



EGYPT | FACTSHEET #7: WOMEN'S RIGHTS

Egyptian women face discrimination in law and practice and are underrepresented in the public life of the country. Women also face high levels of gender-based and sexual violence, including sexual harassment and domestic violence.

99%

Women and girls in Egypt who reported experiencing some form of sexual harassment in a 2013 survey by UN Women

47.4%

Married, divorced, separated or widowed women who reported some form of physical domestic violence in the last official survey on the issue

91%

Married women (ages 15-49) subjected to Female Genital Mutilation in the last official survey

11%

Women employed in higher management in government sectors

Women and girls continue to face discrimination in law and in practice. Women continue to face discrimination in public life and their right to work.¹ For decades, women have been excluded from representation in law-making bodies, the government and the judiciary. During the rule of the Supreme Council of the Armed Forces (the SCAF), women protesters faced state violence from the army and security forces, including forced “virginity tests” in March 2011.²

Women and girls continue to face high levels of sexual harassment and, since late 2012, women protesters have faced repeated sexual attacks around Cairo’s Tahrir Square.³

- On 9 March 2011, army forces violently dispersed protests in Tahrir Square and detained 18 women, 17 of whom were subsequently beaten, prodded with electric shock batons, subjected to strip searches and forced to submit to “**virginity tests**”. To date, there has been no accountability for these abuses and in March 2012 a military court acquitted the army doctor accused of carrying of the “tests”.
- In December 2011, soldiers and security forces beat women protesters in the streets around government buildings in Cairo, before subjecting women detainees to torture and ill-treatment in detention. Some women reported being groped and threatened with sexual violence. The events, known as the “**Cabinet Events**”, saw soldiers filmed beating a prone woman protester and exposing her underwear.
- Women taking part in protests around Tahrir Square faced a wave of sexual violence in June-July 2013. Volunteer groups working to stop the violence in the square and assist survivors have documented 168 cases of **mob sexual attacks** between 30 June and 3 July 2013.
- Women demonstrators around Tahrir Square faced renewed violence when Abdel Fattah al-Sisi took office as Egypt’s new president on 8 June 2014, with women’s groups and human rights organizations stating they had documented at least nine cases of **sexual assaults**.⁴ A harrowing video of one of the attacks, published on-line, was widely covered in both Egyptian media and the international press, prompting criticism of the authorities’ inaction on violence against women in the public sphere.

Sources: UN Women, Ministry of Health, Central Agency for Public Mobilization and Statistics

30

Approximate number of women judges, many directly appointed by Hosni Mubarak

2%

Women holding seats in the last People's Assembly (lower house of parliament)

10%

Women appointed to the 50-member committee that drafted Egypt's 2014 Constitution

24% / 9.2%

Unemployed women versus men

37.3%

Egyptian women and girls over the age of 10 who are illiterate, according to official statistics

Sources: Egyptian government, Central Agency for Public Mobilization and Statistics, The World Bank, Inter-Parliamentary Union

The Personal Status Law discriminates against women in marriage, divorce and custody rights; under the Inheritance Act (Law 77 of 1943) women only receive half the inheritance of men. Government policies, such as removing electoral quotas in 2011, have adversely affected women's right to participate in public life.

In June 2014, the outgoing president passed a new decree to combat violence against women in public, amending two articles of the Penal Code to define and criminalize sexual harassment. However, Amnesty International is concerned that the definition of sexual harassment under the law is limited to acts committed with the intention of "receiving sexual gratification from the victim" (Articles 306 (bis A, B)). The new president, Abdel Fattah al-Sisi, then ordered the government and security forces to stamp out sexual harassment, after a series of attacks on women demonstrators in Tahrir Square around his inauguration.

Such measures are welcome, but have yet to translate into a comprehensive strategy to combat violence against women, including domestic violence and sexual and gender-based violence in detention. Despite these steps, the Penal Code does not adequately define the crime of rape and continues to criminalize adultery.⁵ In December 2011, an administrative court banned forced "virginity testing", but in March 2012 a military court cleared a doctor accused of subjecting women protesters to such tests. Although national law prohibits female genital mutilation (FGM), in practice women and girls continue to face this abuse.⁶ The Penal Code prohibits abortion in all cases.

RECOMMENDATIONS

Amnesty International calls on the Egyptian authorities to:

- Amend the definition of sexual harassment in Articles 306 bis A and B of the Penal Code to bring it in line with international standards, and remove the stipulation that perpetrators must have had the intention of "receiving sexual gratification";
- Adopt new legislation, and review existing laws, in order to criminalize all forms of violence against women and girls, including by introducing legal provisions prohibiting domestic violence, including marital rape, as well as sexual harassment and assaults consistent with international law and standards;
- Amend the definition of rape in national legislation, in line with international human rights law and standards, to address and criminalize all forms of forced and coercive sexual invasion, not limited to the penetration of a penis into a vagina, but also covering forced and coerced oral and anal sexual acts, as well as forced anal or vaginal penetration with objects;
- Recruit sufficient numbers of women police officers, prison staff, prosecutors and judges to ensure the protection and fair treatment of women and girls, whether as members of the public, survivors or victims of violence, or suspects, detainees, or prisoners;
- Develop gender-specific standards, based on The United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the "Bangkok Rules"), following extensive consultation with police officials, prison authorities, staff and prisoners, former prisoners, as well as civil society, in order to ensure women prisoners and detainees are held in

conditions and within regimes that that respect and ensure their human rights and meet their gender-specific needs. The standards should detail gender-specific procedures to be followed at each stage from arrest and detention to custody during trial and criminal detention, to ensure women's human rights are respected and, in particular, that they are protected from sexual and gender-based violence and exploitation from other prisoners, and members of the security forces and prison staff;

- Ensure all violent crimes against women, regardless of the characteristics of the victim or perpetrator, are treated as seriously as other violent crimes. Clear instructions must be given to law enforcement and judicial officials to diligently address violence and harassment against women, and law enforcement officials and public prosecutors must be held to account if they mock, offend, or pressure women victims of violence into not pursuing their complaints;
- Amend all laws and policies which discriminate against women and girls and ensure that they conform with international standards;
- Introduce temporary special measures in the formal labour market to eliminate both horizontal and vertical occupational segregation, close the wage gap between women and men and apply the principle of equal remuneration and equal opportunities at work;
- Regulate the informal sector to ensure that women in this sector are not exploited and are able to earn a living wage, and are provided social security and other benefits;
- Ensure that women are represented in public and private institutions in a way that reflect their population and lift any discriminatory practices related to their appointment in all governmental positions;
- End the arrest and prosecution of people for their real or perceived sexual orientation or gender identity and repeal laws criminalizing consensual sex between adults in private.

“THE POLICE DON'T CARE, THEY DON'T THINK IT IS A PROBLEM IF A HUSBAND BEATS HIS WIFE. IF YOU ARE A POOR WOMAN, THEY JUST SEND YOU AWAY AFTER HURLING A FEW INSULTS. SOCIETY TREATS A WOMAN LIKE A NON-PERSON.

48-year-old survivor of spousal violence, who endured 17 years of physical and emotional abuse from her husband before finally obtaining a divorce.

ENDNOTES

¹ See disaggregated data in “Labor force” and “Public indicators”, *Statistical Yearbook 2013*, Central Agency for Public Mobilization and Statistics (CAPMAS), September 2013: bit.ly/1eUPDVL; and bit.ly/168AGHH. For analysis, see “Article 3 – equal rights of men and women”, Amnesty International, *Submission to the UN Committee on Economic, Social and Cultural Rights*, p8.

² For detailed information on sexual and gender-based violence against women under the rule of the Supreme Council of the Armed Forces, see “5. Sexual and gender-based violence against women activists”, *Brutality unpunished and unchecked: Egypt’s military kill and torture protesters with impunity* (Index: MDE 12/017/2012), 2 October 2012, pp27-32: <http://www.amnesty.org/en/library/info/MDE12/017/2012>. In a meeting with Amnesty International’s Secretary General in June 2011, the then head of military intelligence stated that the army would no longer carry out forced “virginity tests” on women detainees. See: Amnesty International, *Egypt: Military pledges to stop forced ‘virginity tests’* (Index: PRE01/321/2011), 27 June 2011: <http://www.amnesty.org/en/for-media/press-releases/egypt-military-pledges-stop-forced-virginity-tests-2011-06-27>

³ In April 2013, the findings of a survey released by UN Women (the United Nations Entity for Gender Equality and the Empowerment of Women) stated that 99.3 per cent of Egyptian women surveyed had experienced some form of sexual harassment. The findings were published by UN Women on Facebook: on.fb.me/19TeRjQ

For attacks on women protesters under Mohamed Morsi’s rule, see: Amnesty International, *Egypt law-makers blame women victims for sexual violence* (Index: MDE 12/010/2013), 13 February 2013: <http://www.amnesty.org/en/library/info/MDE12/010/2013/en>; and Amnesty International, *Egypt: Gender-based violence against women around Tahrir Square* (Index: MDE 12/009/2013), 6 February 2013: <http://www.amnesty.org/en/library/info/MDE12/009/2013/en>

For attacks on women protesters in protests against Mohamed Morsi’s rule in June-July 2013, see: Amnesty International, *Egypt: Sexual assaults on women protestors continuing amid the political turmoil*, Livewire, 3 July 2013: <http://livewire.amnesty.org/2013/07/03/sexual-assaults-on-women-protestors-uing-amid-the-political-turmoil/>

⁴ See, for example: “The Mob-sexual assaults and gang rapes in Tahrir Square during the celebrations of the inauguration of the new Egyptian president is sufficient proof for the inefficiency of the recent legal amendments to combat these crimes”, joint statement by 31 Egyptian human rights organizations and women’s rights groups and movements, 9 June 2014: <http://nazra.org/en/2014/06/mob-sexual-assaults-and-gang-rapes-tahrir-square-during-celebrations-inauguration-new>

⁵ The Penal Code does not effectively define rape in line with international law and standards, nor does it explicitly criminalize marital rape. The Penal Code also provides “adulterous” husbands with more lenient sentences than “adulterous” wives.

⁶ For an analysis, see, for example: Amnesty International, “Article 12 – The right to health”, *Submission to the UN Committee on Economic, Social and Cultural Rights*, p20. See also: “Chapter 15: Female circumcision”, El-Zanaty, Fatma and Ann Way. 2009. “Egypt Demographic and Health Survey 2008”. Cairo, Egypt: Ministry of Health, El-Zanaty and Associates, and Macro International: <http://dhsprogram.com/pubs/pdf/FR220/FR220.pdf>; and “Convincing Egyptian Doctors to ‘Do No Harm’”, UNFPA, 7 May 2010: <http://www.unfpa.org/public/home/news/pid/5566>