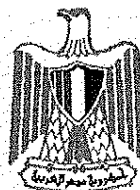


*Permanent Mission of the Arab Republic of Egypt  
to the United Nations Office, the World Trade  
Organization & International Organizations  
in Geneva*



البعثة الدائمة لجمهورية مصر العربية  
لدى الأمم المتحدة، ومنظمة التجارة العالمية  
والمنظمات الدولية  
في جنيف

CHAN.2019.230

The Permanent Mission of the Arab Republic of Egypt to the United Nations, the World Trade Organization, and Other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, and with reference to OHCHR's circular note concerning the request addressed to the States from the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material regarding the preparation of her annual report, has the honor to attach herewith a submission by the Government of the Arab Republic of Egypt concerning the aforementioned request.

The Permanent Mission of the Arab Republic of Egypt to the United Nations, the World Trade Organization, and Other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights, the assurances of its highest consideration.

AL

Geneva, 19 September 2019



**Office of the High Commissioner for Human Rights**  
**Fax: +41-22 917 90 08**

Call for Inputs

**Report of the Special Rapporteur on the sale and exploitation of children, including  
child prostitution, child pornography, and other child sexual abuse materials  
Looking back, looking forward**

i. Current challenges defining the scope and extent of the sale and sexual exploitation of children.

Limited information on the problem at both the centralized and decentralized levels, for this reason the State is unable to assess the size of the problem and monitor properly the issues of sale and sexual exploitation of children, which affects all of its efforts to achieve sustainable development and also hinders the elaboration of precise plans for providing essential needs to disadvantaged groups. A noticeably small quantity of accurate data is available on the sale and sexual exploitation of children, particularly is that some of them are hidden and little reported, either because of poor awareness or for fear of social stigma in a conservative culture.

ii. Progress and good practices of raising public awareness and sensitisation on issues of sale and sexual exploitation of children at the local, national regional and global level?

- In 2007, NCCM established Anti-Human Trafficking Unit. The unit managed to:
  - Raise awareness through community networks & website, [www.child-trafficking.info](http://www.child-trafficking.info)
  - Provide technical support to relevant entities.
  - Networking Civil society activities.
  - Establish a task force for descent domestic work.
  - Develop training manuals & brochures.
  - Adopts the best interest concept.
  - Develop disaggregated data base for victims.
  - Conduct campaigns to combat transactional marriages.
  - Enhance regional & international cooperation.
- Childhood Protection Committees (CPCs): NCCM works to ensure the prevalence and quality of centralized and decentralized child protection mechanisms at all levels. These protection mechanisms are represented by CPCs which are technically supported by NCCM. In this regard, NCCM coordinates with the concerned organizations to provide urgent support to children through Child helpline 16000, through which all violations against child and mother rights are reported.
- In December 2016, NCCM launched "Awladna" (meaning Our Children) National Multimedia Campaign Promoting Positive Parenting. It was the first campaign of its kind on positive parenting, in partnership with the United Nations Children's Fund (UNICEF). The campaign was supported by the European Union (EU) in the context of the joint programme titled "Expanding Access to Education and Protection for at Risk Children in Egypt". The campaign comes as part of a holistic approach to support development of policies on protecting children from violence, and to raise public awareness on the issue of positive parenting by targeting parents, caregivers and parents-to-be.

- The multimedia campaign "Awladna" reached millions of parents and caregivers, through TV and Radio Public Service Announcements (PSAs), SMS transmission, and social media posts engaging some celebrities under the slogan #Calm Not Harm, as well as printed press, outdoor advertising, and direct public interaction.
- In 2018, NCCM formed "Ending Violence against Children taskforce (EVAC)" and launched the National Strategic Framework for Ending Violence against Children.
  - In 2018, NCCM issued two policy papers:
    - Policy for Action: "Ending Child Marriage".
    - Policy for Action: "Ending Female Genital Mutilation".
  - In 2018, Egypt launched the first national anti-bullying campaign against peer-to-peer violence. It was launched under the auspices of NCCM, in partnership with the Ministry of Education and Technical Education (MOETE) in cooperation with the United Nations Children's Fund (UNICEF) and funded by the European Union (EU).
  - The Family and Child Rights programme (FCR) implemented by NCM and funded by the EU, implemented combating Child Marriage, trade marriage, and trafficking awareness campaign in Giza Governorate which was composed of the following:
    - \* 5 Marriage legislative seminars: the target beneficiaries were 175 attendees (lawyers, official leaders, teachers, community natural leaders, women who facilitate marriage "Khatba" and religious leaders). The objectives were to address the legal situation of child marriage even in cases that were not officially documented by Māzoon.
    - \* 20 awareness raising seminars attended by 1000 beneficiaries: the seminars beneficiaries were rural poor women and men and the theme of the seminars were child rights.
    - \* 20 Reproductive Rights seminars attended by 500 women between 20 – 39 years: the seminars beneficiaries were rural poor women the theme of the seminars was reproductive rights.
  - During its 2014 Universal Periodic Review, Egypt agreed to consider recommendations to abolish child marriage and the temporary commercial marriages of girls.
  - Egypt co-sponsored the 2013 Human Rights Council resolution on child, early and forced marriage, and signed a joint statement at the 2014 Human Rights Council calling for a resolution on child marriage.
- iii. The root causes, risk factors and origins of demand for the sale and sexual exploitation of children?
- Increased Child and family poverty: Poor children are more likely to be victims of sale and sexual exploitation.
  - Traditions and social patterns: Calls received on reporting mechanisms (helplines of NCCM, the National Council for Women, Ministry of Interior) are limited because some people feel afraid of being stigmatized. This hinders defining the scope of the crime and prevents designing and implementing the needed interventions.
  - Laws and enforcement are often inadequate.
- iv. The progress that has been made in global, regional and national legislative frameworks to address children's vulnerability to sale and sexual exploitation, and to address impunity?
- The Egyptian Constitution:

Article 57: Private life in Egypt is inviolable, safeguarded and may not be infringed upon. Electronic correspondence and other forms of communication are guaranteed confidentiality except for by judicial order for a limited period of time in cases specified by the law.

Article 80: A child is considered to be anyone who has not reached 18 years of age. The state guarantees the rights of children who have disabilities, and ensures their rehabilitation and incorporation into society. The state shall care for children and protect them from all forms of violence, abuse, mistreatment and commercial and sexual exploitation (Egyptian and Non - Egyptians). Every child is entitled to early education in a childhood center until the age of six. It is prohibited to employ children before they reach the age of having completed their primary education, and it is prohibited to employ them in jobs that expose them to risk. The state shall work to achieve children's best interest in all measures taken with regards to them.

Article 93: The state is committed to the agreements, covenants, and international conventions of human rights that were ratified by Egypt. They have the force of law after publication in accordance with the specified circumstances.

- Egypt managed to achieve a significant law reform in the field of children's rights in the past ten years, and has put in place substantial protections against child sexual exploitation in the national legal framework. The Child Law no. 12 / 1996 was amended in 2008 along with the Penal Code, to strengthen the legal protection for children, including offences related to Child Sexual Abuse Materials "CSAMs".

Article "1": The State shall ensure the protection of childhood and motherhood, the welfare of children, and provide suitable conditions for their appropriate upbringing in all respects, within the framework of freedom and human dignity. Furthermore, the State shall, as a minimum, guarantee the rights of the child, as stated in the Convention on the Rights of the Child and all other relevant international covenants enforced in Egypt.

Article "3": The best interests of the child and his protection shall be a primary consideration in all decisions and procedures whatever the department or authority issuing or undertaking them.

(Article 89): The Child Law 2008 prohibits showing or circulating any printed material, audio, or visual productions to children that 'addresses basic instincts or beautified behavior contrary to the society values, or leads them to delinquency'. This Article appears to criminalise cases in which adults force children to view pornographic materials.

Article "116 bis-a": The Child Law criminalises the use of ICTs to produce, distribute, or exploit children in pornographic activities, or defame them or sell them. It is also a crime to use ICTs to attempt to induce children into committing immoral acts even if the crime did not occur.

- In 2014 the government further amended the Penal Code to bring in new offences related to sexual harassment which apply to children as well as to adults. These provisions also apply to online harassment; these new amendments seem to make it possible to prosecute offenders in a wide variety of cases of sexual harassment and extortion of children online.

(Penal Code Article 327): The Penal Code prohibits blackmail in terms of threatening another, in writing, with committing a crime against their soul or property, or with

divulging issues or attributing matters outraging their honor, where the threat is accompanied by a demand or instruction for something. The relevant section of the Penal Code does not specifically refer to children, and was written before the internet was widely used in Egypt, but it nonetheless appears to be applicable to the sexual extortion of children online.

(Penal Code Articles 306(a) & 306(b)): Includes confronting others in a public or private space with sexual or pornographic insinuations by words or action and by any means including wired and wireless communication methods. Enhanced punishments are given for repeat offending (Section 306a). If the sexual harassment is for the purposes of receiving a sexual benefit then the punishment is increased further (Section 306b). These sections of the Penal Code cover online sexual harassment, although no enhanced sentence is given for cases involving child victims

(Penal Code, Article 291; Child Law No.64 on Combating Trafficking in Persons, 2010):

Following changes to the Child Law, Article 291 was added to the Penal Code which now criminalizes child trafficking for the purposes of sexual exploitation and provides for the right of the child to awareness and empowerment to address such risks; the same article also criminalizes the sale of children for sexual purposes, even if the crime is committed transnationally, and attempt of such crimes is also criminalized.

#### Other Relevant Legal and Policy Instruments:

- Law no.143 of 1994 on Civil Status, as amended in 2008, Article 31-bis: Egypt withdrew its reservation to the African Charter on the Rights and Welfare of the Child in 2015, which sets the legal age for marriage at 18, and Egyptian national law now sets the legal age for marriage at 18 for men and women. The government recently introduced new regulations regarding 'temporary marriages', which are anyway illegal for children under the age of 18. This law may apply to cases of temporary marriage that are facilitated by the internet in some way (e.g. through online advertisements or through email preparatory communication).
- Law No. 64 of 2010 regarding Combating Human trafficking.
- The National Strategy for combating trafficking in persons (2016-2021).
- Charter of Honor for Tourism: There is a national Charter of Honor for Tourism which contains standards and guidelines on preventing offences under the OPSC. This charter may apply to cases of temporary marriage that are facilitated by the internet in some way (e.g. through online communication).
- Fatwa of Mufti on child marriage.
- The strategic framework and the action plan for childhood and motherhood of the National Council for Childhood and Motherhood.
- NCCM launched, in June 2005, an emergency telephone service, known as child helpline 16000. A monitoring instrument to the situation of children in Egypt, and a source for data on children advising policy development and interventions. During its 10 years of establishment, the CHL -provided for in article 97 of the child law No 12 of 1996, amended by law number 126 of 2008 -has gained legal status as one of the most important national children protection mechanisms. Through the helpline concrete steps were achieved to provide an effective umbrella to protect children from all violations and to ensure their rights provided by the law and international conventions, through

linking each case with the appropriate services. NCCM has a major role in activating a national protection network for children through child protection general and sub-committees in the governorates. This network reinforces not only the principle of access to services to all children, but also the presence of effective community partners of the child helpline, which are able to quickly reach sources of dangers to which children are exposed.

- \* The Ministry of Foreign Affairs, The National Council for Women, The National Council for Childhood & Motherhood in cooperation with the African Union in participation with the European Union, the UN Agencies and Plan International held the Regional Conference on Eliminating Child Marriage and Female Genital Mutilation on the 19th and 20th of June 2019 which resulted in "Cairo Call to Action for The Elimination of Child Marriage and Female Genital Mutilation in Africa".

#### The International & Regional Legal Framework

Legal Instrument	Ratification Date of Egypt
The Convention on the Elimination of All Forms of Discrimination Against Women (1979)	18 September 1981
The Convention on the Rights of the Child (1989)	6 July 1990
African Charter on the Rights and Welfare of the Child	09/05/2001
International Convention No. 182 on the Worst Forms of Child Labour (1999)	6 May 2002
The United Nations Convention against Transnational Organized Crime (2000)	5 March 2004
Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (2000)	5 March 2004

- Egypt joined the the AU Campaign to end Child marriage in Africa which was launched on 29 May 2014 during the 4th Conference of African Ministers of Social Development. The overall purpose of the Campaign is to accelerate the end of child marriage in Africa by enhancing continental awareness on the effects of the practice
- v. New and innovative strategies to effectively prevent and protect children from sale and sexual exploitation:
- A five year National Strategy to Prevent Child Marriage was launched in 2014 led by the National Population Council. The strategy aims to reduce the prevalence of child marriage by 50% within five years. A National Coordinating Committee has been established to implement the strategy, which has five focus areas:
    - \* Minimising the negative impact of child marriage on girls and their families.
    - \* Updating legislation to ensure better protection of women and girls.
    - \* Developing specific policies to mitigate child marriage.

- Empowering and educating young girls to address family and societal pressures.
- Raising awareness on the harmful consequences of child marriage.
- The National Coordinating Committee for combating illegal migration and trafficking in person in Egypt.

vi. Are there sufficiently accessible complaints mechanisms available to victims and their representatives?

Yes, there are helplines in: NCCM (childhelpline 16000), the National Council for Women (15115), and the National Council for Human Rights (16496). In addition, there are telephone numbers assigned from the Ministry of Interior to report on violence against women.

vii. Data and monitoring: How effective are current tools and monitoring systems, including collection, analysis and publication of routine data, in supporting the prevention of and response to the sale and exploitation of children?

There is no monitoring system and data collection at national level because the problem is not widespread in Egypt.

NCCM through child helpline 16000 and researches prepared by the Child Rights Observatory tries to collect data and identify the scope of the problem in Egypt.

viii. Institutional accountability: How far are responsibility and accountability of each and all pertinent actors being enforced and upheld (including corporations in the tech, travel and tourism and other sectors)?

The office of the Public Prosecutor follows the mandatory criminal procedures with regard to individual cases in which the perpetrators have been arrested and referred to trial.

There is a national Charter of Honour for Tourism which contains standards and guidelines on preventing offences related to sale and exploitation of children. This charter may apply to cases of temporary marriage that are facilitated by the Internet in some way (e.g. through online communication).

ix. The way forward: How can the impact of the mandate be further enhanced in the future? Where are the major gaps in advocacy and awareness?

The way forward:

- It is recommended that a core set of indicators be developed, that cut across the range of Ministries and partners, against which the progress at a national and provincial level can be measured, and which can inform specific needs and priorities. The indicators can be collected, using standardized definitions, by various agencies.
- The introduction of a national child protection policy in schools, including the introduction of obligatory reporting and associated systems, procedures for investigation and referrals, codes of conduct and the establishment of school safety committees. Child exploitation, together with other forms of violence, should be integrated as a core component across these initiatives.
- The need for comprehensive national data. The data is required to adequately finalize national policies, inform the design of interventions, and track progress on the measures already in place, and new measures introduced.

Major gaps in advocacy and awareness

- The high cost of television broadcasting on media aimed at raising community awareness.
- Shortage of media professionals trained to address issues from rights based perspective and lack of long-term planning for ongoing capacity – building of media personnel.

References

- Egypt report to the Committee on the Rights of the Child on the Optional Protocol of the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.
- Child Online Protection in the MENA Region, Regional Report 2016, Center for Justice and Crime Prevention (<file:///C:/Users/user/Downloads/UNICEFMENAregronreport.pdf>).