



**International Convention on
the Elimination of All Forms
of Racial Discrimination**

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Committee on the Elimination of Racial Discrimination

**Consideration of reports submitted by States
parties under article 9 of the Convention**

**Seventeenth to twenty-second periodic reports of States
parties due in 2012**

Egypt*

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Preface

1. In accordance with article 9, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination, and in conformity with the guidelines adopted by the Committee on the Elimination of Racial Discrimination established pursuant to the provisions of that Convention, Egypt has the honour to submit to the Committee its seventeenth to twenty-second periodic reports.
2. The report comprises the following three parts:
 - I. General information on the protection of and respect for human rights principles in Egypt;
 - II. Comment on articles 2 to 7 of the Convention;
 - III. Reply to the recommendations made by the distinguished Committee following its consideration of Egypt's previous reports.
3. In this context, Egypt affirms its determination fully and effectively to continue to perform its international obligations arising out of its accession to international human rights instruments, including the Convention forming the subject of the present report. It accordingly submits this report, which also comes with the assurance that Egypt welcomes and is constantly ready to engage in ongoing constructive dialogue with the Committee and to reply to all questions relating to its implementation of the Convention.

Introduction

4. Egypt acceded to the International Convention on the Elimination of All Forms of Racial Discrimination by Presidential Decree No. 369 of 1967. The Convention was published in the Official Gazette, in Arabic, and took effect from 4 January 1969 as one of the country's laws, in accordance with the provisions of successive Egyptian constitutions, including the Constitution of 2014.
5. In accordance with article 9 of the Convention, Egypt submitted its combined thirteenth to sixteenth periodic reports, which were considered by the distinguished Committee at its 1484th and 1485th sessions, held on 10 and 13 August 2001.
6. Egypt wishes to emphasize that the present report will cover information and new situations pertaining to the period following the date of the consideration of the previous report, thereby avoiding repetition and taking into consideration the time at the disposal of the distinguished Committee. Brief references will also be made, as necessary, to relevant information already submitted by Egypt in its earlier reports to the Committee.
7. Egypt also wishes to state that the statistical data contained in the present report and its annexes (which are disseminated nationally and internationally via the Internet) have been sourced from competent national agencies, including the Central Agency for Public Mobilization and Statistics. All other sources of data or statistics will be indicated whenever they appear.
8. The report was moreover prepared in conjunction with relevant ministries and with national councils specializing in the field of human rights that have long been operating at the national level on the basis of laws and decisions promulgated concerning their establishment, pursuant to which their membership comprises representatives of non-governmental organizations (NGOs). They will be referred to in detail in part I of the present report, specifically in paragraphs 56 to 84.

9. As part of preparing the present report and based on the outcome of the distinguished Committee's consideration of Egypt's previous report, a meeting was convened with numerous representatives of civil society organizations. Those attending signalled the importance of new gains achieved in this sphere, as provided for in the new Constitution adopted in January 2014, notably concerning equality, the prohibition of discrimination and incitement to hatred and the criminalization of acts involving either. They also pointed out the importance of the State's commitment, under article 93 of the Constitution, to the international human rights instruments to which Egypt has acceded; endorsed the provision under article 236 of the Constitution concerning the populations of Upper Egypt and Sinai, which affirms the official approach towards the elimination of all forms of discrimination; and indicated the need to translate the provisions of the new Constitution into legislation.

I. Introduction to the State party and general information on the protection of and respect for human rights principles in Egypt

10. This part comprises the following sections:

- A. Land and population;
- B. Political structure of the State;
- C. Financial and economic indicators;
- D. Progress in the general legal framework for the promotion and protection of human rights in Egypt, consisting in:
 - (a) Egypt's participation in international and regional human rights instruments;
 - (b) Recent constitutional and legislative developments;
 - (c) National mechanisms for the effective implementation of regional and international human rights instruments;
 - (d) Domestic remedies guaranteeing the effective implementation of human rights principles in Egypt.
- E. Information, dissemination, awareness and education relating to human rights principles in Egypt.

A. Land and population

Location and terrain

11. Egypt is located in the north-eastern corner of the African continent and includes part of Asia. It is bordered by the Mediterranean Sea to the north and the Red Sea to the east. Its land area is 977,700 km².

12. Egypt is divided into four geographical areas, specifically:

The Nile Valley and Delta, covering an area of approximately 33,000 km²;

The Western Desert, covering an area of approximately 680,000 km²;

The Eastern Desert, covering an area of approximately 225,000 km²;

The Sinai Peninsula, covering an area of approximately 61,000 km².

13. Desert land accounts for some two thirds of the country's total area. The seasonal crop area amounts to 13,628,000 feddans and, as at 2006, the reclaimed land areas amounted to 2,773,000 feddans.

14. There are 27 nature reserves (marine, wetland, desert and geological areas) covering a total of 149,000 km², which represents almost 15 per cent of the total area of the Republic.

Population

15. Population censuses have been conducted in Egypt since 1882, at which time the country had a population of 6.7 million. Since 1966, a full census has been conducted every 10 years, most recently in 2006.

16. These vital statistical indicators clearly show the significant progress achieved by Egypt in working to give effect to the rights recognized in the Convention and ensure their enjoyment by all citizens. At the same time, they also point to the immense difficulties and challenges facing Egypt as a result of the high rates of population growth. Egypt is taking action to confront these difficulties through ambitious five-year plans designed to optimize the use of the country's resources and promote international cooperation in order to attain the objectives sought within a set time frame.

B. Political structure of the State

17. Following the revolution of 25 January 2011, important political developments took place in the country; numerous constitutional declarations were made, the first presidential elections were held in June 2012 and a constitution was proclaimed on 25 December 2012 without a national consensus. The revolution of 30 June 2013 then took place, giving rise to the approval of a road map, pursuant to which the Constitution of 2012 was suspended and a new constitution was prepared for the country. Under the provisions of that Constitution, proclaimed in January 2014, the country's political structure was significantly and radically altered, as were the circumstances and powers of the national authorities, in line with the aspirations of the Egyptian people as befits their sacrifices and the goals underlying their revolutions of January 2011 and June 2013; realize the hopes for the future by entrenching the pillars of democracy and good governance; and devise constitutional solutions for eliminating the country's afflictions. Details are provided below.

The executive power

18. We refer below to the branches of the executive power, as set forth in the new Constitution, these being the President of the Republic, the Government and the local administration.

President of the Republic

19. Article 139 of the Constitution provides that the President of the Republic is the head of State and the head of the executive, attends to the interests of the people, safeguards the independence, territorial unity and integrity of the nation, complies with the Constitution and exercises his authority as set forth therein. The person elected as President of the Republic must be an Egyptian born to Egyptian parents and neither he nor either of his parents, or his spouse, must have held the nationality of another State. He must enjoy his civil and political rights, have performed or been exempted by law from military service and must be under 40 years of age on the day when nomination is opened. Other nomination requirements are prescribed by law.

20. The President of the Republic is elected for a four-year term and may be re-elected once only (art. 140). In order to stand for the presidency of the Republic, the candidate must

be recommended by at least 20 members of the House of Representatives or have obtained the endorsement of at least 25,000 eligible voters in a minimum of 15 governorates, with not less than 1,000 supporters in each governorate. Under no circumstances may any person endorse more than one candidate, as regulated by law (art. 142). Election is by direct public secret ballot and by an absolute majority of the number of valid votes (art. 143).

21. Article 145 provides that, upon taking office, leaving office and at the end of every year, the President of the Republic must submit a statement of his financial liability for publication in the Official Gazette. He may not award himself orders or medals and nor may he receive on account of or in connection with his office any cash or in-kind gifts, the ownership of which devolves to the State.

22. Article 159 introduced a special system, applicable on the motion of a majority of members of the People's Assembly, in the event that the President of the Republic commits high treason or any other serious offence. Under that system, the President of the Republic may be indicted with the approval of two thirds of members, following an investigation by the Prosecutor General, and tried before a special court headed by the President of the Supreme Judicial Council, with a membership comprising the most senior prosecutor at the Supreme Constitutional Court, the most senior Vice-President of the Council of State and the two most senior presidents of the courts of appeal. The prosecution in court is conducted by the Prosecutor General and the court's verdict is final. If convicted, the President of the Republic is relieved of his office.

23. Article 161 of the Constitution prescribes the first-ever mechanism for a vote of no-confidence in the President of the Republic on the motion of a majority of members of the People's Assembly and following the approval of two thirds of its members. Thereafter, the question of the withdrawal of confidence and the conduct of early presidential elections must be put to a referendum of the people. If approved, elections must be held within 60 days and if rejected, the People's Assembly is dissolved and a new assembly must be freshly elected within 30 days of the date of dissolution. Elections for the President of the Republic must be conducted in accordance with the provisions of the new Constitution.

24. In chapter V, part II, section II, it is provided in paragraphs 163 to 174 that the Government is the supreme executive and administrative body of the State, is composed of the Prime Minister, deputy prime ministers, ministers and deputy ministers, and is responsible for developing the public policy of the State and overseeing its implementation in accordance with the laws and decrees of the Republic. Its members are appointed by the President of the Republic. The Government exercises the functions set out in article 167 of the Constitution, most importantly collaboration with the President of the Republic in developing and overseeing the implementation of the public policy of the State, drafting laws, elaborating the plan and general budget of the State and entering into loan agreements. The Constitution lays down the conditions for the appointment of the prime minister and ministers and states that membership of the Government and of the People's Assembly may not be combined. It provides that such persons are subject to the general rules governing investigation and trial procedures for offences that they commit in the course of, or on account of, exercising their functions. Leaving office does not preclude the institution of criminal proceedings against them and, in the case of high treason, they are subject to the trial system prescribed for the President of the Republic under article 159 of the Constitution.

Local administration

25. Chapter V, part III, section II, of the new Constitution comprises articles relating to the system of local administration (arts. 175 to 183), which provide that the State is divided into administrative units, i.e., governorates, urban areas and villages, and that other administrative units endowed with a legal personality and their own financial budgets may

be established where the public interest so requires. They further provide that the State guarantees the resources for those local units, including local taxes and duties. The Constitution also states that governors and heads of other local administrative units are appointed in the manner prescribed by law and that their functions are similarly determined by law.

26. These articles provide for the establishment of local councils elected for a four-year term, with one quarter of seats allocated to young persons under 35 years of age, one quarter to women and a proportion of not less than 50 per cent of total seats to workers and farmers, including appropriate representation of Christians and persons with disabilities. They also provide that those councils are competent to follow up implementation of the development plan, monitor various activities and exercise oversight of the executive apparatus, such as through making proposals, raising questions and requesting briefings and interviews, and to withdraw confidence from the heads of local units. Other functions are prescribed by law.

27. Those articles further state that local council decisions are final and that each local council must draw up its own budget and final accounts. They also provide that no local council may be dissolved by an administrative procedure and that the method for the dissolution and re-election of local councils is regulated by law.

28. Egypt currently comprises 27 governorates.

The legislative power

29. Chapter V, part I, of the Constitution includes provisions relating to the country's legislative power (arts. 101 to 138), entrusted to the House of Representatives, which is composed of a minimum of 450 members elected by secret public ballot for a five-year term. The legislative power is responsible for legislating, approving the public policy of the State, the overall development plan and the general budget, and monitoring the executive power. The House may withdraw confidence from the prime minister or a deputy minister and, in the event that it declares its solidarity with the person from whom confidence has been withdrawn, the Government must tender its resignation.

30. The President of the Republic may dissolve the House of Representatives only by a reasoned decision and following a referendum of the people. If the referendum result is disagreement with the dissolution, the President of the Republic must tender his resignation (art. 137). Candidates for membership of the House must be Egyptian, enjoy their civil and political rights, have a certificate of basic education and be over 25 years of age. The electoral system and the division of constituencies are prescribed by law, taking into account fair representation of the population and governorates.

The judicial power

31. Chapter V, part III, of the Constitution (arts. 184 to 190) covers the judicial power, stipulating that it comprises the judiciary, the Office of the Public Prosecutor and the Council of State (administrative courts). Included in those stipulations are general provisions stating that each judicial body is independent in the management of its own affairs, must be consulted on bills regulating its affairs, and has its own budget; that judges are independent and may not be removed from office; and that interference in matters of justice or in court cases is a criminal offence not subject to any statute of limitations.

32. Part IV of the same chapter covers the Supreme Constitutional Court (arts. 190 to 191), which has sole jurisdiction to monitor the constitutionality of laws and regulations, interpret legislative provisions and resolve jurisdictional disputes, in addition to other powers prescribed by law. Members of the Court and its panel of commissioners enjoy the same safeguards as those established for members of the judicial power. Its rulings are

binding on all State authorities, have res judicata effect and must be published in the Official Gazette. The law determines the consequences of a ruling of unconstitutionality.

33. Section V of the same chapter covers other judicial bodies, namely the State Lawsuit Authority and the Administrative Prosecution Authority. The Constitution determines their functions and provides that their members enjoy the safeguards prescribed for members of the judicial power.

34. Article 121 of the Constitution provides in its fourth paragraph that a special majority is required for laws supplementing the Constitution, stipulating that: "Laws supplementing the Constitution shall be promulgated with the approval of two thirds of members of the House of Representatives. Laws governing presidential, parliamentary and local elections, political parties and the judicial power, those relating to judicial bodies and authorities, and those regulating the rights and freedoms set out in the Constitution, are deemed to be laws supplementing the Constitution." This provides a crucial safeguard in that the judicial bodies and authorities mentioned must be consulted on any bills that apply to them and a special majority is required for enacting amendments to such laws in view of their importance. The aim of consolidating the laws concerned is thus achieved, as is that of similarly consolidating those authorities in line with their independence and shielding them against political shifts prompted by considerations associated with the usual parliamentary majority required for the promulgation of other laws.

C. Financial and economic indicators

35. The following compares various gross domestic product (GDP) indicators and public spending details for the financial year 2010/11 with those for the financial year 2011/12. Full statistical data are included in the annexes.

	<i>Year 2010/11</i>	<i>Year 2011/12</i>
GDP at factor cost (in millions)	853 970.2	873 054.3
Growth rate (%)	1.9	2.2
Public spending (in billions)	403.2	490.6
1. Pre-university education	42 (10.4%)	46.4 (9.5%)
2. University education	10.2 (2.5%)	11.1 (2.3%)
3. Health	20.3 (5.04%)	23.8 (4.84%)
4. Social insurance	(3.3%)	(3.3%)

36. Annex 2 contains statistical data on GDP, revenue growth, sources of revenue and development plan targets for the year 2013/14.

D. Progress in the general legal framework for the promotion and protection of human rights in Egypt

37. The following particulars point to the progress achieved in the general legal framework with a view to the promotion and protection of human rights in Egypt in the light of the new Constitution, current legislation and legislation updated during the time frame covered by the present report:

- (a) Egypt's participation in international and regional human rights instruments;

- (b) Recent constitutional and legislative developments;
- (c) National mechanisms for the effective implementation of international and regional human rights instruments;
- (d) Domestic remedies guaranteeing the effective implementation of human rights principles in Egypt.

(a) Egypt's participation in international and regional human rights instruments

38. For information on this matter, please refer to Egypt's previous report to the distinguished Committee. Instruments to which Egypt has acceded during the period covered in the present report are additionally listed below.

International instruments

- International Labour Organization (ILO) Convention 138 of 1973 concerning the minimum age for admission to employment: accession pursuant to Presidential Decree No. 67 of 1999;
- ILO Convention 182 of 1999 on the worst forms of child labour: accession pursuant to Presidential Decree No. 69 of 2002;
- First Optional Protocol to the Convention on the Rights of the Child, adopted in 2000, on the sale of children, child prostitution and child pornography: accession pursuant to Presidential Decree No. 104 of 2002;
- Second Optional Protocol to the Convention on the Rights of the Child, adopted in 2000, on the involvement of children in armed conflict: accession pursuant to Presidential Decree No. 105 of 2002;
- United Nations Convention against Transnational Organized Crime: accession pursuant to Presidential Decree No. 294 of 2003;
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime: accession pursuant to Presidential Decree No. 295 of 2002;
- Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime: accession pursuant to Presidential Decree No. 297 of 2004;
- Presidential Decree No. 145 of 2004 withdrawing Egypt's reservation to articles 20 and 21 of the Convention on the Rights of the Child of 1989;
- Presidential Decree No. 249 of 2007 withdrawing Egypt's reservation to article 9, paragraph 2, of the Convention on the Elimination of All Forms of Discrimination against Women of 1979;
- Convention on the Rights of Persons with Disabilities: accession pursuant to Presidential Decree No. 400 of 2007. The Convention was published in the Official Gazette No. 27 of 3 July 2008.

Regional instruments

- African Charter on the Rights and Welfare of the Child of 1990: accession pursuant to Presidential Decree No. 33 of 2001;
- Arab Women Organization Agreement of 2002: accession pursuant to Presidential Decree No. 133 of 2002.

39. In this context, and with a view to implementing its voluntary commitments and obligations, as presented to the United Nations General Assembly in April 2007 on the occasion of its bid for membership of the Human Rights Council, and likewise its undertakings with respect to the outcome of the consideration of its report to the Human Rights Council (February 2010), Egypt has participated in the elaboration of a number of international and regional human rights instruments, including the Arab Charter on Human Rights, adopted in 2004, the Protocol to the Charter establishing the African Court on Human and People's Rights, and the Statute of the International Criminal Court. Egypt has signed each of these instruments and the constitutional procedures for ratification and accession are currently in progress.

40. As is clear from the above, Egypt has continued its effective participation in acceding to international and regional human rights instruments, which confirms its ongoing concern to ensure that those rights are imbued with international legitimacy. It is also apparent that Egypt is working tirelessly to codify these principles and enshrine them in clear and unambiguous international instruments setting forth the obligation to respect, protect and develop human rights and promote the establishment of appropriate mechanisms for protecting and monitoring implementation of these instruments at the international level. At the same time, that legitimacy is reaffirmed at the national level in that international instruments are deemed to have the force of binding domestic law once they have been published in the Official Gazette. Furthermore, Egypt's withdrawal of a number of its reservations to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child affirms the continuing national efforts to reconcile international commitments with the domestic considerations that had earlier prompted Egypt's reservations to those two conventions.

(b) Recent constitutional and legislative developments

41. Egypt's national efforts during the period covered by the present report have typically involved swift and effective action to keep pace with the progress of political, economic and social reform. Those efforts have had an impact on constitutional and legislative work, with the country undergoing numerous developments aimed at modernizing the legal structure and legislative frameworks, whether before or after the revolution. The aims of our revolutions of 25 January 2011 and 30 June 2013 were also given shape in the country's new Constitution, adopted in January 2014. All of these developments have essentially reaffirmed Egypt's fulfilment of its treaty commitments arising out of the international human rights instruments to which it has acceded. As a result, numerous amendments have been made to the Constitution and current laws, new legislation has been created, and presidential decrees concerning the accession to international instruments or the establishment of national mechanisms have been promulgated.

42. Details of the Egypt's endeavours in this area are set out below.

The Constitution

43. Following the revolution of 25 January 2011, important political developments took place in the country; numerous constitutional declarations were made, the first presidential elections were held in June 2012 and a constitution was proclaimed on 25 December 2012 without a national consensus. The revolution of 30 June 2013 then took place, giving rise to the approval of a road map, pursuant to which the Constitution of 2012 was suspended and a new constitution, proclaimed in January 2014, was prepared for the country.

44. Under the provisions of that Constitution, the country's political structure was significantly and radically altered in keeping with the goals underlying Egypt's revolution and in order to build and entrench the pillars of democracy and good governance. Article 1

provides that Egypt is a State with a democratic republican system based on citizenship and the rule of law. Article 4 also provides that sovereignty resides solely with the people, who are the source of authority and who safeguard national unity, which is founded on the principles of equality, justice and equal opportunities for all citizens. Article 5 further provides that the political system is based on the multiparty approach, peaceful transition of power, separation and balance of powers, the correlation between responsibility and authority, and respect for human rights.

45. The Constitution introduced numerous human rights provisions modelled on relevant international instruments, incorporating various rights and freedoms for the first time ever and setting out a package of guarantees for those rights and freedoms, namely:

(a) Chapter III covers rights, freedoms and public duties, with article 53 providing for the principle of the equality of citizens before the law, prohibiting discrimination on any ground, treating discrimination and incitement to hatred as a criminal offence punishable by law and requiring the State to take the necessary measures to eliminate all forms of discrimination. It also provides for the establishment of an independent commission to that end. Under article 24, furthermore, universities must endeavour to teach human rights and the professional values and ethics of the various academic disciplines;

(b) Article 92 restricts the ability of the national legislature to regulate the exercise of rights and freedoms, stating that no law may be promulgated if it curtails rights or freedoms in a manner that affects their foundation and essence. Article 93 provides that the State is bound by the international human rights agreements, treaties and instruments ratified by Egypt, which acquire the force of law after publication, in accordance with the prescribed conditions;

(c) Article 99 states that any violation of any right or freedom safeguarded under the Constitution is a criminal offence in respect of which neither criminal nor civil proceedings are subject to any statute of limitations, with the State guaranteeing fair compensation for anyone suffering such a violation. It also provides a number of new guarantees, according to persons whose constitutionally guaranteed rights and freedoms are violated the right to bring immediate criminal proceedings and assuring them of fair compensation from the State. The National Council for Human Rights may intervene in civil proceedings in favour of victims and contest rulings on their behalf;

(d) Article 121 of the Constitution provides in its fourth paragraph that: "Laws governing presidential, parliamentary and local elections, political parties and the judicial power, those relating to judicial bodies and authorities and those regulating the rights and freedoms set out in the Constitution are deemed to be laws supplementing the Constitution." This provides a crucial safeguard insofar as the judicial bodies and other authorities mentioned must be consulted on any bills affecting them and a special majority is required for enacting amendments to the laws concerned in view of their importance. The aim of consolidating the laws concerned is thus achieved, as is that of similarly consolidating those authorities in line with their independence and shielding them against political shifts prompted by considerations associated with the usual parliamentary majority required for the promulgation of other laws;

(e) Article 214 of the new Constitution provides for the establishment of national councils for human rights, women, mothers, children and persons with disabilities, stating that their composition and functions are to be prescribed by law, together with the guarantees of the independence and impartiality of their members, and that they are empowered to report to the authorities any violations relating to their field of work. These councils enjoy a legal personality, have technical, financial and administrative independence and are consulted on bills and draft regulations relating to their field of work.

46. These recent constitutional developments reveal the new vision of the constitutional legislature, which is fully consistent with the concepts established in international human rights instruments with respect to national protection and monitoring mechanisms and rules and standards governing the exercise of the rights and duties of individuals and of the authorities. These provisions also ensure that international human rights instruments are addressed in the Constitution and accorded a special status elevating them to a rank higher in practice than the law. The State is moreover required to establish national human rights mechanisms that are independent and impartial, in accordance with the Paris Principles.

Laws

47. Important legislative developments took place during the period covered by the present report and will be addressed by dividing that period into two stages, the first covering the period preceding the revolution of January 2011 and the second the period following the revolutions of January 2011 and June 2013.

Pre-revolution stage within the period covered by the present report

48. The laws mentioned here are concerned with rights and freedoms in general and likewise with the rights and freedoms referred to in article 5 of the Convention forming the subject of the report. These laws clearly demonstrate the continuing efforts of the national legislature, throughout the period covered by the report, to work on strengthening equality and equal opportunities and on promoting the application of these principles to ensure that they are enjoyed in practice when any right or freedom is being exercised. These laws are as follows:

- Act No. 1 of 2000 regulating certain situations and procedures relating to litigation in matters of personal status, which, in support of women's rights, permits women to seek to end a marriage through *khul'*;
- Act No. 1 of 2001 establishing the Library of Alexandria in order to support and promote cultural activity and international cooperation in this sphere;
- The Mortgage Act No. 148 of 2001, which is intended to facilitate access to housing for low-income groups;
- Act No. 152 of 2001 amending the Prisons Act No. 396 of 1956 by abolishing flogging as a disciplinary punishment in Egyptian prisons, it being a corporal punishment incompatible with international human rights standards;
- The Money Laundering Act No. 80 of 2002, which treats as a criminal offence the laundering of the proceeds of such crimes as violation of intellectual property rights and trafficking in women and children, as well as the laundering of proceeds of the organized crimes provided for in international instruments to which Egypt is a party;
- The Intellectual Property Rights (Protection) Act No. 82 of 2002;
- The Non-Governmental Organizations Act No. 84 of 2002, which authorizes a variety of activities and permits international non-governmental organizations (NGOs) to engage in their activities in Egypt;
- The Workers' Emergency Benefits Fund Act No. 156 of 2002, aimed at providing integrated care for workers;
- The Chambers of Commerce (Elections) Act No. 6 of 2003 amending Act No. 189 of 1951 by abolishing the condition that candidates must be male, thereby enabling women to stand for election;

- The Telecommunications Regulation Act No. 10 of 2003, the aim of which is to promote freedom of communication and circulation of information;
- The Labour Code (Act No. 12 of 2003), which authorizes and regulates the right to strike peacefully;
- The National Council for Human Rights Act No. 94 of 2003, which established the Council in accordance with the international standards recognized in the Paris Principles adopted in 1990;
- The Hard Labour (Abolition) Act No. 95 of 2003, which abolished the penalty of hard labour for life or for a fixed term and also abolished the Supreme State Security Courts;
- The Family Courts Act No. 10 of 2004, which established the family court system with a view to facilitating procedures and settling family disputes within reasonable time frames in order to preserve family life;
- The Family Insurance Fund Act No. 11 of 2004;
- Act No. 154 of 2004 amending the Nationality Act and providing that Egyptian nationality may be granted to the children of an Egyptian mother married to an alien;
- Act No. 142 of 2004 amending the Mayors and Shaikhs Act by abolishing the condition that incumbents must be male, thereby enabling women to occupy these posts;
- The Small Enterprises (Development) Act No. 141 of 2004, pursuant to which the Social Fund for Development is vested with the responsibility for developing small enterprises and providing funding and services with a view to driving forward such enterprises and promoting their involvement in human development plans, thereby helping to increase job opportunities and incomes and raise living standards;
- Act No. 2 of 2005 amending the provisions of the State Prizes (Intellectual Works) Act No. 37 of 1958, which is designed to promote the sciences, arts and literature, by creating new prizes and increasing the monetary value of the awards;
- The Competition Protection and Monopoly Prevention Act No. 3 of 2005, which is aimed at promoting competition, transparency and anti-corruption;
- Act No. 4 of 2005 amending article 20 of the Code of Personal Status (Act No. 25 of 1929) by establishing a woman's right to seek a divorce through *khul'*;
- The Electronic Signature (Regulation) and Information Technology Industry Development Agency Act No. 15 of 2005, which is designed to meet the requirements of modern international trade activities and establish means of giving effect to them in domestic trade activities;
- The Income Tax Act No. 91 of 2005, which reformed the taxation system by introducing a unified income tax regime, raising the personal threshold, allowing all persons to benefit from the family threshold and simplifying procedures for economically active persons;
- The Consumer Protection Act No. 67 of 2006, which is designed to maintain the rights of consumers to receive goods and services meeting quality standards;
- Act No. 17 of 2007 amending certain provisions of the Judicial Authority Act No. 46 of 1972 in order to strengthen the independence of the judicial authority and allow it to have its own budget;

- Act No. 18 of 2007 amending the Political Rights Act No. 73 of 1956, which governs the exercise of those rights;
- The Compulsory Civil Liability (Motor Vehicle Accident) Insurance Act No. 72 of 2007, which safeguards the rights of victims in motor vehicle accidents;
- Act No. 154 of 2007 amending certain provisions of the Smoking (Prevention of Harmful Effects) Act No. 52 of 1981;
- The Places of Worship (Preservation of Sanctity) Act No. 113 of 2008;
- Act No. 117 of 2008 amending the State Prizes (Intellectual Works) Act No. 37 of 1958, designed to promote the sciences, arts and literature, by increasing the monetary value of the awards;
- Act No. 126 of 2008 amending the Children's Code (Act No. 12 of 1996), the Civil Status Code (Act No. 143 of 1994) in order to grant identity documents, and the Criminal Code;
- Act No. 180 of 2008 amending the Labour Code by abolishing administrative committees formed to settle labour disputes, pursuant to a ruling by the Constitutional Court to the effect that such committees were unconstitutional;
- Act No. 182 of 2008 establishing an autonomous budget for judicial bodies (the Council of State, the Administrative Prosecution Authority and the State Lawsuit Authority) with a view to enhancing their independence;
- Act No. 194 of 2008 abolishing the Office of the Socialist Public Prosecutor, the Sequestration and Security of the People (Regulation) Act and the Shameful Conduct (Protection of Values) Act, all as part of a package of economic and legal reform measures;
- The Mentally Disordered Care Act No. 71 of 2009;
- Act No. 149 of 2009 allocating 64 additional seats for women, distributed among 32 electoral districts;
- The Human Trafficking Act No. 64 of 2010.

The post-revolution stage

49. In the wake of the two revolutions led by the Egyptian people in January 2011 and June 2013, radical developments took place on the ground in order to realize the objectives that had motivated them. During that transitional phase, legal efforts were directed at preparing for the country a new constitution, the core instrument to be respected by the national legislature when promulgating laws. The work conducted on that score culminated in the adoption of the Constitution of 2012, which failed to win the unanimous agreement of the Egyptian people. The new Constitution subsequently proclaimed in January 2014, following the revolution of June 2013, fulfilled the aspirations of the Egyptian people to democracy, good governance, social justice and respect for human rights.

50. During that period, a handful of emergency laws and decrees were enacted in line with the nature of the country's transitional phase. These laws are as follows:

- Act No. 10 of 2011, which increased the penalties for offences involving violence against women;
- Act No. 11 of 2011, which criminalized acts of thuggery (*baltagah*) perpetrated by paramilitary forces;

- Act No. 24 of 2011, which criminalized infringement of the right to work and acts involving the destruction of facilities;
- Act No. 111 of 2011 amending provisions of the Press Act in order to establish the right to exchange information;
- Act No. 130 of 2011 establishing a system for enabling Egyptian expatriates to vote in general elections and referendums;
- The Sinai Development Act No. 14 of 2014;
- Act No. 21 of 2012 amending the Military Judiciary Act and prescribing the right to challenge the rulings and independence of the military courts;
- Act No. 23 of 2012 providing health insurance for women breadwinners;
- Act No. 86 of 2012 concerning health insurance for children below school age;
- Act No. 106 of 2013 introducing as an anti-corruption measure a prohibition on conflicts of interest on the part of State officials;
- Act No. 107 of 2013 governing the right to hold demonstrations, public meetings and processions.

51. It goes without saying that the proclamation of the new Constitution, the completion of constitutional procedures for presidential and parliamentary elections and the formation of the new House of Representatives will together create a demand on the Egyptian legislature to work strenuously on harmonizing the national legislation with the new provisions set out in the Constitution.

Presidential decrees

52. A number of important presidential decrees were promulgated on various matters during the period covered by the report and up to 2010 in the interest of strengthening and promoting the exercise of public rights and freedoms and the practice of international cooperation:

- Decree approving the establishment of several private universities with a view to ensuring that university education is more widely accessible to citizens and available in more convenient locations for students;
- Decree approving three international agreements relating to environment conservation;
- Decree approving 11 bilateral international agreements in the field of cultural cooperation;
- Decree approving the Convention on the Protection and Promotion of the Diversity of Cultural Expression adopted at a conference of the United Nations Children's Fund;
- Decree approving Egypt's accession to the Convention against Corruption on 9 December 2003;
- Presidential Decree No. 249/2007 approving the withdrawal of Egypt's reservation to article 9, paragraph 2, of the Convention on the Elimination of All Forms of Discrimination against Women, as published in the Official Gazette No. 41 of 9 October 2008;
- Decree establishing the Mortgage Finance Authority with the aim of providing the necessary funding for the purchase of a dwelling unit in the amount of 10 per cent of its value.

53. During the period 2011–2012, numerous presidential decrees were promulgated concerning rights and freedoms, political life, social justice, university education, protection of antiquities, international cooperation for economic development and the welfare of Egyptian expatriates, as follows:

- Decree concerning the establishment of 38 political parties by the Political Parties Committee, which is composed of members of the judiciary, following the simplification of procedures for the establishment of political parties, i.e., through notification only, during the years 2011–2013;
- Decree establishing 12 private universities and approving the establishment of a girls' nursing college at al-Azhar University during the years 2011–2013 in support of the right to education;
- Decree reorganizing al-Azhar University and its various entities in order to support its moderate liberal approach in the call to Islam and promote freedom of belief and citizenship;
- Decree approving the third amendment to the Arab Convention on the Suppression of Terrorism in order to enhance the effectiveness of the Convention in combating terrorism;
- Decree establishing a welfare fund for victims of the revolution of 25 January and their families;
- Decree raising civilian and military allowances and awarding special benefits to civil servants during the years 2011–2013 in order to promote social justice;
- Decree approving the designation of an area of land in Asyut governorate for the construction of an integrated residential complex on the slopes of the Western Mountain in order to promote the right to housing;
- Decree approving grants and aid from the Arab Fund for Social and Economic Development and Japan as a contribution to the efforts of the Government of Egypt to achieve development and to repair, refurbish and improve facilities damaged during the most recent revolution;
- Decree approving an economic and technical cooperation agreement between Egypt and China;
- Decree approving bilateral agreements with three States (Saudi Arabia, China and Italy) and with the European Union for Egypt's economic development;
- Decree establishing an advisory council for Egyptian expatriates in order to cater to their welfare and foster their political engagement;
- Decree approving an umbrella agreement between Egypt, the European Union and the European Investment Bank (jointly and individually as European development partners) concerning a joint development programme to assist in funding a package of projects for Egypt, covering all fields of development;
- Decree approving cooperation with China for the protection and recovery of cultural property unlawfully removed from its country of origin.

54. These national accomplishments at the constitutional, legislative and executive levels reflect Egypt's determination to continue to fulfil its international obligations by harmonizing the Constitution and national legislation with the international human rights instruments to which it is a party and by creating specialized national mechanisms for accelerating the execution and implementation of tasks aimed at ensuring non-

discrimination in the exercise of any of the rights protected under the Convention and indeed other human rights conventions.

55. They likewise reflect the direct political impact of the revolution and affirm the freedom to form political parties in preparation for the establishment of democracy, the promotion of development efforts, the principle of equality, non-discrimination and citizenship, the achievement of social justice, the welfare of Egyptian expatriates, counter-terrorism and stronger international cooperation.

(c) National mechanisms for the effective implementation of international and regional human rights instruments

56. In order to keep pace with the international efforts engendered by the Paris Principles, adopted in 1990, which are concerned with national human rights mechanisms for monitoring the national implementation of rights and freedoms protected by international human rights instruments, Egypt worked intently to establish specialized national governmental and NGO mechanisms in the domains of human rights and freedoms, indicating its concern to give effect to the State's international obligations arising from the international instruments to which it is a party. It has also sought to consolidate its work in that connection by establishing mechanisms for monitoring and promoting work in those domains and by preparing ambitious plans for the dissemination of a human rights culture and for substantially integrating that culture into the daily lives of citizens in terms of their behaviours, lifestyle and future-oriented vision for the benefit of society and humanity as a whole. In this context, the national and governmental mechanisms listed below were established.

National Council for Human Rights

57. The National Council for Human Rights was established pursuant to Act No. 94 of 2003 and is an independent national mechanism. The Act vests the Council with the powers internationally recognized as appropriate for such bodies in accordance with the Paris Principles of 1990. It also provides for the role of the Council in the matter of complaints brought before it and obliges governmental bodies to respond to the Council and provide it with requested information. It likewise requires the Council to prepare an annual report on the human rights situation in Egypt for submission to the President of the Republic and both parliamentary chambers.

58. In March 2005, the Council issued its first report on the human rights situation in Egypt, eliciting a response from the Government affirming that it would study all of the recommendations in the report relating to legislation. The Council has continued to publish its successive annual reports, attracting significant attention from the media and in the political sphere. These reports are studied by the competent governmental bodies, which follow up the initiatives proposed in them and use them as guidance in their own activities.

59. The Council was significantly involved in preparing the necessary mechanisms for receiving complaints from individuals, forwarding them to the competent bodies and ensuring that responses are forthcoming within the 30-day time frame set in the relevant Cabinet decision. The Council's reports contain qualitative and quantitative analyses of these complaints and indicate the position taken by the competent governmental agencies in their responses.

60. The Council has played an effective part in the monitoring of presidential, legislative and local elections by establishing monitoring networks, in cooperation with civil society organizations, and appointing observers to oversee the electoral process. The Council issues reports on the results of its monitoring activities in this domain.

61. Through the various committees that its mandate requires it to establish, the Council continues to carry out the tasks assigned to it by law, pursuing its activities aimed at preparing future-oriented plans for the enhancement of its performance at the national, regional and international levels.

62. The Council has gained membership of relevant international and regional human rights organizations after meeting the required membership criteria.

63. Article 99 of the new Constitution empowers the Council to report violations of rights and freedoms to the Office of the Public Prosecutor and to intervene in civil proceedings in favour of victims and contest rulings on their behalf. Article 214 provides for the establishment of the Council and other human rights mechanisms, thus creating a constitutional underpinning for the Council and other bodies to operate as national human rights mechanisms that enjoy a legal personality, have technical, financial and administrative independence and are consulted on bills and draft regulations relating to them and their areas of activity.

64. The law establishing the Council is currently being considered for amendment in order to bring it into conformity with the new Constitution.

National Council for Women

65. The National Council for Women was established pursuant to Presidential Decree No. 90 of 2000 and operates in a framework of support for Egypt's efforts to promote the status of women and surmount all obstacles preventing them from assuming their role in society. The Council is competent to:

(a) Propose public policy for society and its constitutional institutions with respect to the development of women's affairs, women's socioeconomic empowerment and the integration of women's efforts into comprehensive development programmes;

(b) Draft a national plan for the advancement of women and propose solutions to the problems confronting them;

(c) Monitor and evaluate public policy relating to women and submit recommendations and observations in that connection to the competent agencies;

(d) Advise on draft legislation relating to women before it is presented to the competent authority and make recommendations concerning laws and decrees that are essential to advancing the status of women;

(e) Advise on all agreements relating to women;

(f) Represent women in international forums and international organizations concerned with women's issues;

(g) Establish a documentation centre for the collection of information, data, studies and research on women and conduct research and studies in that area;

(h) Hold conferences, seminars, panel discussions and debates on subjects of concern to women;

(i) Organize training sessions for raising awareness of the role, rights and duties of women in society;

(j) Publish newsletters, magazines and other material relating to the goals and functions of the Council;

(k) Undertake any other matters referred to the Council by the President of the Republic.

66. The Council's activities, including studies and research, have borne fruit in the form of the programmes currently being implemented. Legislators have furthermore responded to many of the Council's suggestions by repealing statutory provisions that were inconsistent with the principle of equality or by enacting new legislation to make litigation procedures easier for women. Key legislative amendments in that connection include abolition of the requirement in the Chambers of Commerce Elections Act and the Mayors and Sheikhs Act for candidates to be male; establishment of the right to Egyptian nationality for children of an Egyptian woman married to an alien; the establishment of family courts to facilitate litigation proceedings in personal status cases; and establishment of the family insurance fund.

67. The Council is currently pursuing its efforts in the light of the legislative requirements under the new Constitution by preparing a new law on the Council in line with the aforementioned substantive criteria provided for in article 214 thereof, taking into account the fact that the Council is an independent national mechanism. It is also reviewing the electoral laws, preparing a law to counter the proliferation of violence against women and formulating a new approach to personal status laws.

National Council for Childhood and Motherhood

68. The National Council for Childhood and Motherhood was established by Presidential Decree No. 54 of 1988, which provides that the Council is the highest authority mandated to propose public policies for adoption and to take such decisions as are necessary for attaining the objectives for which it was founded. In particular, it may:

- (a) Propose public policies in the field of childhood and motherhood;
- (b) Draft a comprehensive national plan on childhood and motherhood within the framework of the general State plan for the protection of childhood and motherhood in all spheres, in particular social and family welfare, health, education, culture, information and social protection;
- (c) Follow up and evaluate the implementation of public policy and the national plan for childhood and motherhood in the light of reports received from ministries, departments, agencies and other bodies, and provide guidelines for overcoming obstacles;
- (d) Gather all available information, statistical data and studies in fields relating to childhood and motherhood, evaluate the indicators and results obtained, and identify areas in which they can be turned to useful account;
- (e) Propose training programmes that will help to raise performance levels in the implementation of activities relating to childhood and motherhood;
- (f) Propose appropriate cultural, educational and information-related programmes for heightening awareness and mobilizing public opinion with respect to needs and problems relating to childhood and motherhood and techniques for addressing them practically and soundly;
- (g) Encourage voluntary activities, broaden their scope and expand their base in the field of childhood and motherhood;
- (h) Cooperate with governmental and non-governmental organizations working in the field of childhood and motherhood at the regional and international levels;
- (i) Express a view on agreements relating to childhood and motherhood, and participate in implementing aid and assistance agreements offered to Egypt in that field by foreign States and organizations;

(j) Promulgate decisions and rules of procedure in financial, administrative and technical matters independently of government rules and issue regulations pertaining to personnel matters after consulting the Central Organization for Administrative Affairs and Management.

69. The Decree provides that ministries, general organizations and local administrative and public sector units are required to provide the Council and its subsidiary bodies with requested data, reports and research findings relating to its work, in addition to periodic reports on measures taken to implement the Council's policies, plans and programmes concerning childhood and motherhood.

70. The Decree also provides that the decisions of the Council are final and binding, and that all ministries, general organizations and local administrative and public sector units are required to implement plans, projects and programmes formulated by the Council in the field of childhood and motherhood, working in cooperation with the Council and its subsidiary bodies.

71. The Council was subsequently provided for in article 144 of the Children's Code (Act No. 12 of 1996) and it began pursuing its activity as a national mechanism in the field of childhood and motherhood.

72. The Council has carried out a substantial amount of theoretical and practical work, conducting scientific research and social surveys concerned with childhood and motherhood issues. Its efforts have successfully reduced the prevalence of female genital mutilation; it launched a nation-wide campaign against the practice and a decree banning the procedure, except on the grounds of medical necessity, was issued. The Council also proposed the most recent amendments to the Children's Code, introduced pursuant to Act No. 126 of 2008, which raised the age of criminal responsibility and the marriageable age for girls, criminalized female genital mutilation and prescribed penalties for criminal acts under the international conventions to which Egypt is a party.

73. A new law is currently being drafted for the Council as a national mechanism, in keeping with article 214 of the new Constitution, in order to confer upon it the powers set out in that article, as referred to earlier.

National Council for Persons with Disabilities

74. Egypt acceded to the Convention on the Rights of Persons with Disabilities pursuant to Presidential Decree No. 400 of 2008, published in the Official Gazette No. 27 of 3 July 2008 in the manner already described. On that basis, rights relating persons with special needs were addressed through the efforts of the national mechanisms in place at that time, i.e., the three mentioned above. Article 214 of the Constitution provides for the establishment of a National Council for Persons with Disabilities alongside the national councils working in the area of human rights that have already been mentioned. This Council benefits from the same safeguards as those established for the latter. A law giving effect to this constitutional provision is currently being prepared.

Governmental mechanisms

75. A number of specialized departments have been established at the Ministries of Foreign Affairs, Justice, Interior, and Social Solidarity for dealing with the tasks associated with the international commitments arising from Egypt's accession to international human rights instruments, the aim being to coordinate and monitor national efforts for giving effect to those commitments. These mechanisms also strive to train their personnel in order to build and develop their capacities and prepare the necessary responses to relevant international mechanisms.

Human Rights Committee of the People's Assembly

76. In the light of the ongoing process of consolidating and entrenching national human rights mechanisms, the People's Assembly established a Human Rights Committee in the 1990s to operate alongside other national mechanisms in the framework of the Assembly's representative powers. Formed specifically as a new mechanism for monitoring the Government's performance in that regard, the Committee has conducted numerous on-site inspections of places of detention, among others, in order to monitor that performance in various locations and has made many important recommendations accordingly.

Civil society organizations

77. Civil society organizations are an important pillar in Egypt's human rights regime. Article 75 of the new Constitution provides that, through simple notification, citizens have the right to form such organizations, which it endows with a legal personality. It also permits them to engage freely in their activities and prohibits their dissolution other than by a court order. The Non-Governmental Organizations Act No. 84 of 2002 permits the establishment of civil society organizations working in the field of human rights, in addition to the establishment of international NGO branches in Egypt. The number of registered human rights organizations currently stands at 81.

78. These organizations play a major role in the task of disseminating a human rights culture and raising awareness of international human rights instruments through their activities, including the holding of conferences and seminars and the publication of information materials. Leading figures from a number of civil society organizations were among the founders of the National Council for Human Rights and other national councils.

79. A new NGO law is presently being drafted in conformity with the updated provisions in the new Constitution concerning the right to form associations. Annex 3 contains statistical data on civil society organizations registered in Egypt.

Labour and professional unions

80. Labour and professional unions are important and influential mechanisms in the domestic human rights regime, given their direct connection with a key human right and their representation of numerous segments of society in various spheres. Successive Egyptian constitutions have invariably made provision for the freedom, independence and legal protection of unions. Under articles 78 and 77, the new Constitution provides for the freedom of labour and professional unions, federations and cooperatives, which it endows with a legal personality. It stipulates that these legal entities operate on a democratic basis and engage freely and independently in their activities. Furthermore, their dissolution by the authorities is not permitted other than by a court order.

81. Ways and means are therefore available to them for protecting the rights of their members and monitoring any violations detected in practice. Elected senior officials of these unions are deemed qualified to perform the duties associated with their posts, namely upholding the rights and securing the interests of their members. These unions and associations constitute an important mechanism for promoting and protecting the right of equality and all other rights enunciated in the Convention. Annex 4 contains statistical data on labour and professional unions.

The media and press

82. The audiovisual media, the press and others are important human rights mechanisms. Article 70 of the new Constitution provides for freedom of the press, printing, and dissemination in paper, audiovisual and electronic forms; for newspaper publication through simple notification; and for newspaper ownership by any Egyptian, whether a

natural, legal or private person. The law regulates the procedures for the establishment and ownership of radio and television broadcasting channels and electronic newspapers. Article 71 of the Constitution also provides that it is prohibited to suspend, close down or seize any such media, except by a court order, or to censor information disseminated in the media, other than in a limited manner in times of war or general mobilization.

83. Article 72 provides that the State is required to guarantee the independence of its media and press institutions in order to ensure that they remain impartial and communicate all political and intellectual views and trends. Given their prevalence, the media and press are important mechanisms for disseminating a human rights culture and raising awareness of international human rights instruments, in accordance with the outcome of the second World Conference on Human Rights, held in Vienna in 1993. They furthermore serve as effective mechanisms for monitoring, identifying and exposing human rights violations at the national level, shedding light on those violations and their perpetrators, and communicating information on important international, regional and national events. Annex 5 contains statistical data on the media and press.

84. Those statistical data annexed hereto illustrate the number of associations, trade unions and media outlets and the extent of this integrated system of national mechanisms, which represents a far-reaching, constantly expanding and effective monitoring network with formidable powers at the governmental, non-governmental, parliamentary, press and trade-union levels. These mechanisms can refer constantly to the human rights situation in the exercise of their functions. The fact that the State makes good use of their data and recommendations is a reflection of its political will and determination to strengthen and develop all national efforts aimed at promoting respect for human rights and realizing the noble goals that human society strives to attain.

(d) Domestic remedies guaranteeing the effective implementation of human rights principles in Egypt

85. With respect to this subject and in order to avoid repetition, please refer to Egypt's previous reports and to paragraphs 31 to 34 of the present report concerning the judicial power. In addition, legislative efforts to enhance the independence of the judicial power and other judicial bodies and to uphold the right to seek legal remedy in practice have been ongoing through the promulgation of Act No. 17 of 2007 amending certain provisions of the Judicial Authority Act No. 46 of 1972 in order to promote the independence of the judicial power and give the judiciary its own budget, and the promulgation of Act No. 194 of 2008 abolishing the Office of the Socialist Public Prosecutor, the Sequestration and Security of the People (Regulation) Act No. 34 of 1971 and the Shameful Conduct (Protection of Values) Act No. 95 of 1980. These efforts culminated in the new provisions contained in the new Constitution, which are outlined below.

86. In common with previous constitutions, the new Constitution upholds the right to legal recourse. Under articles 97 and 98, that right is safeguarded and guaranteed to all; the State must ensure access to judicial bodies for litigants and work for the speedy settlement of cases; no administrative action or decision is immune from judicial oversight; no person may be tried other than before a natural judge; and emergency courts are prohibited. Provision is also made for the right of defence and the right of persons who are financially incapacitated to receive assistance for seeking legal redress.

87. The judiciary is covered in chapter IV, part III, of the new Constitution, articles 184 to 189 of which stipulate that the judicial power is independent and vested in the courts of every type and level, which issue their decisions in accordance with the law. The law sets the jurisdiction of the courts and considers interference in matters of justice or in court cases as a criminal offence for which there is no statute of limitations. The aforesaid articles also provide that each judicial body or organization is responsible for the management of its

own affairs and has its own budget, all components of which are examined by the House of Representatives. Once approved, these budgets are included as a single figure in the general State budget. All judicial bodies and organizations are also consulted on bills governing their affairs. Judges are independent, may not be removed from office, are subject to no authority in their work other than the law and have equal rights and duties. The law specifies the terms and procedures for their appointment, secondment and retirement, in addition to governing the matters of their accountability and disciplinary action against them. Judges may not be seconded on a full- or part-time basis other than to bodies prescribed by law and for activities likewise prescribed by law. All of the above measures are aimed at safeguarding the independence and impartiality of the judiciary and judges and at preventing conflicts of interest. The law sets out the rights, duties and guarantees that must be provided for judges and also states that hearings must be conducted in public unless the court decides that they must be held in camera in order to preserve public order or decency. In all cases, court decisions must be pronounced in public hearing. The law further provides that the judiciary is competent to give a decision on any dispute or offence, with the exception of those falling within the jurisdiction of other judicial bodies. It has exclusive jurisdiction over disputes relating to the affairs of its members. Its own affairs are administered by a supreme council, the composition and jurisdiction of which are regulated by law. The Office of the Public Prosecutor is an integral part of the judiciary and is responsible for conducting investigations and for initiating and carrying out criminal proceedings, other than those excluded by law. It is overseen by a Prosecutor General, who is selected by the Supreme Judicial Council from among vice-presidents of the Court of Cassation, presidents of the courts of appeal, or assistant public prosecutors. He is appointed by presidential decree for a four-year term or for the period remaining until his retirement, whichever is soonest, and may be appointed once only during his term of service.

88. The Council of State is covered in article 190, which provides that it is an independent judicial body with exclusive jurisdiction to adjudicate on administrative disputes and disputes relating to the enforcement of any of its decisions. It is also competent to adjudicate on disciplinary actions and appeals. It has the exclusive mandate to give a formal opinion on legal matters to bodies specified by law. It also reviews and formulates bills and decisions of a legislative nature and examines draft contracts to which the State or a public authority is a party. Its other areas of competence are prescribed by law.

89. Articles 191 to 195 deal with the Supreme Constitutional Court, stipulating that it is an independent and stand-alone judicial body headquartered in Cairo. Where necessary, it may, with the approval of the General Assembly of the Court, convene anywhere in the country. It has its own budget, all components of which are examined by the House of Representatives. Once approved, the budget is included as a single figure in the general State budget. The General Assembly of the Court runs its affairs and is consulted on bills relating to those affairs. The Court also has exclusive judicial oversight of the constitutionality of laws and regulations and is alone competent to interpret legislative provisions and adjudicate on disputes relating to the affairs of its members, disputes concerning implementation in cases where two contradictory final decisions have been rendered by a judicial body or an authority with a judicial mandate, and disputes relating to the implementation of its own rulings and decisions. The Court is composed of a president, an appropriate number of vice-presidents and a panel of commissioners itself comprising a president and an appropriate number of presidents, in addition to advisors and assistant advisors. The General Assembly of the Court selects the President of the Court from among the Court's three most senior vice-presidents and likewise selects the Court's vice-presidents and commissioners, all of whom are appointed by presidential decree. The President, vice-presidents and commissioners of the Court are independent, may not be removed from office and are subject to no authority other than the law. The law sets the

conditions that they must fulfil and they are accountable to and disciplined by the Court in the manner prescribed by law. All rights, duties and guarantees accorded to other members of the judiciary are applicable to them. The rulings and decisions of the Court are published in the Official Gazette and are binding on everyone and on all State authorities, with res judicata effect. The law governs the consequences of rulings to the effect that a legislative text is unconstitutional.

90. The above constitutional provisions demonstrate the compliance of the constitutional legislature with international standards relating to the independence of the judiciary and the Office of the Public Prosecutor, and its commitment to provided them with legal immunity in order to ensure their full impartiality and neutrality in the performance of their mission. Interference in matters of justice or in court cases is furthermore a criminal offence to which no statute of limitations applies.

91. In part II of the present report, which contains comment on the articles of the Convention, reference will be made to rulings given by the Supreme Constitutional Court during the period covered by the report concerning rights protected under the Convention.

92. All branches of Egypt's legal and judicial system (the constitutional, civil and administrative courts) uphold the right of everyone to seek legal redress through recourse to the competent court for an examination of any violation of protected rights and freedoms, and Egyptian laws accordingly address violations by imposing the legally prescribed criminal penalties on convicted offenders and awarding compensation for damages to victims. The administrative courts may also decide to overturn administrative decisions and award compensation in cases where violations arise because such decisions were flawed by abuse of authority or made arbitrarily. Under the Egyptian legal system, moreover, individuals and tribunals are empowered to challenge legal provisions before the Supreme Constitutional Court, in the cases and by the methods prescribed by law, on the ground of inconsistency with the Constitution. The Court's ruling on such disputes is final and binding on all State authorities.

E. Information, dissemination, awareness and education relating to human rights principles in Egypt

93. Egypt is aware that the dissemination of human rights awareness is an essential prerequisite for giving greater effect to these rights at the international and national levels. The second World Conference on Human Rights (Vienna, 1993) emphasized the importance of human rights education, training and public information as a fundamental step for the promotion and achievement of stable and harmonious relations among communities and for the fostering of mutual understanding, tolerance and peace. This was followed by the proclamation of the United Nations Decade for Human Rights Education (1995–2004).

94. In keeping with its desire to entrench human rights concepts and principles and to promote behaviours and attitudes demonstrating respect for the dignity, rights and freedoms of all members of society as the prevailing pattern in daily life, Egypt has made every effort to teach, disseminate and heighten awareness of these principles by incorporating them into the academic curricula at every level and providing relevant training. To that end, it developed a consistent and integrated step-by-step package of plans, programmes and measures designed to bear fruit by bringing about comprehensive and sustainable human development. Egypt's efforts in the areas of dissemination, education, training and information are described below.

Dissemination

95. In accordance with the practice described earlier, the Convention forming the subject of the present report was published in the Official Gazette on completion of the procedures for Egypt's accession thereto. An Arabic language publication, the Official Gazette contains all of the country's laws and presidential decrees, in addition to international instruments. The significance of publication in the Official Gazette is that it serves to keep everyone informed of the country's laws and the dates on which they enter into force. It is published in sequential or special issues and sold in outlets specializing in government publications. Postal subscriptions are also available. It is sold inexpensively at below cost so that it is easily accessible to all.

96. The Official Gazette is an important periodical to which public and private libraries are keen to subscribe so as to have it among their collections. It is also sought after by all those working in the legal field as a periodical devoted to the publication of laws in accordance with article 225 of the Constitution, pursuant to which all laws must be published in the Official Gazette within two weeks of the date of their promulgation and take effect 30 days after the day following the date of their publication, unless another date is specified. The provisions of all laws are applicable only to matters occurring after the date on which they entered into force.

97. Publication in the Official Gazette indeed serves to keep everyone informed of the laws and establishes the date on which they take effect, the scope of their applicability and their area of implementation, which are primarily matters of concern to legal practitioners. International human rights instruments are nonetheless also of great interest to members of the public from all walks of life. Hence, in compliance with these instruments and international resolutions adopted in the field of human rights, the Government seeks to foster awareness and insight in that sphere by working to ensure that implementation is such as to exemplify the cherished values associated with human rights and freedoms. That endeavour is fundamentally linked with the process of social upbringing and education, which alone shapes the behaviour of the next generations and ensures that they are infused with those values and rights, conscious of their benefits and eager to reap their rewards.

98. Accordingly, international human rights instruments, including the Convention forming the subject of the present report and the concepts, definitions and values embodied therein, are now taught in Egypt as core subjects at both levels of basic education (primary and preparatory) and at numerous colleges and universities, particularly in undergraduate and postgraduate law faculties, at the Police Academy and at specialized national training and research centres. The idea is that students of these instruments will be among the first to be committed to the objectives of those instruments, to the implementation of their provisions and to effective defence of the rights of others. They will also undoubtedly be capable of expanding the scope of application of those provisions through the activities that they will be qualified to undertake. Under article 24 of the Constitution, human rights is now a subject that universities are required to teach.

99. It goes without saying that the State's endeavours to eradicate adult illiteracy, which is a constitutionally prescribed national duty, are also significantly and effectively helping to promote greater awareness of the instruments and principles pertaining to human rights and freedoms by enabling newly literate persons to familiarize themselves with and uphold those rights and freedoms. This is unquestionably the best way of ensuring a steady increase in the number of persons capable of understanding, defending and accessing their rights.

100. Together with political parties, trade unions, professional associations and civil society organizations in their capacity as legal entities with branches countrywide, the national, partisan and independent press is spearheading awareness of these rights and

freedoms through methods geared to the circumstances and nature of their goals, the culture of their members and the occupation, activity or location with which they are concerned. The adult literacy efforts of the Government and civil society organizations throughout Egypt play an important, albeit indirect, role in promoting a greater degree of familiarity with and understanding of international human rights instruments among all groups and categories of citizens.

101. The statistical data contained in annex 5 points to the developments taking place in journalism and shows the number of newspapers and periodicals published in Egypt, highlighting the breadth and diversity of the areas covered by the press so as to present the visions and ideas of different groups.

Education

102. With respect to the education system, Egypt has focused its efforts on developing the basic, secondary and university curricula in such a way as to ensure that the educational matrix remains tailored to the age of the students, the type of education and its goals, which has been achieved in the manner outlined below.

(a) Development of basic and secondary education curricula

103. Egypt believes that the lofty human rights principles, values and aims set forth in international instruments form the backbone of a broad education syllabus covering the behaviours, attitudes, concepts, values and traditions that should be nurtured in children and young persons as the best way forward to social progress. As part of its commitment to the United Nations Decade for Human Rights Education, Egypt took care to incorporate human rights concepts and principles into its academic curricula at the basic level of education.

104. To that end, a number of conferences on curriculum development took place with the aim of incorporating human rights principles into the academic curricula. A national conference on primary curriculum development was held in 1993, followed by a conference on preparatory curriculum development in 1994. Plans are now being made to modify the secondary curricula through national conferences to be held on the subject.

105. In order to implement the outcomes of these conferences, the basic (primary and preparatory) curricula were redesigned and developed so as to establish these principles by emphasizing subjects and issues with a bearing on daily life and by giving students the opportunity to assimilate the scientific, socioeconomic, technological and political changes taking place around them. Key issues introduced and incorporated into the education curricula for the various academic years include human rights, the rights of the child, women's rights, non-discrimination against women, preventive and therapeutic health care, reproductive health, the relationship between population increase and development, religious tolerance, education for peace, national unity, protection of the environment, globalization, integration between peoples and legal awareness of rights and duties.

106. The task required study of international, regional and Arab instruments enunciating those rights in order to extrapolate primary and secondary human rights concepts and analyse them in progressively greater depth in a manner consistent with the different age levels relating to the subjects studied in the various academic grades.

107. Through that examination of human rights issues, the following concepts associated with human rights and freedoms were identified:

- The right to a decent life;
- The right to education and further education;
- The right to equality and non-discrimination;
- The right to adequate housing;
- The right to personal liberty;
- The rights of civilians in time of war;
- The rights of children, women and aged persons in time of war;
- The right to engage in religious observance;
- The right to enjoy security and safety;
- The right to safe motherhood;
- The right to practise sport;
- The right to dissent;
- The right to found a family;
- The right to esteem and respect;
- The right to comprehensive health care;
- The right to wholesome food;
- The right to travel and movement;
- The right to participate in political and social life;
- The rights of prisoners in time of war;
- The right to work;
- The right of assembly;
- The right to the enjoyment of leisure time;
- The right to choose and make decisions;
- The right to own property.

108. The educational curricula have already been developed up to the third and final preparatory grade of basic education and the process of their development up to the end of the secondary level is currently being completed. Expectations are that human rights issues will continue to be taught through the incorporation method outlined above and that age-appropriate concepts will be selected, which calls for a more in-depth study of how they are to be handled. They may also be used in direct teaching and mentoring.

109. In addition to the amalgamation and incorporation method, it has been suggested that the secondary-level curricula should be built around a core curriculum devoted to a set of key academic subjects to be studied by all students, together with other optional subjects that they themselves select on the basis of their own wishes and preferences. A separate syllabus forming part of the core curriculum might be devoted to human rights, civic education or life skills in general or, alternatively, students might be offered the choice of a syllabus dealing with important issues appropriate to the requirements of their age level. Sustained efforts are additionally called for in order to prepare and train teachers in how best to treat these concepts at the secondary level, as has been done in the case of the primary and preparatory levels.

110. In pursuit of this objective, Egypt has cooperated with a number of international organizations with specialized technical experience in this field, such as the United Nations

Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Population Fund. As part of the educational process, it also organizes, in collaboration with UNESCO, creative drawing and writing competitions on the theme of establishing a culture of peace, tolerance and respect for the views of others. It furthermore directs attention to highlighting the right to live in a clean environment and the “green corner” school project was therefore set up to encourage children to read books on the environment and inspire in them a sense of aesthetics.

111. Given the new constitutional provisions and education quality standards, the academic curricula are currently being revised and the education system is being developed with a view to attaining the goals of the revolutions of January 2011 and June 2013.

(b) *Development of university curricula for human rights education*

112. In recent years, there has been a great wave of intense activity in the area of human rights education at many of Egypt’s universities. This activity has taken the form of preparing studies for the introduction of human rights into academic syllabuses and providing grants to enable students and faculty members to attend training courses on the subject, both in Egypt and abroad.

113. Several university colleges worked to develop human rights education in cooperation with international institutions and NGOs active in the field of law and human rights. A number of seminars and workshops were therefore organized in order to discuss how best to introduce human rights issues into the various academic programmes. As a result of these discussions, human rights are now taught at university colleges, either as part of social sciences and the study of public law, especially international law relating to human rights and international organizations, or as part of political science, in particular political theory, social relations, philosophy, social science and history. New branches of study have also been introduced into the undergraduate and postgraduate programmes at colleges of law and political science. Doctoral dissertations in this area are encouraged and universities are likewise encouraged to create cultural and scientific links for students and to organize lectures and seminars on human rights.

114. As international interest in these matters has steadily grown, Egypt has endeavoured to keep pace by developing curricula, study programmes and teaching methods in formal university education and at the informal level. In 1990, human rights programmes were first added as a separate subject for fourth-year law students and a postgraduate diploma in human rights was also introduced. Human rights are now taught at both the undergraduate and postgraduate levels at a number of colleges, including colleges of law, the College of Economics and Political Science, the College of Commerce and the Police Academy, where they are treated as a separate subject covering international human rights protection, human rights in Islamic law, the legal protection of human rights and the philosophy and various forms of human rights. The importance of human rights studies at the postgraduate level resides in the fact that many of the students taking the subject will later work in the judiciary as public prosecutors or hold positions as police officers or as school or university teachers, bearing in mind that they will be equipped with the knowledge and with the legal, political and practical expertise required for employment in those areas.

115. On the recommendation of the Egyptian Parliament, the Convention on the Rights of the Child and other relevant human rights instruments have been incorporated into the curricula of colleges of law, humanities, social service, education and early childhood education in recognition of the importance of disseminating information about these rights. This has been done to varying degrees, depending on the nature of the academic curricula at the colleges concerned.

116. Given their interest in developing their activities in such a way as to promote the dissemination of human rights knowledge and values, Egyptian universities have established specialized research centres for human rights studies, fully aware as they are that education and scientific research are key to ensuring that human rights are firmly rooted and respected in society and that a younger generation believing in those rights is created. These centres conduct research on human rights, publish books and other materials on the subject, and organize education, training and information courses and programmes aimed at providing an insight into human rights and fundamental freedoms and fostering a general culture that promotes respect for human rights principles.

117. These efforts were crowned by article 24 of the new Constitution, which provides that human rights must be taught at government-run and private universities. This serves to enhance understanding of the human rights culture among an important sector of the community, which will inevitably be reflected in individual practices and human relations across the whole of society.

Training

118. Egypt is intent on ensuring that the personnel of the various State departments and agencies, in particular those concerned with the various aspects of the administration of justice, receive human rights training. Intensive in-house and external training programmes have therefore been organized in collaboration with the ministries concerned and human rights bodies. Students at the Police Academy, moreover, follow the human rights curricula of colleges of law throughout their years of study and during their postgraduate studies at institutions of higher education. The training programmes provide an introduction to and raise awareness of all international human rights instruments, in addition to covering how these instruments are to be respected during the performance of work.

119. In this context, Egypt and the United Nations Development Programme (UNDP) signed a cooperation agreement on a pilot project for the promotion of human rights, which was the first of its kind in the region. The agreement included funding arrangements for a seminar on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights and for training courses aimed at those working in the administration of justice, police officers and members of the Office of the Public Prosecutor. The first round of courses began in July 2000. This programme was subsequently extended and also expanded in scope so that all members of judicial bodies (the Office of the Public Prosecutor, the courts, the Council of State, the Administrative Prosecution Authority and the State Lawsuit Authority) and their staff were able to benefit from it, together with media personnel, lawyers and members of the diplomatic service, civil society organizations and student unions. The following outcomes were achieved from running the programme:

- To the end of 2005:

Number of trainees: 1,287

- From September 2006 to December 2007:

Number of workshops: 78, including 34 held outside Cairo

Number of participants: 3,442, including 1,324 from outside Cairo

Students:

Number of workshops: 6

Number of participants: 3,521

- First half of 2008:

Number of workshops: 61

Number of participants: 2,782

120. Statistical data from the Ministry of Justice on training for law enforcement personnel in the fields of human rights awareness, human trafficking and violence against women are set out below. The training was carried out in conjunction with international and national bodies during the period 2011–2014. Participants included judges, members of the Office of the Public Prosecutor, Ministry of Justice personnel, forensic officers, probation officers, social workers and experts from the governorates of Cairo, Giza, Alexandria and Luxor.

- 2011

	<i>Number of courses</i>	<i>Number of trainees</i>
Judges	14	420
Ministry of Justice personnel	7	420
Total		840

- 2012

	<i>Number of courses</i>	<i>Number of trainees</i>
Judges	3	90
Ministry of Justice personnel	20	600
Total		690

- 2013

	<i>Number of courses</i>	<i>Number of trainees</i>
Judges, members of the Office of the Public Prosecutor, police officers and experts	7	197

- 2014

	<i>Number of courses</i>	<i>Number of trainees</i>
Judges, members of the Office of the Public Prosecutor, police officers and experts	2	55

121. The Ministry of the Interior, for its part, has established training programmes for educating senior police officers and heads of police academies about respect for human rights principles. Offered at the Leaders Training Centre, these programmes include training courses and seminars aimed at raising participants' awareness and understanding of the issues surrounding human rights and freedoms. The Supreme Police Council also took the decision to include human rights as a core subject in the advanced courses of study for police officers. The Police Academy is furthermore working in cooperation with a number

of international organizations to upgrade its human rights programmes and encourage students to pursue human rights research. Indeed, it is building up its library with works dealing with human rights, thereby helping to broaden the pool of knowledge available to human rights researchers. The Academy has organized human rights training courses in partnership with the United Nations with a view to enabling trainees to acquire international expertise, with an emphasis on respect for international human rights principles and criteria.

122. A Criminal Justice and Human Rights Division has also been established at the Police Research Centre, which is tasked with monitoring scientific activities associated with multifaceted criminal justice issues in all fields and with conducting research on human rights and fundamental freedoms. For its part, the Ministry of the Interior holds courses, seminars and competitions on human rights; has established specialized units in its various sectors and departments and in all governorates; and runs competitions for police officers at all levels, awarding cash prizes to the winners.

123. Working in cooperation with international and regional bodies. Egypt is pursuing its efforts in this sphere, especially in connection with human trafficking, illegal migration and anti-corruption measures.

Information and awareness

124. The preamble to a UNESCO Declaration indicates that the first step towards combating human rights violations is to raise awareness of the substance of those rights in the minds of human beings. That awareness is developed primarily by building patterns of behaviour ensuring that, in their daily lives, citizens act in keeping with the substance of human rights and also by encouraging individuals to engage in the promotion of human rights.

125. By that same token, the Egyptian view is premised on the fact that human rights will be respected only if a human rights culture is disseminated, starting in childhood and continuing throughout all stages of education and on further still to, among others, those who hold important positions of relevance, those who develop educational programmes and those who work in the media and press.

126. In this context, scientific research bodies, both governmental and non-governmental, are involved in promoting awareness of the principles of human rights and fundamental freedoms by encouraging research and publication in that field and by organizing conferences and seminars for discussing and increasing awareness of those issues and establishing a dialogue accordingly.

127. Media outlets, the national, partisan and independent press, political parties and civil society organizations, including trade unions and professional associations, also play an important part in raising human rights awareness by organizing training courses, workshops and thought-provoking seminars, which are followed by the media, with the aim of disseminating human rights principles, or by publishing research and reference materials covering those principles. These efforts target all groups in society, in particular students and researchers so as to enhance their research capabilities and embed human rights principles in their consciousness, bearing in mind the significant role they will play in future in disseminating such principles. The training courses and workshops deal with questions of the historical development of human rights principles and their philosophical and ethical bases, in addition to acquainting participants with the principles of human rights and fundamental freedoms and ways of realizing them. Such issues as the universality of human rights and the specificity of Arab culture are also discussed and attention is furthermore directed to the non-governmental role in the dissemination of these principles. Annex 5 contains information on Egypt's media outlets and press.

128. As part of carrying out this commitment, numerous conferences, seminars and workshops on national and international human rights issues have been organized in recent years, in cooperation with national, regional and international organizations, including UNESCO, UNDP and the League of Arab States.

129. Concerning the Government's efforts, the awareness plans and programmes of all media outlets are formulated on the basis of an information policy designed to achieve the following objectives:

- Provide an introduction to the human rights principles recognized by the United Nations and enshrined in international and regional human rights agreements, and present the various aspects of their application in Egyptian society, with an emphasis on Egypt's full respect for those principles and its compliance with the associated standards, in accordance with the relevant provisions of the Constitution and domestic laws;
- Emphasize Egypt's full belief in and recognition of the principle of the right of peoples to self-determination and to the free disposal of their natural resources;
- Illustrate Egypt's concern in its relations with all peoples of the world to ensure respect for political freedoms, the preservation of cultural identity and the right to economic, social and cultural development;
- Manifest the State's endeavour to promote respect for women's rights and women's equality with men, which are rights enshrined in the Constitution;
- Demonstrate that Egypt and its people recognize and call for the right to peace and the right to enjoy the common heritage of humankind, as affirmed by the civilizations of peoples, each of which has built on the achievements of others, and provide examples of our respect for dialogue among civilizations;
- Show that compliance with and enforcement of human rights standards will ensue only through concerted efforts by peoples, nations and public and private institutions at all levels;
- Indicate that, within the context of the human right to reap the fruits of scientific progress, Egypt is working hard to equal the developed countries and has thus devoted special attention to scientific and technological research so that it takes root in Egypt with a view to promoting the country's prosperity, progress and development;
- Show that Egypt and its people enjoy freedom of belief and respect minorities and all human races;
- Shed light on the efforts by the State and by community institutions and associations to protect the environment and ensure that it is clean and safe to live in, this being a human right;
- Demonstrate how Egypt is now living in the age of freedoms and democracy and has broadened the scope for freedom of opinion and differing views through the multiparty system and press freedom;
- Make clear the State's interest in and concern with the social situation of low-income and vulnerable groups through its every action in the area of development and in relevant decisions and legislation to provide them with the means for a decent life;
- Call for action to deal with such human rights problems in society as illiteracy, unemployment and the need to widen health insurance coverage and address poverty, low wages in certain sectors, various aspects relating to environmental

problems and population growth, and the problem of land mines, particularly in the north-western coastal area of El Alamein.

130. As outlined above, Egypt's increasing efforts at the domestic and international levels to promote awareness, information, education and training in human rights and the relevant international instruments reflect the attention devoted to these issues in governmental and non-governmental activities, as well as the extent of Egypt's compliance with the provisions of international instruments and United Nations resolutions relating to human rights. These efforts have successfully promoted public awareness of such matters and created a general human rights culture among all segments and groups. They have also contributed significantly to improving overall and individual performance in the public and private relationships to which these matters give rise, as indicated in practice by the fact that individuals are exercising the right of legal redress guaranteed to all and are increasingly aware that they have recourse to the Supreme Constitutional Court for rulings on interpretations and questions concerning these rights. Through its rulings on constitutional disputes brought before it, this Court has helped to increase the public's awareness of these principles and the care taken to uphold them and to challenge any procedures or legislative enactments that violate, contradict or conflict with them. The Court's rulings have also settled controversies surrounding many interpretations and opinions concerning human rights and freedoms. In so doing, they have been fully consistent with the international standards derived from international and regional human rights instruments.

131. These efforts culminated in the adoption of the new Constitution, which endeavoured to provide for all of the rights and freedoms enunciated in international instruments, in addition to the further safeguards referred to in section D of this part of the present report.

II. Substantive discussion of the articles of the International Convention on the Elimination of All Forms of Racial Discrimination

Article 1

132. Concerning the comment on this article, please refer to the information contained in part I of this report dealing with recent developments in the national arena, the political structure and the legal system in the light of the new Constitution. Supplementary information is provided below.

133. Building further on the country's constitutional provisions on equality, article 1 of the new Constitution adopted in 2014 enshrines the principle of citizenship, pursuant to which all citizens have equal rights and duties and differentiation among citizens is prohibited. Provision is also made for the principle of the rule of law and respect for human rights and freedoms. Article 51 further provides that dignity is the right of every human being and may not be violated and that the State must protect and respect human dignity. Article 53 provides that citizens have equal rights, freedoms and public duties before the law and prohibits discrimination on any ground. Discrimination and incitement to hatred is a criminal offence punishable by law, moreover, and the State is under obligation to take the necessary measures to eliminate all forms of discrimination and establish an independent commission to that end.

134. The innovations of the Constitution in this sphere amount to a significant development in the area of combating discrimination and racial differentiation insofar as all

forms of discrimination on any grounds are prohibited, contrary to previous constitutions, which had enumerated grounds giving rise to a controversy already settled by the Supreme Constitutional Court in the manner referred to earlier. Moreover, incitement to hatred was added to the acts prohibited under the new Constitution, pursuant to which the State is also required to take all necessary measures to eliminate discrimination and to establish an independent mechanism to that end. Governmental efforts to combat discrimination will thus be supported by way of that mechanism, which will in turn support observation and monitoring efforts. These constitutional provisions likewise reflect the efforts of the Egyptian Government to ensure that the provisions of the Constitution are consistent with Egypt's international obligations arising out of its accession to international human rights instruments, including the Convention under discussion. Clearly, in accordance with the Egyptian legal system, either new legislation will need to be introduced or existing laws will need to be amended in line with the provisions of the Constitution.

135. In the context of paragraphs 2 and 3, Egyptian laws govern matters relating to the enjoyment by non-citizens of the rights concerned in Egypt (the right to work, the right to own property and the right to social insurance and social security). These laws are the Labour Code (Act No. 13 of 2003), the Social Insurance Act No. 135 of 2010, the Social Security Act No. 137 of 2010, laws concerning the rules on the ownership of developed, vacant, agricultural or desert land by non-citizens, and economic investment laws, which have already been mentioned in Egypt's previous reports.

136. Generally speaking, Egypt is committed to the principle of reciprocity in effect in international relations, although the State permits some exceptions, at its discretion, for nationals of certain friendly States, pursuant to a presidential decree.

Article 2

137. With respect to the comment on this article, please refer to the replies given during the distinguished Committee's consideration of its last report and to the information provided in part I of the present report concerning the new Constitution adopted in 2014 following the revolutions led by the Egyptian people in January 2011 and June 2013. Supplementary information is set out below.

138. In Egypt, human rights principles in general enjoy constitutional and legal protection. In accordance with successive constitutions, including the new Constitution, the Convention forming the subject of the present report is also regarded as one of the country's laws, having been published in the Official Gazette. Its provisions on equality and non-discrimination furthermore serve as the basis for the constitutional provisions on all protected rights and freedoms, which have never been absent from any Egyptian constitution. This is part and parcel of Egypt's full commitment to the principle of equality, non-discrimination and the prohibition of differentiation provided for in the new Constitution, as explained in part I of the present report and as further indicated in the rulings of the Supreme Constitutional Court concerning the right to equality and in the Court's adoption in those rulings of the same definition as in the Convention. The right to equality is likewise provided for in the new Constitution, as stated above in the comment on article 1 of the Convention, in addition to the other legal aspects referred to earlier.

139. Under the Egyptian legal system, the right to equality and all other rights and freedoms provided for in the Convention under discussion — and in other international human rights instruments — are therefore protected by constitutional provisions. The constitutional cover thus provided ensures that the legislature remains committed to, and avoids any infringement of, those rights, which are also protected under the laws specific to each of them. Such laws must be consistent with the relevant provisions of the Constitution. All of this guarantees that direct effect is given to the articles of the Convention, bearing in

mind that it is an Egyptian law that must be applied and that the rights and freedoms enunciated therein must be enjoyed by all. At the same time, the domestic means of redress referred to earlier provide full judicial protection for individuals from practices that contravene the provisions of the Convention or laws governing the exercise of these rights and freedoms. In its concluding observations following the consideration of Egypt's last report, the distinguished Committee commended the rulings issued by the Supreme Constitution Court in this domain.

140. Following on from the two revolutions led by the Egyptian people on 25 January 2011 and 30 June 2013, the new Egyptian Constitution was adopted in January 2014. Under its provisions, the country's political structure was significantly and radically altered in keeping with the goals underlying those revolutions and in order to build the pillars of democracy and achieve good governance, human rights and social justice. Article 1 thus provides that Egypt is a State with a democratic republican system based on citizenship and the rule of law. Article 4 also provides that sovereignty resides solely with the people, who are the source of authority and who safeguard their national unity, which is founded on the principles of equality, justice and equal opportunities for all citizens. Article 5 further provides that the political system is based on the multiparty approach, peaceful transition of power, separation and balance of powers, the correlation between responsibility and authority, and respect for human rights.

141. Guided by facts and the know-how produced from the country's experiences throughout its ancient cultural history and also by relevant international and regional instruments, the new Constitution introduced various new human rights provisions, which for their part addressed the concerns, preoccupations and aspirations of Egyptian society in moving on from past difficulties and the brutality of the situation against which it rebelled towards the vastly better future that it deserves and for which it strives. To that end, the Constitution incorporated new rights and freedoms for the first time ever and provided in its articles for a package of safeguards designed to ensure that those rights and freedoms are upheld and protected, as follows:

(a) In chapter III of the Constitution, which deals with rights, freedoms and public duties, article 53 provides for the principle of the equality of citizens before the law, prohibiting discrimination on any ground, treating discrimination and incitement to hatred as a criminal offence punishable by law and requiring the State to take the necessary measures to eliminate all forms of discrimination. It also provides for the establishment of an independent commission to that end, thus covering all of the undertakings contained in the article forming the subject of the present comment;

(b) Article 89 of the Constitution prohibits all forms of slavery, enslavement, coercion and forced exploitation of human beings, as well as the sex trade and other forms of human trafficking, and places an obligation on the legislature to criminalize such acts;

(c) Article 92 of the Constitution restricts the ability of the national legislature to regulate the exercise of rights and freedoms, stating that no law may be promulgated if it curtails rights or freedoms in a manner that affects their foundation and essence. Article 93 provides that the State is bound by the international human rights agreements, treaties and instruments ratified by Egypt, which acquire the force of law after publication, in accordance with the prescribed conditions;

(d) Article 99 states that any violation of any right or freedom safeguarded under the Constitution is a criminal offence in respect of which neither criminal nor civil proceedings are subject to any statute of limitations, with the State guaranteeing fair compensation for anyone suffering such a violation. It also provides a number of new guarantees, according to persons whose constitutionally guaranteed rights and freedoms are violated the right to bring direct criminal proceedings and assuring them of fair

compensation from the State. The National Council for Human Rights may intervene in civil proceedings in favour of victims and contest rulings on their behalf;

(e) Article 121 of the Constitution newly provides that laws governing rights and freedoms provided for in or supplementing the Constitution must be approved by a majority of two thirds of members of the House of Representatives, a key safeguard that precludes those important laws from being subject to shifting parliamentary majorities resulting from transitions of power, while at the same time guaranteeing that all views and leanings are expressed in order to maintain plurality and diversity;

(f) Article 214 of the new Constitution provides for the establishment of national councils for human rights, women, motherhood, childhood and persons with disabilities. It states that their composition and functions are to be prescribed by law, together with the guarantees of the independence and impartiality of their members, and that they are empowered to report to the authorities any violations relating to their field of work. These councils enjoy a legal personality, have technical, financial and administrative independence and are consulted about bills and draft regulations relating to their field of work, thus directly strengthening their activities in accordance with internationally recognized principles.

142. These recent constitutional developments reveal the new vision of the constitutional legislature, which is fully consistent with the concepts established in international human rights instruments with respect to rules governing the exercise of rights and freedoms. These provisions also ensure that international human rights instruments are addressed in the Constitution and accorded a special status elevating them to a rank higher in practice than the law. The State is moreover required to establish national human rights mechanisms that are independent and impartial, in accordance with the Paris Principles.

143. Governmental efforts to sustain resolute measures for countering practices and behaviours handed down through society are being pursued by all available means, in conjunction with national human rights mechanisms and in collaboration with civil society organizations. The full apparatus of the State is working to limit the proliferation and consequences of the national challenges constituted by these measures and to gain insight into the risks and harms involved so as to eliminate them and maximize opportunities for bringing five-year development plans to success and achieving their intended objectives.

144. Judicial practice points to full compliance with the constitutional provisions pertaining to the right of equality, taking into account the numerous rulings handed down by the Supreme Constitutional Court in exercising its function of determining the constitutionality of laws and regulations relating to the principle of equality under the previous Constitution. These will be described in detail in the comment on article 6.

145. As part of Egypt's continuing implementation of its reform programmes, in accordance with the provisions of the new Constitution, and of its international obligations arising out of the international human rights instruments to which it is a party, and in the light of the promotion of gender equality as one of the Millennium Development Goals, numerous laws and decrees aimed at fostering the equality of men and women were promulgated during the period covered by the report. Egyptian women are also continuing to achieve multiple successes in different fields and, in accordance with the new Constitution, new laws criminalizing discrimination and incitement to hatred are being prepared, as are laws on national councils for women and children and on the establishment of a national commission for combating discrimination.

146. Statistical indicators for the number of women working in areas in which women have achieved considerable success are as follows (source: National Council for Women):

- In ministerial positions: 3 (environment, education and health in the latest ministerial configuration for 2013)
- In the judiciary: 41, some of whom have held office as judges of higher appeal courts
- In the Administrative Prosecution Authority: 436, with women having twice presided over the Authority
- In the State Lawsuit Authority: 72
- In parliamentary chambers: 12 seats in the elections to the People's Assembly in 2012 and 11 seats in the elections to the Shura Council

147. A woman also held office as a judge of the Supreme Constitutional Court until the Constitution of 2012 was proclaimed, pursuant to which the number of Court members was reduced, leading to the departure of the Court's only woman judge.

Article 3

148. Egypt refers the Committee to its previous report for comment on this article and confirms that it has no territories under its control.

Article 4

149. With respect to this article, Egypt refers the Committee to the comment on article 2 in order to avoid repetition concerning the provisions under the new Constitution covering the criminalization of discrimination and incitement to hatred and the establishment of a commission to combat discrimination.

150. The Egyptian laws already referred to in the previous report include facets of protection for the right of equality and prohibit discrimination, which is criminalized in laws dealing with employment, education, NGOs and the press. The Criminal Code of 2006 was amended in order to criminalize, under article 176, the act of inciting discrimination against a group on grounds of race, origin, language, religion or belief where such incitement is liable to disturb public peace, which carries a sentence of imprisonment.

151. In this regard, Egypt also refers the Committee to part I of this report dealing with the rules and criteria for the development of teaching curricula so as to guarantee a continuing social and educational upbringing in the context of enshrining international human rights concepts and standards, which of course include the rejection of differentiation and discrimination. It similarly refers the Committee (in order to avoid repetition) to the details likewise contained in part I concerning the information policy on the subject.

152. New legislation and essential amendments to existing laws are currently being prepared in order to establish a commission on discrimination, criminalize acts of discrimination and incitement to hatred, forced exploitation of human beings and all forms of human trafficking, and lay down appropriate penalties for those acts in the light of the provisions contained in the new Constitution.

Article 5

153. Concerning the comment on this article, Egypt refers the Committee to its previous report, to the information on the new Constitution, laws and presidential decrees set forth in part I of this report, and to the particulars and statistical data contained in Egypt's reports to United Nations human rights mechanisms. Those various details confirm that the Egyptian Constitution prohibits all forms of differentiation and discrimination, that Egypt's constitutional judiciary adopts the definition set forth in the Convention under discussion, a fact commended by the distinguished Committee, and that the Egyptian legislature, in promulgating laws governing the exercise of the rights and freedoms with which article 5 is concerned, upholds this principle under the oversight of the Supreme Constitutional Court, as provided for in the new Constitution in the aforementioned manner.

154. Egypt wishes to supplement that information with appropriate details of various recent developments that it believes should be provided for the consideration of the distinguished Committee, in particular the new constitutional provisions relating to the rights and freedoms spelt out in article 5 of the Convention.

Comment on article 5 (a) – Equal treatment before tribunals

155. The new Constitution provides for the same fundamental principles of the rule of law as in Egypt's previous constitutions. Under articles 96, 97 and 98, the right to legal recourse is safeguarded and guaranteed to all: the State must ensure access to judicial bodies for litigants and work for the speedy settlement of cases; the immunity of any action or administrative decision from judicial oversight is prohibited; no person may be tried other than before a natural judge; emergency courts are prohibited; assistance for financially incapacitated persons in seeking legal redress and defending their rights is guaranteed; emergency courts are prohibited; and the State is required to provide protection for victims, witnesses, suspects and informants in accordance with the law.

156. The laws relating to the judicial power and judicial bodies, as well as the relevant procedural laws, are compliant with those rules, any departure from which is treated under such laws as subject to oversight by the Supreme Constitutional Court, which is competent to decide that laws are unconstitutional. Preparations are also under way for making the amendments needed in order to bring current laws into line with the provisions of the new Constitution.

Comment on article 5 (b) – The right to security of person

157. Article 60 of the new Constitution provides that the human body is inviolable and that any bodily attack or mutilation is a criminal offence punishable by law. It prohibits organ trafficking and the performance of medical or scientific experiments on human beings without their free consent, which must be medically certified in the manner prescribed by law. Article 61 also provides that tissues and organs may be donated during life or after death pursuant to an agreement or certified will. The current criminal laws provide protection against the acts mentioned by prohibiting trafficking in human beings and in human organs for transplantation. The relevant legislation will be revised in the light of the new constitutional provisions.

158. Article 52 also prohibits torture in all its forms and manifestations, which is an offence for which there is no statute of limitations. Article 55 provides that no person deprived of liberty may be subjected to physical or mental harm, torture, intimidation or coercion and that evidence resulting from any such action must be disregarded. Any violation of this provision is a criminal offence punishable by law.

159. The current criminal laws cover several of these provisions and relevant legislation will be reviewed as a matter of course with a view to making any amendments required on account of the newly formulated constitutional provisions.

Comment on article 5 (c) – Political rights

160. Article 87 provides that the participation of citizens in public life is a national duty, that every citizen has the right to vote, stand for election and express an opinion in a referendum and that the exercise of those rights or exemption therefrom is regulated by law. Under the terms of this article, the State is required automatically to include the name of every citizen in the voters' database, which it must also update periodically. The State must furthermore guarantee the integrity and impartiality of procedures for referendums and elections. The use of public funds, government departments, public facilities, places of worship, business establishments or NGOs for political purposes or electoral advertising is prohibited.

161. These provisions in the new Constitution demonstrate the State's concern to realize the goals of the January 2011 and June 2013 revolutions of the Egyptian people by applying democracy through guaranteeing the participation of citizens in public life and the integrity of the democratic process so that the will of the people, who are the source of authority, is clearly articulated.

162. The laws governing the process of both presidential and parliamentary elections is currently being amended in the light of the new provisions set out in the Constitution.

163. Article 14 of the Constitution provides that public service is a right of all citizens on the basis of aptitude, involving no bias or favouritism, and that the State guarantees protection of the rights of public servants, who may not be dismissed other than through disciplinary action.

Comment on article 5 (d) – Civil rights

(i) *The right to freedom of movement and residence within the border of the State*

(ii) *The right to leave any country, including one's own, and to return to one's country*

164. For the comment on this subparagraph, Egypt refers the Committee to its earlier reports and to the information provided on the laws protecting and guaranteeing these rights, which are asserted in the new Constitution. Indeed, they are covered specifically in articles 62 and 63, which guarantee freedom of movement, residence and migration; provide that no citizen may be removed from, prevented from returning to, or from leaving, the territory of the State; and further provide that neither a compulsory residence order nor a ban on residence in a particular location may be imposed on any citizen except by a reasoned court decision for a fixed period in the cases prescribed by law. Under article 63, the new Constitution prohibits all kinds and forms of arbitrary forced displacement of citizens, a criminal offence for which there is no statute of limitations. New legislation or appropriate amendments to existing legislation will be required in order to implement these provisions of the Constitution,

(iii) *The right to nationality*

165. Article 6 of the recent Constitution newly provides that anyone born to an Egyptian father or an Egyptian mother has the right to nationality, which calls for amendment of the Nationality Act accordingly.

(iv) The right to marriage and choice of spouse

166. Article 10 of the Constitution provides that the family is the basis of society, founded on religion, morality and patriotism, and that the State is responsible for ensuring its cohesion and stability and for the establishment of family values. Articles 2 and 3 also provide that the personal status of citizens is governed by the principles articulated in the laws of their religions (Islam, Christianity and Judaism). This matter is regulated by the current laws referred to earlier.

(v) The right to own property alone as well as in association with others

167. Egypt refers the Committee to the information contained on this matter in its previous reports, which deal with the laws establishing and protecting these rights. The new Constitution additionally provides in articles 33, 34 and 35 that the State is required to protect the three types of ownership, namely public, private and cooperative, that public property is inviolable and may not be harmed, and that its protection is a duty in accordance with the law. Private property is also safeguarded, the right to inherit it is guaranteed and it may not be placed under administration except by court order in the cases prescribed by law. Property may not be divested other than in the public interest and for fair compensation payable in advance, in accordance with the law. Article 40 also provides that the confiscation of public property is prohibited and that private property may be confiscated by court order only.

168. Article 37 of the Constitution provides that cooperative ownership is safeguarded and that the State must take due care of cooperatives, for which the law guarantees protection and support, in addition to independence. Neither they nor their governing boards may be dissolved other than by a court ruling. Article 69 provides that the State must protect intellectual property rights of all kinds in all fields and establish an agency competent to oversee those rights and their legal protection, as regulated by law. Within their respective fields, each of the entities concerned now reviews the legislation governing these rights and introduces the necessary amendments in order to achieve consistency with the new constitutional provisions.

(vi) The right to inherit

169. Article 35 of the Constitution guarantees the right to inherit. The Supreme Constitutional Court also ruled that the right to inherit, as guaranteed under the Constitution, means the right of the legitimate heirs to the estate of the deceased, each of whose respective shares must be passed on to them intact. It further construed it to mean that the deceased may not set aside a share for an heir where to do so would infringe on the right of the remaining heirs.

(vii) The right to freedom of thought, conscience and religion

170. Article 64 of the Constitution provides that freedom of belief is absolute. Freedom for followers of the divine religions to perform religious observances and establish places of worship is a right regulated by law. In its previous reports, Egypt referred to the laws relating to this matter, which prohibit the vilification of religions, disruption of religious ceremonies, destruction of religious facilities, desecration of graves, distortion of holy books and imitation of a religious ceremony in a public place with intent to ridicule (Egyptian Criminal Code, arts. 161 and 162).

171. In this context, the preparation of a special unified law on the establishment of places of worship is under consideration.

(viii) *The right to freedom of opinion and expression*

172. The new Constitution addresses matters relating to freedom of opinion, expression, scientific research and literary and artistic creativity in articles 65, 66 and 67, which provide that the State guarantees freedom of thought and opinion and that all persons have the right to express their opinions by all means of expression and dissemination. Freedom of scientific research is likewise guaranteed and the State is committed to sponsoring researchers and inventors, protecting their creative output, seeking to bring it to bear and providing the necessary means for encouraging that process.

173. Article 67 of the Constitution sets out new measures designed to protect this right. Specifically, it is not permitted to file or initiate proceedings aimed at the blocking or confiscation of artistic, literary or intellectual works, or directed against their creators, except through the Office of the Public Prosecutor. Nor is it permitted to impose a custodial sentence for offences committed on account of the publicity of a literary, artistic or intellectual work. Penalties for offences relating to the incitement of violence or discrimination among citizens or to besmirching the honour of individuals are prescribed by law. In these circumstances, the court may award compensation against a convicted offender in favour of the victim of the offence, in addition to the original compensation for damages to which the victim is entitled, all in accordance with the law.

174. In the same context, article 68 of the Constitution provides for the right of every citizen to divulge official information, data, statistics and documents, all of which the State is required to provide and make available to citizens in a transparent manner. The law regulates the rules concerning access to such materials, their availability and confidentiality, their deposit and storage, and complaints about refusals to provide them. It also prescribes a penalty for withholding information or for deliberately providing erroneous information. State institutions are furthermore required to deposit official documents no longer in use with the National Library and Archives, to protect and secure them against loss or damage, and to restore and digitize them using all latest techniques and tools, in accordance with the law.

175. Article 70 of the Constitution provides that the State guarantees freedom of the press, printing, and dissemination by paper, audiovisual or electronic means, and that Egyptians, whether natural or legal persons, public or private, have the right to own and publish newspapers and establish audiovisual and digital media outlets. Newspapers may be published upon notification, as regulated by law. Procedures for the establishment and ownership of radio and television channels and online newspapers are regulated by law.

176. Article 71 of the Constitution prohibits the censorship, seizure, suspension or closure of Egyptian newspapers and media outlets. Limited censorship may exceptionally be imposed on them in times of war or general mobilization. No custodial sentences may be handed down for offences committed by way of publication or publicity. Penalties for offences relating to the incitement of violence or discrimination among citizens or to besmirching the honour of individuals are prescribed by law. Article 72 provides that the State must guarantee the independence of its own press institutions and media outlets so as to ensure that they remain impartial, express all political and intellectual opinions and leanings, cover all social interests and guarantee equality and equal opportunities for addressing the public.

177. These articles point to the response of the constitutional legislature to various issues that were the object of the recent social and political shift in Egypt, in particular the abolition of custodial sentences for publication offences, the editorship of various publications and the guarantee of independence for State-owned press institutions. Given the new circumstances in this context, consideration must be given to preparing the

legislative amendments required for consistency with the provisions of the new Constitution.

(ix) *The right to freedom of peaceful assembly and association*

178. Freedom of peaceful assembly and association is among the freedoms provided for in successive Egyptian constitutions, as previously indicated in Egypt's earlier reports, and in the new Constitution proclaimed following the revolutions of the Egyptian people in 2011 and 2013, which upholds the aspirations and goals of both those revolutions. Article 73 provides that citizens have the right to organize public meetings, marches, demonstrations and all forms of peaceful protest, involving no carrying of weapons of any kind, by providing the notification regulated by law. The right of private peaceful assembly is also guaranteed, with no requirement for prior notification. Security forces may not be present at, monitor or eavesdrop on such assemblies.

179. Article 75 of the Constitution provides that, on a democratic basis, citizens have the right to form non-governmental associations and institutions, which acquire a legal personality upon notification. These legal entities engage freely in their activities and no administrative agency may interfere in their affairs or dissolve them or their boards of directors or trustees except by court order.

180. The above article prohibits the establishment or continuing operation of non-governmental associations or institutions where their statutes or activities are confidential or of a military or paramilitary nature, all of which is regulated by law.

181. The right to freedom of association is currently regulated by the Non-governmental Organizations Act No. 84 of 2002, which authorizes a variety of activities and permits international non-governmental associations and institutions to engage in their activities in Egypt. It prohibits the establishment of associations that advocate racial differentiation or discrimination and lays down criminal penalties for violations. Impairment of the freedom of association is also a criminal offence under article 375 of the Criminal Code, which provides for a penalty of imprisonment and a fine for the use of force or threat. The above-mentioned Act is now being reviewed in order to align its provisions with those contained in the new Constitution.

182. These new constitutional provisions affirm the exercise and enjoyment of those rights and freedoms within the framework of internationally recognized rules and standards. The Government is now redrafting the Non-Governmental Organizations Act in order to harmonize it with the provisions of the new Constitution and with the international human rights instruments to which Egypt is a party, in accordance with article 93 of the Constitution, mentioned earlier.

183. Annex 3 contains statistical data on non-governmental associations, which clearly show the proliferation, wide variety and substantial membership numbers of these associations.

Comment on article 5 (b) – Economic, social and cultural rights

(i) *The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration*

184. The right to work and the rights associated with it are firmly established, with provision made for them in successive Egyptian constitutions, as previously indicated in Egypt's earlier reports, and in the new Constitution proclaimed following the revolutions of January 2011 and June 2013. Article 12 stipulates that work is a right, duty and honour guaranteed by the State and that no citizen may be forced to work, except as required by

law in order to perform a public service for a fixed period and fair remuneration, without prejudice to the fundamental rights of those charged with the work.

185. Article 13 of the Constitution also provides that the State must safeguard the rights of workers and strive to build balanced work relationships between the two parties in the production process. It is also required to guarantee means of collective negotiations, protect workers from on-the-job risks, fulfil security, safety and occupational health requirements and prohibit unfair dismissal, all as regulated by law.

186. Article 42 of the Constitution states that workers must have a share in the management and profits of enterprises and that they are required to develop production, preserve the tools of production and implement the plans of their productive units, in accordance with the law. Workers must be represented by 50 per cent of elected members of the governing boards of public sector units and as prescribed by law in the case of governing boards of companies in the public business sector. The law states that small farmers and small traders must have a minimum representation of 80 per cent on the governing boards of agricultural, industrial and craft cooperatives.

187. Concerning this right under current law, article 12 of the Labour Code (Act No. 12 of 2003) provides for the right of anyone able and willing to work to apply for registration of his name with the competent administrative authority for the district in which he resides. Under article 14 of the Code, employers have the right to appoint any person of their choosing. The provisions of the Code are also such as to guarantee the fulfilment of fair employment conditions and furthermore include the right to strike.

188. Egyptian law offers special protection for the right to free choice or acceptance of employment; article 375 of the Criminal Code provides for a penalty of imprisonment and a fine for any person who compromises the right of another person to work, to employ or not to employ any individual, or to belong to an association through force, threat, violence, intimidation or any other unlawful means, whether directed against the person concerned or against the spouse or children of that person.

189. Appropriate amendments are currently being examined in order to bring the relevant legislation into line with the new provisions embodied in the Constitution. Annex 6 contains statistical indicators on this subject.

(ii) *The right to form and join trade unions*

190. The right to form trade unions and the rights associated with it are firmly established, with provision made for them in successive Egyptian constitutions, as previously indicated in Egypt's earlier reports, and in the new Constitution proclaimed following the revolutions of January 2011 and June 2013. Article 76 of the new Constitution stipulates that the establishment of trade unions and federations on a democratic basis is a right guaranteed by law. They have a legal personality, engage freely in their activities and play a part in improving the skills, defending the rights and protecting the interests of their members.

191. Article 77 of the Constitution contains a special provision on professional unions, stipulating that they must be democratically established and administered, as regulated by law. It guarantees their independence and determines their resources and the methods employed in registering members and holding them to account for their professional conduct in the performance of their activities, in accordance with the codes of honour, ethics and professional conduct. No more than one union may be established for each profession and no union may be placed under administration. Nor may any administrative agency interfere in union affairs or dissolve a union or its board of directors or trustees except by court order. Unions must also be consulted on bills concerning them.

The right to establish trade unions under current law

192. Unions in Egypt are divided into two types, namely trade unions and professional associations. Trade unions are regulated by Act No. 35 of 1976, as amended by Act No. 1 of 1981 and Act No. 12 of 1995. The formation and functioning of professional associations are regulated by Act No. 100 of 1995. Under these Acts, the purpose of trade unions and professional associations is to protect the legitimate rights of their members, defend their interests, improve the terms and conditions of their employment, raise their awareness of union activities, enhance their education and professional skills, improve their health and promote their economic and social well-being. Trade unions and professional associations also participate in the discussion of draft socioeconomic development plans, engage in labour-related activities at the Arab, African and international levels, and reaffirm the role of the Egyptian trade union movement in those activities. Trade unions work to settle individual and collective disputes, conclude collective employment contracts and participate in drafting production plans for industrial enterprises.

193. Under Egyptian law, workers in professional or industrial associations may form nationwide federations. A general federation of all trade unions may also be formed. Trade unions enjoy independence in the administration of their operations and are free to participate in similar trade union activities at the international level.

194. The Labour Code places no restrictions on trade union activity other than the requirement to abide by the provisions of the Code, including by refraining from any decision or act deemed by law to constitute a criminal offence involving incitement to hatred or contempt or action to overturn the rule of law, use of force, violence, intimidation or threat, or impairment of the rights of others to work, to employ a person or not, or to participate in an association (art. 70). These restrictions are essential to preserving national security, public order and the rights of others.

195. Under the Code, a worker may devote himself to full-time trade union work and no worker who is a member of a union's governing board may be dismissed or suspended other than by a court order (arts. 45 and 48). Under article 74, an employer who dismisses or punishes a worker in order to force him to join or leave a trade union organization is liable to a penalty that is multiplied by the number of workers concerned.

196. A number of laws have been promulgated to regulate the country's 21 professional associations, such as those established for members of the legal, teaching and medical professions, engineers, musicians, actors, filmmakers, visual artists, social workers, traders, tourist guides, nurses, practitioners of natural medicine, sportspersons and farmers.

197. In this regard, Egypt recalls that it ratified the International Labour Organization (ILO) Convention on Freedom of Association and Protection of the Right to Organize as far back as 6 November 1957. It also refers to the reports it has submitted on this subject to ILO. Moreover, intensive studies are currently in progress with a view to amending the Trade Unions Act in order to bring it into line with recent national and international developments in the labour movement. Annex 4 contains relevant statistical indicators.

(iii) The right to housing

198. Government plans and programmes for delivering the right to housing are based on the construction of new towns to accommodate the growing population and on the construction of low-cost housing complexes for young persons. These include two projects named "Housing for young persons" and "Build your own home". Under these and other similar projects, low-interest long-term loans are available through banks and international cooperation programmes with various international organs and bodies.

199. Civil society also plays an important role through cooperative housing associations, which provide housing units and land for their members via the legal facilities available to associations of this kind. There is a network of community cooperatives, which includes workers' organizations, trade unions and professional associations.

200. Established pursuant to Presidential Decree No. 277 of 2001 as a means of encouraging home ownership, the Mortgage Finance Authority is designed to help citizens purchase their own homes by providing them with access to income-based loans, repayable in easy instalments, and a deposit of 10 per cent of the purchase price.

201. Under Act No. 101 of 2007, which concerns the budget appropriation for the first year of the five-year socioeconomic development plan (2007/08–2011/12), funds were allocated for soft housing loans financed by the National Investment Bank, as follows:

- LE 195 million for public housing loans in the various governorates;
- LE 150 million for cooperative construction and housing loans;
- LE 200 million for Ministry of Housing projects.

Total: LE 545 million.

202. The national housing programme is a key project launched by the Government to build half a million housing units over six years in an effort to overcome the problem of access to adequate housing for persons with limited incomes. The programme's main areas of focus were planned with a view to meeting the needs of citizens with varying desires and preferences for living in certain towns or close to workplaces and to delivering income-appropriate units. The modus operandi has therefore involved acquisition of the necessary land for development in the governorates and new towns, the provision of State financial backing and access to 20-year loans on easy terms, and the enlistment of private sector services for the construction of housing units with a floor area of 63 m². The State provides facilities and infrastructure, including drinking water, sanitation, electricity, roads and communications, at every construction stage.

203. The State is also engaged in exhaustive efforts to address the widespread problem of informal settlements, where the population numbers and density are rising. The aim is to limit further settlements and reduce the expansion of existing settlements, which are to be reorganized, replanned and redeveloped, with the guarantee that they will not be deprived of basic services during that time.

204. The new Constitution covers the right to housing, providing as it does in article 78 that the State guarantees to citizens the right to adequate, safe and sanitary housing in such a manner as to preserve their human dignity and achieve social justice. It also provides that the State must develop a national housing plan that takes into account the particular nature of the environment, guarantees the contribution of individual and cooperative initiatives to its implementation, regulates the use of State land and supplies it with basic facilities, all as part of comprehensive urban and rural planning and a population distribution strategy aimed at realizing the public interest, improving the quality of life for citizens and safeguarding the rights of the coming generations.

205. The same article additionally provides, for the first time ever, that the State must elaborate a comprehensive national plan to address the problem of informal settlements, covering replanning, infrastructure provision, utility supply, quality-of-life improvement and public health. It must also guarantee provision of the resources needed for implementation within a set time frame. Annex 7 contains statistical indicators that clearly illustrate the Government's efforts in this sphere.

(iv) The right to public health, medical care, social security and social services

206. The right to health care, social care and social security was enshrined together with other associated rights in successive Egyptian constitutions, as previously indicated in Egypt's earlier reports. Detailed below, these rights are similarly enshrined in the new Constitution proclaimed following the revolutions of the Egyptian people in January 2011 and June 2013, which deals with them in accordance with the goals and aspirations of those two revolutions in this particular sphere.

(a) Health care

207. Article 18 of the new Constitution provides that every citizen has the right to health and to universal health care meeting quality standards. The State must furthermore guarantee to maintain and support public health facilities offering services to the people, enhance their efficiency and even out their geographical dispersal. The article also provides for the first time ever that the State must allocate to health a proportion of government spending equivalent to a minimum of 3 per cent of GDP, rising incrementally until on a par with global averages.

208. The article newly provides that the State must establish a comprehensive health insurance scheme for all Egyptians covering all diseases. Contributions from citizens to the scheme are means-tested and regulated by law, as are any exemptions from contributions. Under the terms of the article, refusal to provide a person with any form of medical treatment in an emergency or life-threatening situation is a criminal offence. Furthermore, all health facilities and health-related products, supplies and advertising are monitored by the State, which must also encourage the private and non-governmental sectors to participate in the delivery of health care services, in accordance with the law. The State is additionally under obligation to improve the situation of doctors, nursing staff and health personnel.

209. As part of this constitutionally established and protected right, various legislative enactments and decrees were promulgated on the basis of earlier constitutions in the areas of health coverage, health insurance for all citizens and compulsory immunization against epidemic, endemic and occupational diseases. Owing to the new provisions in the Constitution, it will be necessary to amend the current health-related laws and to arrange the funds required for their implementation.

210. Egypt's health care system currently encompasses numerous entities, authorities and other institutions engaged in delivering health care services to citizens, foremost among them the Ministry of Health in terms of its material and human resources. The Ministry provides its services through an extensive network of hospitals and primary health care units and centres serving local rural and urban communities, offering public and specialized health facilities through large hospitals in the governorate capitals and through small hospitals and primary health care unit in district centres. Health care services are also provided by social insurance authorities, medical institutions and some civil society organizations (such as community associations and foundations), as well as through a sizable network of private clinics and hospitals. The health care services delivered through social insurance authorities cover workers, pensioners and widows, with the addition of students in 1993, in return for nominal contributions paid by the beneficiary, employers or the authorities themselves. The government-run medical institutions include a substantial number of hospitals in Cairo governorate and in various other governorates in Lower Egypt. All students, contractual workers, low-wage earners and accident victims benefit from their services free of charge. Outsourced services delivered to low-wage earners are funded by the Ministry of Health. Civil society organizations, together with private clinics and hospitals, form a comprehensive network providing services to all persons at all levels. Fees

are graduated, with charitable associations charging the least and investor-owned hospitals the most.

211. As part of its commitment to providing health care for its citizens, the State also presently shoulders the cost of travel abroad in specific cases where the necessary medical treatment is unavailable in Egypt. It furthermore assumes the costs of treatment in Egypt in cases where they are exceptionally large. New legislation is currently being drafted in line with the provisions made in the new Constitution concerning quality standards for health services and the GDP percentages to be allocated to health care.

Practical results of giving effect to the right to health care for citizens in the period preceding that covered by the report

212. Giving effect to the right to health care is a Millennium Development Goal pursued by the Government through a package of plans, policies and programmes for improving health care. Its efforts have been notably successful in reducing infant and child mortality and in improving child health through the following key programmes:

- Neonatal care programme;
- Early thyroid hormone deficiency detection programme;
- Integrated care programme for child patients;
- Expanded immunization programme;
- Breastfeeding support and encouragement programme;
- Child nutrition support programme;
- Growth and development monitoring programme;
- Diarrhoea and dehydration control programme;
- Acute respiratory disease control programme for under-5s.

Annex 8 contains the current statistical indicators for health care in this field.

(b) *The right to social security*

213. Article 17 of the Constitution provides that that State guarantees to provide social insurance services and that any citizens not benefiting from the social insurance system are entitled to social security so as to ensure that they can live decent lives in the event of inability to support themselves and their families, work incapacity, old age or unemployment. Under the article, the State is now required for the first time ever to provide an appropriate pension for smallholders, agricultural labourers, fishers and informal workers, in accordance with the law.

214. The same article provides that social insurance benefits and pensions are private assets enjoying all of the facets and forms of protection afforded to public assets. Beneficiaries are entitled to these assets and the income yielded from them, which must be safely invested and administered by an independent entity, in accordance with the law. The State is required to guarantee insurance benefits and pensions.

215. In Egypt, social insurance and social security are regulated by a number of legislative enactments to which reference was made in previous reports. They are listed below.

Social insurance

216. Existing social insurance legislation includes the following:

- Act No. 79 of 1975, which concerns social insurance for civil servants and workers in the public and private sectors;
- Act No. 108 of 1976, which extends social insurance coverage to employers;
- Act No. 50 of 1978, which concerns social insurance for Egyptians working abroad;
- Act No. 112 of 1980, which concerns insurance coverage for informal workers.

Preparations are now being made for adoption of the legislative amendments needed for consistency with the new Constitution.

Social security system

217. The Government's plans and programmes are intended to provide financial stability for low-income families by ensuring a minimum income level for social groups without social security coverage who are unable to work because of their social circumstances, health problems or age and who thus find themselves with no means of support. The social security system is a social protection mechanism for such families, providing them with an income sufficient for their essential needs. This philosophy comprises care for individuals and families, regardless of social category and age group, including in particular children, persons with disabilities, widows, divorced women, persons unable to work and the elderly. The Social Security Act No. 30 of 1977 defined the groups eligible for social security and the cases in which it could be obtained. It also set forth the four beneficiary coverage regimes, namely social security benefit, child benefit, monthly assistance payment and lump-sum payment. This Act was replaced by Act No. 137 of 2010.

Social security benefit

218. The groups listed below qualify for this type of benefit:

- Orphans, widows and divorced women;
- Children of a divorced woman upon her death, marriage or imprisonment;
- Incapacitated persons;
- Women over 50 years of age who have never been married;
- The family of a person imprisoned for not less than three years;
- Persons over 65 years of age.

219. A number of laws providing for pension increases have been successively enacted on account of the consecutive price increases resulting from Egypt's shift towards a market economy. Several prime ministerial decisions have also been issued, most recently in 2013, to raise the monthly entitlement on the basis of the number of family members. In order to promote enrolment in basic education and reduce the dropout rate from education overall, every family eligible for social security benefit is awarded a study grant, pursuant to Prime Ministerial Decision No. 1736 of 2005, for every one of its children who is regularly enrolled in basic or general secondary education or the equivalent. The grant amounts to LE 20 per month during the school year (eight months). Each family is entitled to one such grant per child, up to a maximum of LE 100 per month.

Child benefit

220. Under article 49 of the Children's Code (Act No. 12 of 1996), as amended by Act No. 126 of 2008, the following categories of children are eligible for monthly child benefit payments:

- Orphans or children whose fathers or parents are unknown;

- Children whose mother is the family breadwinner or divorced, upon her marriage, death, or imprisonment or detention for a term of not less than one month;
- Children of a person being legally confined, imprisoned or detained for a term of not less than one month.

Monthly assistance payment

221. Categories of persons entitled to monthly assistance payments are as follows:

- Pregnant women, starting from the third month of pregnancy and continuing until delivery;
- Nursing infants, up to the end of the second year;
- Families whose breadwinner or equivalent has been imprisoned or otherwise detained for a term of more than two months but less than three years. The amount of the assistance is equal to the allowance payable to an orphan, a widow or an elderly person, depending on the composition of the family;
- Families whose breadwinner is chronically sick, i.e., living with an illness that prevents him from working or affects his income. The amount of the assistance is equal to the allowance payable to person with disabilities, depending on the composition of the family;
- Families whose breadwinner has relocated elsewhere and been absent for a period of not less than six months, where his place of residence is unknown. The amount of the assistance is equal to the allowance payable to an orphan, a widow or an elderly person, depending on the composition of the family.

Lump-sum payment

222. The Act provides that a lump-sum cash payment may be made to needy individuals and families for starting up small business enterprises or supporting existing enterprises, whether individually or collectively owned and whether formal or informal, the aim being to develop the family's resources. Such payments amount to not less than LE 1,000 and not more than LE 3,000, with priority given to persons in receipt of monthly social security benefits and assistance, together with their families. Urgent cases are defined as those requiring assistance to meet costs associated with education, funerals or childbirth.

Allowances for former workers

223. The Act provides that allowances may be paid to former civil servants and public sector employees who have completed not less than three consecutive years of service and who, after their end of service, are subject to laws concerning social insurance or other allowances for illness, education or marriage.

224. All laws relating to social security are now being reviewed in order to harmonize them with the constitutional provisions newly introduced in this context on the strength of the Government's social security policy, which is based on:

- Providing financial stability for families with insufficient income for minimum needs, especially categories who have been left behind in the world of work and production and who have no social insurance coverage;
- Providing non-repayable grants to families in order to involve them in the production process through small business start-ups;
- Providing opportunities for production and increased income for certain persons in receipt of monthly assistance who are reasonably capable of work, such as widows

and divorced women, by involving them in family business projects and also ensuring that they benefit from the social security programme providing lump-sum assistance for family projects in cases where the eligibility conditions are met;

- Implementing social security programmes providing social assistance to impoverished individuals and family members who are unable to work, such as orphans, the sick, the incapacitated, the elderly, divorced women, widows and persons with special needs;
- Providing assistance in the form of education grants for children from families in receipt of social security allowances in order to prevent them from dropping out of schooling;
- Providing financial assistance to impoverished individuals and families to help them in setting up productive projects that will increase the income and develop the resources of such families;
- Ensuring the advancement of women in general and women breadwinners, divorced women and women deserted by a breadwinner in particular by bringing them into the comprehensive health insurance system;
- Awarding education grants to the children of families in receipt of monthly assistance, in addition to an allowance of LE 40 for each child regularly enrolled in basic or secondary education, up to a maximum of LE 200 per family during the period from 1 October to 31 May in each school year.

Future plan to the end of the current financial year 2013/14

225. The future plan consists in:

- Including new categories under the social security umbrella, as necessary;
- Increasing to two million the number of families benefiting from social security programmes;
- Amending the ministerial decision concerning implementation of the Social Security Act with a view to increasing security insurance allowances and assistance so as to keep pace with new developments, economic shifts and rising living costs by increasing the social security funding in the general budget in order to address new allocations on an annual basis;
- Rolling out to all regional directorates the smart-card scheme for the payment of social security allowances, based on guidance from the pilot project tested in Suez governorate.

Efforts for the delivery of protection and social care services to all groups of citizens

226. The tasks of devoting priority attention to poor, vulnerable and marginalized groups and securing the fundamental rights needed to provide them with a decent life are a focus of the Government's constant efforts in pursuit of the following objectives:

- Achieving the protection, well-being and empowerment of marginalized and vulnerable social groups;
- Ensuring equitable benefit for all citizens from the package of fundamental rights and the fruits of development;
- Mobilizing the capacities of Egyptian citizens, opening avenues for active engagement in the planning and implementation of development, and maximizing

development opportunities by delivering accessible, better quality and more efficient public services;

- Preparing the plans and programmes required for implementation of the State's social policy in the areas of comprehensive human and social development in order to achieve the desired social justice;
- Increasing monthly social security allowances as from the financial year 2013/14.

Annex 10 sets out the current statistical indicators in this domain.

(v) *The right to education and training*

227. The right to education is another of the rights enshrined in successive Egyptian constitutions, as already stated in Egypt's earlier reports, and in the new Constitution proclaimed following the revolutions of the Egyptian people in January 2011 and June 2013. Article 19 of the Constitution provides that education is the right of every citizen and is aimed at building the Egyptian personality, instilling the scientific method of thinking, developing talents and fostering innovation, establishing cultural and spiritual values, and anchoring the concepts of citizenship, tolerance and non-discrimination. The State is under obligation to uphold the goals of education in the teaching curricula and methods and to provide education in accordance with international quality standards. The article also provides that education is compulsory to the end of the secondary level or equivalent and guaranteed by the State to be free of charge at the various levels in its educational institutions, in accordance with the law.

228. This article newly provides that the proportion of government spending to be allocated to education by the State must amount to not less than 4 per cent of GDP, rising incrementally until it corresponds to global rates. The State is required to oversee the compliance of all schools and public and private institutions with its educational policies.

229. Article 22 also provides that the State guarantees to look after the welfare of teachers, teaching faculty members and teaching assistants, who are the cornerstone of education, develop their academic skills and professional talents, and take care of their physical and moral health in order to ensure the quality of education and the attainment of its goals.

230. Under article 23, the State guarantees freedom of scientific research and fosters research foundations as a means of achieving national sovereignty and building a knowledge economy. It is required to sponsor researchers and inventors; allocate a proportion of government spending to scientific research amounting to not less than 1 per cent of GDP, rising incrementally until it corresponds to global rates; guarantee ways of contributing effectively to the private and non-governmental sectors; and engage Egyptian expatriates in the advancement of scientific research.

231. Egypt has already referred in earlier reports to current laws concerning this right. All laws relating to general and university education are now being revised in order to bring them into conformity with the constitutional provisions recently introduced in this context. Annex 11 contains the present statistical indicators for all stages of education.

The right to training

232. Guidance, training and further training are regulated under the Labour Code (Act No. 12 of 2003), which provides in book III (arts. 131 to 144) for the establishment of a Higher Council for Human Resource Development and a human resources development and employment programme. The Council is tasked with drafting a national policy for human resource development planning and devising a national programme for optimal human resources employment. These articles also deal with matters relating to financing for

training, licensing conditions for vocational and technical training activities, the legal status of these activities and the establishment of a fund for training and further training, using resources provided from appropriations allocated by the State and from sums amounting to 1 per cent of the net profits of establishments subject to the provisions of the Code, in addition to any other contributions received.

233. Human rights training has already been covered in part I of this report.

(vi) *The right to equal participation in cultural activities*

234. For comment on this subparagraph, Egypt refers the Committee to its previous report and to the information contained in part I of the present report, adding that the Egyptian Government attaches enormous importance to cultural matters in view of the many and varied strands, including ancient Egyptian, Coptic, Islamic, Arabian and Nubian, that together form the basic components of Egyptian culture. For the past 7,000 years, moreover, Egypt has continuously interacted with other peoples and civilizations. The Constitution and laws of the country guarantee the right to participate in cultural life, enjoy the advantages of scientific progress and benefit from the protection of artistic works, intellectual property and patented inventions. These rights are enshrined in the Constitution and in legislation.

235. The new Constitution affirms these rights in many of its provisions. Article 47, for instance, provides that the State must preserve Egypt's cultural identity in all its diversity. Article 48 also stipulates that culture is the right of every citizen, guaranteed and supported by the State, which must ensure access to cultural materials for all groups of the people, without discrimination on any ground, including financial capacity and geographical location. It must also direct special attention to remote areas and the most disadvantaged groups, in addition to promoting translation from and into Arabic.

236. Article 49 contains a new provision to the effect that the State is required to protect and preserve the country's antiquities, take care of, maintain and renovate its archaeological sites, recover items taken from those sites, organize and supervise site excavations, prohibit the gifting or exchange of any archaeological artefacts and treat any vandalism of archaeological sites or trade in artefacts as a criminal offence for which there is no statute of limitations.

237. Article 50 provides that, in all its diversity and with its ancient Egyptian, Coptic and Islamic milestones, Egypt's material and moral heritage of civilization and culture is a rich national and human asset that the State must preserve and maintain, together with the accumulated pool of cultural, architectural, literary and artistic resources of all kinds. An assault on any of the above is treated as a criminal offence punishable by law. The State is also required to devote particular attention to preserving the components of Egypt's multiculturalism.

238. Creativity, originality and the provision of an environment conducive to both form the basis of cultural activity. Accordingly, the State sponsors gifted and creative individuals in all fields of artistic and cultural endeavour by providing dedicated art centres equipped with modern tools and equipment. It also sponsors the translation of Arabic literature into various languages and vice versa, the publication of cultural magazines and participation in national and international exhibitions and competitions.

239. The State asserts its resolve to ensure the right of all citizens to culture, which it supports within the framework of the many cultural and information programmes implemented by various national and private bodies and agencies. The latter work to create a favourable climate for the exercise of that right through an integrated system of mechanisms overseen by a specialized ministry, namely the Ministry of Culture, which comprises the entities described below.

(a) *Supreme Council for Culture*

240. The Supreme Council for Culture is an independent panel comprising stakeholder representatives, major literary figures and experts. In short, the Council's aims are to:

- Honour pioneering and towering thinkers, artists and writers by awarding them prizes of appreciation for their work;
- Organize international and national seminars and conferences;
- Assist the literary composition and translation movement;
- Hold competitions for identifying promising new talent;
- Disseminate cultural awareness by giving away books and other printed materials.

241. The structure of the Council includes the Fine Arts Sector, the National Centre for Children's Culture, the General Directorate for the Censorship of Artistic Works and the Cultural Production Sector, which in turn comprises the National Centre for Cinema, Theatre and Music, the Folk Arts Centre and the Drama Centre.

(b) *Academy of Arts*

242. The Academy of Arts plays a part in the progressive development of thought, art and human values and gives a national orientation to the arts, taking into account the country's national heritage, the preservation of its pure origins and contemporaneity, and the establishment of closer cultural and artistic links with bodies involved in the arts in the national, Arab and global contexts. The Academy also works to create the right conditions for disseminating the essence of artistic creativity at all internal and external levels. Originally restricted to the teaching of the arts, its mission has now evolved towards far broader horizons, supported by an integrated knowledge-based view of the objectives pursued by the Academy, which now comprises the Higher Institute of Dramatic Arts, the Higher Institute of Arab Music, the Higher Institute of Artistic Criticism, the Higher Institute of Ballet, the Higher Institute of Folk Arts, the Conservatory of Music and the Higher Institute of Cinema.

(c) *Supreme Council of Antiquities*

243. The Supreme Council of Antiquities works to protect and preserve the nation's magnificent historical, artistic and archaeological wealth and showcase it to the countries of the world using the best thought-out scientific methods. In brief, the Council is actively engaged in:

- Discovering and excavating the archaeological heritage of Egyptian civilization;
- Preserving archaeological remains through restoration and conservation;
- Establishing archaeological museums in order to disseminate cultural and archaeological awareness;
- Publishing scientific and archaeological materials and assisting archaeological researchers and students;
- Creating a scientific and archaeological record of the country's ancient cultural heritage;
- Using self-generated resources to promote archaeological projects, museums and archaeological culture.

(d) General Egyptian Book Organization (GEBO)

244. GEBO works to disseminate a message of enlightenment through an integrated authorship and publication institution. Its activities are mainly focused on authorship, translation, publication and the production, printing and marketing of magazines. It also publishes encyclopaedias, dictionaries, children's books and books on art and archaeology. It organizes the International Book Fair and the Cairo International Children's Book Fair.

(e) General Authority for Books and National Archives

245. The aim of this entity is to participate in the work of national guidance and in implementing the responsibilities of the Ministry of Culture with respect to national public libraries, heritage, manuscripts, national documents, authorship, translation and publication. To that end, it provides facilities for the consultation of intellectual works and also collects, stores, verifies and prepares manuscripts, photocopies and journals for the use of those wishing to benefit from them. It supervises 25 branch libraries and a number of mobile libraries. It also has a universal printing press, which collaborates in the areas of cultural development and cooperation, future projects and marketing (sales outlets).

(f) General Organization of Culture Palaces

246. The aim of this body is to foster and drive forward the cultural movement with a view to:

- Stimulating the literary movement in the governorates and kindling a spirit of exploration and creativity;
- Upgrading library services in cultural centres and branch libraries, supplying them with books and facilitating public access;
- Galvanizing the fine arts movement through events, exhibitions and the discovery and nurturing of gifted artists;
- Studying folk art and environmental crafts and supervising folk troupes in the various governorates;
- Disseminating the culture of theatre among the public at large and supervising theatre activity from the artistic standpoint in the various governorates;
- Participating in the organization of meetings, seminars and conferences for improving cultural, artistic and literary attainment;
- Providing financial and literary support within the framework of the role vested in the Organization in this sphere.

The Organization runs a number of dedicated culture palaces and also organizes cultural festivals in the various governorates across the country. A total of 393 cultural centres are dispersed throughout all governorates.

(g) General Authority for the National Cultural Centre (Opera House)

247. The aim of this entity is to stage high-level artistic works locally, regionally and internationally and provide staff with the world-class competence and expertise to pursue the advancement of technical and administrative operating methods, develop technical teams and attain the desired objectives of disseminating refined artistic works, preserving the artistic heritage, instilling an appreciation for those works in generations of all ages and taking the necessary action to convince outstanding artists in the fields of music, opera, ballet and song to remain in the country rather than emigrate. It also runs a centre for

developing the talents of young persons and amateurs who are not students of music or opera.

248. The Authority's achievements in the field of cultural and artistic activities have included hosting world-class artistic troupes to perform on stage at the Opera House, producing a series of outstanding artistic works from the Egyptian heritage, and organizing weekly concerts for children free of charge or at a nominal price.

249. In the field of training, the Authority's achievements include sending students on exchange programmes, developing the talents of young persons and children in the arts of ballet, piano and choral singing, and evaluating opera companies in accordance with international technical standards.

250. In the realm of international cultural exchanges, competitions and festivals, the Authority organizes Arab music festivals.

(h) *Cultural Development Fund*

251. The Fund plays an effective role in the establishment of libraries, including the Mubarak Public Library, which seeks to encourage the reading habit in individuals of all ages and from all social groups and to provide access to all books, reference works, periodicals and audiovisual materials of general interest with a view to promoting self-education.

(i) *Al-Qahira*

252. Al-Qahira is a weekly cultural newspaper published every Tuesday.

(j) *Fund for Artists and Writers*

253. Established in 1964, this Fund takes care of the health and social well-being of writers, artists and thinkers in recognition of their efforts.

(k) *Unions and associations for persons working in the field of culture*

254. The affairs of artists engaged in cultural activities are looked after by a number of unions and associations, which are subject to the provisions of Act No. 35 of 1978, as amended. They include the Drama Trade Union, the Cinema Trade Union, the Music Trade Union and the Union of Visual Artists. In addition to these is the Federation of Arab Writers, which is subject to the provisions of Act No. 15 of 1975, as amended by Act No. 19 of 1978.

Annex 12 sets out the statistical indicators for cultural facilities and entities working in the field of culture.

Comment on article 5 (f) – The right of access to any place or service intended for use by the general public, such as transport, hotels, restaurants, cafes, theatres and parks

255. In its previous reports and in the context of part I of this report dealing with the new Constitution, Egypt has described the provisions relating to equality among citizens and the prohibition of discrimination and incitement to hatred, which constitutes a criminal offence not subject to any statute of limitations. By virtue of its cultural and humane underpinning, Egyptian society moreover practises no discrimination among citizens on any grounds with respect to access to any place or service intended for use by the general public, such as transport, hotels, restaurants, cafes, theatres and parks.

Article 6

256. For comment on this article, we refer the Committee to Egypt's earlier reports and to the information contained in part I of the present report concerning the new Constitution. Affirming the content of those reports and Egypt's previous replies to the distinguished Committee, we may add that, under the Egyptian legal system and in accordance with article 93 of the Constitution, the human rights instruments to which Egypt is a party are regarded as Egyptian laws once the procedures for their ratification are complete and once the instruments concerned have been published, in Arabic, in the Official Gazette. These rights and freedoms also acquire the protection afforded by the relevant constitutional provisions inasmuch as they are enshrined in the Egyptian Constitution, thereby ensuring, in accordance with the country's legal system, that the legislature is committed to upholding them. The law would otherwise be at odds with the Constitution and thus liable to a ruling of unconstitutionality by the Supreme Constitutional Court that would be binding on all authorities in the State.

257. In its case law, the Supreme Constitutional Court set limits on the scope of the legislature to regulate rights and freedoms, having stated that:

“With respect to the rights and fundamental freedoms of the citizen, the substantive body of law which, in a State governed by the rule of law, takes precedence over them, is in practice subject to limitations, given the level of those rights and freedoms consistently upheld by democratic States in their societies, and must therefore be in accordance with them. It follows that a State governed by the rule of law may not derogate from the protection that it affords for the rights and freedoms of its citizens beyond the minimum limits of the general requirements in effect in democratic States and nor may it subject their enjoyment and exercise to restrictions that are essentially injurious to their application as practised in democratic regimes. On the contrary, a State governed by the rule of law is limited by the democratic concept itself, the gist of which is that its legislation does not impair rights granted, in democratic States, as a primary prerequisite for the establishment of the rule of law and a fundamental guarantee of the maintenance of human rights and the full personal dignity of the human being.”

258. In that light, the reasoning of the Supreme Constitutional Court and the principles and criteria on which it relies in this matter are clearly consistent in terms of substance and are fundamentally related to the provisions of article 6 of the Convention. Accordingly, any activity designed to impair or restrict the right of equality would be deemed to contravene the Constitution and the laws protecting that right, thereby bringing criminal, administrative or civil accountability to bear in line with the cases and circumstances prescribed by law.

259. The provisions of Egypt's domestic laws regulating the rights and freedoms protected under the Convention are framed in such a way as not to restrict or compromise those rights on any grounds. One such law is the Labour Code (Act No. 12 of 2003), which prohibits agreements that contravene its provisions, stipulating in article 5 that any condition or agreement that does so is deemed null and void, even where it precedes the entry into force of the Code, as it would constitute a derogation from the workers' rights enunciated in the Code. In addition, more favourable benefits and conditions set forth in collective or individual work contracts continue to be valid. In the same context, article 21 of the Education Act No. 139 of 1981 provides that it is a criminal offence, punishable by a fine, for parents or guardians not to enrol their children in compulsory schooling or to allow them to be absent without excuse. Under article 25 of Act No. 12 of 1996, it is also a criminal offence for parents or guardians not to take their children for the mandatory vaccinations. Article 26 prescribes the penalty of a fine for anyone who contravenes that provision.

260. In the context of judicial action to protect the rights and freedoms enunciated in the Convention, we shall refer to various rulings of the Supreme Constitutional Court, which are binding on all authorities in the State. Individuals turn to this Court, as do tribunals when considering disputes of various kinds in the event that the constitutionality of any legal provision is challenged. The Court's rulings are published in the country's Official Gazette, thereby ending the matter and ultimately settling any question concerning the constitutionality of legal provisions cited in a dispute.

261. In the light of that consideration, the Supreme Constitutional Court has handed down various rulings as part of exercising its function of overseeing the constitutionality of laws and regulations. These are as follows:

(a) The Court ruled that various provisions of laws and regulations setting a maximum limit to cash compensation for untaken leave are unconstitutional in cases where the leave was not taken because the person had to work (one such ruling was that handed down in case No. 156, judicial year 25, Supreme Constitutional Court, session of 13 February 2005);

(b) The Court ruled that the laws granting periodic increases in pensions were unconstitutional on the grounds that they were restricted to those entitled to pensions because they had reached pensionable age and excluded other cases of entitlement to a pension by law, thereby constituting a violation of the right to equality and the right of ownership (ruling handed down in case No. 174, judicial year 24, Supreme Constitutional Court, session of 9 January 2005);

(c) The Court ruled that article 18, paragraph 2, of the Copyright Protection Act No. 354 of 1954 was unconstitutional in that it permitted an author to designate beneficiaries of the rights of financial exploitation, even if the amount exceeded the legally prescribed limit for the bequest. The ruling was based on the principle of equality before the law being taken to mean that, in exercising their functions as stipulated in the Constitution, the legislative and executive powers may not violate the equal legal protection provided for all rights, whether those covered under the Constitution or those prescribed by law. This principle therefore guards against legal provisions in which the legislature creates unwarranted discrimination inconsistent with comparable legal positions (ruling handed down in case No. 122, judicial year 22, Supreme Constitutional Court, session of 13 February 2005);

(d) The Court ruled that article 2, paragraph 1, of Act Nos. 150 of 1988, 85 of 2000, 19 of 2001, 150 of 2002, 91 of 2003 and 88 of 2004 was unconstitutional in that it restricted the award of a pension increase to persons having completed their service and excluded those whose service had been terminated by resignation, thereby violating the right of ownership enshrined in article 34 of the Constitution by denying them that increase (ruling handed down in case No. 33, judicial year 28, Supreme Constitutional Court, session of 1 July 2007);

(e) The Court ruled that article 23, paragraph 2, of the Social Security Act No. 79 of 1975 was unconstitutional in that it provided for the deduction of payable pension from the adjusted pay of employees whose service had been terminated by resignation but not from that of other employees whose service had been terminated for other reasons, thereby constituting discrimination among pension holders and contravening the principle of equality enshrined in article 40 of the Constitution (ruling handed down in case No. 310, judicial year 24, Supreme Constitutional Court, session of 4 March 2008);

(f) The Court ruled that the provisions of the Labour Code concerning the formation of five-person committees at courts of first instance for hearing labour disputes were unconstitutional insofar as administrative personnel predominated in the make-up of those committees, meaning that they lacked the fundamental elements required for the

judicial settlement of disputes (ruling handed down in case No. 26, judicial year 27, Supreme Constitutional Court, session of 13 January 2008). In response to the ruling, the Labour Code was amended by Act No. 180 of 2008;

(g) The Court ruled that article 1, paragraph 2.2, of Act No. 88 of 2004 was unconstitutional on the grounds that it provided for a cap on pension increases for pension holders other than civil servants, on whom no such cap was imposed, despite the fact that the purpose of the provision was the same in both cases, namely to address the burden of constantly increasing pension entitlements. In passing this Act, the legislature had thus exceeded its authority in the matter of regulating entitlements, thereby contravening articles 17 and 122 of the Constitution (ruling handed down in case No. 20, judicial year 27, Supreme Constitutional Court, session of 8 June 2008);

(h) The Court ruled that article 206 of the Code of Civil Procedure was unconstitutional in that it provided only for the right of a debtor, and not for that of a creditor, to complain or appeal against a writ of execution, which is a contravention of articles 40 and 68 of the Constitution (ruling handed down in case No. 99, judicial year 26, Supreme Constitutional Court, session of 6 December 2009);

(i) The Court ruled that Act No. 100 of 1993, as amended by Act No. 5 of 1995, concerning democratic safeguards for trade union and professional organizations, was unconstitutional on the basis of the obligation on the State to guarantee the right to form and join associations, as well as the right to establish trade unions, and because of the failure to refer the contested law to the Shura Council insofar as it is a law that supplements the Constitution. Although the Act was abolished by this ruling on formal grounds, a submission to the second chamber of the legislature, which at that time existed, is in itself considered a safeguard that the legislature must employ in order to produce the best possible texts for guaranteeing full enjoyment of the said rights (ruling handed down in case No. 198, judicial year 23, Supreme Constitutional Court, and published in the Official Gazette No. 1 bis on 8 January 2011);

(j) The Court ruled that article 105, paragraph 2, of the Social Security Act No. 79 of 1975, prior to its amendment by Act No. 12 of 2000, was unconstitutional for providing that, in the case of widows, the marriage must have been concluded or approved before the insured person or pension holder attained 60 years of age, which is the legal age for the transfer of a pension. It further ruled that the remainder of the paragraph should be discarded, as it constituted a violation of personal liberty and the right to form a family, both of which are guaranteed under the Constitution, and also denied insurance entitlements guaranteed by law (ruling handed down in case No. 36, judicial year 31, Supreme Constitutional Court, and published in the Official Gazette No. 1 bis on 8 January 2011);

(k) The Court ruled that article 84, paragraphs 1 and 2, of the Advocacy Act No. 17 of 1983, as amended by Act No. 107 of 2001, was unconstitutional and that paragraph 3 of the same article should be discarded, together with article 85, on the ground that they prejudiced the right of legal recourse, the right to be tried before a natural judge, and the independence of the judiciary, which affirms the commitment of the Egyptian legal system to ensuring in practice the independence of the judiciary and to upholding in practice the right of defence (ruling handed down in case No. 5, judicial year 31, Supreme Constitutional Court, and published in the Official Gazette No. 1 bis on 8 January 2011);

(l) The Court ruled that the latter part of article 36 (d) of the Trade Unions Act No. 35 of 1976 was unconstitutional on account of its provision to the effect that any candidate standing for office in the highest-ranking trade union organization must have previously served for one trade union cycle as a member of the administrative council of a lower-ranking trade union organization. It also ruled that the comparable provisions in the directives on procedures for the nomination and election of members of administrative

councils of trade union organizations for the trade union cycle 2001–2006 must be discarded on account of the fact that such provisions constituted a restriction and violation of freedom of expression and association and the right to form a trade union, which are among the rights and freedoms protected under the Constitution (ruling handed down in the session of 4 March 2012 and published in the Official Gazette No. 10 bis on 14 March 2012);

(m) The Court ruled that the provisions on pension increases set forth in Act Nos. 19 of 2001, 150 of 2002 and 91 of 2003 were unconstitutional, stating as they did that any pension increase should be capped at LE 60 per month, contrary to the provision made for increases in the case of civil servants, on the basis of the right to equality, despite the fact that the purpose was the same in both cases, namely to address the burden of constantly increasing pension entitlements. In such cases, the legislature is deemed to have exceeded its authority in the matter of regulating entitlements, thereby contravening articles 17 and 122 of the Constitution (ruling handed down in case No. 82, judicial year 26, Supreme Constitutional Court, and case No. 56, judicial year 31, Supreme Constitutional Court, session of 5 August 2012);

(n) The Court ruled that article 3.1 of Act No. 2 of 1997 amending provisions of the General Sales Tax Act No. 211 of 1991, which stated that it applied retroactively as from 5 March 1992, was unconstitutional on the ground that it contravened the constitutional provision to the effect that no law could be applied retroactively except in the particular cases provided for and approved by a special parliamentary majority (ruling handed down in case No. 79, judicial year 22, Supreme Constitutional Court, session of 14 October 2012, and published in the Official Gazette No. 42 bis on 24 October 2012);

(o) The Court ruled that the latter part of article 20, paragraph 2, of the Personal Status Code (Act No. 100 of 1985), as amended, was unconstitutional in that it restricted the right of grandparents to see minor grandchildren in the absence of their parents, thereby contravening articles 210 and 219 by violating the right to form a family and the principle of equality (ruling handed down in case No. 37, judicial year 33);

(p) The Court ruled that Act No. 79 of 2012 concerning criteria for the election of members of the Constituent Assembly tasked with drafting a new constitution for the country was unconstitutional on the basis that it contravened article 115 of the Constitution, having overstepped the boundaries of its legislative mandate by vesting the entity concerned with monitoring the constitutionality of laws and parliamentary decisions with the authority to examine decisions of the joint meeting of non-appointed members of the People's Assembly and the Shura Council concerning the election of members of the Constituent Assembly (ruling handed down on 2 June 2013, case No. 166, judicial year 34, and published in the Official Gazette No. 22 bis on 3 June 2013);

(q) The Court ruled that article 2, paragraphs 1 and 2, and article 8, paragraph 1, of the Shura Council Act No. 120 of 1980, as amended, were unconstitutional, providing as they did that nomination for the Shura Council entailed a combination of the party-list and individual-candidate systems, with party membership as a prerequisite and independent candidates barred from standing for election, which was deemed to constitute a violation of the principle of equality and equal opportunities under article 38 of the Constitutional Declaration of 30 March 2011 concerning the right to stand as a candidate (ruling handed down in case No. 112, judicial year 34, and published in the Official Gazette No. 22 bis on 3 July 2013).

262. The rulings cited above affirm that the provisions of the Convention are given full effect under Egypt's judicial system through the established legal tools and the rulings of the Supreme Constitutional Court, which are binding on all authorities in the State. These rulings also shed light on the Court's view of discrimination and racial differentiation, a

view borne out by the new Constitution and new provisions already mentioned in this sphere.

263. In addition to the above, the ordinary and administrative branches of the judiciary are regarded as the effective authority providing judicial protection for individuals through monitoring the practical implementation of the principle of equality and equal opportunities. The Council of State courts have handed down numerous rulings to abolish administrative decisions involving discrimination among citizens and award compensation to persons injured as a result of those decisions, thus guaranteeing the commitment to protection of the right to equality and to the award of compensation for consequential damages.

264. Furthermore, the national councils currently engaged in national activities, referred to in part I of this report (i.e., the councils dealing with human rights, children, women and persons with special needs), which were established under the new Constitution in the manner described earlier, are national mechanisms that perform an important role, enjoy independence and are additionally empowered to put matters back on the right track. This promotes appropriate practical solutions to difficulties, with citizens able to turn to these mechanisms in situations where they feel wronged or that their rights have been obstructed owing to infringement of the principle of equality and equal opportunities. These mechanisms are likely to come up with suitable settlements or measures for eliminating the damage, which in turn reduces recourse to justice.

265. In this context, trade unions and professional associations are important legal entities enjoying freedom, independence and a democratic structure that affords protection to the rights of their members and monitors any contraventions uncovered in practice. By virtue of their positions, elected trade union officials are considered qualified to discharge their trade union functions of defending the rights of members and realizing their interests.

Article 7

266. For comment on this article, Egypt refers the Committee to the information contained in part I of the present report concerning the efforts relating to education, training and the dissemination of a human rights culture, which describes the governmental and non-governmental endeavours in this area. It likewise refers the Committee to the comment on article 5 concerning cultural engagement and to the statistical data on the media and culture, annexed hereto. These replies and statistical data clearly demonstrate Egypt's full commitment to giving effect to all obligations arising out of its accession to the Convention. These efforts have culminated in the provisions contained in the new Egyptian Constitution, proclaimed in January 2014, and referred to in part I of this report and likewise in the comment on the relevant articles in this part.

III. Reply to the recommendations of the Committee

267. The distinguished Committee set out recommendations in its report on the outcomes of its consideration of Egypt's last report. Upholding its established policy of seeking to fulfil its obligations arising out of its accession to international human rights instruments, Egypt has conducted the studies required in order to implement those recommendations in the light of the legislative and constitutional provisions in effect during the period covered by the present report and the recent constitutional developments resulting from the revolutions of the Egyptian people in January 2011 and June 2013. The efforts and outcomes of those two revolutions were given concrete shape in the new Constitution proclaimed in January 2014, which is currently the basic instrument, as explained in detail in parts I and II of this report.

268. This part of the report briefly sets out Egypt's response to those recommendations, describing below the action taken to address them, following the same order in which they appear in the concluding observations of the distinguished Committee.

Social and economic indicators for ethnic groups (Berbers, Nubians and nomads)

269. In its previous reports, Egypt stated that all groups of the Egyptian people are fully homogeneous, as they all speak the same language, Arabic, which is the country's official language, and the Arab culture encompasses all geographical regions, both desert and coastal. There are no large ethnic groups but rather only a few small groups scattered around the border areas. The distinguished Committee noted Egypt's view as to this matter and recommended Egypt to provide information on these groups, in particular social and economic indicators reflecting their situation, including their participation in public life and the preservation of their culture.

270. As already explained, all citizens in Egypt enjoy all basic services provided by the State, without exception and without discrimination. The indigenous inhabitants of those regions enjoy all of the rights and freedoms recognized in the Constitution and domestic law and several of them hold high-ranking positions in the State or are members of parliamentary or local councils. Their belonging to these regions is not considered to constitute grounds for preventing or undermining their enjoyment of recognized rights and freedoms or their enjoyment of judicial protection from any discriminatory practices.

271. As part of its ambitious development plans to raise the standard of living across the country in general and in the poorest villages in particular, the State is working to resettle nomads in modern villages where they have access to social and economic services. It is also working to address the difficulties encountered by Nubians in Upper Egypt owing to the displacement caused by the construction of the high dam.

272. Concerning linguistic and cultural features, there are no non-Arabic linguistic or dialectal enclaves apart from in Siwa oasis, where a local dialect is used in addition to Arabic and is the subject of various academic studies and documentation processes. The Nubian dialect is being preserved by cultural agencies previously involved in resettling the population of Nubia and saving their ancient communities, as well as Abu Simbel temple, after they were inundated as a result of the high dam project. The colloquial dialects spoken in the country's various regions are all derived from the Arabic mother tongue and are the subject of scientific studies and programmes for research into dialects as a whole.

273. The Government is also engaged in numerous efforts to preserve the cultural heritage of the Arab Republic of Egypt, including Nubia and the desert and coastal regions, with a focus on the following key measures:

(a) Collecting the folk heritage of these regions, an endeavour in which the National Folklore Centre, affiliated with the Ministry of Culture's Academy of Arts, is playing a major role. The Higher Institute of Folk Arts is also conducting academic studies on folk heritage, particularly in Nubia and the desert and coastal regions;

(b) Establishing committees of the Supreme Council for Culture and organizing seminars on the cultural heritage and artistic originality of those regions. During its last cultural season, the Council organized a seminar on the creativity of Nubian writers through its Fiction Committee. It also oversees through its Geography Committee the publication of specialized studies on the cultural heritage of Egypt's various regions, including Nubia and Siwa oasis;

(c) Staging artistic, vocal, instrumental, musical and theatrical performances by Nubian troupes or inspired by the literary works of Nubian authors or artists at State-run

theatres, including the Opera House, where not a cultural season passes without several vocal and instrumental performances by Nubian troupes and singers;

(d) Organizing an annual conference of the country's literary figures, under the auspices of the General Organization of Cultural Palaces, with participating writers and creative artists from all governorates, including those in coastal and desert regions and also Aswan governorate.

274. In addition to the above, the Egyptian Television and Radio Union at the Ministry of Information airs various radio and television programmes devoted to the cultural heritage and distinctive cultural features of Egypt's different regions. These are broadcast on the main television channels and radio networks or on the regional channels covering the southern part of Upper Egypt, the Sinai peninsula, the Canal zone and the northern coastal regions. NGOs and State-supported scientific associations are also engaged in helping to collect, study and preserve the cultural heritage.

275. As indicated above, the State has taken care to preserve the cultural heritage of these regions. The architectural design of Nubian homes was furthermore respected in the resettlement of Nubians following the high dam project and a museum of Nubian antiquities was also established.

276. Guided by the customs and traditions of citizens in these regions, the Code of Civil Procedure provides for the creation of civil conciliation councils at the seats of district courts, under the presidency of the Assistant Public Prosecutor, to settle disputes in the customary manner. In the context of judicial practice, the Supreme Constitutional Court ruled that article 7 of the regulations on the sharia court hierarchy was unconstitutional in that it classed the personal status courts in the Siwa, Arish, Qusayr and oasis regions at the same level, contrary to the practice in other regions, where appeal is permissible.

277. In the context of the full involvement of all groups and segments of society in the preparation of the new Constitution in force since January 2014, the matters forming the subject of the distinguished Committee's recommendations were among the pressing issues of concern for the Committee of 50 responsible for drafting the Constitution. The activities constituting that involvement included extensive discussion of the development and social situation in the border areas and in Upper Egypt, Sinai and Nubia, and of the marginalization they had endured during the pre-revolution years. As a result of these discussions, it was agreed that the marginalization of those areas must be tackled in earnest, as crystallized in article 236 of the Constitution, pursuant to which the State guarantees to formulate and implement a comprehensive economic and urban development plan for border and disadvantaged areas, including Upper Egypt, Sinai, Matruh and Nubia, the inhabitants of which are also to participate in development projects, with priority afforded to them in terms of the benefit and consideration given to the cultural and environmental patterns of the local community. This is to be carried out within 10 years of the Constitution's entry into force, as regulated by law.

278. The same article further provides that the State must formulate and implement projects for returning the inhabitants of Nubia to their home areas and for developing those areas within 10 years, as regulated by law.

279. This constitutional commitment points to the special priority afforded to those areas in development plans. A key demand of the inhabitants of Nubia is also met by the commitment to return them to their home areas, to develop those areas and to preserve their cultural and environmental patterns. This forward progress is one of the merits of the new Constitution in the context of addressing immediate issues relating to the development of communities in those areas, a result of which is that all essential specialized studies and specific academic and investigative research on the inhabitants of these areas will

inevitably be carried out to enable the authorities to implement this commitment within the set time frame.

Declaration of the dissemination of racist ideas as an offence

280. Affirming Egypt's resolve to implement fully and effectively all of its obligations arising out of its accession to international and regional human rights instruments, including the Convention forming the subject of the present report, and demonstrating the scrupulous care and concern devoted to this area by the constitutional legislature in order to fulfil the goals of the two revolutions of the Egyptian people in January 2011 and June 2013, chapter III of the new Constitution on rights and freedoms provides in article 53, as detailed in part I of this report, for the equality of citizens before the law, prohibits discrimination on any grounds, treats discrimination and incitement to hatred as a criminal offence punishable by law, requires the State to take the necessary measures for the elimination of all forms of discrimination and further provides for the establishment of an independent commission for that purpose. This is wholly consistent with the provisions of the Convention and the conclusions drawn by the distinguished Committee.

281. In the light of the above, the necessary legislative amendments are being made in order to criminalize all forms of discrimination and incitement to hatred, lay down appropriate penalties and establish an independent commission to combat discrimination, as provided for in the new Constitution.

Nationality of children born to an Egyptian mother

282. The measures referred to in this recommendation have been implemented, as indicated in part I, section D, of this report, in that, pursuant to Act No. 154 of 2004 amending the Nationality Act, Egyptian nationality may now be passed on to the children of an Egyptian mother married to a non-national.

283. In accordance with that Act and its provisions, Presidential Decree No. 249 of 2007, which was published in the Official Gazette No. 41 of 9 October 2008, also approved the withdrawal of Egypt's reservation to article 9, paragraph 2, of the Convention on the Elimination of All Forms of Discrimination against Women concerning the nationality of women.

284. It should be pointed out in this regard that the new Constitution newly provided in article 6, concerning the right to nationality, that anyone born to an Egyptian father or an Egyptian mother has the right to nationality, thereby confirming that Egyptian women enjoy this right equally with men. It likewise confirms that the recommendation of the distinguished Committee in this regard has been implemented.

Training

285. Section E of this report details Egypt's ongoing efforts in the area of training and education relating to human rights principles and also sets out the available statistical data relevant to the fulfilment of the recommendation on this matter. Egypt is pursuing those efforts through all State institutions and civil society in order to instil human rights concepts and international human rights standards and disseminate a culture of tolerance, peace and acceptance of others with a view to achieving maximum social development rates in this domain and reaping the positive rewards of comprehensive development plans.

NGO registration

286. The Non-Governmental Organizations Act No. 84 of 2002 permits diverse activities and authorizes international NGOs to engage in their activities in Egypt. It prohibits NGOs from undertaking any activities of a military or political nature and from advocating racial

differentiation or discrimination, laying down criminal penalties for any contraventions. Numerous NGOs working in the field of human rights have been registered in accordance with the Act.

287. In the context of the provisions of the new Constitution in this area, already mentioned in the comment on article 5 in part II of this report, appropriate amendments are about to be incorporated into the Non-Governmental Organizations Act in order to bring it into line with those provisions and at the same time respond to observations made by a number of Egyptian civil society organizations.

288. In Egypt, there are now some 26,000 NGOs working in various fields, including some 200 categorized as human rights organizations. Annex 3 contains statistical data on civil society organizations.

Participation of civil society in the preparation of the report

289. Part I of this report described the care taken by the State, in the light of the goals of the revolutions of January 2011 and June 2013, to create a harmonious climate conducive to the work of civil society organizations, bearing in mind their role in the development and progress of society. In that connection, a meeting was held with representatives of various civil society organizations concerning the preparation of the present report. Those attending commended the provisions set out in the new Constitution and called for the necessary legislative amendments to be made.

Establishment of the National Council for Human Rights

290. Egypt has implemented this recommendation, as already explained in detail in part I of this report, specifically in paragraphs 57 to 64 dealing with the establishment of the National Council for Human Rights in conformity with the Paris Principles of 1990, pursuant to Act No. 94 of 2003 on the establishment of the Council, which exercises its functions accordingly.

291. Specific human rights provisions were introduced into the new Constitution with a view to supporting the relevant national mechanisms and strengthening their national role in order to maximize the benefit of their involvement in activities at the national level. In that context, new rights and freedoms were covered for the first time ever and provision was made for a package of guarantees of those rights and freedoms, foremost among them national human rights mechanisms. Article 214 of the new Constitution thus provided for the establishment of independent national councils dealing with human rights, women, mothers, children and persons with disabilities. The composition, functions and guarantees of their independence and that of their members are prescribed by law and they are empowered to report to the authorities any violations relating to their areas of activity. Also enjoying a legal personality and technical, financial and administrative independence, these councils must be consulted on draft laws and regulations with a bearing on their areas of activity.

292. Article 99 of the new Constitution furthermore criminalizes all violations of any constitutionally guaranteed right or freedom, in respect of which there is no criminal or civil statute of limitations. The State also guarantees fair compensation for persons subjected to such violations, who have the right to initiate immediate criminal proceedings. Under the article, the National Council for Human Rights is afforded an important role in this sphere, consisting in the right to intervene in civil proceedings in favour of victims and contest rulings on their behalf. This is seen as a significant development in the Council's role in that it will function as a monitoring and follow-up mechanism on the ground.

293. These recent constitutional developments reveal the new vision of the constitutional legislature, which is fully consistent with the concepts established in international human

rights instruments with respect to national protection and monitoring mechanisms and rules and standards governing the exercise of the rights and duties of individuals and of the authorities. These provisions also ensure that international human rights instruments are addressed in the Constitution and accorded a special status elevating them to a rank higher in practice than the law. The State is moreover required to establish national human rights mechanisms that are independent and impartial, in accordance with the Paris Principles.

294. The necessary legislative amendments to the National Council for Human Rights Act are currently being prepared in order to bring the Act into line with the new constitutional provisions.

Optional declaration provided for in article 14 of the Convention

295. The relevant authorities are examining the option of making this declaration.

Amendments to article 8, paragraph 6, of the Convention

296. The relevant authorities are considering the ratification of these amendments.

Court rulings

297. Part I of the present report refers to the rulings handed down by the Supreme Constitutional Court concerning non-discrimination and impairment of equality. As clearly explained in that part of the report, these rulings are binding on all State authorities in accordance with the Constitution and illustrate the application in practice of the right of individuals to challenge legislative provisions that contravene the Constitution before the tribunals examining their particular legal disputes. These tribunals are required to suspend cases under their consideration until claims of unconstitutionality are settled and are bound by the rulings handed down by the Supreme Constitutional Court in this connection.

Conclusion

298. In submitting its report, Egypt conveys it wishes to the distinguished Committee for continuing success in discharging the immense tasks entrusted to it. Egypt also stands fully ready to reply to all questions on the matters covered in this report.
