



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
1 April 2010

Original: English

**Committee on the Elimination of Discrimination
against Women**
Forty-fifth session

Summary record of the 919th meeting

Held at the Palais des Nations, Geneva, on Thursday, 28 January 2010, at 3 p.m.

Chairperson: Ms. Zou Xiaoqiao (Vice-Chairperson)

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In the absence of Ms. Gabr, Ms. Zou Xiaoqiao (Vice-Chairperson) took the Chair.

The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Combined sixth and seventh periodic report of Egypt (continued) (CEDAW/C/EGY/7, CEDAW/C/EGY/Q/7 and CEDAW/C/EGY/Q/7/Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Egypt took places at the Committee table.*

Articles 7 to 9 (continued)

2. **Ms. Belmihoub-Zerdani** said that the relatively small number of women serving in the Egyptian Parliament remained troubling, especially given the large number of highly educated and qualified women. Setting aside 64 seats for women was a start, but since political parties were subsidized by the State, it would not be unreasonable for the Government to insist that they put forward a certain percentage of women candidates. Such a quota system had worked in other countries. The presence of more female ministers and judges would also be welcome.

3. **Mr. Flinterman** also commended the withdrawal of the reservation to article 9 and welcomed the corresponding amendment to Egypt's nationality law allowing women to transfer their nationality to their children by foreign husbands, although it was his understanding that an Egyptian woman still could not pass her nationality on to a foreign spouse. The report had mentioned that there were specific reasons why the children of Palestinian men married to Egyptian women could not be granted Egyptian nationality, but the Committee had heard reports from alternative sources that Sudanese men married to Egyptian women had also had problems obtaining Egyptian citizenship for their children.

4. **Ms. Hassan** (Egypt) said that there were indeed very specific reasons why the children of Palestinian husbands of Egyptian women were not granted citizenship, although exceptions were made in specific cases. Any information the Committee had heard about men of any other nationality having citizenship problems was incorrect.

5. Women averaged close to 20 per cent of the membership of Egypt's 22 political parties, but with only a few exceptions they had generally not achieved party leadership positions. Similarly, although the proportion of women among Egypt's registered voters was 40 per cent and rising, that had not translated into a corresponding increase in the election of women candidates to office.

6. **Ms. Kellini** (Egypt) said that although there were no legal barriers to women serving in Parliament, social attitudes had precluded their election in any significant numbers, and the quota law was designed to correct that. A quota system was not necessary for the Shura Assembly, the upper chamber of the Egyptian Parliament, because the percentage of women there could be increased by means of the one third of that chamber's seats that were appointed. The National Council for Women (NCW) did have a plan to make party subsidies and tax exemptions conditional on a minimum proportion of 20 per cent for female candidates in all elections, national or local. In Egypt's electoral system candidates ran as individuals rather than members of lists, but changing the electoral system from an individual to a list system was being considered as a way of ensuring the election of more women.

7. **Ms. Youssef** (Egypt) said that quotas would also be necessary to increase female representation on local councils in rural areas where a patriarchal culture generally prevailed. However, that would require additional legal steps because the local electoral system was governed by a different legal framework than the national electoral system. The number of women on the boards of professional associations and labour unions was actually declining. Although international and inter-Arab labour conventions precluded direct Government intervention in unions, there was a general effort to encourage women to become more involved in union politics.

8. **Ms. Hassan** (Egypt) said that the percentage of women serving in local assemblies had risen, but was still low at approximately five per cent. The reason more women did not serve in local leadership positions was that relatively few women put themselves forward as candidates, and the NCW was looking into ways of encouraging more women to run for local posts. She cautioned that it would be imprudent to try to change too many features of the electoral system at once. Increasing women's participation in politics was a

challenge for political systems around the world, but in Egypt as elsewhere, cultural barriers were gradually being broken down. There were no political offices that women had not held aside from that of provincial governor. While both men and women could transfer their citizenship to a spouse, the law required an extended waiting period to prove that the marriage was genuine.

9. **Ms. Ara Begum** asked if separate constituencies had been assigned to the 64 parliamentary seats earmarked for women.

10. **Ms. Halperin-Kaddari** asked if there were women judges in the family courts.

11. **Ms. Hassan** (Egypt) said that while 64 seats had been earmarked for women, women could put themselves forward in any of the other 444 constituencies and could also be appointed to the 10 seats that were chosen by the President of the Republic. There were no women judges at the highest levels in the family courts, but there were women councillors at the lower levels.

Articles 10 to 14

12. **Ms. Bailey**, noting that secondary education was not compulsory, wondered how the sharp drop in school enrolment at that level for girls was affecting their future prospects for economic independence. She requested fuller information on efforts to eliminate impediments to rural girls' education. The report showed that women university students were underrepresented in higher-paying and scientific fields. Did that reflect either overt or covert gender bias in careers open to women? The data provided also indicated that the percentages of female teachers were highest at the lowest levels of education and declined steadily through the preparatory and secondary levels. Similarly, women university instructors were clustered at the lowest faculty ranks, such as drill instructor. Women's representation was also extremely low on the boards of professional education associations and unions. She wondered if a temporary quota system could help correct that disparity.

13. **Ms. Patten** said that the Committee had received reports about migrant domestic workers working excessively long hours, getting no rest days, receiving low wages, being deprived of food, having their passports confiscated, being confined in the workplace by force, and being subjected to physical,

psychological and sexual abuse. The Egyptian Labour Code expressly excluded domestic service workers from its scope, and Egypt's law on non-governmental organizations (No. 84 of 2002) severely restricted the ability of human rights workers to monitor that sector. She asked whether the Government was considering revising the Labour Code or taking other measures to provide legal protection for migrant women domestic workers.

14. **Mr. Bruun** noted that in 2001, the Committee had expressed concern about the lack of information in the report on the participation and conditions of women in the labour market. Although there had been some advances since that time, the International Labour Organization (ILO) had concluded that Egyptian legislation still did not reflect the principle of equal pay for work of equal value. He wished to know if anything had been done to implement ILO recommendations, in particular with regard to training labour inspectors in the area of equal remuneration. It was commendable that the latest report had acknowledged that private employers did not always comply with labour regulations when it came to gender equality, but he wondered what steps were being taken to address that problem.

15. **Ms. Murillo de la Vega** said that she had been given to understand that access to family planning centres and reproductive health education was problematic for both rural and urban women, a situation that could contribute to unwanted pregnancies and unsafe abortions. She asked if there were plans to increase the number of family planning centres and if there was any possibility that the Penal Code would be amended to permit abortions in cases where the pregnancy was damaging to the mother's health and not just in cases of rape and incest.

16. **Ms. Pimentel** noted that in 2001, the Committee had expressed concern that Egypt's country report showed no evidence of a holistic approach to the prevention and elimination of violence against women, and she wondered if in the meantime any studies had been made of the linkages between the patriarchal system, health services and sexual violence. She asked if sex education in Egypt provided adequate information on sexually transmitted diseases, if civil society organizations were allowed to implement sex education programmes at educational institutions, and if anything was being done to create a supportive

climate for sex education within a culture that had not traditionally been comfortable with it.

17. **Ms. Arocha Dominguez**, noting that despite a relative decrease, the maternal mortality rate remained high in Egypt, requested fuller information on comparative maternal mortality rates in urban and rural areas, as well as on the precise causes of maternal mortality, which could be helpful for prevention efforts. One factor that might contribute to maternal mortality was abortion under unsafe conditions. Although it would obviously be hard to obtain, full and up-to-date information was needed on illegal abortion, including how often women were actually punished for it, and on legal abortion, such as in cases where the mother's life was at risk. She asked if there was any possibility that abortion restrictions would be loosened at some point in the future, if only in cases of sexual abuse. She wondered if sex education instructors had adequate training to present information in a natural and accessible way. A study had shown that fewer than five per cent of married women used condoms, and in that regard she inquired as to what extent men were being encouraged to take precautions against unwanted pregnancy and sexually transmitted diseases.

18. **Ms. Rasekh** said that she hoped that Egypt's next report would contain more detailed information on health issues. In particular, the report had mentioned intensive efforts to inform women of available health services without specifying what those efforts consisted of. She wondered if, as in some other countries, religious leaders were involved in promoting contraception, and if men were being targeted by those efforts. There did not appear to be any information on women's mental health in the report, and in particular no mention of mental health services for victims of sexual abuse.

19. **Ms. Coker-Appiah** expressed particular concern about the disproportionately high maternal mortality rate in rural areas of upper Egypt. She urged the Government to study further the links between maternal mortality and unsafe abortion, which in turn might be linked to low contraceptive use. Studies in Africa had shown that married women were at high risk of HIV infection due to risky behaviour on the part of their husbands. She asked if any data were being collected in Egypt on women's risk of exposure to HIV, and if anti-retroviral drugs were freely available to infected persons.

20. **Ms. Patten**, noting that women in the agricultural sector remained the most deprived group in Egyptian society, asked what was being done to ensure equal access for rural women to credit, land and productive resources, particularly since so many rural women worked in the informal sector. She also asked for clarification on how the issue of rural women lacking identification cards was being addressed.

21. **The Chairperson**, speaking in her capacity as an expert, asked how many women had benefited from the small business loans and training offered by the "Sunrise Programme". She wondered if any data were being collected on how families were affected when men travelled abroad in search of work. It would also be useful to know if there were any programmes being conducted either by the Government or by the rural women's clubs mentioned in the report to raise rural women's awareness of their rights.

22. **Ms. Abdelazziz** (Egypt) said that both the gender gap and the dropout rate at all levels of education had been shrinking. Measures were being taken to target poorer regions and rural areas where enrolment rates were affected by long distances to travel to school. Poor families were eligible for grants conditional on sending their children to school, and dropout rates were much lower for single-class schools. At the secondary level, dropout rates were lower for females than males, although illiteracy rates remained higher among women than men. At the university level, women selected their field of study based on employment opportunities, and the Government could hardly restrict them in that choice. The lower percentage of females in the upper ranks of faculty was probably due to the conflict so many women faced between family duties and career advancement. Progress continued to be made on eliminating gender stereotypes from school curricula and incorporating material on sexually transmitted diseases into reproductive education.

23. **Mr. Salam** (Egypt) said that recent surveys indicated that 100 per cent of Egyptian women had at least heard of the concept of family planning. There were 600 women's clubs, which had been renamed "family clubs" to emphasize the importance of male participation. There were also 17 youth-friendly clinics. All medical clinics provided emergency contraception to women who had had unprotected sex, although they did not advertise it for fear that it might begin to be treated as a routine method of birth control. Generally, it remained women rather than men who

were responsible for contraception, among other reasons because vasectomies were irreversible. Training was available for both Muslim and Christian religious leaders in how to encourage family planning among their followers.

24. In Egypt, every instance of maternal mortality between the ages of 16 and 45 was recorded and examined. The most common cause of maternal mortality was post-partum haemorrhage. The increasing use of an easily administered pessary had shown great promise in treating that condition, and expansion of ambulatory service coverage had also helped. Egypt's success in reducing its maternal mortality rate had been recognized internationally. Mental health facilities lagged somewhat, but were being expanded and improved. Abortion was legal in cases where the women's health was at risk, and Islamic law was actually more liberal on abortion than Egypt's national law, which was a legacy of the Napoleonic Code. The religious authorities had recently issued a fatwa allowing abortion in cases of rape.

25. **Ms. El Baz** (Egypt) said that cases of HIV/AIDS were extremely rare in Egypt, about five per million per year, of which about 20 per cent were women. Awareness-raising programmes, often run by civil society organizations, were available to all and directed especially at women and young people. The youth-friendly clinics offered such programmes, and HIV/AIDS awareness had been incorporated into reproductive education classes at secondary schools. As a result of such efforts, Egyptian society and media were much more open about discussing HIV/AIDS, and religious leaders had played a significant role in bringing about that change. HIV testing was administered at hundreds of hospitals and 15 testing centres established especially for women, and antiretroviral drugs were available. Additional study of the spread of HIV in Egypt was certainly a welcome and constructive idea.

26. **Mr. El Nagar** (Egypt) said that it was not accurate to say that the Egyptian legal system offered no protection for domestic workers. Foreign domestic workers were covered by the Labour Code. For various reasons, that Code excluded domestic workers of Egyptian nationality, but they were protected by the Criminal Code, which, for example, provided for heavier penalties in cases of harassment where the perpetrator was the victim's employer. The Egyptian Civil Code also went out of its way to protect the

weaker party in contract disputes. The taking of the life of an innocent foetus was generally prohibited, but abortion was permitted if the mother's life was at risk, and in cases of rape if the victim made a decision to abort immediately upon discovering that she was pregnant.

27. **Ms. Bibers** (Egypt), noting that Egypt was a party to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, said that most migrant workers in Egypt were from Ethiopia, Sudan, Eritrea and Ghana. Those that had been hired legally and brought into the country by either Egyptian or foreign companies were protected by the Labour Code. Those that had immigrated legally to Egypt on their own, who were for the most part either registered refugees or students and their family members, were protected under agreements with relevant international organizations such as the Office of the United Nations High Commissioner for Human Rights and the International Organization for Migration. It was illegal immigrants that constituted a problem. In cases where illegal immigrant workers were abused, the abuser was punished but the illegal immigrant was still deported. Illegal immigrants also had access to shelters.

28. **Ms. Nasr** (Egypt) said that several agencies, including the Egyptian Central Agency for Public Mobilization And Statistics, the Ministry of Investment and the NCW had collected a vast quantity of data, disaggregated by both gender and region, of which the Government had made ample use in its push to empower women as both entrepreneurs and employees. A number of measures had been taken to facilitate women's access to credit and capacity-building for small, medium and micro-enterprises, which accounted for 90 per cent of economic activity and 70 per cent of employment in Egypt. The Government also offered incentives to the private sector to hire more women and required employers to provide services such as childcare in order to make it possible for women to balance their family responsibilities with their economic role.

29. **Ms. Youssef** (Egypt) said that rural female heads of household in upper Egypt had been statistically shown to be the poorest segment of Egyptian society. The NCW had been working with the Ministry of Local Development and the Ministry of Agriculture through programmes such as the Sunrise Programme to ensure access to loans and capacity-building for that

previously neglected group. The Ministry of Local Development had also helped rural women to diversify into areas other than poultry farming after the avian flu reached Egypt, and was helping to supply toilets to houses with no plumbing. Pressure from the NCW had led the Government to conduct campaigns in rural areas that had resulted in the registration of over two million rural women for identification documents.

30. **Ms. Hassan** (Egypt) said that percentages of both women students and faculty at universities had risen dramatically over the previous few decades, and that efforts were being made to achieve greater gender balance among faculty members.

Articles 15 and 16

31. **Ms. Awori** said that one reason given in the report for Egypt's reservation to article 16 was that implementing equality in the way stated in several paragraphs of article 16 would diminish the rights women currently enjoyed, such as the expectation that the husband would provide a dowry and home and assume all marital expenses. But the reality was that modern Egyptian women often shared marital expenses while still suffering from inequities when it came to divorce. The Committee had received information that in practice there was no uniformity in implementation of Law No. 1 of 2000 by which a woman was entitled to seek divorce by unilateral termination of her marriage contract (khula) without having to prove damage in exchange for her return of her dowry or any real-estate or property which the man gave her as his wife during the marriage. In addition, the report had not made clear what it meant by saying that if a woman could prove damage before the judiciary, she was entitled to her full rights as provided under the law. It would be helpful to see documentation of exactly how khula divorce was administered in practice. There appeared to be no recognition of non-financial contributions to marital wealth, and the law was unfair to divorcees who were childless. She also asked what was being done to help Christian divorcees who were barred from remarrying by the rules of the Coptic Church or who had been deprived of custody and alimony because their ex-husband was Muslim, and to address the widespread practice of not registering marriages with the Government, which left women vulnerable legally.

32. **Ms. Halperin-Kaddari** noted that the argument that removing the reservation to article 16 would

deprive women of benefits they enjoyed under sharia law appeared to be based on a misunderstanding. "Equality" as defined by the Convention did not mean "identity". If the Convention's provisions on equal distribution of property at the end of marriage were implemented, rights currently in force with respect to alimony and the dowry would be superfluous. As far as she understood, nothing in the sharia prohibited the sharing of property rights between husband and wife. She also wished to know if there were any safeguards against abuse of power where mediation was mandated by the family courts in cases of domestic violence.

33. **Ms. Hassan** (Egypt) said that article 16 presented a number of thorny issues vis-à-vis the sharia. In Egypt, women retained their own property in their own name when they married and it remained theirs upon divorce. Certainly, women who provided support and assistance to their spouses in accumulating assets should have a right to part of those assets. But there were aspects of article 16 that required further study and interpretation in order to reconcile them with Islamic tradition with a view to withdrawing Egypt's reservation.

34. **Ms. Kellini** (Egypt) said that both the Egyptian Constitution and international human rights instruments required the State to respect the beliefs of all religions. The only grounds for divorce recognized in the Bible was adultery, and the Coptic Church applied its divorce rules without discrimination between men and women. The State could not enact a law that required citizens to violate their religion.

35. **Ms. Hassan** (Egypt) expressed confidence that by the time the next periodic report was submitted, a resolution could be achieved on the issues surrounding article 16 that would be acceptable to all. She added, in closing, that the Committee's observations, recommendations and criticisms had been helpful, and the delegation would use them to stimulate discussion among the relevant civil society and Government parties upon its return to Egypt.

36. **The Chairperson** said that the Committee looked forward to receiving an official announcement that the Egyptian Government had withdrawn its reservation on article 2, and hoped that progress would eventually be made on the withdrawal of the reservation to article 16.

The meeting rose at 5.30 p.m.