



STATE PARTY EXAMINATION OF EGYPT'S THIRD AND FOURTH PERIODIC REPORT

57TH SESSION OF THE COMMITTEE ON THE RIGHTS OF THE CHILD

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Egypt ratified the Convention on the Rights of the Child (CRC) on 6 July 1990. On 6 June 2011, the Committee on the Rights of the Child (the Committee) examined the third and fourth periodic report of Egypt. It was last examined on 26 January 2001.

Opening Comments

The delegation of Egypt was led by Dr. Lamia Mohsen, Secretary General of the National Council for Childhood and Motherhood. She was supported by a delegation consisting of representatives of the Ministry of Justice, The National Council on Childhood and Motherhood, the Egyptian Youth Network and the Permanent Mission in Geneva.

Mr. Hisham Badr, Permanent Representative of Egypt to the United Nations Office in Geneva stated that this was the first time that an Egyptian government delegation had appeared before an international body since the January 25th revolution, thus representing the “new Egypt”. He commented that Egyptian youth had exercised the right to freedom of assembly utilising the power of internet and social media during the January 25, 2011 revolution. Mr. Badr noted that the State recognised the value and potential impact of Egyptian children and youth on the future of the country and stated that there had been a landmark, free and transparent, national referendum on the 19th of March 2011 where 18 million Egyptians voted for a country where rule of law was supreme. Mr. Badr added that the State was considering ratification of the Rome Statute, the International Convention for the Protection of all Persons from Enforced Disappearance and the Optional Protocol to the Convention against Torture. Mr. Badr reminded the Committee that the reports under discussion had been prepared by the previous government. He acknowledged that important steps and policies had to be taken to uphold the rights of Egyptian children.

The Head of the Delegation, Dr. Lamia Mohsen said the revolution had established a new era for Egypt and the Egyptian children. The concluding observations of the 2001 State examination were the basis of all policies and programmes and the State reports presented to the Committee included the perspectives of children and various sectors of society. The National Council on Childhood and Motherhood would remain responsible for all policies and promotion of childhood, including follow-up to legislation related to violations of children's rights and coordination among all executive institutions. The National Council on Childhood and Motherhood worked to ensure that all children exercised their full rights, with the best interest of the child being the most important consideration. In 2010, a series of amendments based on the best interests principle of the rights of the child, of the Child Law, led to an effective system that protected the rights of all children, especially vulnerable children.

Dr. Lamia Mohsen said that since the year 2000, Egypt had concentrated on raising awareness on issues affecting marginalised children, particularly street children, children involved in drug trade and consumption, child labour and so on, in terms of rights to education, protection from sexual violence, etc. The State had also launched a campaign to end female genital mutilation and supported the survey by the United Nations Secretary General on violence, translating the survey into Arabic for the benefit of research centres. Dr. Lamia Mohsen added that the State paid particular attention to the education of girls, empowering girls to refuse sacrificing their education for an unequal and early marriage. Dr. Lamia Mohsen also said the State had established a network with non-governmental organisations, and trained 91 non-governmental organisations, in April 2011 to work on issues such as street children, child labour, child trafficking and drug abuse. The biggest challenge of the State was the high level of poverty which violated the rights of children. Dr. Lamia Mohsen said the State was eager to hear the observations of the Committee in order to fill all gaps and guarantee a better life for children.

The co-Rapporteur, Ms. Lee, welcomed the State report as it was analytical and self-critical. She noted the significant developments in Egypt, which included amendments to the Child Law which allowed birth registration with the mother's maiden name, criminalisation of female genital mutilation, the creation of a children's committee, the establishment of the Egyptian National Children's Observatory and the withdrawal of reservations to articles 20 and 21 of the CRC. Ms. Lee welcomed the establishment of a National Committee to combat violence against children and the granting of Egyptian nationality to children born of Egyptian mothers and Palestinian fathers.

General Measures of Implementation

Mr. Badr emphasised that the State was going through a transition and would continue to value the civil society and youth. He stated that the “new Egypt” was guided by the spirit of the revolution and would pursue dignity, human rights and social empowerment. Mr. Badr reminded the Committee that the State was a developing country in which 30 per cent of the population of 85 million, were children. Mr. Badr appreciated the international cooperation the State had received as there would be economic challenges ahead. Mr. Badr urged the Committee to look at the progress of the State and what would be done in the future. He emphasised that the government policy to cooperate would guide future policies.

Legislation

The Committee noted that in Egypt, international conventions took precedence over domestic legislation. The Committee asked what happened when there was a conflict between an international convention and a domestic legal provision, for example, in situations of differing age thresholds.

The delegation responded that all international conventions ratified by the State were incorporated into the national legislation. The Supreme Court gave some conventions precedence over national legislation and the provisions of some conventions had been enshrined in the constitution. The delegation added that since 1994, it was considered that international human rights instruments superseded domestic legislation. The delegation said for provisions on the rights of the child such as the right of children to express themselves or the right to be heard, the Convention had precedence, but for procedural matters the Convention had the same status as normal laws. The delegation stated that Egypt was a democratic State committed to all democratic principles, particularly conventions on human rights. The new constitution adopted in February 2011 promoted human rights, rule of law and plurality.

The Committee asked how provisions were identified for inclusion in national legislation because the Convention contained a number of provisions which were interdependent. The delegation stated that all the provisions of the Convention had been reflected in Egyptian legislation. Provisions related to freedom, right to life, personal dignity and the right to express one's self were constitutional rights. The provisions that related to freedom and dignity superseded other provisions.

The Committee summarised Decree 11 of 2011, which stated that perpetrators of certain offenses were subject to hanging and asked whether child perpetrators of these offenses would be subject to the same penalty. The Committee asked for more information concerning Decree 11 issued by the Supreme Council of Armed Forces on the hanging for sexual assault of women under the age of 18 years without regard for the age of the perpetrator. The delegation responded that Decree 11 made no distinction except in the case of the victim. If the child was the perpetrator then the Child Law was applied.

The Committee was surprised that begging was criminalised in the Child Law. The delegation added that the law on begging was to protect vulnerable children.

Data Collection

The Committee commended the State for having taken positive steps on the basis of the last concluding observation regarding data collection. The Committee asked about the status of the information gathered in collaboration with the statistical office.

The delegation said the Children's Observatory collected data on children from different ministries and research centres.

Dissemination and training

The Committee asked what training was available for police officers regarding human rights and legislation. The Committee asked whether there were specialised staff trained on how to deal with child victims of abuse and on how established protocols should be carried out.

The delegation responded that the law prohibited the publishing of any information on children. The National Council on Childhood and Motherhood trained a large number of police officers, doctors, psychologists and those who worked with juvenile offenders. The delegation also said there was a specialised team trained to deal with child victims of abuse

and that worked with these children 80 – 90 per cent of the time. Under certain occasions, the specialised team did not work with child victims of abuse.

Coordination

The Committee commended the work of the National Council on Childhood and Motherhood but expressed uncertainty that there was systematic, institutionalised coordination amongst the various ministries. The Committee asked whether the restructuring of the National Council on Childhood and Motherhood as answerable now to the Minister for Health, guaranteed that children's rights would receive the highest attention as in the past. The Committee also wanted to know whether the new governors were aware of Child Protection Committees and if these committees would be guaranteed full resources as by the amended law of 2008. The Committee asked whether there was coordination between national, regional and local levels of government for the fulfillment and protection of children's rights.

Children's ombudsman

The Committee asked whether children were able file complaints with an independent ombudsman or a National Human Rights Institution, established in accordance with the Paris Principles.

The delegation responded there was no ombudsman or a National Human Rights Institution but that there was a child-specific unit within the General Office of the Prosecutor that received complaints from children and was the judicial entity which investigated cases then referred them to the courts when necessary, adding that complaints were lodged at this, an independent judicial entity. Judges were independent and not supervised by anyone but their own conscience.

The Committee also asked how well known the judicial procedure was and whether the Special Prosecutor's Office for Children was part of the National Council for Human Rights. The Committee also asked how many cases received had resulted in the conviction of the perpetrator. The Committee noted the difficulty children faced in initiating a complaint procedure alone and asked for more information on how complaints were received and handled.

The delegation responded that prosecution of child abusers was well known. In 2009, the Ministry of Justice had received 700 complaints on violations of the rights of children and 70 per cent of the cases were transferred to the courts. The delegations said in most cases the perpetrators had been convicted. The delegation said complaints were usually lodged by parents, neighbours or friends of the child or children concerned. There was no clear government entity to monitor violence against children.

Monitoring

The Committee noted that the National Council on Childhood and Motherhood was a government organ not an independent organ. The Committee inquired about strategies to monitor or detect victims of abuse and who safeguarded the children.

The delegation said the National Council on Childhood and Motherhood was the competent organ to monitor violations and transfer them to competent authorities. The National Council on Childhood and Motherhood reported to the Minister of Health and maintained its functions as an independent body with separate financing, within the government structure. The National Council on Childhood and Motherhood had the highest mandated authority for monitoring strategies and policies of children's health, education, protection and participation.

The National Council on Childhood and Motherhood coordinated the work of ministries, NGOs, research centres and civil society for the implementation of children's rights. The National Council on Childhood and Motherhood also monitored the implementation of the CRC and the Child Law. The National Council on Childhood and Motherhood had recently conducted meetings with street children, children involved in child labour and marginalised children to draft a national action plan.

Budgeting

The Committee noted that the budget allocated for children was declining. The Committee asked whether the new developments in the State would lead to a continued budget decline or whether a sufficient budget would be allocated for children.

The delegation said the public expenditure for health and education had increased by 5 billion Egyptian pounds for each. The National Council on Childhood and Motherhood had implemented a programme on child rights budgeting and was working with the Ministry of Finance to ensure that all programmes had an adequate budget.

Reservations

The Committee welcomed the ratification of major human rights treaties which included the Convention on the Rights of Persons with Disabilities and the two Optional Protocols to the Convention on the Rights of the Child and appreciated the support and engagement of the State to the drafting of the third Optional Protocol to the CRC. The Committee expressed concern that none of the Hague Conventions had been ratified, as well as several United Nations treaties such as the Convention relating to the Status of Stateless Persons. The Committee asked when the State intended to ratify the Hague Conventions on Inter-country Adoption and on Child Abduction. The Committee asked whether there was legal supervision of compliance with international conventions.

The role of civil society and non-governmental organisations

The Committee asked how private sector initiatives, particularly in the tourist industry, export agriculture, as well as textile and shoe manufacturer workshops, impacted children's rights. The Committee asked whether the government intended to regulate strictly the private sector and implement a system of sanctions for violations of children's rights. The Committee asked which criteria were used to select civil society organisations to work with. The Committee also asked how the autonomy of the civil society and freedom of opinion of non-governmental organisations was affected by government funding. The Committee asked whether the Children's Observatory was open for the participation of non-governmental organisations and civil society.

The delegation said the statistics collected by the Children's Observatory were used by NGOs and ministries of the government. Civil society was a partner in the plan that was being drafted with the National Council on Childhood and Motherhood.

Definition of the Child

The Committee noted that the age of criminal responsibility was 15 years. The Committee asked for confirmation that children between the ages of 15 and 18 were subject to the penal code. The Committee also asked whether children in this age group were judged by special courts or the ordinary court. The Committee asked who intervened for children below the age of 12 in cases where they committed serious crimes.

The delegation noted that there was a difference between punishment and preventive measures. The age of criminal responsibility in Egypt, which is linked to punishment, was 15 years not 12. The Egyptian law divided children into three categories: children below the age of 7 did not appear in court; children between the ages of 7 and 15 years appeared before the court for preventive reform and precautionary measures to protect the child; and children between the ages of 15 and 18 received a reduced penal sentence which did not include capital punishment. The delegation added that if the child was homeless or psychologically ill, then the court had the authority to refer the child to a psychological institution. The delegation added that the courts intervened for children below the age of 12 with no families otherwise the children would be returned to their parents or foster parents. The age of civil status was 21 years.

General Principles

Non-discrimination

The Committee asked which measures were taken to ensure equal access to education for boys and girls from different religious backgrounds, nationalities and economic status. The Committee noted it was important to understand what was accessible to youth. The Committee was concerned that the declaration issued in 2011 did not include disabilities and sex as grounds for discrimination.

The Committee welcomed the change in the age of marriage from 12 years to 16 years. The Committee was concerned, however, that 16 per cent of girls were married before the age of 18. The Committee was apprehensive as the Child Law of 2008 did not ban early marriage before the age of 18 but had provisions for disciplinary punishment for anyone who documented the civil status of a marriage for individuals below the age of 18. The Committee urged that early marriage be prohibited completely and the age of 18 become the compulsory age for marriage, without exception. The Committee was informed of the continuation of summer weddings as a practice. The Committee noted greater protection was needed as summer marriages were a crime and prevented the healthy development of the girls concerned. The Committee was concerned that the law prohibiting early marriage was administrative, not criminal.

The delegation stated that the law prohibited documentation of marriage for children under the age of 18. Individuals that accepted wrongful information were penalised. The delegation stated that the National Council on Childhood and Motherhood was concerned with the continuance of early marriages. The National Council on Childhood and Motherhood had undertaken a national survey to understand the magnitude of the problem and was working to improve the reporting of early marriages. The delegation also said the first criterion for non-discrimination in the constitutional declaration was sex. The delegation added that people with disabilities were guaranteed positive discrimination in cases of employment.

Best interest of the child

The Committee stated that the application of the best interest of the child principal was not systematised. The Committee noted the National Council for Youth but inquired how the youth were consulted and their views incorporated. The Committee noted the lack of information on the application of the best interest of the child in court and administrative decisions. The Committee asked what measures were taken to develop the concept of the best interest of the child and to focus on each individual child. The Committee inquired whether in

each custody case, regardless of the age of the child, the best interest of the child was given precedence. The Committee asked which measures were taken to guarantee alimony for the care of the child. The Committee asked whether there were legal guarantees or measures to preserve the best interest of the child for children in mixed marriages.

The delegation said that in the Family Code, the mother was granted custody of the child until the age of 15. The father was granted custody of children above the age of 15, which was judged to be in the best interest of the child. Judges were obliged to listen to the opinion of the child and take into account the best interest of the child. The delegation added that if the child was below the age of 15 and the father argued that the best interest of the child was not with the mother then the judge had to seek the views of the child.

Civil Rights and Freedoms

The right to life

The Committee was concerned that the death penalty could be handed down to a minor through a ruling submitted by the Supreme Court. The Committee inquired what happened when the right to life, or death penalty, interfaced with *Sharīah* Law.

The Delegation responded that the principles of Islamic *Sharīah* were the main source of legislation in Egypt in accordance with the constitution and constitutional declaration. The Supreme Court established that the principles of *Sharīah* could not be argued or interpreted. *Sharīah* Law contained four doctrines related to the age of the accused: one states that a child is 15 years and below and other doctrines state that a child below the age of 16 can not be penalised. Egyptian legislation used *Sharīah* Law as the foundation and stated that capital punishment was not applicable to anyone below the age of 18. The delegation added that the individual that received a death penalty sentence was 21 years old and had been born in March 1990. This individual was therefore not subject to the Child Law. The delegation stated that no children had been given the death penalty since 1883.

The Committee clarified that the question centered on when the person committed the act leading to the sentence as this was what determined which law was applicable. The Committee added that if the act was committed when the individual was a child, then they should be tried as a child. The delegation answered that the individual committed the act in 2011 when he was over 21 years of age.

Freedom of thought, conscience and religion

The Committee noted that the 1971 Constitution stipulated that religious education was to be a principle subject in general education and asked for an explanation on how this was carried out in practise.

Nationality

The delegation added that Egyptian mothers were able to pass nationality to their children since 2003, irrespective of the nationality of the father. The delegation added that the problem centred on children born to Egyptian women prior to 2003, but these cases were being handled and the post-2003 policy was being gradually applied. The State had agreed with the Arab League that Palestinian children would not receive alternative identities in order to preserve their identity, after 1948.

Child abuse

The Committee noted that the State report indicated there were no regular reports of deaths of children due to violence. The delegation asked whether deaths of children due to violence occurred individually and were therefore not considered a criminal phenomenon.

The delegation stated that domestic violence against children was criminalised although there were problems in reporting its occurrence. The delegation said that individuals that did not report domestic violence were subject to disciplinary action or criminal sanction. The right to report domestic violence was guaranteed to all by virtue of the constitution of Egypt. The delegation said that although some crimes were not reported, this did not mean there was a defect in the legislation of the State. The delegation said the intention of the law was to punish individuals, not prevent the crime. The penal code criminalised domestic violence against children and the penalty was double that of cases where domestic violence was committed against an adult. The delegation emphasised that the law was not tolerant of any form of domestic violence against children. In cases where children died as a result of domestic violence, the possible sentences handed down included the death penalty.

The Committee referenced a study by the National Council on Childhood and Motherhood and UNICEF which illustrated that 91 per cent of children had been beaten at school. The Committee asked the delegation for an explanation and asked whether there was an easily accessible complaint mechanism for children who experienced this type of violence.

The delegation answered that according to Egyptian law, violence in schools was prohibited by law, but that the practise was supported by cultural attitudes. The State was working to change this culture and phenomenon through education as well as prosecution and punishment. The State was also implementing legislation, training judges and law enforcement officials to prohibit violence against children in schools and was monitoring this phenomenon through surveys. The media and civil society were also working to change this culture. The delegation said children that experienced violence in schools could report this on the “16000” hotline hosted by the National Council on Childhood and Motherhood. Children and their families were also able to go to police stations, Child Protection Centres, directorates of education and the Office of the Prosecutor.

The Committee asked what psychosocial services were in place to support child victims of violence and to prevent further violence in the family. The Committee noted that the Child Law focused on protection and principles that were to be established for child victims. The Committee asked for more information on how these principles were applied and how they were implemented. The Committee asked whether child victims had rights to protection, health services and access to the legal system. The Committee also asked whether special information was provided to police officers and forensic doctors that interacted with the children. The Committee asked whether the child hotline “16000” complied with international standards regarding anonymity. The Committee also asked whether the hotline interfaced with authorities and was connected to the police.

The delegation said there were various hotlines available that focused on different issues such as children with disabilities, early marriage, trafficking of persons, including “16000”, which were open every day for 24 hours, accessible to children and their families. The hotlines were administered by the Child Protection Committees, which were established by the law. The State believed the Child Protection Committees would be able to monitor any kind of training. Educational programmes on health included at least one hour of training and awareness about the hotlines.

The Committee inquired who answered the calls received by the hotlines. The Committee

expressed doubt about the ability to lodge complaints through the hotlines as these were mechanisms for raising problems and discussing the problems. The Committee added that the procedure of complaints, as well as receiving aid or visiting a hospital could not be done on a hotline. The Committee stated that there was a difference between an independent monitoring mechanism and a complaint mechanism. The Committee asked why in 2010, 72 cases of child abuse were reported through the hotlines and only 2 resulted in disciplinary action for the perpetrator. The delegation said a network of NGOs and civil society followed up on the complaints received through the hotline. The delegation added that there was a special coordinator for each hotline in each governorate. When a complaint was received, it was recorded and placed in a data bank to be referred to at any point. Civil society was mandated to check the factors of the complaint. Afterwards, there was coordination between civil society and the Ministry of Interior and the Ministry of Social Security to intervene with the competent authorities. The delegation said the volunteers working on the hotlines with NGOs received updated training at least three to four times per year. The delegation said there was social resistance to holding accountable perpetrators in cases of reported violence.

Freedom of association

The Committee was concerned that the domestic legal provisions for children's freedom of expression, association and access to information were restrictive in nature. The Committee was also concerned as there were no measures to protect the right to privacy.

The delegation said the rights to freedom of opinion, assembly and association were guaranteed by the Egyptian constitution, adding that the constitutional declarations in place for the transition period stipulated that freedom of expression, association, freedom of assembly and freedom of opinion would be upheld. Any Egyptian, regardless of age, was able to constitute an association and establish an organisation except for political parties. Associations for youth and children could not express themselves through political parties.

Corporal punishment

The Committee asked whether the State intended to ban all forms of corporal punishment by law. The Committee asked which programmes were in place to eliminate corporal punishment in institutions and homes.

The delegation stated that parents had the exceptional right to utilise corporal punishment. Parents were permitted to discipline their children in any way that would not wound or scratch the child, or leave any psychological scar. The delegation stated that if the child was bruised or wounded in any way, the corporal punishment would be considered abuse and punishable by law.

Birth registration

The Committee noted that the level of birth registration had reached 96 percent with assistance from the World Bank and Italy. The Committee asked if there were studies to understand why four per cent of births were not being registered, suggesting possible reasons such as children born out of wedlock and the cost of registration that posed an obstacle for poor families. The Committee questioned the comprehensiveness of the birth registration system and inquired if it took into account abandoned children, street children and children in child labour. The Committee asked whether the State monitored the birth registration system and how it was implemented. The Committee asked whether there was any research which looked at the obstacles preventing birth registration, supporting families and identifying vulnerable groups.

The delegation responded that the first birth certificate was free of charge to ensure the child would have the first birth certificate irrespective of the level of the socioeconomic background of his or her family. The delegation also said that in July 2011 the Ministry of Local Development would carry out a study on children and adults with no identification documents or birth certificate. The delegation said the National Council on Childhood and Motherhood was working to institutionalise a programme supported through cooperation with the Italian government to identify children with no birth certificates. The programme would be directed to all vulnerable groups as not all children without birth certificates were born out of wedlock.

Family Environment and Alternative Care

Alternative care and waiting lists

The Committee was concerned about the high number of children living in alternative care institutions – a total of 45,000 children. The Committee stated that alternative care institutions were not a substitute for community or family-based care systems.

Basic Health and Welfare

Children with disabilities

The Committee stated the lack of a uniform definition regarding children with disabilities. The Committee asked for an explanation of why children with disabilities born before 1997 and those outside of the public education system were not covered by the public health system. The Committee asked for statistics on disabled children in institutions or deprived of family care. The Committee was concerned that only four per cent of disabled children had access to disability services, physiotherapy and childcare services. The Committee asked what measures were envisioned to ensure that children with disabilities were integrated into schools with other children (inclusive education). The Committee also wanted to know how the State planned to involve disability-focused non-governmental organisations and associations in drafting programmes and policies for people with disabilities. The Committee asked whether there was a specific budget for children with disabilities and whether there was a screening programme for mothers to prevent disabilities. The Committee also asked whether there was access to iodised salt as its absence could affect children during pregnancy.

The delegation stated that a disability law was formulated by the National Council on Childhood and Motherhood with consultation from all government bodies, NGOs and associations of disabled persons. The law, which had not yet been adopted due to interruption caused by the recent revolution, contained clear definitions on disabilities. The delegation added that the National Council on Childhood and Motherhood was coordinating training for early detection of mental and physical disabilities. The National Council on Childhood and Motherhood also established a training model to help children and parents adopt positive attitudes regarding children with disabilities. The Ministry of Health also conducted training for health professionals working with disabled persons regarding the prevention of disabilities, high risk pregnancies and prenatal care. The delegation added that the Ministry of Education planned on establishing 500 schools within three or four years for children with disabilities. The Ministry of Health was also establishing regional committees to evaluate services for children with disabilities.

Pre and post-natal care

The Committee asked why no hospitals in Egypt had been certified as baby friendly since the late 1990s. The Committee was concerned about the limited maternity leave time provided for mothers and asked whether the State intended to provide better conditions to working mothers for breastfeeding, upon return to work, taking into account ILO conditions and WHO positions on exclusive breastfeeding for the first six months. The Committee asked whether all women had the right to maternity leave.

The delegation said the State faced problems of exclusive and continued breastfeeding. The Child Law guaranteed all mothers employed in the public and private sector three months or 13 weeks of maternity leave. The mother was able to have unpaid maternity leave for up to six years, however repeated maternity leaves discouraged the private sector from recruiting women at a young age. The delegation said specialists were working to raise maternity leave from 3 months to six months and 50 per cent salary. The delegation added that when the mother returned to work, she had a right to 1 hour of breastfeeding per day, guaranteed by the Child Act.

The Committee noted that the International Code of Marketing of Breastmilk Substitutes was violated by many companies. The Committee asked whether there was a plan to adopt the international code for marketing of breastmilk substitutes and a method to monitor advertisement of breastmilk alternatives in hospitals and to keep hospitals baby-friendly.

The State implemented a programme – a five-year move intended to bring 200 hospitals and 200 primary healthcare centres back into line with recognised baby-friendly standards in the seven governorates. The delegation added that this would include codes for breastmilk substitutes. The international breastfeeding lactation consultants were held in Cairo and the IBFAN maternal health training had been postponed due to the revolution. The delegation said the State would sign the International Code of Marketing of Breastmilk Substitutes in the near future.

Adolescent health

The Committee noted the progress made relating to health and sexual reproductive rights of young people.. The Committee asked why anatomy, reproductive health and education on sexually transmitted infections had been taken out of the school curriculum as of 2010. The Committee inquired about awareness raising and the prevention of HIV/AIDS and asked whether the hotline available regarding prevention of HIV/AIDS was used.

The delegation responded that reproductive health was included in the education curriculum. The State was working on a national plan on the health of adolescents in cooperation with UNFPA. On 22 June 2011, guidelines would be published for peer education which included reproductive health of adolescents. The delegation said the State had a low rate of HIV/AIDS – less than one per cent. The State was working with the Ministry of Health to raise awareness about HIV/AIDS and the corresponding hotline established in 1996.. The delegation had no information concerning the deletion of reproductive health from the school curriculum.

The Committee was concerned that 33 per cent of children under the age of 5 suffered from malnutrition. The Committee inquired whether there were specific programmes to increase nutrition rates. The Committee was worried at the high level of anaemia in girls and of obesity in boys and girls. The Committee was also concerned about the excessive medication of children. The Committee asked whether there was a program to provide oral rehydration therapy and reduce the high prevalence of diarrhoea. The Committee asked for more information on the studies on early pregnancy, role of nutrition and reproductive studies. The

delegation acknowledged the problems of stunted growth and anaemia and said the State was working closely with the World Food Programme to implement a food-for-education programme. The delegation said the rate of use of iodised salt was 97 per cent.

The delegation said the hotline “16025” provided health advice for women and children. It could also be used to report early marriage and health concerns for young people. The delegation added that this hotline had five regularly trained doctors to provide high quality service. The delegation said since 2009, 52,000 calls had been placed including 500 calls for help from children, mothers, neighbours and teachers. 2,300 calls sought assistance about harm from early marriage.

Harmful traditional practices

The Committee noted that female genital mutilation, as well as other forms of violence against children, lacked mandatory reporting. The Committee asked whether there had been an analysis of compliance of regular secular decrees. The Committee noted the insufficiency of changing harmful traditional practices through a change in legislation. The Committee asked whether the State had any programmes to change attitudes and behaviour of the society since 80 per cent of women had gone through female genital mutilation.

The delegation stated that Egyptian legislation criminalised female genital mutilation. The delegation stated that any person who performed female genital mutilation was criminally liable. The delegation stated that female genital mutilation rates had dropped among girls between the ages of 10 and 17. A focal point was being created inside the National Council on Childhood and Motherhood to institutionalise activities regarding awareness on female genital mutilation.

Torture

The Committee asked how the State monitored ill-treatment and torture of children and asked how many perpetrators had been prosecuted, plus what measures were in place to protect children.

Abandoned children

The Committee was concerned about the large number of abandoned children and asked how support was delivered to those parents at risk of abandoning their children, plus how abandoned children were identified. The Committee asked for more information regarding the role of the Ministry of Social Security in coordinating the budget, administrative matters, and adoption and custody procedures of children whose parents were unknown.

Education, Leisure and Cultural Activities Education

Education

The Committee noted the numerous strategies that had been adopted to address issues of education, socio-economic inequalities and low public spending on education. The Committee was concerned about the low number of children with disabilities enjoying education. The Committee noted that 28 per cent of the population was illiterate and asked whether there were programmes to increase adult literacy. The Committee asked whether human rights education was included in the education system. The Committee was concerned that the State had reduced the budget on education to invest in infrastructure. The shift in the use of schools had increased to compensate for the lowered budget with one group of children

attending in the mornings and another in the afternoon. The Committee was concerned that this system could affect the quality and time of the teachers.

Early childhood education

The Committee stated that the plans of the Early Childhood Education and Care Development Union set up in 2003 had not been achieved. The target that 60 per cent of children would attend kindergarten had not been achieved; instead only 17.5 per cent of children were in kindergarten. The Committee inquired what the obstacles were in meeting these goals and whether any programmes were planned to achieve the goals. The Committee also asked whether there were specific programmes for deprived families and children.

The delegation said the State only achieved 22 per cent of the second decade target of 60 per cent kindergarten education. The State was cooperating with the Ministry of Education to establish community centres for pre-school children.

School attendance

The Committee was also concerned about the high drop-out rate and asked what policies the State intended to implement to curtail this. The Committee asked what happened to the high number of children from poor families who dropped out of school, particularly in the rural areas. The Committee asked whether there were informal education systems to enable children who dropped out of school to gain numeracy and literacy skills.

The delegation said the Children's Observatory, in collaboration with the Ministry of Education, was working on school drop-out from a preventive angle. The Children's Observatory focused on children with repeated academic problems to pinpoint the problems children faced that forced them to drop out of school. The delegation added that the National Council on Childhood and Motherhood had established 1,150 schools in the poorest areas and villages of Egypt, focusing on educating girls. This was extended to boys to help prevent children from dropping out of schools.

Special Protection Measures

Asylum seekers

The Committee asked whether refugee and asylum-seeking children had equal opportunity for access to basic and higher education. The Committee noted that Iraqi, Somali and Ethiopian children were unable to access public education while Sudanese children had benefitted from limited access. The Committee asked which services had been made available to refugee and asylum-seeking children.

The delegation responded that the State ratified the 1951 Convention on the Status of Refugees and thus guaranteed rights of children in accordance with this convention. The State was working to implement the Millennium Development Goals and cooperated with the Catholic YMCA to provide support to 7,000 children through scholarships and grants.

Child labour

The Committee noted that the number of children working in the agricultural sector was concerning and noted that Egypt was party to ILO Convention 182 on Child Labour. The Committee was also concerned about girls in child labour reportedly experiencing high levels of harassment and assault. The Committee was concerned that there was no verification of the age of the child during applications for domestic work. Children were vulnerable to domestic

work as the Labour Law was not applicable to the informal sector. The Committee asked how the State intended to regulate agriculture and manufacturing industries that utilised child labour.

The delegation acknowledged that despite the increase in the minimum working age to 15 years, there were shortcomings in domestic labour. The delegation added that the lacuna in the Labour Law did not mean domestic labour was condoned in the State. The delegation said the Convention was referred to concerning the worst forms of child labour. The National Council on Childhood and Motherhood established a consultative council with various ministries, UN agencies and civil society to reach a solution related to children employed as domestic workers.

Child poverty

The Committee was concerned about the high level and increase of child poverty which had risen from 21 per cent in 2000 to almost 24 per cent in 2004. The Committee noted the considerable disparities in child poverty between the regions – 25 per cent in rural areas and 82 per cent in urban areas. The Committee noted reports on the lack of potable water in some regions and stated that this had a negative impact on school attendance by girls in particular. The Committee asked what efforts were being made to address inequalities and child poverty. The Committee also asked how children were prioritised in poverty reduction programmes and inquired whether the budget reflected a child-rights perspective to increase equality.

The Committee added that poverty contributed to high school drop-out rates as children were seen as a source of income. The Committee asked whether there was a policy to change this perception and encourage adults to see children as rights holders. The Committee asked whether there were specific education and social programmes to provide support to vulnerable families. The delegation said the Children's Observatory was concentrating on poverty alleviation through various programmes aimed at empowering the family, for example through vocational training and public awareness of children's rights.

Children in prisons

The Committee was concerned about children detained and wounded during the January 25th Revolution and particularly those children being held in military detention. The Committee asked for statistics regarding the number of boys and girls that had been detained and asked what measures the State was taking to protect these children.

The Committee asked whether detained children would be held separately from adults and wanted to know if separate procedures for detaining children would be applied in the new government that had not previously been applied. The Committee asked whether there was a law that provided for pre-detention of children and furthermore how long children stayed in pre-detention. The Committee asked for verification of the 20 children who had reportedly been detained on 20 March, 2011 in a military prison for a month.

The delegation said when a child was arrested an investigation was undertaken by a social police worker and the case was subsequently transferred to the Prosecutor's Office. If a decision was made to detain the child, the child was held separately from adults as the Child Law sets out that child cannot be detained with adults, by law. The delegation said no child had been detained since the 25th of January, 2011.

Sale and trafficking of children

The Committee asked for more information on how protection was afforded to all children from sexual abuse and exploitation, particularly through the establishment of shelters available to children of sexual abuse and exploitation. The Committee also wanted to know what legislative and administrative measures had been adopted to strengthen and disseminate laws against sexual abuse and abduction. The Committee asked which measures were set up to protect children vulnerable to sexual abuse and abduction.

The delegation said the State had a strong legislative framework concerning trafficking in children, which enshrined the provisions of the Convention against Transnational Organised Crimes. The delegation added that the amendments to the Child Law prohibited the sale of children through the internet. In addition, the International Organisation for Migration trained physicians to screen victims of trafficking as well as social workers and security officers. Victims were able to access hotline “16025” and be transferred to a special centre established as a transitional safe house and provided legal assistance to women and girl victims of trafficking. There was also another centre available for male victims of trafficking.

Juvenile justice

The Committee noted that under the state of emergency declared in Egypt at the time of the January 25th Revolution, and as such, the military courts were responsible for trying detained individuals. Children that had been arrested were not referred to juvenile courts until the military court ended its examination. The Committee asked whether these procedures would be reviewed and amended. The Committee asked the State to confirm that there were special courts for cases involving child victims and offenders. The Committee also wanted to know whether the judges in juvenile courts had received special training and asked whether there were future programmes that would improve the monitoring of human rights of juveniles in prisons. The Committee asked which department of the government supervised juvenile prisoners.

The delegation said military courts did not deal with juvenile offenders unless it involved the theft of weapons on military facilities. In such situations, the Child Law was applied. The delegation said prosecutors had the right to investigate, charge and sentence juvenile offenders but that the prosecution of a child perpetrator would occur in a children’s court with a panel of three judges and three social workers, plus the child’s family, where appropriate. The child was required to have a representative, or have council assigned by the State, to attend the prosecution and trial. Convicted children were sent to foster families, care centres and social and psychological facilities, which were monitored by Child Protection Committees.

The Committee asked whether specialised courts were available throughout the country with provisions specific to juvenile justice. The Committee also asked whether magistrates were trained in juvenile-specific tasks. The delegation responded that children only appeared before specialised courts. All judges and the Prosecutor’s Office received special training in how to apply the CRC and the Optional Protocols.

Concluding Remarks

The co-Rapporteur Ms. Lee thanked the delegation for a constructive dialogue. She noted that the challenges faced could be turned into positive developments. Ms. Lee stated that the dialogue was difficult as the Committee was examining the State report of the previous government, but emphasised that children’s rights were applicable at all times to all children. She urged the State to accelerate efforts for the realisation of children’s rights, noting that the

National Council on Childhood and Motherhood needed to receive sufficient human, financial and material resources. The National Council on Childhood and Motherhood also needed to be independent from all ministries and the government and should be established as an independent monitoring mechanism. Ms. Lee recommended that provisions under the amended Child Act such as the marriage age for girls should not be repealed and encouraged the State to seize the opportunity in this time of transition and strengthen the legal and institutional systems protecting human rights.

The Head of Delegation, Dr. Lamia Mohsen, thanked the Committee for the valuable, constructive remarks. She emphasised that the State would take into account the concluding observations and utilise them as a guide to implement the National Action Plan and propose child-friendly legislation. Dr. Lamia Mohsen noted that the State was determined to transfer and transform the challenges into opportunities.