against whom the offence was committed is under 16 years of age, under the supervision or authority of the perpetrator or a paid servant of the perpetrator or any of the aforementioned persons.

114. Article 5: Any person who brings or facilitates the entry of a person into the Arab Republic of Egypt in order to commit immoral acts or prostitution shall be punishable by imprisonment for a term of not less than 1 year and not more than 5 years and by a fine of LE 100 to LE 500.

115. Article 6: A penalty of imprisonment for a term of not less than 6 months and not more than 3 years shall be imposed on:

- (a) Anyone who assists a female in the practice of prostitution, even by means of payment;
- (b) Anyone who in any way exploits the prostitution or immoral acts of another person.

The penalty shall be increased to imprisonment of 1 to 5 years if the offence is accompanied by any of the aggravating circumstances provided for in article 4 of the present Act.

116. Article 8: Any person who opens, manages or in any way assists in the management of premises to be used for immoral acts or prostitution shall be punishable by imprisonment for a term of not less than 1 year and not more than 3 years and by a fine of not less than LE 100 and not more than LE 300. If the perpetrator of the offence is an ascendant of the person engaging in immoral acts or prostitution, responsible for his upbringing or in a position of authority over him, the penalty shall be imprisonment for a term of not less than 2 years and not more than 4 years, in addition to the prescribed fine.

The Penal Code No. 58 of 1937

117. Article 268: Anyone who uses force or threat to rape or attempt to rape a person shall be punishable by hard labour from 3 to 7 years. If the person against whom the offence was committed is under 16 years of age or if the perpetrator is among those provided for in article 267, paragraph 2, the penalty may be increased to the maximum prescribed term of fixed-term labour. If both conditions obtain, he shall be sentenced to hard labour for life.

118. Article 269: Anyone who, without using threat or force, rapes a boy or girl under 18 years of age shall be punishable by imprisonment. If he or she is under 7 years of age or if the perpetrator of the offence is among those provided for in article 267, paragraph 2, the penalty shall be fixed-term hard labour.

119. Article 288 (substituted pursuant to Act No. 214 of 1980): Any person who uses deception or force to abduct a male child under 16 years of age or who does so through an intermediary shall be punishable by imprisonment of 3 to 10 years. If the abducted person was female, the penalty shall be fixed-term hard labour. The perpetrator shall be sentenced to hard labour for life, however, if the felony was compounded by intercourse with the abducted female.

120. Article 289 (substituted pursuant to Act No. 214 of 1980): Any person who, without using deception or force, abducts a male under 16 years of age or does so through an intermediary shall be punishable by imprisonment of 3 to 10 years. If the person abducted was female, the penalty shall be fixed-term hard labour. The perpetrator shall be sentenced to hard labour for life, however, if the felony was compounded by intercourse with the abducted female.

121. Article 290 (substituted pursuant to Act No. 214 of 1980): Any person who uses deception or force to abduct a female or does so through an intermediary shall be punishable by hard labour for life. The perpetrator shall be sentenced to death, however, if the felony is compounded by non-consensual intercourse with the abducted female.

122. Article 291: The penalty of rigorous imprisonment for a term of not less than 5 years and a fine of not less than LE 50,000 and not more than LE 200,000 is prescribed for the transfer and sale of children, for all forms of child exploitation, for the removal of a child's organs or for facilitating the same, even if the offence occurred abroad.

123. *The Children's Code*: The maximum and minimum penalties have already been mentioned in part VI.A of the present report.

B. Legal penalties

124. Tangible progress has been made in Egyptian legislation concerning protection against the sale of children, child prostitution and child pornography. Certain aspects need to be reviewed nonetheless, specifically with regard to:

- Inclusion of the agricultural labour force under the Labour Code
- Clarification as to who is authorized to engage a lawyer in the event that a child having lost both parents runs into difficulty²⁸
- Mandating the limitation of proceedings by law instead of by way of a judgement in order to prevent the multitude of time-barred cases in respect of which no action is taken by either the accused child or the judiciary
- Legislative intervention for the inclusion of children's photographs and fingerprints in reports made on them in order to overcome the problem of street children assuming more than one name and establish the principles of justice so that no one is punished for an act or offence that he did not commit

²⁸ Some 17,000 default judgements have been entered against street children since 2004 for such offences as begging and knife possession. Most of these cases are time-barred, but counter-proceedings must be in place for the case to be dropped against the child.

- The possibility of introducing punishment for parents who refuse to take back their children from the street
- The potential need for a review of the Civil Code, under which any person under 21 years of age is regarded as a minor, in the light of the Children's Code, which is consistent with the Convention in defining the child as a person under 18 years of age

C. Criminal responsibility

125. Pursuant to the Children's Code, the minimum age of criminal responsibility was raised from 7 to 12 years.

D. Adoption

126. As stated in paragraph 19 of the present report, adoption is not permitted in the Arab Republic of Egypt. Challenges encountered in this area are therefore negligible, with the exception of the few individual cases already mentioned in which attempts were made to remove children from the country for the purpose of adoption. These cases clearly raised public concerns on account of their rarity.

E. Laws prohibiting advertising in connection with offences covered by the Optional Protocol

127. Under article 89 of the Children's Code, it is prohibited to publish, exhibit or circulate anything that may encourage delinquency in children. The prescribed penalty for a breach is a fine of not less than LE 100 and confiscation of the offending printed matter or artistic works. Under article 14 of the Suppression of Prostitution Act, anyone who uses any method of advertising that induces or calls attention to immoral acts or prostitution is punishable by imprisonment for a term of not more than 3 years and by a fine of not more than LE 100, or by either penalty.

F. Legal jurisdiction

128. With regard to legal provisions establishing extraterritorial jurisdiction, article 291 of the Penal Code, which was added pursuant to the Children's Code, provides that the penalty of imprisonment and a fine is applicable for prejudicing the right of children to protection, even if the offence took place abroad.

G. Extradition of suspects

129. Under the Code of Criminal Procedure, the extradition of a suspect to a requesting State is conditional on the existence of a treaty between that State and Egypt.

H. Seizure and confiscation

130. As already mentioned, more than six officials implicated in conducting marriages of underage girls from the governorates of Gharbiyah, Qalyubiyah, Minya, Fayum, Daqahliyah, Port Said, Damietta, Gizah and Cairo were prosecuted and punished. These procedures were carried out in the context of implementing the amendments to the

Children's Code, pursuant to which the minimum marriage age was raised to 18 years, with over 9,200 illegal marriage contracts seized. A number of the offenders were prosecuted and underwent a disciplinary hearing, with the result that they were suspended from duty and sentenced to 2 years' imprisonment and a fine of LE 2,000. The trial of the other offenders is still under way.

131. As previously stated, the Public Prosecutor charged 11 suspects with committing the offences of selling and purchasing four newborn infants; attempting to take them out of the country for adoption, which is prohibited by law in Egypt; forging birth notifications, birth certificates, birth registrations and passports; and using them to establish false parentage of those children. That case, in which the accused were sentenced to terms of imprisonment of up to 2 years, set a precedent for implementation of the provisions of the Children's Code prohibiting any action prejudicial to the right of children to protection against trafficking and exploitation.

132. In Case No. 2490 of 2009 (Raml Criminal Court), to which earlier reference was made, the Alexandria Criminal Court sentenced the first accused to life imprisonment and the second accused to rigorous imprisonment, holding that the commercial and sexual exploitation of the child victims by the accused was sufficiently proven to convict them and that its belief in the evidence adduced by the Office of the Public Prosecutor constituted its rejection of the arguments made by the defence with the intention of raising doubts about that evidence in which the court had confidence.

133. It is worth mentioning on the subject of seizure and confiscation that Egypt implements a system of judicial cooperation in accordance with the Code of Criminal Procedure, delegating its counterpart in the State signatory to the Convention on the Rights of the Child to conduct the necessary investigations. In that context, Egypt cooperates with the Kingdom of Morocco in conducting enquiries with a view to the prosecution of child traffickers.

VII. Protection of the rights and interests of victims

A. Measures taken to protect victims

134. Pursuant to article 116 bis (a) of the Children's Code, protection for child victims and witnesses is provided at all stages of arrest, investigation, trial and enforcement. Their right to be heard and to be treated with dignity and compassion is similarly afforded, together with full respect for their physical, mental and moral integrity, and the right to protection, health, social and legal assistance, rehabilitation and social integration, in accordance with the United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime.

135. In the area of law enforcement, criminal prosecution and trial of offenders, the Office of the Public Prosecutor, as a principal branch of the judiciary, follows the mandatory criminal procedures with regard to individual cases in which the perpetrators have been arrested, investigated and committed for criminal trial. Accent is placed on taking all of the necessary measures for assisting and protecting victims of trafficking — both Egyptians and foreigners — as permitted by law and in accordance with Egypt's international obligations.

B. Investigation of offences

136. The Child Trafficking Unit produced training manuals and victim identification indicators for the benefit of law enforcement officers and civil society.

C. Ensuring the best interests of the child

137. All articles of the Children's Code provide for ensuring the best interests of the child. The Ministry of State for Family and Population is making due efforts to raise awareness of what essentially constitutes the best interests of the child in different circumstances and great progress has undoubtedly been made in this context. There are naturally many challenges to be overcome, but national action is moving in the right direction.

D. Provision of training

138. Part IV.B of this report deals with several of the training courses available in the Arab Republic of Egypt for the benefit of persons responsible for giving effect to the Children's Code and persons working with at-risk children and child victims.

E. Right to a fair and impartial trial

139. Article 116 bis (d) of the Children's Code provides that child victims and witnesses — at all stages of arrest, investigation, trial and enforcement — have the right to be heard, to be treated with dignity and compassion, and to be afforded full respect for their physical, mental and moral integrity, together with the right to protection, health, social and legal assistance, rehabilitation and social integration, in accordance with the United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime.

140. As part of the programme to combat violence against children implemented by NCCM, training courses were held for judges on the procedures to be followed in the trial of children and matters to be observed pursuant to the Children's Code and the relevant international conventions.

F. Social reintegration

141. NCCM, in cooperation with governmental bodies, the private sector and FACE, is championing an initiative to establish integrated care homes for street children, who are vulnerable to involvement in offences covered by the Optional Protocol. In this context, a rehabilitation centre was opened in the City of Peace (Sharm El Sheikh) for child victims of sexual exploitation and trafficking. It functions as a day-care home catering to approximately 400 children, providing a variety of services for their rehabilitation (including literacy classes, counselling, medical examinations, psychological support, games, computing, recreation, rest and hot meals). The centre raises awareness of the child-trafficking issue through mobile ICT units run by a group of young volunteers trained by the Ministry of Communications and Information Technology. A NGO-managed team of trained psychologists, social workers and doctors works at the home.

142. The Ministry of Social Solidarity provides rehabilitation programmes from which young girls vulnerable to the offences covered by the Optional Protocol have benefited.²⁹

G. Recovery of identity

143. Articles 4, 5 and 6 of the Children's Code guarantee the child's right to an identity, to establishment of his legal parentage if born out of wedlock and to a nationality. The amendment of the Children's Code accomplished a significant step forward by affording to children born out of wedlock rights that were previously denied (see annex 3).

H. Remedies

144. Remedies available to children and their relatives in the event that their rights are violated include recourse to the following entities: the police, law enforcement authorities, family court offices for the settlement of family disputes, the Office of the Public Prosecutor, public prosecution offices for family affairs and the various types and levels of courts, in addition to the National Council for Human Rights, the Child Helpline and the NCCM Family Advice Line.

145. Article 98 bis of the Children's Code affirms that any person knowing that a child is at risk must provide such immediate assistance as he is able in order to prevent or eliminate the risk to the child. It must be said that there is a substantial shortage of services available on this score, posing a major challenge in response to which the Ministry of State for Family and Population elaborated a remedial plan in cooperation with development partners.

VIII. International assistance and cooperation

146. The Ministry of State for Family and Population, under which NCCM falls, enjoys immense credibility at the national and international levels and has managed to accumulate the financial resources needed to implement its various programmes. It is worth mentioning that the majority of programmes were started with national funding and later attracted the attention of development partners with their success. The Ministry also has strong and many-sided relationships with various States and such entities as the European Union, USAID, Italian Cooperation and the Japan International Cooperation Agency (JICA), as well as United Nations agencies (including UNICEF, UNDP, UNODC, the United Nations Population Fund (UNFPA) and the World Food Programme (WFP)). Examples of this cooperation for national joint financing are:

- European Union financing of the children-at-risk programme
- USAID financing of the programme to combat violence against children and a family justice programme, in addition to a project to prevent child trafficking
- JICA financing, through the World Bank, of a pilot project to combat child labour
- Italian Cooperation financing for the establishment of a national child rights observatory

A planned share of national resources is also allocated to complement external financing.

²⁹ Statement by the Ministry of Social Solidarity.

147. Egypt cooperates with neighbouring countries to combat the offences covered by the Optional Protocol by concluding agreements with other States parties, including the Libyan Arab Jamahiriya, Israel, Morocco and Italy. Egypt also cooperated with other States parties to the Action Plan to Combat Trafficking in Human Beings, Especially Women and Children, adopted by the European Union and African States and subsequently endorsed by a decision of the Executive Council of the African Union on 26 January 2007.

148. In the context of the distinguished bilateral relations and strategic partnership between Egypt and Italy, the Egyptian Ministry of State for Family and Population is working cooperatively with the Italian Ministry of Labour, Health and Social Policies on an initiative to curb illegal migration by launching a media and awareness-raising campaign aimed at young Egyptians and their families. They are also cooperating to build a technical education school in one of the villages from which child migrants are exported.

A. Strengthening of cooperation and coordination

149. The Arab Republic of Egypt believes that the offences of the sale of children, child prostitution and child pornography have interrelated economic, political and international dimensions that make it impossible for a State to tackle them single-handedly. Concerted efforts by the international community are therefore required to combat these offences, together with effective coordination among exporting and receiving States. On the basis of that belief, the State cooperates fully with other States and with agencies of the United Nations and its Special Rapporteurs on, respectively, trafficking in persons, especially in women and children, and the sale of children, child prostitution and child pornography.³⁰

150. In the area of coordination, Egypt's most prominent efforts include the following:

- The UNODC Regional Office in Cairo and the General Department for Juvenile Welfare Research at the Ministry of the Interior coordinate in the context of the programme currently being implemented in cooperation with UNDP to train law enforcement officers in human rights principles. The programme comprises two courses, one for officers and the second for police researchers of both sexes, which are designed to explore the latest developments with respect to the protection of human and child rights and the safeguarding of fundamental freedoms throughout all stages of dealings with the police.
- Modes of security cooperation are currently being developed at the Arab, regional and international levels in order to combat the different types of human-trafficking offences. This is being pursued through the activities of the Department for Organized Crime at the Ministry of the Interior, the jurisdiction of which extends to following up efforts made elsewhere to combat these offences. The Department incorporates topics relevant to the different forms of organized crime (including trafficking in persons) into the training course programmes organized by the Ministry for security personnel from African and Commonwealth States, as well as from newly independent Muslim European States.
- Memoranda of understanding and bilateral and multilateral agreements have been signed at the Arab and international levels in support of cooperative efforts to combat the various forms of organized crime, including trafficking in persons. Information is exchanged under these memoranda and agreements, including the

³⁰ Preparations are currently under way for the visit by the two Special Rapporteurs to Egypt during the present year.

Technical Assistance and Information Exchange (TAIEX) instrument, which is one of two modes of technical cooperation between Egypt and the European Union.

- Our overseas diplomatic missions promote the campaign spearheaded by SMWIPM, in cooperation with NGOs, to raise awareness of child-trafficking offences and their dangers.
- An Egyptian decision on strengthening cooperation between the United Nations and the African Union in combating trafficking in human beings was adopted by consensus at the African Union Summit held in Sharm El Sheikh in June 2008.
- Egypt contributed to the Arab efforts to draft a paper setting out the Arab position on human trafficking, which was presented at the Vienna Forum to Fight Human Trafficking in February 2008.
- Egypt is currently playing an effective role in the negotiations under way at the United Nations in New York with States holding similar positions on the matter, the aim being to draft a global plan of action against trafficking in persons, under the guidance of the President of the General Assembly of the United Nations.

151. Egypt was also actively involved in organizing a number of relevant international conferences and events, which it also attended, including:

- The fourth meeting of the Internet Governance Forum in Sharm El Sheikh (November 2009)
- The Palermo conference organized by IOM to celebrate the tenth anniversary of the establishment of the Ad Hoc Intergovernmental Committee for the Elaboration of the Palermo Protocol (May 2009)
- An international conference on the theme of “*Human trafficking at the crossroads*”, held in cooperation with the Bahraini Ministry of Foreign Affairs (March 2009)
- A conference on the theme of “*Crossing borders to protect the children of the world*”, organized by SMWIPM in cooperation with the International Centre for Missing and Exploited Children (ICMEC) (February 2009)
- Celebration of the launch of the first Global Report on Trafficking in Persons (New York, February 2009)
- The Regional Meeting of Arab Experts on Rights-based Assistance to Trafficking Victims (Cairo, December 2008)
- XVII International Congress of the International Society for Prevention of Child Abuse and Neglect (ISPCAN) (Hong Kong, September 2008)
- The Regional Operational Meeting on Combating Human Trafficking and Money Laundering in the Mediterranean Rim Region, jointly organized by the Organization for Security and Cooperation in Europe (OSCE) and UNODC
- A conference organized by OSCE on the theme of “*Child trafficking: responses and challenges at local level*” (May 2008)
- A conference to follow up the recommendations of the Internet Governance Forum (March 2008)
- The Vienna Forum to Fight Human Trafficking, held under the framework of the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT) (February 2008)

- The three World Congresses against Sexual Exploitation of Children and Adolescents, held in Rio de Janeiro (2008), Yokohama (2001) and Stockholm (1996)
- The three MENA Regional Conferences on Violence against Children (Cairo, 2005, 2006 and 2007), held in cooperation with the Office of the High Commissioner for Human Rights (OHCHR), the League of Arab States, UNICEF and the World Health Organization (WHO)

B. Technical support

152. In the area of technical support, Egypt cooperated with IOM in the publication of an Arabic copy of the IOM *Handbook on Direct Assistance for Victims of Trafficking*, referred to earlier. The NCCM Child Trafficking Unit was also part of a group of Egyptian experts in the United States International Visitor Leadership Program on Combating Human Trafficking. This Program was especially designed to build capacities in combating human trafficking and to impart information on the United States experience in this area. The Unit also participated in a programme for the purpose of exchanging information and learning from the United Kingdom experience in preventing human trafficking, which was organized by the National Coordinating Committee for Combating and Preventing Trafficking in Persons, in cooperation with the European Union in the context of implementing the European Union-Egypt Association Agreement and Action Plan in the field of human trafficking, and with TAIEX and the Serious Organized Crime Agency (SOCA).

C. Tackling the root causes of the offences covered by the Optional Protocol

153. The sale of children, child prostitution and child pornography are closely connected with the economic, educational and cultural factors prevailing in any society. Hence, the vast majority of children at risk are conspicuously those who are not enrolled in education or who have dropped out, either because of the poor standard of education and those providing it, or because there is no access to safe transport for delivering them from home to school.³¹ The education problem is compounded by the fact that the Government budget allocated to social spending (especially in the area of education) is too insignificant realistically to guarantee the right of every child to free compulsory education, as provided by the Constitution and laws. The educational process therefore turns into a heavy burden for poor families, who may consequently be forced to push children onto the labour market or to exploit them when facing an economic crisis. The State attaches great importance to dealing with the problem of children who drop out of education and is concentrating on improving the quality of education, with the trend towards active learning that equips the child with life skills.

³¹ Reports by the Port Fouad Association for Family and Child Welfare, which is based in Port Said. The Association notes that children drop out of school because of the inadequacy of transport for their daily journey there from home. Most children therefore endure the difficulties and dangers of travelling to and fro by modes of transport that are completely unsafe, which puts them at risk of death from road accidents. In April 2008, an accident occurred in the village of Alkab, south of Port Said, in which five primary school children were killed as a consequence of taking an unsafe mode of transport.

154. NCCM, in cooperation with a number of ministries, NGOs and United Nations agencies, in particular UNICEF, carried out the Girls' Education Initiative, which was designed to confront the challenge by providing a high-quality community-based education, free of charge. Within three years, 1,152 schools had been built. Keen to reproduce this successful experience countrywide, NCCM signed a joint protocol with the Ministry of Education essentially transferring NCCM expertise in this area to the Ministry.

155. Other proposed solutions for addressing the same problem include the establishment of a national system of family allowances awarded on the basis of the family's commitment to registering its children in the different stages of education, with the proviso that on disbursement of these allowances the family provides a certificate stating that the child has a lasting commitment to the education system.

156. In addition to education problems, unemployment and poverty are other main causes that might lead some poor families to exploit their children in labour or otherwise illegally in order to provide a source of income. As a result of the current economic shifts and the attendant privatization and restructuring policies, many workers have been made redundant and the number of unemployed has increased. Although there is a kind of unemployment benefit system in place, some poor have difficulty in obtaining benefit owing to the amount available and the conditions to be fulfilled by those entitled to it.

157. Given the expected increase in the number of unemployed in the period of crippling global economic crisis to come, a review of the relevant statutes and laws is important on that score for operationalizing the role of this branch of social insurance in providing an appropriate source of income to those compelled by circumstances to leave work, whether voluntarily or by force.

158. The NCCM Child Helpline seeks to address the above causes by assisting families to enrol their children in education, pay school expenses and provide various forms of assistance in kind. Poor families are also assessed for social security allowances and put in touch with NGO relief centres offering assistance in kind.

159. In order to address the problem of the failure by some families to obtain birth certificates for their children, the Children's Code was amended so that birth certificates are now issued free of charge for newborn babies and mothers are entitled to register their child. Pursuant to the Code, the Ministry of State for Family and Population cooperates with the Ministry of Health in order to facilitate the procedures for obtaining birth certificates from health directorates. In this context, the programme to reduce poverty and promote the legal rights of children and young people, mentioned in paragraph 14, which is being implemented in collaboration with the World Bank and Italian Cooperation, has obtained 120,000 official papers (birth certificates and personal identity cards) for persons deprived of them. The Child Helpline 16000 also obtains birth certificates in the case of families who decided not to register their children or who wished to do so but lacked proof.³²

160. In cooperation with UNICEF, a study on child poverty and ways of combating it was conducted as part of the UNICEF study under way on the subject with over 44 States. This study succeeded in drawing attention to the seriousness of child poverty, its difference from adult poverty and the need to mount strategies for its elimination.

³² Through the Child Helpline, 240 birth certificates were obtained in similar cases.

IX. Other legal provisions

Provisions giving effect to the rights of the child

161. The Arab Republic of Egypt has ratified all of the international instruments on combating the sale of children, child prostitution and child pornography (as set forth in annex 1).

X. Conclusion

162. This report presents some of the Egyptian efforts made to tackle the offences covered by the Optional Protocol. Although significant, these efforts have not fully eliminated the problems. The Arab Republic of Egypt is aware that it must not only continue these efforts but also double them, as well as mobilize the financial and human resources needed for their success. The Egyptian Government looks forward to a positive and constructive dialogue with the Committee and to the Committee's concluding observations, which will undoubtedly contribute to strengthening Egypt's efforts to protect every child on its territory against the offences covered by the Optional Protocol.
