



Convention on the Rights of the Child

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Summary record of the 1623rd meeting

Held at the Palais Wilson, Geneva, on Monday, 6 June 2011, at 3 p.m.

Chairperson: Mr. Zermatten

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The meeting was called to order at 3 p.m.

Consideration of reports of States parties *(continued)*

Third and fourth periodic reports of Egypt (continued) (CRC/C/EGY/3-4; CRC/C/EGY/Q/3-4)

1. *At the invitation of the Chairperson, the delegation of Egypt took places at the Committee table.*
2. **Ms. Maurás Pérez** asked how the new Government planned to regulate the tourism, apparel, shoe and other industries and deal with sweatshops and what it was doing to comply with the International Labour Organization (ILO) conventions on child labour. Noting the success of young people in Egypt in leading the revolution and making their voices heard, she expressed concern that there might also be setbacks in some of the social gains made, particularly among young women. She would appreciate information on the progress made since the submission of the report in promoting the health and sexual and reproductive rights of young people and overcoming the cultural obstacles to the exercise of those rights. Further information was needed on the prevention of HIV/AIDS and the problems of malnutrition and substance abuse among adolescents. She commended the studies listed in paragraph 241 and looked forward to hearing more about their results.
3. **Ms. Aidoo** said that the rate of child poverty tended to be higher than the overall poverty rate in developing countries, and expressed concern that poverty levels had increased in Egypt since 2000. Wide disparities remained between rural and urban areas. Child poverty undermined the principle of the equal enjoyment of rights. More details were needed on the efforts being made to remove inequalities and on the level of priority given to children in poverty reduction programmes. She asked whether the budget process in areas such as sanitation and community development took children's rights into account.
4. **Ms. Varmah** asked whether the many child refugees and asylum-seekers in Egypt enjoyed the same right to basic or advanced education as Egyptian children, and requested information on any special facilities for refugee children. More information was also needed on the fate of children in rural areas, who experienced a disproportionately high dropout rate, and whether the current educational reform included human rights education in the curriculum.
5. **Ms. Wijemanne**, noting that Egypt had a high rate of children with disabilities, asked what steps had been taken to screen pregnant women for disabilities in the unborn child. Information was needed on the prevalence of iodized salt, particularly for pregnant women, and on efforts to deal with the high incidence of diarrhoea, including hydration therapy. There were reports of widespread violations of the International Code of Marketing of Breast-milk Substitutes among multinational food companies in Egyptian hospitals, such as the provision of free samples of milk substitutes. She asked what was being done to prevent such practices, encourage exclusive breastfeeding and ensure that hospitals were baby-friendly. Lastly, she emphasized the importance of non-formal education for children who had dropped out of school, to ensure that they acquired such important life skills as literacy and numeracy.
6. **Ms. Al-Asmar** asked for more details of the cooperation between the Government and civil society on the administrative and budgetary procedures for the custody, adoption and institutionalization of children of unknown parentage. She would like to know the reasons why Egypt had fallen so far short of its objective of admitting 60 per cent of children aged 4 to 6 years to kindergarten. Noting that the lack of infrastructure and public funds for education meant that students were forced to go to school in shifts, she wondered what effect that had had on the quality of education.

7. **Ms. Al-Shehail** requested information on progress made in monitoring the human rights situation of young people in prisons. She wished to know whether law enforcement officials received human rights training and who was responsible for supervising prisons.

8. **Ms. Sandberg** enquired about the services provided to child victims of sexual abuse in the family and the efforts made to prevent further violence once it had occurred.

9. **Ms. Mohsen** (Egypt) said, in response to concerns raised at the previous meeting, that the National Council for Childhood and Motherhood, the highest national authority for children, was a special body that enjoyed full autonomy and had its own budget. Although it currently reported to the Minister of Health, it was separate from the Ministry of Health and Population. It coordinated the activities of Government bodies, non-governmental organizations, civil society and the private sector relating to children and monitored the implementation of the Convention on the Rights of the Child and domestic laws relating to children. It had been working with the United Nations Children's Fund (UNICEF) since October 2010 to devise a national strategy for children for the coming decade, which would include a national plan of action. Although the drafting of the plan had been delayed between late January and 20 March 2011, there had been many meetings to discuss the plan, involving the relevant ministries, non-governmental organizations, civil society, children — including street children — social workers and international organizations. The street children strategy launched in 2003, which had not been implemented, had been taken up again recently under the plan. The plan would also encompass other issues such as child labour and poverty alleviation.

10. Indeed, poverty reduction was the main focus of the national plan. The Government had recently announced an increase in public spending on health and education of 5 billion Egyptian pounds for each sector. The Council was working closely with the Ministry of Finance to determine how much money was needed to implement its programmes and how much funding was available. The budget for the national plan of action would be in place for the fiscal year 2012/13.

11. Data collection was one of the Council's main responsibilities. Information on child welfare, including nutrition, poverty, health and education, was collected from various ministries by the Observatory on the Rights of the Child with the participation of many stakeholders. One such partner was the Italian development cooperation agency, which provided support for a national birth registration programme. Estimates of Egyptians without a birth certificate ranged from 1.5 to 4 per cent, not all of whom were children born out of wedlock or orphans. The programme was rights-based, as a child's right to identity was crucial for the assertion of other human rights.

12. **The Chairperson** said that the obligation to pay for a birth certificate was an obstacle to birth registration. He wished to know what kinds of research had been done by the Observatory, aside from data collection.

13. **Ms. Mohsen** (Egypt) said that the first birth certificate was issued free of charge. The Government was focusing on poverty alleviation through a number of programmes covering families as a whole and as a rule no child was separated from his or her family. Rather, there was a policy of empowering families by offering vocational training to family members who were jobless and raising public awareness about children's rights and the importance of staying in school. A cash allowance was also granted to needy families to help them to raise their children. There had been a national survey of people without identification or birth certificates and a study on school dropouts and children with difficulties at school was due to be completed soon.

14. Much was being done to address malnutrition, including a campaign to increase awareness about exclusive breastfeeding and a five-year baby-friendly hospital initiative launched in cooperation with UNICEF. Although stunted growth and anaemia remained a

problem, school nutrition programmes were being carried out in conjunction with the World Food Programme to address it.

15. **Ms. Varmah** asked how many children dropped out of school not because of poor performance but because of poverty.

16. **Mr. Kotrane** enquired about the extent to which the Observatory on the Rights of the Child was open to non-governmental organizations and civil society.

17. **Ms. Mohsen** (Egypt) said that the National Council had launched an initiative to educate girls in the country's poorest regions, as they were most vulnerable to dropping out of school. Non-governmental and civil society organizations relied heavily on the extensive statistics collected by the Observatory. As for maternity leave, she said that women were entitled to 13 weeks' paid leave and up to 6 years' leave without pay and were allowed an hour a day for breastfeeding when they returned to work. A bill to increase maternity leave with half pay from three to six months was under consideration. Under domestic law, all women, regardless of whether they worked in the private or public sector, were entitled to maternity leave. In practice, however, some employers in the private sector avoided recruiting young women likely to take repeated leave.

18. Referring to other points raised earlier, she added that the Government intended to sign the International Code of Marketing of Breast-milk Substitutes. While the target of 60 per cent enrolment in kindergartens had not been reached, the Government was trying to ensure that community centres cared for preschool children. With respect to nutrition, she pointed out that 97 per cent of all salt in Egypt was iodized.

19. Concerning the mechanisms to implement child protection law, she noted that although further measures were needed, there were hotlines that operated round the clock for children and their families. The hotlines tended to be used more often by the older family members than children, who were informed about them at school. One hotline had been set up for children with disabilities while others addressed issues such as early marriage and human trafficking. There were ongoing efforts to train the staff of the protection committees referred to in the report to monitor and prevent child abuse, including violence in the home and at school, female genital mutilation and other violations of children's rights.

20. **The Chairperson** said that he would appreciate more details about the people who answered the hotlines, the types of services they provided, including medical and legal services, and the mechanisms for lodging a complaint.

21. **Mr. Guráň** asked whether there was an independent monitoring body to handle complaints lodged with hotlines.

22. **Ms. Lee** (Country Rapporteur) asked why only 2 of the 72 cases of violence and abuse of children reported to the hotlines had been punished in 2011 and why complaints were not followed up. Clarification was needed on the persistence of high levels of violence in schools despite the introduction of legislation to end corporal punishment and violence in school.

23. **Ms. Mohsen** (Egypt) said that there was a network of civil society organizations and Government bodies to follow up the complaints registered with the hotlines. Each hotline had a coordinator and every complaint was recorded and stored in a database for consultation at a later date. Civil society organizations were mandated to go out into the field and verify the facts of any complaint of abuse or violence and then made arrangements with the appropriate authority or non-governmental organization to intervene in a case if necessary. Full-time staff and volunteers at the hotlines received further training several times a year.

24. Although violence against children was a criminal offence, there remained cultural obstacles to holding people accountable for such violence. For example, the National Council for Childhood and Motherhood had recently reported a case to the Office of the Prosecutor-General involving a teacher caught on video striking children in a childcare centre. However, the parents of the child had come to the teacher's defence and refused to back the complaint filed by Council. Nevertheless, the minimum penalty under the law had been imposed on the teacher. Meanwhile, the Council had filed another complaint to appeal the decision of the Office and there would soon be a new trial. However, it would take time to change the mindset of society and end corporal punishment.

25. **The Chairperson** asked whether child protection hotlines were staffed mainly by volunteers.

26. **Ms. Mohsen** (Egypt) said that although the Council worked with civil society, its main partners were Government agencies, as they bore the primary responsibility for the welfare of the child. The Council monitored cases at the community and family level and then turned to civil society. Although the Council needed its assistance, it did not depend solely on civil society.

27. **Ms. Lee** said that it was still unclear what happened when a hotline received a complaint that a child had been beaten at school, for example, and whether the Council relied on civil society to coordinate assistance. Civil society did not have investigative powers or the leverage to follow up such incidents with the Government authorities.

28. **Ms. Mohsen** (Egypt) said that the Council checked complaints of violence in the home or at school through the coordinator assigned to a given hotline. Cases involving beatings at school were referred directly to the Ministry of Education and efforts were coordinated with civil society to follow up the complaints. The Council also worked with civil society to investigate complaints of domestic violence. Such cases were then submitted to the appropriate Government authority to take the necessary measures.

29. **The Chairperson** asked whether it was left to civil society organizations or to social workers and psychiatrists to deal with cases of abuse or violence against children. He wondered whether there was an independent human rights institution in keeping with the Paris Principles to monitor violations and follow up complaints.

30. **Ms. Mohsen** (Egypt) said that, although they were not always fully effective, there were protection committees at the municipal level that monitored cases of abuse and violence and followed them up in cooperation with social workers and the relevant special police unit for children. Although it did not investigate such cases, the National Council was responsible for monitoring violations and referring cases to the relevant authorities.

31. **Mr. Bagato** (Egypt) said that there was a special prosecutor's office that specialized in children's cases, which included judges who listened directly to the complaints of children and investigated and referred cases to the courts.

32. **Ms. Lee** noted that the National Council for Childhood and Motherhood was a Government body, not an independent national human rights institution. She asked how many children were aware of the judicial procedure, how many complaints had been filed and how many cases prosecuted.

33. **Mr. Bagato** (Egypt) said that the prosecutor's office that dealt with children was known throughout Egypt. It was an independent judicial body and was not part of the National Council for Human Rights. The Ministry of Justice had received some 700 complaints of violations of the rights of the child in 2009, all of which had been investigated by the prosecutor's office for children and the Office of the Prosecutor-General. Of the complaints, 30 per cent had been found to have no legal basis while the rest had been referred to the courts and had ended in a conviction in the majority of cases. If a

child or family was unaware of the existence of the special prosecutor's office, they could appeal to any Government office or the National Council, which would then take the necessary action.

34. **Mr. Koompraphant** said that in his experience it was difficult for children to file complaints themselves. He wished to know how child victims were protected and their safety ensured aside from prosecution.

35. **Mr. Bagato** (Egypt) said that he was aware of the difficulties that children faced in filing complaints. However, they were encouraged to do so in cases of abuse.

36. **Ms. Al-Shehal** requested clarification of the procedures for the arrest of juveniles and asked whether they were detained with adults. More information on the procedures in military courts was also needed.

37. **Mr. Bagato** (Egypt) said that children up to the age of 15 were not detained at police stations. They were first interviewed by social workers and their cases were referred to prosecutors from the juvenile justice system. All children over the age of 15 who were detained were held separately from adults. By law, the military courts did not deal with juvenile cases unless they involved the theft of military property. Children aged 15 to 18 were subject to criminal law with lighter penalties, usually half the sentences of an adult for the same offence.

38. **Ms. Lee** expressed concern at a Human Rights Watch report that 20 children had been arrested in Tahrir Square on 3 March 2011 and detained in a military prison, and requested clarification of the situation.

39. **Mr. Bagato** (Egypt) said that he had no information on those cases. However, as from 25 January 2011, no children had been detained in a military prison or sentenced to imprisonment.

40. **The Chairperson** noted that the Office of the Prosecutor-General acted as both the prosecutor of children and protector of children's rights.

41. **Mr. Bagato** (Egypt) said that the Office had the right to investigate crimes and file charges and also guaranteed the protection of the child. Cases involving children were tried in a juvenile court, composed of three judges and two social workers or psychologists, who were usually women. Hearings were held in private and attended only by family members. The child had a right to legal counsel and was not obliged to be present during the investigation. The State must assign a defence counsel to assist any child charged with an offence. If the child was found guilty, there were provisions under the law to place him in a foster family or a childcare centre. There were also social and psychological facilities for his rehabilitation.

42. **Mr. Cardona Llorens** enquired about the procedures for guaranteeing child victims of crime the right to physical and moral integrity enshrined in domestic law and about the specialized training provided to forensic doctors and police officers who worked with those children.

43. **Mr. Bagato** (Egypt) said the law prohibited the disclosure of the identity of youth offenders, who had the right to health care and legal assistance and who received vocational training as part of their social reintegration. The National Council for Childhood and Motherhood provided specialized training to doctors and psychologists in the rehabilitation and reintegration of those children. Furthermore, specialized courses were organized for judges, prosecutors, investigators and social workers.

44. **Ms. Mohsen** (Egypt) said that, in the governorates of Upper Egypt, including Cairo and Alexandria, all children were entitled to legal assistance. Furthermore, specialized

training had been provided to protection committees and to all persons in the legal domain who worked directly with children.

45. **Mr. Cardona Llorens** requested additional information on the persons specially trained in dealing with children, in particular girls, who had been abused. He would like to know if they always followed established legal procedures.

46. **Ms. Mohsen** (Egypt) said that a specialized team dealt with the majority of cases of abuse.

47. **The Chairperson** asked whether juvenile courts were widespread in Egypt, whether there was a code of criminal procedure specifically for minors, whether the judge was specially trained to deal with such cases and whether penalties were imposed for offences such as begging.

48. **Mr. Bagato** (Egypt) said that children could only appear before juvenile courts. The courts were presided over by three judges, two of whom had received specialized training in the Children's Act and who were assisted by two social workers or psychological counsellors, at least one of whom was female. If a child had no access to legal representation, the court provided them with legal counsel free of charge. Staff from the Office of the Prosecutor-General also received specialized training and inspected juvenile detention facilities at least once every three months prior to submitting a report detailing any breaches of protocol to the competent authorities. Begging was not a punishable offence. On the contrary, any child engaging in the act of begging was considered vulnerable and in need of assistance. Subsequently, the child was either placed in an institution, returned to his or her family, or if that was not an option, placed in a foster home.

49. **The Chairperson** requested clarification on whether the same juvenile courts handled cases involving children aged between 12 and 15 and on whether they prescribed only educational measures in those cases.

50. **Mr. Bagato** (Egypt) said that was the case. Egyptian law prohibited handing down criminal sentences to children and instead favoured educational and preventive measures. However, a reduced sentence could be handed down to any child aged 15 or over. Under no circumstances could a child aged between 12 and 15 be sentenced to death or forced labour.

51. **The Chairperson** asked which body handled cases involving children under 12 years of age who had committed serious offences and what measures were prescribed in such cases.

52. **Mr. Bagato** (Egypt) said that, under Egyptian law, only the judiciary could prescribe measures in such cases. If a child aged between 7 and 12 were to commit a serious offence and if, during the investigation process, that child was classed as vulnerable, the case would be referred to the juvenile court.

The meeting was suspended at 4.35 p.m. and resumed at 4.55 p.m.

53. **Ms. El Ashmawy** (Egypt), referring to the Committee's concern that the law raising the marriageable age to 18 was not consistently applied, said that the National Council for Childhood and Motherhood had been the first institution to address the issue of early marriage and short-lived "summer marriages". Such marriages, which were tantamount to trafficking in children and could lead to the sale of girls or their exploitation in pornography, violated the Children's Act. The Council was seeking to change attitudes by addressing the public directly and had set about enhancing reporting mechanisms. The enhanced mechanisms had already had a profound impact on the registration of marriages, the filing of complaints and the punishment of offenders. According to the database of the relevant hotline, the period 2009 to 2010 had witnessed a decline in the number of such

marriages as a result of more effective prosecution and punishment. Public officials had been deterred from registering such marriages and a fatwa had been issued proclaiming the harmful effect of such marriages on society.

54. As to the Committee's concern that Egypt had not acted upon its concluding observations regarding the health of adolescents, since 2003 the National Council for Childhood and Motherhood, in collaboration with the United Nations Population Fund (UNFPA), had been working with civil society to promote a healthier lifestyle for teenagers. For the first time, reproductive health had been incorporated into the school curriculum for around 30,000 students aged between 15 and 17, although there was some resistance because the concept of reproductive health was new to Egyptian society. The Council was also working to develop a national strategy for teenage health in collaboration with UNFPA, which would include guidelines on teenage reproductive health.

55. In Egypt, the HIV/AIDS rate among children stood at less than 0.1 per cent. However, as a precaution, the subject of HIV/AIDS had been incorporated into teenage health programmes. The Ministry of Health had undertaken efforts to raise awareness of HIV/AIDS through specialized centres and a dedicated hotline.

56. On the subject of trafficking in children, the National Coordination Committee for the Prohibition and the Elimination of Trafficking in Persons had drafted a law to complement the United Nations Convention against Transnational Organized Crime. The law imposed penalties, rehabilitated victims and offered them access to a dedicated fund. The International Organization for Migration (IOM) had contributed to the rehabilitation of victims by training physicians in screening and identification. Female victims of human trafficking were transferred to special centres where they were cared for by fully trained staff. The centres had been conceived as temporary safe houses where victims could be provided with legal, psychological and medical assistance. Long-term solutions included voluntary repatriation and social integration. Male victims were dealt with separately.

57. As to the education of child refugees, while Egypt had ratified the Convention relating to the Status of Refugees, it had entered several reservations. The National Council for Childhood and Motherhood was dedicated to guaranteeing the rights set out in that Convention and to ensuring that all children completed their primary education, in keeping with the Millennium Development Goals. To that end, the Council, in collaboration with civil society, had secured scholarships for thousands of primary-school children.

58. Egypt recognized the need to intensify its efforts in the area of forced labour. While the age limit for undertaking work had been raised to 15, girls were still subject to forced labour in certain governorates in Egypt. Consequently, the National Council for Childhood and Motherhood had set up a consultative council comprising various Government ministries, civil society organizations, the National Coordination Committee for the Prohibition and the Elimination of Trafficking in Persons and United Nations agencies in order to draft legislation on domestic labour. The council would focus on providing financial assistance to families and on reducing the school dropout rate. The council had drawn up a non-binding contract in an attempt to regulate domestic labour in keeping with the Children's Act.

59. **The Chairperson** asked how early and summer marriages, which were clearly illegal, could be registered, especially since such marriages often amounted to thinly-veiled prostitution. He also enquired about the geographical distribution of the specialized centres for victims of trafficking in persons, which appeared to be most widespread in the capital.

60. **Mr. Kotrane** said that the law passed in 2008 did not in fact prohibit children under 18 years of age from marrying but prohibited the documentation of such a marriage. In spite of the disciplinary measures taken against persons documenting such a marriage, the marriage itself remained valid. There was a clear need for a legal text that prohibited and

nullified such marriages. The 2003 labour law did not apply to domestic work. Underage employment and forced labour often took place in the informal sector, which was neither covered by the labour law nor subject to inspection by the Ministry of Labour.

61. **Ms. Lee** asked why reproductive health had been removed from the school curriculum the previous year, especially in the light of the new initiatives undertaken by the Government. She also wished to know whether non-Sudanese refugees had access to primary health care, whether asylum-seekers had access to education and whether the Office of the United Nations High Commissioner for Refugees had access to asylum-seekers under 18 years of age who were being held in detention centres. Finally, she would be interested to know why sex and disability had not been included as grounds for discrimination in the Constitutional Declaration and to learn about the consultative procedures envisaged for the forthcoming constitutional review.

62. **Mr. Gastaud** (Country Rapporteur) requested additional information on the contract drawn up by the consultative council in the context of forced labour and asked who the parties to the contract might be.

63. **Ms. El Ashmawy** (Egypt), addressing the Committee's concern at the limited geographical distribution of centres for the victims of trafficking, said that those centres were pilot centres and that the first training courses had been held for civil society institutions with a view to establishing similar centres in other governorates of Egypt. The National Council for Childhood and Motherhood had drawn up an action plan to establish a centre within all institutions. She had no information on the removal of reproductive health from the curriculum; to her knowledge, specialized programmes were still being run in schools.

64. **Mr. Bagato** (Egypt) said that the Constitutional Declaration specifically prohibited discrimination on the grounds of sex. The article dealing with discrimination was based on the text of article 40 of the previous Constitution. The current Constitution prohibited all forms of discrimination whether they were named in the article or not. Disability was grounds for positive discrimination.

65. Under Egyptian law, the marriage of persons under 18 years of age could not be lawfully documented. The bureau responsible for documenting marriages was required to transmit the relevant documents to the competent authorities. If the persons contracting marriage were found to be under 18 years of age, the request was denied and no documentation was issued. Those persons who proceeded to unlawfully document such marriages were liable to two years in prison under the Code of Criminal Procedure. The phenomenon of early marriage persisted, but it was becoming less prevalent.

66. While the text of the 2003 labour law did not include a specific reference to domestic labour, it did not condone the activity. Moreover, matters of domestic labour were governed by the general law and not by labour law. The general law incorporated the provisions of the ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. The Code of Criminal Procedure prescribed the same penalties for all persons seeking to commercially exploit children in that manner, including the child's parents. Furthermore, the Children's Act had set a precedent in prohibiting children under 15 years of age from undertaking paid work.

67. **Mr. Kotrane** said that Egypt was subject to basic international law regarding the legality of crimes and sanctions, by virtue of which a judge could not hand down a sentence for an act that was not defined as an offence. Therefore, given that the labour law made no reference to domestic labour, a judge could not punish anyone who exploited child labour. The Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour did not expressly prohibit children under 18 years of age from undertaking paid work, although it did prohibit certain types of work.

68. **Ms. Lee** requested a copy of the version of the Constitutional Declaration referred to by the delegation.

69. **Mr. Kotrane** requested clarification on whether the sanctions applicable to anyone who performed female circumcision extended to female genital mutilation carried out in a health centre. He wished to know whether female genital mutilation was categorically prohibited or only in cases where an injury was inflicted.

70. **Mr. Bagato** (Egypt) said that any injury inflicted in connection with female genital mutilation was penalized. The Minister for Health himself had banned doctors and hospital staff from performing the procedure. Female genital mutilation was categorically prohibited.

71. As to domestic labour, the Children's Act had prompted the introduction of an article prohibiting any breach of the rights of the child through commercial or sexual exploitation. The wording of the article expressly criminalized all forms of exploitation.

72. **Ms. Nores de García** said that all the issues examined thus far were subject to laws that were not enforced. In Egypt, around 80 per cent of women had suffered some form of female genital mutilation and the incidence of child labour was also very high. She wished to know whether the Egyptian Government had considered taking practical measures to raise awareness of human rights principles and ensure that the aforementioned laws were not a dead letter but actually served the best interests of the child.

73. **Ms. Mohsen** (Egypt) said that there had been a decline in the practice of female genital mutilation among girls aged between 10 and 17. The incidence of the practice appeared higher when referring to statistics that included older generations of women. The National Council for Childhood and Motherhood had included the issue of female genital mutilation in a poverty alleviation project, which was a long-term campaign aimed at attitudinal change at the grass-roots level. The law on the practice was enforced as widely as possible but the cultural resistance encountered underscored the need for sustained awareness-raising efforts.

Initial report of Egypt under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC/C/OPSC/EGY/1; CRC/C/OPSC/EGY/Q/1)

74. **Ms. Aidoo** (Country Rapporteur for the Optional Protocol on the sale of children, child prostitution and child pornography) commended Egypt on its efforts to implement measures relevant to the Optional Protocol. She took note of the legislative advances made, which included promulgating Act No. 126 of 2008 to strengthen the legal framework that protected children against the offences named in the Optional Protocol; amending the Criminal Code to impose harsher penalties on the perpetrators of those offences; adopting Act No. 64 on combating human trafficking; establishing a unit to combat child trafficking within the National Council for Childhood and Motherhood; and adopting a law on organ harvesting and transplantation.

75. Despite those significant achievements, some gaps and challenges remained: the fact that the legal definitions of offences named in the Optional Protocol were subsumed under article 2 of Act No. 64 gave rise to some confusion, as the definitions of individual offences could not be separated from the generic definition of trafficking. Given that there was little evidence that the definitions contained in the Optional Protocol were reflected in Egyptian law, she wished to know how the State party intended to meet its obligation under the Optional Protocol to define and prohibit the specific offences named therein.

76. As to the use of children in prostitution, there was evidence to suggest that the practice was becoming more prevalent among children from impoverished backgrounds. Furthermore, the cultural sensitivity surrounding that issue often made data collection

difficult. In view of the fact that Egypt had passed many laws criminalizing prostitution and classing children under the age of 18 involved in prostitution as victims, she would like to know whether anyone had been prosecuted under those laws and whether the difficulties experienced by the State party were a bar to their effective implementation.

77. She noted that the national action plan to combat the sale and sexual exploitation of children dealt thoroughly with the sexual exploitation of children, but seemed to only partially address the offences and issues covered by the Optional Protocol. She would be interested to know if the State party envisaged developing a national action plan to cover all those offences and issues.

78. She would appreciate further information on the nature and level of coordination between the National Council for Childhood and Motherhood and the relevant departments of the Ministry of the Interior as well as the child protection committees at the governorate and district level in the context of the implementation of the Optional Protocol. She would be particularly interested to know of any coordination with the Ministry of Justice.

79. As to dissemination and training, the Committee took note of the difficulties experienced by the State party in implementing the Optional Protocol, but was concerned about the low profile of the Optional Protocol in the State party; the sale of newborn children; and the fact that the training provided to professionals, the media, civil society and families focused on human trafficking and not on child prostitution, child pornography or the sale of children. She would like to know more about the strategies in place to ensure the effective dissemination of the Optional Protocol, attitudinal change, sustainable education and specialized training in relation to the offences referred to in it.

80. With regard to the prevention of sex tourism, she noted with concern that young girls aged between 10 and 15 from poor backgrounds often fell victim to summer marriages to affluent men visiting for periods of up to two months, which had a harmful effect on the girls' physical and psychological well-being. Given that child sex tourism was prohibited under the Optional Protocol, she wished to know more about the measures in place to prevent child sex tourism, the effect of the charter for workers in the tourist sector and whether any companies had adopted the code of conduct protecting children from sexual exploitation in the tourist sector.

81. On the subject of the reintegration of victims, she welcomed the fact that Act No. 64 on combating trafficking had provided for the establishment of a fund for victims but would like to know how often and what type of compensation was awarded, as well as how aware children were of the fund's existence.

82. She commended the State party on its efforts in the area of international and regional cooperation but would appreciate details of the agreements Egypt had concluded with other countries aimed at prohibiting, preventing and investigating child sex tourism and forced child labour among migrant children.

83. **Ms. Wijemanne** (Country Rapporteur for the Optional Protocol on the sale of children, child prostitution and child pornography), underscoring the importance of having a database to monitor the different areas covered by the Optional Protocol, said she would be interested to learn of any action being taken to set up such a database in the State party. She took note of the existing centres for child victims but expressed concern that those centres did not provide the specialized psychological care recommended for victims of sexual abuse. She wished to know how the State party intended to remedy that situation. Referring to the various hotlines mentioned in the State party report, she enquired as to the expert advice or specialized support provided by them, as it was not enough to simply report an offence without offering advice aimed at removing the child from a situation of exploitation. On the subject of education, she wished to know how the State party intended to overcome the difficulties it faced in terms of funding, coordination and human resources.

84. **Mr. Kotrane** said that the definitions contained in the Optional Protocol prohibited the sale of children, child prostitution and child pornography in specific terms. While the State party's definition of the possession of pornographic material and the exploitation of children in pornography was identical to that contained in the Optional Protocol, the definition of the sale of children contained in the Children's Act and other laws did not include the offence of acting as an intermediary in the sale of children. He requested clarification on that subject.

85. The Optional Protocol called upon States parties to establish their jurisdiction so that offences perpetrated outside the national territory could be prosecuted if the perpetrator or victim of the offence was an Egyptian national or resident in Egypt. However, there was little evidence in the State party report to suggest that such a policy was systematically applied. The report did mention the amendment to article 291 that criminalized the sale of children both within Egypt and abroad but it remained unclear how the State party could prosecute any offence committed abroad regardless of whether the victim or perpetrator was an Egyptian national or resident in Egypt. He requested more specific information on that issue.

86. Given that no extradition could be carried out without an extradition agreement, he wished to know whether measures had been taken to make the Optional Protocol the basis for extraditing perpetrators of the offences named therein.

The meeting rose at 6 p.m.