

Shadow Report on the Arab Republic of Egypt's 18th and 19th Combined Periodic Report, 2019-2024.

**Submitted to the African Commission on Human and Peoples'
Rights by 'the Coalition'.**

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EXECUTIVE SUMMARY

The Arab Republic of Egypt (the State Party) has submitted its 18th and 19th Periodic Reports to the African Commission on Human and Peoples' Rights (ACHPR) on its implementation of the African Charter on Human and Peoples' Rights (the African Charter, or the Charter). Despite constitutional guarantees of equality under Article 11 of the 2014 Constitution, Egypt continues to maintain legal, institutional, and policy frameworks that entrench gender inequality and fall short of its binding obligations under the Charter. The State Party has yet to ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), thereby denying Egyptian women and girls the enhanced protections offered under this progressive instrument.

While the State Report outlines limited progress in certain areas, such as adoption of the National Strategy for the Empowerment of Egyptian Women 2030 and amendments criminalizing female genital mutilation (FGM), persistent gaps in law, policy, and practice continue to undermine women's rights and gender justice. Key challenges include the retention of discriminatory provisions in personal status laws, the absence of a comprehensive domestic violence law (comprehensive law to end violence against women and girls), restrictive sexual and reproductive health rights (SRHR) frameworks, and inadequate protection for women human rights defenders (WHRDs).

This Shadow Report provides an evidence-based legal critique of Egypt's compliance with the Charter. It draws on legislative review, statistical data, survivor accounts, and analysis of regional and international human rights standards. The report calls upon the African Commission to issue strong recommendations to Egypt to:

- Ratify and domesticate the Maputo Protocol without reservations.
- Repeal or amend discriminatory provisions in the Penal Code, Civil Status Law, and personal status laws.
- Enact a survivor-centred, comprehensive law to end violence against women and girls.
- Ensure legal and practical protection for WHRDs and survivors of gender-based violence.
- Expand access to justice, legal aid, and gender-sensitive public services, especially for rural and marginalized women.

INTRODUCTION

i. Background and Purpose of the Report

This Shadow Report responds to Egypt's 18th and 19th periodic reports to the ACHPR, critically assessing the extent to which the State Party has met its obligations under the African Charter. It adopts a human rights-based approach to identify structural and systemic barriers to gender equality, highlight areas of regression, and provide concrete recommendations for compliance with the Charter. While the State has adopted several national frameworks, including the National Strategy on Female Genital Mutilation, the National Strategy for Population and Development, the National Strategy to End Child Marriage, and the Women's Empowerment Strategy 2030, implementation remains fragmented and benchmarks largely unfulfilled. Despite their potential alignment with regional obligations, these strategies are not accompanied by adequate enforcement, budgetary commitments, or monitoring mechanisms

ii. About the Submitting Organisations

This report is jointly submitted by Equality Now, an international human rights organization dedicated to legal and systemic change to end violence and discrimination against women and girls, Association of Egyptian Female Lawyers (AEFL), Egyptian Foundation for Family Development (EFFD), Farah Foundation for Development, and Tadwein for Gender Studies (hereinafter referred to as 'the Coalition'. All are Egyptian women's rights organizations actively engaged in legal advocacy, survivor support, and gender equality programming. The analysis herein reflects direct input from activists, survivors of violence, and legal experts.

iii. Methodology

The findings are based on:

- A desk review of Egyptian laws and policies, including the Constitution of the Arab Republic of Egypt (2014), Law No. 58 of 1937 Promulgating the Penal Code (Penal Code), Civil Status Law No. 143 of 1994 (Civil Status Law), Personal Status Law, Law No. 12 of 1996 Promulgating the Child Law, amended by Law No. 126 of 2008 (Child Law), Law No. 84 of 2002 Regulating Non-Governmental Organizations (NGO Law), and relevant regulations.
- Analysis of official government statistics alongside alternative data from CSOs, UN agencies, and academic studies.

- Review of regional and international treaty body reports, including the African Charter on Human and Peoples' Rights, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), UPR, and UN Special Procedures communications.
- Consultations with partner organisations and anonymized survivor testimonies.
- Application of a human rights-based analytical framework, with particular attention to intersectionality.

1. EQUALITY AND NON-DISCRIMINATION

The African Charter Articles 2, 3 and 18(3); CEDAW Articles 1-16; Constitution Article 11 & 53; Civil Status Law No. 1/2000; Personal Status Laws; Penal Code; Law No. 77/1943.

i. Constitutional and Legislative Context

Article 11 of Egypt's 2014 Constitution obliges the State to achieve equality between women and men in all civil, political, economic, social, and cultural rights, and to protect women from all forms of violence. Despite this constitutional guarantee, entrenched statutory provisions continue to codify gender inequality, particularly in family law, property rights, and political participation. Core legal frameworks, including the Civil Status Law No. 1/2000, the Personal Status Laws, the Penal Code, and Law No. 77/1943 on Inheritance, perpetuate systemic discrimination against women, reinforcing patriarchal norms and undermining Egypt's obligations under the ACHPR.

ii. Persistent Discriminatory Provisions

Divorce: Under *Law No. 1/2000, Article 5*, men retain the unilateral right to repudiate (talaq) their wives without judicial oversight. Women, by contrast, cannot dissolve a marriage unilaterally. To obtain a divorce while retaining their financial rights (including maintenance and deferred dowry), women must seek a judicial order based on a limited set of grounds exhaustively listed in the law, a process that is lengthy, costly, and often inaccessible. Alternatively, women may petition for divorce under *khula'* provisions, but this requires them to forfeit all financial entitlements, including maintenance and deferred dowry. This legal framework entrenches gender inequality in the right to exit a marriage, leaving many

women economically and procedurally disadvantaged, and in some cases trapped in abusive or coercive relationships.

Guardianship and Custody: While reforms under *Law No. 4/2005* granted mothers priority in child custody up to the age of 15 for both boys and girls, after which children are given the choice to remain with their mother or move to the father legal guardianship, including decisions about education, travel, and finances, remains vested exclusively in fathers or male relatives. This legal arrangement denies mothers equal parental authority and often impedes their ability to make timely decisions in their children's best interests.

Inheritance: Law No. 77/1943 enforces gender-differentiated inheritance rules grounded in Islamic jurisprudence, whereby women typically receive half the share allocated to male counterparts in the same degree of kinship. This provision is incompatible with Egypt's constitutional principle of equality and its commitments under international law and human rights instruments. Additionally, these discriminatory frameworks have a compounded impact on Christian women, who face legal uncertainties in divorce and inheritance due to dual systems of personal status laws. Christian women often encounter both religiously grounded restrictions within their own communities and structural barriers in accessing state courts

Political Participation: Parliamentary quotas have increased the numerical representation of women in the House of Representatives. Women's representation in Egypt's House of Representatives surged from just 2% in 2015 to 28% by 2020, a landmark increase and well above the global average of 25.6% ¹. In the Senate, women constitute approximately 13.7%, thanks partly to quotas requiring at least 10% representation and gender-balanced candidate lists.² Representation in the Council of Ministers nearly quadrupled, from 6% in 2015 to 25% in 2018, placing Egypt second in the MENA region for women's ministerial leadership. However, structural and societal barriers persist. Women in politics face gender-based harassment,

¹ In Numbers: Political empowerment of women increased over years. (2023, March 26). *Egypt Forward*. <https://egyptfwd.org/Article/99/5650/In-numbers-Political-empowerment-of-women-increased-over-years?utm>

² Inter-Parliamentary Union (IPU), *Egypt: Data on Women in Parliament* (2025), available at: <https://data.ipu.org/parliament/EG/EG-UC01/data-on-women/>

stereotyping, and violence, including online abuse and smear campaigns.³ Restrictions on freedom of association and assembly, combined with a shrinking civic space, further inhibit women's ability to organize, campaign, and exercise political influence beyond token representation.⁴

iii. Access to Justice

Despite constitutional guarantees of equality and legal protection, access to justice for women, particularly those from rural, marginalized, or low-income backgrounds, remains severely constrained. Egypt lacks a state-funded, gender-sensitive legal aid system, leaving many women dependent on under-resourced NGOs or private lawyers whose fees are prohibitive. In Egypt, women seeking recourse in family or personal status matters face significant financial hurdles, not only due to legal fees and court costs, but also because support mechanisms are insufficient, creating a compounded economic burden that disproportionately affects those with limited means.⁵

Procedural delays are endemic in family and criminal courts, with divorce, custody, and gender-based violence cases often taking years to resolve. This delay erodes trust in the justice system and increases women's exposure to further harm. Reports from Egyptian women's rights organizations indicate that judicial proceedings frequently reflect entrenched gender bias, with some judges displaying reluctance to grant women divorce, child custody, or protection orders against abusive spouses.

Women human rights defenders (WHRDs) face targeted harassment, intimidation, and arbitrary detention. The application of restrictive legislation, including Law No. 149/2019 on Civil Associations, has constrained the ability of CSOs to provide legal support, document violations, and advocate for systemic reform. WHRDs associated with organizations documenting gender-based violence have reported increased surveillance and intimidation, including repeated summons for questioning. These cases demonstrate how restrictive laws are weaponized

³ Human Rights Watch, *World Report 2021: Egypt*, reviewing events of 2020, accessed August 13, 2025, Human Rights Watch website, <https://www.hrw.org/world-report/2021/country-chapters/egypt>

⁴ Tahrir Institute for Middle East Policy, *Under the State's Gaze: Repression Against Women's Rights Organizations in Egypt*, 28 May 2018 <https://timep.org/2018/05/28/under-the-states-gaze-repression-against-womens-rights-organizations-in-egypt/>

⁵ Sarah Barakat (Oxfam), *The Cost of Justice: Exploratory assessment on women's access to justice in Lebanon, Jordan, Egypt and Yemen* (2018).

to silence feminist advocacy and shrink the space for women's legal activism.

iv. Structural and Socio-Cultural Barriers

Beyond the legislative and institutional gaps, deeply entrenched patriarchal norms undermine the implementation of constitutional guarantees and international human rights commitments. Social expectations around women's 'primary' roles as wives and mothers are reflected in public discourse and even state policies that frame women's value primarily in relation to family responsibilities. For example, official campaigns on 'family stability' often emphasize women's duty to preserve marriage, even at the expense of their safety or autonomy. Employers frequently assume women will leave the workforce after marriage or childbirth, limiting their career opportunities. In rural Upper Egypt, many families still prioritize child marriage for daughters over continued education, viewing girls' primary role as preserving family 'honour' and fulfilling domestic obligations. Such rigid gender stereotypes restrict women's autonomy in personal and professional life, reinforcing cycles of dependency and inequality.

For women in rural and underserved areas, structural inequality is compounded by poverty, limited infrastructure, and insufficient legal and social services. Rural women are disproportionately affected by child marriage, illiteracy, and limited formal employment opportunities. According to CAPMAS-based data, the rural female illiteracy rate in 2017 was approximately 32.2%, compared with 17.7% in urban areas.⁶ A CAPMAS-affiliated demographic study further shows that rural Upper Egypt experienced a poverty rate of 51.9% in 2017–2018, down from 56.7% in 2015.⁷ CAPMAS data for the 2023–24 school year shows that the primary school dropout rate was 0.3%, while the preparatory-level dropout rate reached 0.7%, underscoring ongoing retention challenges for rural girls.⁸

⁶ Daily News Egypt. (2020, September 8). *Egypt's illiteracy rate decreased to 24.6% in July 2019*: CAPMAS. Daily News Egypt. <https://www.dailynewsegypt.com/2020/09/08/egypts-illiteracy-rate-decreased-to-24-6-in-july-2019-capmas/>

⁷ Central Agency for Public Mobilization and Statistics (CAPMAS). (2020, November 21). *Poverty indicators bulletin 2017/2018*. https://www.capmas.gov.eg/Admin/News/PressRelease/2020112102749_999-e.pdf

⁸ Central Agency for Public Mobilization and Statistics (CAPMAS). (2024). *Annual bulletin of pre-university education statistics, academic year 2023/2024*. Cairo, Egypt: CAPMAS. <https://censusinfo.capmas.gov.eg/metadata-ar-v4.2/index.php/catalog/1912/download/6880>

Refugee women, including those from Sudan, Syria, Eritrea, and Yemen, experience profound structural exclusion in Egypt: legal uncertainty and documentation barriers make securing residency or legal status arduous, while formal employment remains virtually inaccessible, exposing them to detention and heightened vulnerability to gender-based violence.⁹

Women with disabilities encounter systemic discrimination across education, healthcare, employment, and public participation. Despite the safeguards embedded in Law No. 10/2018, Egypt's Law on the Rights of Persons with Disabilities, such as the statutory right to accessible buildings and transportation, a 5% employment quota in both public and private sectors, the right to inclusive education, and guaranteed access to healthcare services, enforcement remains weak. Inaccessible infrastructure, weak enforcement, and social stigma severely limit their full engagement in public and political life.¹⁰

The cumulative effect of these structural and socio-cultural barriers is a two-tier reality: while Egypt's legal framework proclaims equality, the lived experience of many women is defined by persistent inequality, limited agency, and restricted access to justice.

Proposed List of Questions

The Coalition urges the African Commission to ask the Government of Egypt:

- A. What steps are being taken to repeal or amend discriminatory provisions in the Personal Status, Civil, and Penal Codes?
- B. What measures will be put in place to ensure women have equal rights in guardianship and inheritance?
- C. How is the State guaranteeing safe and equal participation of women in political life, including protection from political violence and harassment?

⁹ Eliott Brachet, "Egypt, a Dead End for Sudanese Exiles," *Le Monde* (Le Monde Africa), April 16, 2024, updated April 16, 2024, 6:48 pm (Paris), https://www.lemonde.fr/en/le-monde-africa/article/2024/04/16/egypt-a-dead-end-for-sudanese-exiles_6668604_124.html.

¹⁰ "Persons with Disabilities Law and its Implementing Regulations," State Information Service (Egypt), December 19, 2019, available at: <https://www.sis.gov.eg/Story/142989/Persons-with-Disabilities-Law-and-its-implementing-regulations>

- D. What concrete plans exist to establish a state-funded, gender-sensitive legal aid system accessible to rural and marginalized women, including refugee women?
- E. How is the Government ensuring that equality provisions in the Constitution are applied consistently in both statutory and religious court systems, particularly in family law matters where discriminatory personal status provisions are enforced?

Recommendations

The Coalition urges the African Commission to call upon the Government of Egypt to:

- Undertake a comprehensive review of existing laws and propose bills to operationalize constitutional guarantees on gender equality and harmonize conflicting statutes.
- Ratify domesticate and popularise the Maputo Protocol amongst the public and key national and local level stakeholders.
- Reform guardianship, custody, and inheritance laws to ensure equal rights for women in accordance with the African Charter and CEDAW obligations.
- Establish and adequately fund a national legal aid scheme, prioritizing marginalized women and survivors of violence.
- Remove barriers to women's political participation, including legal reforms, enforcement of anti-GBV protections in politics, and accountability for political violence.
- Amend Law No. 25 of 1929 (as amended by Law No. 100 of 1985), Law No. 4 of 2005, and Law No. 1 of 2000 on family courts to remove provisions that institutionalize male authority (including obedience/ṭā'a rules, unequal divorce rights, and discriminatory custody frameworks), and replace them with a rights-based personal status regime that guarantees equality between spouses, protects women's access to maintenance and custody without coercion, and upholds the principles of social security, family protection, and gender justice.
- Implement sustained public education campaigns to challenge discriminatory cultural norms and promote gender equality.
- Put in place adequate social and legal measures to reduce illiteracy rates among rural women, and increase access to all

levels of education, including measures to tackle the high drop-out levels amongst this demographic of women.

2. PROTECTION OF WOMEN FROM VIOLENCE

2.1. Bodily Integrity and Dignity, including Sexual Violence and Trafficking (African Charter Articles 4 & 5, CEDAW Article 6)

i. Constitutional and Legislative Context

Egypt's 2014 Constitution guarantees the right to dignity (Article 51) and personal security (Article 60), and the Penal Code criminalizes rape (Article 267), indecent assault (Article 268), and FGM under Article 242-bis, with 2021 amendments increasing penalties. Trafficking in persons is criminalized under Law No. 64/2010. However, these laws remain fragmented, lacking a holistic, survivor-centered framework. Enforcement is inconsistent, leading to persistent impunity, especially in cases involving state actors. Nevertheless, the State has established Gender-Based Violence (GBV) units at the primary care level within university hospitals. While this represents a step towards institutionalizing GBV response, capacity, accessibility, and survivor trust in these units remain limited.

While Egypt has introduced a series of legislative reforms aimed at repealing discriminatory provisions and imposing harsher penalties for crimes related to gender-based and sexual violence, recent years have nonetheless seen an alarming rise in femicide, with high-profile cases triggering public outcry but little systemic response. Although laws addressing cybercrimes and technology-facilitated gender-based violence (TF-GBV) exist, these measures remain insufficient in practice, as incidents of online harassment, cyberstalking, and non-consensual image dissemination continue to surge. Survivors, particularly women activists, journalists, and adolescent girls, face significant barriers to reporting due to stigma, fear of retaliation, and limited institutional support, leading to widespread underreporting and leaving many without effective remedies.

ii. Gaps in Protection

FGM among Refugee Communities

In addition to the prevalence of FGM among Egyptian women and girls, evidence shows the persistence of the practice within refugee communities, particularly among Sudanese populations in Egypt. A 2024 joint study by Equality Now and Tadwein documented widespread continuation of FGM among Sudanese refugee women and girls, highlighting its deep entrenchment as a social norm and the lack of targeted outreach or protective interventions by the State.¹¹ Refugee women reported facing compounded vulnerabilities: discrimination in accessing public health services, fear of deportation when seeking redress, and absence of culturally tailored prevention campaigns. UNFPA has similarly noted that refugee and migrant women in Egypt remain largely excluded from national anti-FGM initiatives, despite their heightened risk.¹² The failure to integrate refugee and migrant communities into Egypt's national FGM prevention strategies contravenes obligations under the CRC and perpetuates cycles of harm among already marginalized groups. Urgent steps are needed to expand awareness-raising, legal protection, and service provision to refugee communities, particularly through outreach programs to Sudanese families and survivors.

Marital Rape

Marital rape remains unrecognized in Egyptian law. A 1928 court ruling effectively exempts husbands from rape charges against their wives, and Article 60 of the Penal Code continues to be interpreted as permitting so-called “disciplinary” violence in marriage. A recent qualitative study, *Sacred Bonds, Silent Pain*, documented how women view non-consensual marital sex as normalized, stigmatized, and not considered grounds for divorce, negating women's bodily autonomy.¹³

Domestic Violence

Egypt lacks a comprehensive domestic violence law. Instead, protections are limited, covering physical or sexual abuse without addressing coercive control or economic abuse. Prevalence data is alarming: nearly 30% of

¹¹ Equality Now & Tadwein for Gender Studies. (2025, May). Female genital mutilation amongst Sudanese migrants in Greater Cairo: Perceptions and trends (Brief report). Equality Now. Retrieved from <https://equalitynow.org/wp-content/uploads/2025/05/EN-Egypt-FGM-Brief-Report-ENG-PDF-12.pdf>

¹² United Nations Population Fund (UNFPA). (2021). Eliminating female genital mutilation: An imperative for refugee and migrant women and girls in Egypt. UNFPA Egypt. Retrieved from <https://egypt.unfpa.org>

¹³ Shousha, N.M., Taha, D.M. *Sacred Bonds, Silent Pain: Understanding Women's Perceptions and Experiences of Marital Rape in Egypt*. *J Fam Viol* (2025). <https://doi.org/10.1007/s10896-025-00902-4>

ever-married women reported experiencing some form of intimate partner violence, 26.7% physical, 17.8% emotional, and 4.6% sexual.¹⁴ During the COVID-19 lockdowns, violent crimes against women nearly doubled, from 415 to 813 cases in one year.¹⁵

Trafficking and Exploitation

While Law No. 64/2010 criminalizes human trafficking and prescribes penalties for sexual and labor exploitation, its real-world implementation remains weak, especially for refugee and migrant women. According to the U.S. State Department's 2021 Trafficking in Persons Report, 519 potential trafficking victims were identified, including foreign nationals and children. Still, formal victim identification procedures remain inconsistent, and refugees are often treated as criminals instead of victims. NGOs reported that Egyptian and foreign female victims, particularly African refugees, are hesitant to report trafficking due to stigma, and authorities sometimes wrongfully charge them with prostitution or immigration offenses.¹⁶

The International Organization for Migration (IOM) registered 576 trafficking victims between 2004 and 2022 in Egypt, 68% of whom were female. Among these cases, 45% involved forced labor and 23% sexual exploitation, with domestic work being the most common sector of forced labor. Control tactics included confiscation of passports, withheld wages, and restricted movement.¹⁷

Moreover, in 2024, Amnesty International reported that approximately 800 Sudanese refugees, including women and children, were arbitrarily detained and forcibly deported from Egypt between January and March, often held in deportation centers without access

¹⁴ Yaya S, Hudani A, Buh A, Bishwajit G. Prevalence and Predictors of Intimate Partner Violence Among Married Women in Egypt. *J Interpers Violence*. 2021 Nov;36(21-22):10686-10704. doi: 10.1177/0886260519888196. Epub 2019 Nov 13. PMID: 31718407.

¹⁵ Ainav Rabinowitz, *The Renewed Fight to Prevent Domestic Violence in Egypt*, Wilson Center (blog), January 26, 2023.

¹⁶ U.S. Department of State. (2021). 2021 Trafficking in Persons Report: Egypt. Retrieved from <https://www.ecoi.net/en/document/2055178.html>

¹⁷ International Organization for Migration. (n.d.). Victims exploited in Egypt [Country profile]. Counter Trafficking Data Collaborative. Retrieved August 27, 2025, from <https://www.ctdatacollaborative.org/story/victims-exploited-egypt>

to asylum procedures, illustrating the overlap between abuse of refugee status and trafficking situations.¹⁸

iii. Societal and Conflict-Related Risks

Women in refugee camps, border areas, and informal settlements face elevated GBV risk due to precarious living conditions, lack of secure housing, and socio-legal vulnerabilities. Access to SRHR services is particularly constrained amid stigma and provider bias.

Proposed List of Questions

The Coalition urges the African Commission to ask the Government of Egypt:

- A. Why has marital rape not been criminalized, and what steps will the State take to amend Article 60 and align with international law?
- B. What is the timeline for passing a comprehensive law to end violence against women and girls, that covers all forms of abuse, including psychological and economic?
- C. Since the 2021 FGM amendments, how many investigations, prosecutions, and convictions have resulted, disaggregated by region and outcome?
- D. What measures will be put in place to protect refugee, migrant, and stateless women from trafficking and sexual exploitation, including access to legal aid, shelter, and SRHR services?

Recommendations

The Coalition urges the African Commission to call on Egypt to:

1. Criminalize marital rape, expressly and unambiguously, and repeal language that allows “disciplinary” violence in marriage.
2. Enact a survivor-centered domestic violence law covering all forms of abuse, providing protection orders, addressing barriers to reporting, and establishing an independent

¹⁸ Michaelson, R. (2024, June 19). EU-funded Egyptian forces ‘rounding up and deporting Sudanese refugees’. The Guardian. Retrieved from <https://www.theguardian.com/global-development/article/2024/jun/19/eu-funded-egyptian-forces-arresting-deporting-sudanese-refugees-amnesty>

oversight body to investigate sexual violence by state actors, ensuring transparency and survivor engagement.

3. Enhance enforcement of FGM laws through training, public education, and accountability for complicit medical professionals.
4. Adopt gender-sensitive migration and refugee policies, guaranteeing access to protective services for all women, regardless of legal status.
5. Strengthen legal protections from trafficking for vulnerable women and girls by ensuring the effective implementation of Law No. 64/2010, including establishing a standardized victim identification mechanism, guaranteeing access to legal aid and shelters regardless of residency status, and training law enforcement on survivor-centered approaches. Ensure adequate sanctions and punishments for perpetrators of trafficking are consistently applied, with publicly available data on investigations, prosecutions, and convictions.

3. RIGHTS RELATING TO MARRIAGE AND FAMILY LIFE

3.1 Elimination of Discrimination in the Family and in Marriage (ACHPR Article 18; CEDAW Article 16)

i. Constitutional and Legislative Context

Article 31-bis of the Civil Status Law prohibits the registration of marriages for individuals under 18 years of age and prescribes penalties for officiants and others who facilitate such marriages. This aligns nominally with Egypt's obligations under Article 80 of the Constitution, which mandates the protection of children from practices harmful to their welfare.

However, significant gaps in the legislative framework and its enforcement undermine the prohibition. While Egyptian law sets the minimum legal age of marriage at 18 with no legal exceptions, enforcement gaps enable the continuation of child marriage in practice. Customary (*urfi*) marriages, often arranged through religious, familial, or community leaders, continue to occur outside the formal registration system. Official marriage registrars (*ma'zoun shar'i*) sometimes bypass the law by performing the religious marriage ceremony without formal registration when one or both parties

are underage.¹⁹ These unions remain unregistered until the spouses reach 18 years of age, at which point they can be formally recorded, retroactively legitimizing marriages that were illegal at the time they were contracted. This practice circumvents the statutory prohibition and undermines the protection intended by the law, resulting in a critical legal loophole that allows the practice to persist largely unchecked. This leaves underage girls without legal safeguards during the unregistered period. According to CAPMAS data, around 118,000 girls under 18 are married each year, representing approximately 14% of all marriages in Egypt.²⁰

ii. Weak Enforcement and Monitoring

While a helpline exists to report child abuses, however, there remains no comprehensive, multi-sectoral mechanism to monitor or prevent unregistered child marriages systematically. Law enforcement and administrative authorities often lack the training, resources, and will to investigate and prosecute violations. Moreover, marriage registrars (*ma'zoun shar'i*), who are legally prohibited from officiating underage marriages, continue to perform religious marriage ceremonies for children, later registering them once parties reach 18. This points to a failure of accountability and the absence of sustained sensitization or capacity-building programs for registrars to ensure compliance with the law. To date, there are no comprehensive state-led initiatives to train, monitor, or sanction registrars in relation to underage marriage, leaving a major enforcement loophole unaddressed.

iii. Socio-Economic and Cultural Drivers

Poverty, lack of educational opportunities, and entrenched patriarchal norms continue to incentivize child marriage in Egypt, with families often viewing marriage as a means of transferring the economic responsibility for girls from the household to a husband. Practices such as *mahr* (dowry) and bride price can make child marriage financially attractive, particularly for families struggling with chronic poverty. At the same time, harmful social perceptions around controlling girls' sexuality, preserving family "honour," and preventing perceived stigma from premarital relationships

¹⁹ United Nations Population Fund (UNFPA). (2021). Child marriage in Egypt: Situation analysis. Cairo, Egypt: UNFPA Egypt.

²⁰ Daily News Egypt. (2017, November 13). 17% of girls in Egypt married at the age of 18. Daily News Egypt. Retrieved from <https://www.dailynewsegypt.com/2017/11/13/17-girls-egypt-married-age-18/>

reinforce these practices and sustain a culture of child and forced marriage.²¹

These socio-cultural norms are further entrenched by discriminatory legal provisions that reflect and reinforce patriarchal notions of “honour.” For example, Article 237 of the Penal Code No. 58 of 1937 allows men who kill their wives upon discovering adultery to face only a reduced penalty of detention, instead of the harsher penalties ordinarily imposed for murder under Articles 234 and 236. Such provisions effectively legitimize violence against women in the name of “honour,” sending a dangerous signal that women’s lives and rights are conditional upon compliance with restrictive gender roles.²² This stands in stark contradiction to Article 53 of the 2014 Constitution, which explicitly guarantees that all citizens are equal before the law without discrimination on the basis of sex, origin, social class, or any other grounds.

The coexistence of constitutional guarantees of equality with laws that permit discriminatory practices highlights the deep tension between Egypt’s formal commitments and its lived realities. As long as these socio-economic pressures and legal loopholes remain unaddressed, child marriage will persist as both a survival strategy for impoverished families and a socially sanctioned mechanism of control over women and girls.

iv. Limited Accountability for Perpetrators

Prosecutions of religious officials, community leaders, and family members who facilitate or condone child marriage remain exceedingly rare, despite the legal prohibition. The lack of consistent investigation or sanction against *ma’zoun* (marriage registrars) and other actors who enable underage unions perpetuates a culture of impunity.²³ In practice, authorities often treat child marriage as a “family matter” rather than a criminal offense, undermining deterrence and weakening the rule of law.

For survivors, the pursuit of justice is further obstructed by entrenched stigma, fear of social ostracism, and inadequate state support. Many girls

²¹ United Nations Children’s Fund (UNICEF) & National Council for Childhood and Motherhood (NCCM). (2017). *Ending child marriage in Egypt*. Cairo, Egypt: UNICEF.

²² Equality Now. (2025). *Words & Deeds: Holding governments accountable in the Beijing +30 review process* (Beijing+30 Global Report). Retrieved from <https://equalitynow.org/resource/reports/words-deeds-beijing30-report/>

²³ United Nations Children’s Fund (UNICEF) & National Council for Childhood and Motherhood (NCCM). (2017). *Ending child marriage in Egypt*. Cairo, Egypt: UNICEF.

who resist or attempt to exit child marriages face rejection by their families and communities, leaving them without safe shelter or financial resources.²⁴ The absence of a state-funded, gender-sensitive legal aid system compounds these challenges, as survivors are left without the guidance necessary to navigate the justice process. Together, these gaps create an environment where perpetrators are shielded from accountability, while survivors are systematically silenced and denied protection.

v. Impact on Girls' Rights

Child marriage severely undermines girls' fundamental rights to education, health, and bodily autonomy. Married girls are far more likely to drop out of school, cutting off their future opportunities for economic independence. According to CAPMAS 2023–24 data, approximately 118,000 underage girls are married annually, with dropout rates of 0.7% at the preparatory level disproportionately concentrated in rural Upper Egypt. They face increased risks of domestic violence, early pregnancy, and maternal mortality, particularly given the limited availability of adolescent-friendly health services in Egypt.

In refugee and rural communities, child marriage often functions as a coping mechanism, not for the girls themselves, but for their families. Families living in displacement, poverty, or prolonged insecurity may view marrying off daughters as a way to reduce household expenses, protect family “honour,” or secure perceived economic or social stability through the *mahr* (dowry) provided by the groom.²⁵ In these contexts, child marriage is framed as a protective strategy against the risks of sexual harassment, assault, or stigma associated with premarital relationships. However, what is presented as protection for the family often translates into heightened vulnerability for the girl, who is denied education, subjected to sexual and reproductive health risks, and exposed to unequal and often abusive power relations within marriage. Thus, while families may rationalize child marriage as a way to “cope” with poverty, displacement, or

²⁴ Equality Now. (2025). *Words & Deeds: Holding governments accountable in the Beijing +30 review process* (Beijing+30 Global Report). Retrieved from <https://equalitynow.org/resource/reports/words-deeds-beijing30-report/>

²⁵ United Nations High Commissioner for Refugees (UNHCR). (2019). *Examining child marriage among refugee populations*. Geneva: UNHCR. Retrieved from <https://www.unhcr.org/research/brief/5d123ca64/examining-child-marriage-among-refugee-populations.html>

insecurity, in reality, it exacerbates cycles of gender inequality and strips girls of their most basic human rights.

3.2. Polygamy and Marital Rights

Polygamy remains legally permitted under Egypt's Personal Status Law, which allows a man to marry up to four wives in accordance with prevailing interpretations of Sharia-based provisions. The law places the burden on women to contest a polygamous marriage by demonstrating that it has caused them "harm," a requirement that creates a high evidentiary threshold and frequently deters women from pursuing legal action.²⁶ In practice, the concept of "harm" is narrowly interpreted by the courts, often limited to financial neglect or severe emotional distress, and does not automatically recognise the inherent inequality and psychological impact that polygamy can have on a wife.²⁷

The notification requirement, intended to inform a first wife of her husband's subsequent marriage, offers little meaningful protection. Women who are informed may still be unable to prove harm to the satisfaction of the court, while those who are not notified have limited recourse to challenge the marriage after the fact.²⁸ Moreover, the absence of a legal framework that recognises marital relationships as equal partnerships means that a wife's consent is not required before her husband enters another marriage, further eroding her autonomy and decision-making power within the family.

Social and economic realities compound these legal barriers. Women who are economically dependent on their husbands often refrain from challenging polygamy for fear of losing financial support, custody of their children, or social standing. The lack of accessible legal aid and survivor-centred family court procedures further undermines women's ability to seek redress.²⁹

²⁶ Soliman, L. (2022). The Immutability of Personal Status Law (Master's Thesis, the American University in Cairo). AUC Knowledge Fountain. <https://fount.aucegypt.edu/etds/1897>

²⁷ Nathalie Bernard-Maugiron, "Courts and the Reform of Personal Status Law in Egypt: Judicial Divorce for Injury and Polygamy," in *Adjudicating Family Law in Muslim Courts*, ed. Elisa Giunchi (New York: Routledge, 2014), 106–120.

²⁸ Library of Congress, *Egypt: New Laws Regulating Marriage, Polygamy, and Divorce Proposed*, Global Legal Monitor (May 23, 2022)

²⁹ Human Rights Watch, *Divorced from Justice* (2004); Human Rights Watch, "My marriage was a mistake after mistake" (2024).

Ultimately, the continued legality of polygamy, coupled with restrictive evidentiary burdens, entrenches gender inequality in marriage and family life, contradicting Egypt's constitutional commitments to equality under Article 11 and Article 16 of CEDAW, which Egypt has ratified.

Under Egypt's current Personal Status Law, divorced mothers risk losing custody of their children upon remarriage, regardless of their caregiving role or the child's well-being. This blanket rule prioritizes patriarchal notions of guardianship and male authority over the rights and best interests of the child. It forces many women to choose between rebuilding their personal lives through remarriage and maintaining custody of their children, creating disproportionate hardship for women compared to men, whose custodial and guardianship rights remain intact after remarriage. Such provisions directly contradict international child rights principles, including the best interests of the child standard enshrined in the Convention on the Rights of the Child (CRC), as well as Egypt's obligations under CEDAW to ensure equality within marriage and family relations.

Despite constitutional guarantees of equality, Egyptian personal status laws continue to entrench patriarchal control within marriage. Under the obedience (ṭā'a) provisions, codified since 1929 and still in force today, a wife who leaves the marital home without judicially recognized justification can be declared "disobedient" (nāshiz). This designation strips her of her right to maintenance, even if her departure was motivated by abuse, coercion, or other legitimate reasons.

The persistence of this framework for nearly a century reflects a legal view of marriage as a relationship of subordination, in which women are legally bound to obey husbands in exchange for housing and financial support. Such provisions distort the very purpose of marriage as described in international human rights standards and in Egypt's own constitutional principles, namely, a partnership founded on equality, dignity, and mutual respect. Instead, the law reinforces the husband's authority to compel cohabitation and sanction non-compliance, perpetuating unequal power relations and exposing women to heightened risks of violence and economic dependency.

Proposed List of Questions

The Coalition urges the African Commission to ask the Government of Egypt:

- A. What concrete steps is Egypt taking to prevent and address the persistence of unregistered customary marriages and informal practices by marriage registrars that allow child marriage to continue in violation of the statutory minimum age of 18?
- B. How is the State ensuring systematic investigation and prosecution of religious clerics/clerks or marriage registrars who facilitate or officiate child marriages?
- C. What measures are in place to regulate and monitor customary “*urfi*” and other unregistered marriages to ensure women and children enjoy equal legal protection and prevent unregistered marriages of children?
- D. How does the State plan to reform polygamy provisions to ensure women’s equal rights in marriage, and to remove evidentiary burdens that disproportionately disadvantage women contesting polygamous unions?
- E. What steps is the State taking to repeal the “obedience” (ṭā’a) provisions in the Personal Status Law, which condition women’s right to maintenance on compliance with spousal control?

Recommendations

The Coalition urges the African Commission to call on Egypt to:

- 1. Ensure the full implementation of the 2022 criminalization of underage marriage by instituting clear enforcement mechanisms, public oversight, and accountability, especially for marriage registrars and parents. This should include training for officials, monitoring frameworks for prosecutions, and regular public reporting on enforcement outcomes.
- 2. Establish a strong prevention and monitoring mechanism for unregistered child marriages, with strict penalties for non-compliance.
- 3. Introduce and fund targeted social protection schemes, education stipends, and community awareness programs to address the economic and cultural drivers of child marriage.

4. Prohibit polygamy and promote monogamy as the preferred form of marriage and ensure that the rights of women in marriage and family relations are respected. In the interim, until full prohibition is enacted, the State should at minimum introduce legal safeguards that protect women from harm, including informing the first wife of the intent of entering another marriage, and having the full legal safeguards that recognize the psychological and emotional harm as sufficient grounds to contest or dissolve a polygamous marriage, without imposing excessive evidentiary burdens.
5. Amend the Personal Status Law to ensure that a divorced mother's remarriage does not automatically disqualify her from retaining custody of her children, with custody determinations to be made based on the best interests of the child, as guided by relevant child rights principles and international obligations.
6. Repeal the "obedience" (ṭā'a) provisions from the Personal Status Law and guarantee women's right to maintenance without conditioning it on submission to spousal authority, thereby recognizing marriage as an equal partnership in line with constitutional guarantees and international human rights standards.

4. HEALTH AND REPRODUCTIVE RIGHTS

4.1. Abortion and SRHR Services (ACHPR Article 16; CEDAW Articles 12 & 14 (2) (b); Penal Code Articles 260–264)

i. Constitutional and Legislative Context

Under Articles 260–264 of the Egyptian Penal Code, abortion is criminalized in all circumstances except where it is necessary to save the life of the pregnant woman. The law provides no exceptions for cases of rape, incest, or severe fetal impairment, which undermines women's right to medical abortion in such circumstances. Survivors of sexual violence, including minors, are therefore compelled to continue unwanted pregnancies, exposing them to prolonged trauma, health risks, and potential social ostracism.

The criminalization extends to healthcare providers, creating a chilling effect within the medical community. Physicians face legal prosecution for performing abortions outside the narrow “life-saving” exception, even when continuing the pregnancy endangers the woman’s physical or mental health. Studies indicate that roughly 20% of obstetric hospital admissions in Egypt are related to incomplete or self-induced abortions, and between 1995 and 2000, approximately 2,542 maternal deaths were attributed to unsafe abortion-related complications.³⁰ This restrictive framework not only undermines women’s reproductive autonomy but also constitutes a form of cruel, inhuman, and degrading treatment in cases where pregnancy continuation imposes severe suffering.

International health authorities, including the World Health Organization, affirm that abortion should be accessible at least in cases of rape, incest, severe fetal impairment, and threats to a woman’s physical or mental health, and that restrictive laws and criminalization constitute barriers that undermine safe access (WHO, 2012; WHO, 2022).

ii. Access Barriers

In addition to the restrictive legal framework governing abortion and reproductive care, significant structural, social, and cultural barriers impede women’s access to comprehensive sexual and reproductive health and rights (SRHR) services in Egypt. In response, the Ministry of Health’s youth-friendly clinics, implemented in partnership with UNFPA, are intended to provide adolescent SRHR services. However, coverage remains limited, and concerns over confidentiality, stigma, and uneven quality of care undermine their effectiveness.

As a result, adolescents and young women, particularly those who are unmarried, frequently experience service denial, moralistic counselling, and breaches of privacy that discourage care-seeking for contraception, sexually transmitted infection (STI) services, and post-abortion care. These access barriers are not merely anecdotal: national assessments and

³⁰ Legal Service India. (n.d.). Women’s rights: Egypt’s complexities on abortion and prostitution laws. Retrieved from <https://www.legalserviceindia.com/legal/legal/legal/article-17103-women-s-rights-egypt-s-complexities-on-abortion-and-prostitution-laws.html>

regional reviews document persistent gaps in youth-targeted SRHR programming and widespread stigma among health-care providers.³¹

Maternal health services show uneven progress. While aggregate maternal mortality ratios have fallen over the last two decades, significant geographic disparities remain: border and remote governorates report substantially higher maternal mortality and lower coverage of essential antenatal, delivery, and emergency obstetric services compared with major urban centres. Field assessments and national reviews point to chronic shortages of trained personnel, irregular availability of essential medicines and supplies, and long travel distances to functioning facilities in Upper Egypt and border areas, factors that directly increase risk during pregnancy and childbirth for poor and rural women.³²

The combined effect of restrictive laws, entrenched stigma, and inequitable healthcare access severely undermines women's right to health, bodily autonomy, and life, as guaranteed under the African Charter.

4.2. Maternal Health and Sex Education

Although Egypt has made notable progress in reducing maternal mortality rates, significant disparities persist. Rural women, women with disabilities, and refugee women remain disproportionately affected by preventable maternal deaths due to chronic shortages of adequately equipped health facilities, financial barriers to accessing care, and the absence of inclusive, disability-sensitive, and culturally responsive maternal health services. These inequalities are compounded by gaps in emergency obstetric care and uneven distribution of trained healthcare personnel across governorates.

Comprehensive sexuality education (CSE) is effectively absent from Egypt's national school curriculum. Where reproductive and sexual health topics appear, instruction is limited to basic biological facts and technical aspects of reproduction; critical and rights-based subjects, including consent,

³¹ United Nations Population Fund Arab States Regional Office. *A Young Feminist's Handbook to Sexual and Reproductive Health and Rights*. Cairo: UNFPA ASRO, 2020.
https://arabstates.unfpa.org/sites/default/files/pub-pdf/14431_-_ayfhs-opt_01-13-web.pdf

³² United Nations Population Fund, *Country Programme Document for Egypt (2023–2027)*, DP/FPA/CPD/EGY/11, presented to the UNDP-UNFPA-UNOPS Executive Board (New York, 5 December 2022),
https://www.unfpa.org/sites/default/files/portal-document/DP.FPA_CPD_EGY_11%20-%20Egypt%20CPD%20-%20ENG.pdf

gender equality, prevention of gender-based violence, sexual orientation, and the full spectrum of sexual and reproductive rights, are omitted.³³ This curricular gap leaves adolescents, and adolescent girls in particular, without the information and skills necessary to make informed decisions about their bodies, relationships and health, increasing their vulnerability to early pregnancy, sexually transmitted infections, and exploitation. The absence of age-appropriate, evidence-based CSE also undermines prevention of gender-based violence and runs counter to states' obligations to provide health-related education under human-rights standards.³⁴

Proposed List of Questions

The Coalition urges the African Commission to ask the Government of Egypt:

- A. What concrete steps is Egypt taking to expand the grounds for legal abortion to include cases of rape, incest, severe fetal impairment, and threats to the woman's physical or mental health, in line with international human rights standards?
- B. How is the State addressing persistent maternal health disparities between urban and rural governorates, and what measures are being taken to ensure inclusive services for women with disabilities, refugees, and other marginalized groups?
- C. What strategies and timelines exist for integrating comprehensive, age-appropriate sexuality education into the national school curriculum, in line with international human rights standards?
- D. What measures will the State put in place to ensure that SRHR services, including contraception and post-abortion care, are accessible, confidential, and free from discrimination for adolescents and unmarried women?

Recommendations

The Coalition urges the African Commission to call on Egypt to:

³³ UNESCO, *The Journey towards Comprehensive Sexuality Education: Global Status Report* (Paris: UNESCO/UNFPA/UNICEF/WHO, 2021), <https://www.unfpa.org/sites/default/files/pub-pdf/The%20journey%20towards%20comprehensive%20sexuality%20education%20-%20Global%20status%20report.pdf>.

³⁴ ariman Moustafa, "Creating and enabling a decolonial framework for comprehensive sexuality education in Egypt," *Brookings* (May 2024), <https://www.brookings.edu/articles/creating-and-enabling-a-decolonial-framework-for-comprehensive-sexuality-education-in-egypt/>

1. Amend Articles 260–264 of the Penal Code to explicitly permit abortion in cases of rape, incest, severe fetal impairment, and where pregnancy poses a risk to the woman’s physical or mental health, in line with the WHO guidelines.
2. Establish and expand accessible, youth-friendly SRHR services nationwide, ensuring confidentiality, affordability, and non-discriminatory treatment, with targeted outreach to adolescents, unmarried women, and marginalized communities.
3. Invest in rural and underserved areas by upgrading maternal health infrastructure, including equipping facilities for emergency obstetric care, training skilled birth attendants, and ensuring inclusive service provision for women with disabilities and refugee women.
4. Integrate comprehensive age-appropriate sexuality education into primary and secondary school curricula, covering human rights, consent, gender equality, prevention of gender-based violence, and reproductive health, with culturally sensitive and scientifically accurate content.

5. ECONOMIC, SOCIAL, AND CULTURAL RIGHTS

5.1. Economic Participation and Pay Equity (African Charter Articles 13–19; CEDAW Articles 3, 13, 14, 15 (2) & 16 (1) (h); Constitution Articles 9, 11, 17)

i. Legal and Policy Context

Although the Egyptian Constitution affirms equality in employment, particularly under Articles 9, 11, and 17, women’s access to economic participation remains severely constrained. The labour market is marked by significant gender segregation, with women’s participation in the formal economy stagnating at approximately 15%, one of the lowest rates globally.³⁵ The new Labour Law, passed by the People’s Assembly in 2025 and awaiting executive regulations, introduces amendments relevant to workplace protections, with specific provisions on maternity leaves and working hours for pregnant women. However, without binding provisions

³⁵ World Bank, *Labor Force Participation Rate, Female (% ages 15+) - Egypt* (15.3% in 2023), Trading Economics (accessed 2025).

on pay equity and explicit safeguards against gender-based discrimination, its impact on women's economic participation remains limited.³⁶

ii. Persistent Barriers

Women's economic exclusion is rooted in a combination of legal, structural, and socio-cultural factors. A large proportion of women are concentrated in low-paid, informal, and insecure forms of employment, such as domestic work, agricultural labour, and home-based piecework, where labour protections are minimal or non-existent. The absence of affordable, quality childcare services and the lack of family-friendly workplace policies such as paid parental leave and flexible working hours create structural disincentives for women to enter or remain in the labour market.³⁷

Despite making notable gains in educational attainment, Egyptian women remain heavily confined to traditionally female-dominated and undervalued professions such as education, healthcare, and clerical work. According to the *Global Gender Gap Report*, women now comprise a majority in sectors like healthcare (62.1%), education (54.4%), and government/public services (50.7%), but remain underrepresented in infrastructure (22.4%), oil and gas (24.1%), and transportation (31.6%), sectors that typically offer higher pay and greater mobility.³⁸ Occupational segregation is reinforced by entrenched gender stereotypes that steer women towards traditionally "feminised" sectors, which are often undervalued and underpaid. Even within these sectors, women face significant glass ceilings, with minimal representation in senior decision-making and leadership roles.³⁹

Enforcement of existing anti-discrimination provisions is weak, with few reported cases of gender-based employment discrimination being formally

³⁶ Egyptian Initiative for Personal Rights, *Prominent Legal Gaps in Women's Economic Rights in Egypt*, EIPR Press Release, 18 June 2025 (highlighting absence of binding legal protection for women's workplace equality and low participation rates). (eipr.org)

³⁷ Nahla Zeitoun, "Do childcare subsidies and employment services increase women's employment in Egypt?" *World Bank Blogs* (March 14, 2022), <https://blogs.worldbank.org/en/arabvoices/do-childcare-subsidies-and-employment-services-increase-women-employment-egypt>

³⁸ World Economic Forum. (2024, June 11). Economic and leadership gaps: Constraining growth and skewing transitions. In *Global Gender Gap Report 2024*. <https://www.weforum.org/publications/global-gender-gap-report-2024/in-full/economic-and-leadership-gaps-constraining-growth-and-skewing-transitions-7b05a512cb/>

³⁹ Shireen Alazzawi & Vladimir Hlasny, *Occupational Segregation and the Gender Wage Gap in Egypt, 1998–2023* (Agence Française de Développement, research paper, Aug. 7, 2025), "women are predominantly concentrated in teaching, nursing, and clerical roles," <https://www.afd.fr/en/resources/occupational-segregation-and-gender-wage-gap-egypt-1998-2023>

investigated or penalized. The absence of a comprehensive national pay equity policy, coupled with poor labour inspection capacity, further entrenches wage gaps and unequal career advancement opportunities.

5.2. Land and Property Rights

Women's access to land and property ownership in Egypt is significantly constrained by both statutory and customary systems. Under Law No. 77/1943, inheritance is governed by Islamic inheritance rules, which in most cases allocate women half the share of male heirs. While these rules are legally binding, in practice, social and familial pressure often compels women, particularly in rural areas, to relinquish their inheritance rights in favour of male relatives, reinforcing economic dependence and perpetuating cycles of poverty.⁴⁰

Customary norms, especially in agrarian communities, further restrict women's ability to claim, register, or control land, with disputes frequently resolved through informal mechanisms that prioritise male claims. The lack of accessible, gender-sensitive dispute resolution mechanisms and legal aid services compounds the problem, leaving many women unable to challenge these practices effectively.

Egyptian law does not recognise joint marital property regimes. Instead, property acquired during marriage is usually registered in the name of the husband, regardless of a woman's financial or non-financial contributions. As a result, women face acute economic vulnerability in the event of divorce or widowhood, often losing their home, access to productive assets, and sources of income. This absence of legal recognition for shared marital assets disproportionately disadvantages women who have engaged in unpaid care work or supported family businesses without formal ownership rights.⁴¹

The combined effect of discriminatory inheritance laws, entrenched patriarchal customs, and the lack of marital property protections undermines women's constitutional right to equality and their ability to secure economic independence, in direct contravention of Egypt's obligations under the African Charter.

⁴⁰ FAO, *Gender and Land Rights Database – Egypt* (Rome: Food and Agriculture Organization of the United Nations, updated 2023),

https://www.fao.org/gender-landrights-database/data-map/statistics/en/?country_iso3=EGY

⁴¹ Marwa Biltagy, "Women's Land Rights in Egypt: The Struggle for Equality," *Land* 12, no. 5 (2023): 957, <https://doi.org/10.3390/land12050957>.

Proposed List of Questions

The Coalition urges the African Commission to ask the Government of Egypt:

- A. What legislative and policy measures is Egypt implementing to guarantee equal pay for work of equal value across all sectors, in compliance with international labour standards?
- B. How will the State address occupational segregation, gender stereotyping in career pathways, and systemic barriers to women's entry into male-dominated and leadership roles?
- C. What reforms are planned to introduce legal recognition of joint marital property regimes, ensuring equitable division of assets upon divorce or widowhood?
- D. What steps is the government taking to ensure women's equal access to and control over land and property, including in rural and agricultural areas where discriminatory customary norms dominate?
- E. What measures has the State put in place to strengthen legal aid, dispute resolution mechanisms, and enforcement to protect women's inheritance rights from coercion and informal settlement pressures?

Recommendations

The Coalition urges the African Commission to call on Egypt to:

- 1. Amend the Labour Law (Law No. 12/2003) to include binding, enforceable provisions on pay equity, explicit prohibitions against gender discrimination in recruitment, promotion, benefits, and workplace conditions, and effective remedies for victims of discrimination.
- 2. Adopt legislation recognising joint marital property regimes, ensuring that both financial and non-financial contributions (such as unpaid care work) are valued in asset division upon the dissolution of marriage or the death of a spouse.
- 3. Develop targeted employment initiatives to increase women's participation in high-growth and male-dominated sectors, including vocational training, mentorship, and incentives for employers to recruit and promote women.
- 4. Expand access to affordable, quality childcare and implement paid parental leave policies for both parents to reduce the care

burden on women and facilitate their continued labour market participation.

5. Amend inheritance provisions in the Personal Status Law to eliminate gender-based discrimination and bring them into conformity with international human rights standards, which guarantee equal rights to inheritance. In parallel, enforce women's inheritance rights by strengthening public awareness campaigns, ensuring access to affordable and gender-sensitive legal aid, and holding accountable those, including community or religious leaders, who coerce or pressure women into relinquishing their shares.
6. Integrate gender-sensitive land registration and dispute resolution systems to ensure women's ownership claims are formally recorded, protected, and enforceable, especially in rural and customary contexts.

6. PROTECTION OF WOMEN IN ARMED CONFLICTS

6.1. Refugee and IDP Protection (ACHPR Articles 4, 5, 6)

i. Refugee Women's Vulnerability

Egypt hosts a substantial refugee population, including Sudanese, Syrians, Yemenis, Palestinians, Eritreans, and Ethiopians, many of whom are women and girls facing heightened risks stemming from legal and institutional exclusion. Refugee women encounter significant barriers to documentation due to restrictive visa regimes, burdensome residency requirements, and structural delays in UNHCR registration.⁴² These obstacles hinder access to essential services, including sexual and reproductive health, and pathways to work and legal protection. A 2022 UNFPA needs assessment found that refugee women in Egypt face service denial, moral judgment from providers, and a lack of confidentiality guarantees, discouraging them from seeking essential reproductive health services.⁴³ Without a gender-sensitive asylum framework or streamlined protection mechanisms, women refugees often remain trapped in an irregular status, increasing their vulnerability to exploitation and gender-based violence.

⁴² UNHCR Egypt, *Egypt Factsheet*, January 2025, available at: <https://data.unhcr.org/en/country/egy>.

⁴³ UNFPA Egypt, *Sexual and Reproductive Health Needs Assessment for Refugees*, Cairo, 2022, available at: <https://egypt.unfpa.org>

ii. Trafficking and Exploitation

Border regions, particularly along the Egypt–Sudan corridor, have seen documented cases of trafficking, sexual exploitation, and forced marriage involving refugee women and girls. Weak law enforcement, coupled with the absence of a survivor-centred protection framework, exacerbates the risk of abuse. Victims often face detention or deportation instead of protection, in violation of Egypt’s obligations under the African Charter.⁴⁴

Proposed List of Questions

The Coalition urges the African Commission to ask the Government of Egypt:

- A. What measures has the State implemented to provide gender-sensitive protection mechanisms for refugee and stateless women?
- B. What steps has the State taken thus far to investigate and prosecute trafficking cases along the Egyptian borders?
- C. What measures are in place to ensure refugee women have equal access to healthcare, education, and employment?

Recommendations

The Coalition urges the African Commission to call on Egypt to:

- 1. Adopt a gender-sensitive refugee protection framework in line with international standards.
- 2. Strengthen border monitoring to prevent trafficking and exploitation, while enforcing survivor protection protocols.
- 3. Ensure access to SRHR services, legal aid, and psychosocial support for refugee and stateless women.

7. RIGHTS OF SPECIALLY PROTECTED WOMEN’S GROUPS

7.1. Women with Disabilities

Although Law No. 10/2018 on the Rights of Persons with Disabilities provides a legal framework for equality and non-discrimination, women with disabilities in Egypt continue to experience systemic barriers in nearly

⁴⁴ Amnesty International, *Egypt: Refugee Women at Risk of Violence and Exploitation*, 2023, available at: <https://www.amnesty.org/en/location/middle-east-and-north-africa/egypt>.

all spheres of life. Employment opportunities remain extremely limited due to inaccessible workplaces, inadequate vocational training, and persistent stigma among employers.⁴⁵ Educational facilities often lack necessary accommodations, assistive technologies, and trained personnel to support inclusive learning environments.⁴⁶ In the area of sexual and reproductive health and rights, women with disabilities face heightened discrimination, with health facilities frequently lacking accessible infrastructure and service providers failing to deliver care in line with their needs and autonomy.⁴⁷ This exclusion intersects with gender-based violence risks, as women with disabilities are disproportionately vulnerable to abuse and exploitation, with few accessible reporting and protection mechanisms in place.

7.2. Elderly Women and Widows

Elderly women and widows remain largely invisible in national policy-making, exacerbating their socio-economic vulnerability. According to Egypt's Minister of Social Solidarity, women comprise 58% of the 10.7 million beneficiaries of social insurance and pension systems, yet only 34% of people with disabilities and 19% of the unemployed receive any form of compensation, highlighting gaps in coverage for marginalized groups.⁴⁸ Despite a nearly 50% increase in pensions over recent years, the minimum pension remains EGP 916 per person, often inadequate to meet basic needs.⁴⁹ The 2021 Elderly Law, though a step towards social protection for older persons, does not adequately address the gendered vulnerabilities of elderly women, including gaps in pension adequacy and recognition of unpaid care work.

Egypt lacks a comprehensive, rights-based policy framework to safeguard its social and economic rights. Many elderly women, particularly widows, live in poverty due to unequal inheritance provisions, lack of recognition

⁴⁵ Handicap International (Humanity & Inclusion), *Disability in Egypt: A National Overview*, 2022, available at: <https://www.hi.org/en/country/egypt>.

⁴⁶ United Nations Population Fund (UNFPA), *The State of Women with Disabilities in the Arab Region*, 2021, available at: <https://arabstates.unfpa.org/en/publications/state-women-disabilities-arab-region>.

⁴⁷ International Labour Organization (ILO), *Inclusion of Persons with Disabilities in Egypt: Employment and Accessibility Gaps*, 2020, available at: https://www.ilo.org/africa/publications/WCMS_758607/lang--en/index.htm.

⁴⁸ Daily News Egypt. (2022, September 29). 10.7 million Egyptian women receive social insurance, pensions: Social Solidarity Minister. Daily News Egypt. Retrieved from <https://www.dailynewsegypt.com/2022/09/29/10-7-million-egyptian-women-receive-social-insurance-pensions-social-solidarity-minister/>

⁴⁹ El-Sayed, J. (2022, September 28). Pensions in Egypt increased by 50% in recent years: Social solidarity minister. Ahram Online. Retrieved from <https://english.ahram.org.eg/News/476913.aspx>

for unpaid care work during their productive years, and insufficient pension coverage.⁵⁰ Where pension entitlements exist, they are often too low to meet basic needs, and administrative barriers make access particularly challenging for women in rural areas. Without targeted social protection schemes, elderly women and widows remain dependent on extended family networks, leaving them vulnerable to neglect, abuse, and economic exploitation.⁵¹

7.3 Women in Distress

There is an acute shortage of state-funded shelters and support services for women in distress, including survivors of trafficking, formerly incarcerated women, homeless women, and those fleeing domestic violence. Existing facilities are predominantly donor-funded, concentrated in major urban centres, and operate with limited capacity.⁵² As a result, large segments of the population, particularly women in rural and marginalized communities, lack access to emergency accommodation, psychosocial support, and reintegration programs. Without sustained government investment, these women are left without safe alternatives, increasing their exposure to re-victimization, exploitation, and chronic poverty.⁵³

Proposed List of Questions

The Coalition urges the African Commission to call on Egypt to:

- A. What specific measures is Egypt taking to ensure the effective implementation of Law No. 10/2018, particularly with respect to removing barriers faced by women with disabilities in employment, education, and SRHR access?

⁵⁰ HelpAge International, *Ageing in the Arab Region: Trends, Implications, and Policy Options*, 2022, available at: <https://www.helpage.org/newsroom/latest-news/ageing-in-the-arab-region-trends-implications-and-policy-options>.

⁵¹ United Nations Economic and Social Commission for Western Asia (ESCWA), *The Arab Strategy for Older Persons: 2019–2029*, 2019, available at: <https://www.unescwa.org/publications/arab-strategy-older-persons-2019-2029>.

⁵² Nazra for Feminist Studies, *Women Survivors of Violence: Where to Go? Problems Facing Shelters for Women in Egypt and Gaps in Responses to Needs of Women Survivors of Violence* (2016), describing MoSS-run shelters (nine nationwide) with limited operation and uneven geographic distribution, including one inactive shelter in Alexandria, and reliance on civil society oversight and funding. Available at: <https://nazra.org/en/2016/08/women-survivors-violence-where-go>

⁵³ Egypt Independent, “Social Solidarity Ministry hosts abused women at 9 centers,” 7 October 2022, reporting that by end-2023 the Ministry plans to expand from 9 to 14 shelters across the country, noting conditions of admission and referral mechanisms, evidence of limited capacity and conditional access. Available at: <https://egyptindependent.com/social-solidarity-ministry-hosts-abused-women-at-9-centers/>

- B. How is the State addressing the heightened risk of gender-based violence against women with disabilities, including ensuring accessible reporting, investigation, and protection mechanisms?
- C. What comprehensive social protection programs are in place to safeguard the economic and social rights of elderly women and widows, particularly in rural and marginalized communities?
- D. How is the government addressing the gendered impact of unequal inheritance rules on elderly women and widows' poverty levels?
- E. What concrete plans exist to establish and sustainably fund a nationwide network of state-run shelters and reintegration programs for women in distress, including survivors of trafficking, formerly incarcerated women, homeless women, and survivors of domestic violence?

Recommendations

The Coalition urges the African Commission to call on Egypt to:

1. Strengthen the implementation of Law No. 10/2018 by adopting and operationalizing gender-responsive disability policies; ensure strict enforcement of existing employment quotas for persons with disabilities in both public and private sectors, with specific measures to promote the inclusion of women; and guarantee the availability and accessibility of sexual and reproductive health and rights (SRHR) services and facilities in compliance with national and international obligations.
2. Develop and adopt a National Action Plan for Elderly Women and Widows, including pension reforms to ensure adequate coverage and benefits, targeted cash transfers, access to affordable healthcare, and recognition of unpaid care work in social security systems.
3. Address discriminatory inheritance practices by enforcing women's rights to property and inheritance through legal aid, awareness-raising campaigns, and the effective implementation of the penal code sanctions criminalizing coercion in relinquishing the rights of women and girls.
4. Establish and maintain a nationwide network of state-funded, survivor-centred shelters equipped with psychosocial support, legal aid, skills training, and reintegration services, ensuring coverage in rural and underserved areas.

5. Allocate dedicated budget lines for the long-term sustainability of services for women in distress, reducing over-reliance on donor funding and ensuring continuity of care and protection.

CONCLUSION

Egypt's 18th and 19th periodic reports to the African Commission on Human and Peoples' Rights present a narrative of legislative progress and policy commitments towards gender equality. However, the evidence in this shadow report demonstrates that these commitments remain largely unfulfilled in practice. Deeply entrenched legal discrimination, combined with structural and cultural barriers, continues to undermine women's rights and gender justice across the country.

Discriminatory provisions in personal status laws, the Penal Code, and inheritance frameworks persist, contravening Egypt's obligations under the African Charter. Gaps in protection from gender-based violence, the absence of a comprehensive domestic violence law (comprehensive law to end violence against women and girls), and the non-recognition of marital rape leave survivors without adequate legal remedies or support. In the sphere of sexual and reproductive health and rights, restrictive abortion laws, lack of comprehensive sexuality education, and barriers to SRHR services, particularly for unmarried women, adolescents, women with disabilities, and rural populations, perpetuate inequality and harm.

Economic and social rights are similarly constrained by structural inequities, including the absence of pay equity legislation, occupational segregation, limited childcare provision, and discriminatory land and property regimes. Women's economic participation remains among the lowest globally, and the lack of joint marital property recognition exposes women to acute economic vulnerability. Marginalized groups, such as women with disabilities, elderly women, widows, refugees, and women in distress, remain largely excluded from policy frameworks and state services, with essential protections either underfunded, urban-centred, or donor-dependent.

The gap between Egypt's constitutional guarantees and its lived realities for women is significant and widening. Without urgent, rights-based legal reforms and robust implementation mechanisms, progress towards gender

equality will remain rhetorical. This requires a deliberate political commitment to:

- Ratify and fully domesticate the Maputo Protocol without reservations, and eliminate all discriminatory laws by harmonizing domestic legislation with the African Charter and Maputo Protocol standards.
- Ensure comprehensive protection from all forms of gender-based violence through survivor-centred legislation and services.
- Guarantee equal access to education, employment, healthcare, and justice, with special attention to rural, marginalized, and vulnerable women's groups.
- Allocate sufficient resources for gender equality measures and establish accountability mechanisms to monitor implementation.

The African Commission is urged to issue strong, time-bound recommendations to the Government of Egypt, accompanied by active follow-up procedures, to ensure that women and girls in Egypt enjoy the full spectrum of rights and freedoms to which they are entitled under regional and international law. Genuine progress will require not only legislative change but also sustained institutional reform, effective enforcement, and a transformation of the societal norms that continue to perpetuate discrimination and inequality.

APPENDIX

The report was prepared by:

[Association of Egyptian Female Lawyers \(AEFL\)](#)

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