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Egypt

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Introduction

Acting out of a sincere desire to cooperate with the Human Rights Council, which seeks, through dialogue, to improve human rights systems in all States Members of the United Nations, and also acting in furtherance of Egypt's efforts to promote respect for human rights, the Government of the Arab Republic of Egypt has the honour to submit its report to the Council's universal periodic review mechanism on the human rights situation in Egypt and on the measures taken by the State to guarantee human rights and to ensure their full observance in society. The Government is aware that the enjoyment of these rights and the feelings of inclusion associated therewith provide the natural starting point for any envisaged process of reform or development.

The Egyptian Government, in presenting this report to the Human Rights Council, is fully aware that the advancement of human rights in a given society is a continuous, evolving and cumulative process which yields results only gradually, and that whatever the efforts made and the achievements scored, they will always fall short of perfection. There will always be challenges to overcome and failings to remedy. In recent years, the Egyptian Government has been credited with speeding up the reform and development process, in line with international norms, and with disseminating a human rights culture in society; the Government shall not shrink from this task, nor shall it shirk its international obligations.

One of the aims of this report is to draw attention to the main legislative, executive and judicial measures taken by the State to disseminate and promote a human rights culture in society, to build Egypt's capacities and to meet Egypt's obligations in this area. The Egyptian Government is perfectly well aware, however, that the mere existence of the political will to promote human rights and to take practical, legislative, institutional and executive measures to translate political will into facts on the ground does not mean that there are no challenges still to be overcome. The development of a human rights system is by its very nature a continuous and cumulative process, which yields results only gradually. Thus, it is necessary to acknowledge the challenges and problems which citizens continue to face in exercising their rights, whether they be political, civil, economic, social or cultural rights, and to do more to confront these challenges and to resolve these problems.

It must be pointed out in this connection that Egypt does not regard the universal periodic review as a whole as a process of blame in which it has to refute allegations. On the contrary, we genuinely view it as an opportunity for constructive discussion and dialogue focused on the development of the human rights system in Egypt. Moreover, we see great value in the review mechanism, because it involves States, including Egypt, in a comprehensive self-review process prior to the session of the Working Group and the interactive dialogue. The key outcome is the subsequent self-monitoring which takes place during the implementation of pledges and of any recommendations that may have been accepted.

Methodology for the preparation of the report

For the preparation of this report, the Prime Minister issued decision No. 1294 of 2009 establishing a committee chaired by the Minister for Legal and Parliamentary Affairs, with members representing ministries involved in human rights issues, including the foreign affairs, justice, interior, information, social solidarity and manpower and immigration ministries, together with representatives from both the National Council for Women and the National Council for Childhood and Motherhood.

The committee held numerous meetings on the different aspects of the report and the issues that it would cover. Its members formed two subcommittees, which proceeded to

research some topics in detail, drawing on the assistance of experts who were not committee members. Before drafting the report, the committee held consultations with civil society organizations involved in human rights work. The consultations were also attended by the National Human Rights Council (an independent national institution) and other non-governmental organizations. During these encounters, constructive discussions were held on various topics and the parties agreed to continue the dialogue with a view to fruitful and productive cooperation and coordination on human rights matters. The Government undertook to hold regular meetings with representatives of civil society to discuss their concerns, because it is convinced that unity of purpose between the two sides will contribute to the development of the human rights system in Egypt.

After the report had been drafted, it was submitted to the Cabinet for discussion and adoption. The Cabinet approved the recommendations and pledges contained in the report, thereby putting the onus on the Government and its departments to take action on them within a specific time frame.

Part I

Constitutional and legal framework for human rights in Egypt

Mechanisms for protecting these rights

1. The Constitution, legislation and international treaties

The Constitution sets out the fundamental rights and freedoms of citizens. These rights and freedoms are inderogable and no legislation may be enacted which is incompatible with their observance. The Constitution of 1923 was the first Egyptian Constitution to guarantee rights and freedoms to all citizens, including the right to equality and non-discrimination, freedom of expression, freedom of assembly and freedom of belief.

The Constitution of 1956 was promulgated following the revolution and guaranteed citizens, for the first time, economic and social rights in addition to civil and political rights. It also provided for the abolition of the multiparty system and the establishment of a single, Government party. The Constitution of 1964 took the same approach.

The present Constitution was adopted in September 1971. It affirms the principle that sovereignty lies solely with the people, who are the source of all power, and defines the rule of law as the basis of government in Egypt. A chapter is devoted to public freedoms, rights and duties, the principle of equality among citizens is asserted and provision is made for the exercise of civil liberties, freedom of thought and conscience, freedom of the press, freedom of assembly, freedom of association and the right to vote and to stand in elections. The Constitution furthermore recognizes economic and social rights: the right to own property; the right to work and to hold public office; the right to a free education at State institutions; the right to health care; the rights of the family, young persons and children; and the right of women to equality with men. Article 57 of the Constitution provides: "Any violation of civil liberties, a citizen's privacy or any other public right or freedom guaranteed by the Constitution and by law is an offence which is not time-barred from prosecution under criminal or civil law. The State shall provide fair compensation to the victims of such violations."

In 1981 the Constitution was amended so as to include the freedom to form political parties and to provide for the creation of a multiparty system in Egypt. As a consequence of that amendment, as many as 24 political parties have been established to date. In the framework of a specific programme of political reform and the promotion of human rights,

article 76 of the Constitution was amended in 2005 to introduce a system whereby the President of the Republic is directly elected by a majority vote instead of in a popular referendum where there is only one candidate. In 2007, article 34 of the Constitution was amended to read that the Arab Republic of Egypt is a democratic State founded on the principle of citizenship and to provide for increased participation by women in the Parliament through elections and through the establishment of parliamentary quotas for women. In addition, the fundamental right of citizens to a clean environment was written into the Constitution.

In this connection, in keeping with Egypt's commitments under the human rights treaties to which it is a party, laws have been amended over the past 10 years to strengthen the independence of the judiciary, to promote political participation, to encourage freedom of opinion and expression and to increase rights for women and children. As we do not have the space here to describe this new legislation, we have set out the most important elements in a non-exhaustive list annexed to this report (annex 1).

International treaties are a key feature of human rights legislation in Egypt. Egypt has acceded to all the United Nations human rights treaties (the International Convention for the Protection of All Persons from Enforced Disappearance is under review) and to various regional conventions (a non-exhaustive list is provided in annex 2). Although Egypt has entered reservations to some articles of these instruments, it reviews these reservations on a regular basis and indeed has withdrawn certain reservations to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. This is evidence of a desire to contain the number of reservations to human rights treaties in particular and shows how the perception of human rights in society has evolved. Under article 151 of the Constitution, international treaties acquire the force of law once they have been ratified and published in the Official Gazette. The courts directly apply the treaties to which Egypt is a party in the case and disputes before them, provided that the treaties can be applied directly.

Human rights mechanisms in Egypt

The courts, by virtue of their structure, functions and powers, are the main mechanism for the effective protection of human rights. Egypt acquired a modern judiciary in 1883, when the ordinary courts were established and granted jurisdiction to hear criminal and civil cases, including claims for damages resulting from unlawful administrative actions and decisions. In 1946, the development of the judiciary took a new step forward with the creation of the State Council, the first body ever to be granted the power to overturn and to award compensation for unlawful administrative decisions. In 1969, the Supreme (Constitutional) Court was established to verify the constitutionality of laws. Following the promulgation of the 1971 Constitution, which provides for judicial oversight of the constitutionality of laws, the Supreme Constitutional Court was established, in 1979. There is no doubt that the judgements of the ordinary courts, of the State Council and of the Constitutional Court have laid down principles on the subject of human rights and freedoms which have broken new ground and made their impact felt beyond the country's borders.

Besides the courts, which, as a mechanism for the effective protection of human rights in Egypt, are quite different from other mechanisms, the People's Assembly established a special human rights committee, together with the following mechanisms.

(a) The National Council for Human Rights

The National Council for Human Rights was established by Act No. 94 of 2003 as an independent body responsible for promoting, developing and protecting human rights, strengthening human rights values, raising awareness of human rights and helping to

guarantee their observance. The Act conferred on the Council internationally recognized powers such as are afforded to institutions of this kind under the Paris Principles adopted in 1990. Ever since its inception, the Council has issued an annual report which describes its activities and the human rights situation in Egypt and includes the Council's comments and recommendations thereon. The Government studies the report with the utmost care. The report is discussed by the Cabinet, and the Council's comments and recommendations are forwarded to the relevant ministries for closer study. Although the Council is a relatively new institution, it has managed to prove its worth in society by helping to draw attention to fundamental human rights issues, by putting forward ideas and proposals for human rights legislation and by contributing actively to the dissemination of a human rights culture in society. The Government is committed to: pursuing constructive dialogue with the Council; studying the Council's reports; responding to any complaints which the Council may bring to its attention; consulting the Council on draft human rights laws; and participating actively in events which the Council organizes. It is worth adding that the Council has accreditation A status with the International Coordinating Committee of National Human Rights Institutions.

(b) The National Council for Women

The National Council for Women was established in 2000 to support women's advancement and to strengthen the role of women in society. According to its statutes, the Council has the right to recommend policies on women's development and on the formulation of the national plan for the advancement of women. It can also recommend and comment on draft laws and decisions which affect women. In addition, the Council carries out national awareness-raising and training activities focusing on the promotion and observance of women's rights. The Council deals successfully with issues affecting women such as marriage and divorce, care of young children and maintenance payments. The Council plays an effective role in boosting the status of women in society and in eliminating all forms of discrimination against women. As a result of its efforts, various pieces of legislation have been enacted that have improved the status of women in society and restored some of their rights. Perhaps the best example is Act 149 of 2009, amending the People's Assembly Act, which established a minimum quota of 64 seats for women in the People's Assembly.

(c) National Council for Childhood and Motherhood

The National Council for Childhood and Motherhood was established in 1988 to recommend public policies on children and mothers and to devise a draft national plan to improve the situation of children and mothers in various spheres, particularly in the areas of social and family welfare, health, education, culture and information, and social protection. The Council has proved to be highly effective in its work, dealing successfully with complex issues, notably the issue of street children and the problem of female genital mutilation. As a result, the Council has won recognition from the international community, which considers the Egyptian experience in these areas as a model to be emulated.

The three above-mentioned Councils each have their own ombudsman's offices, which oversee human rights and function effectively. To date, these offices have successfully processed a caseload, which is growing every year.

The efforts of the Government do not end with the creation of these mechanisms. Indeed, the office of the Minister for Legal and Parliamentary Affairs was established *inter alia* to promote human rights, to coordinate the State's human rights policies and to liaise with non-governmental and international organizations on these matters. A number of ministries (foreign affairs, justice, the interior, social solidarity, etc.) have set up their own human rights departments and units.

It goes without saying that these governmental efforts would not be complete without the vital role played by civil society organizations, trade unions, professional associations and the press in promoting and protecting human rights – indeed they complement that role.

3. Cooperation with international human rights mechanisms

Egypt has always been keen to take part in the drafting of international human rights treaties and it contributes actively to the formulation of human rights standards, beginning with the Universal Declaration of Human Rights, followed by the two International Covenants and, lastly, subsequent international treaties. Egypt accords special importance to the human rights treaty bodies and to cooperating with them and increasing their effectiveness. It diligently submits its periodic reports to these bodies and acknowledges when its reports are late. Over the past year, it submitted reports to the Committee on the Elimination of Discrimination against Women and to the Committee on the Rights of the Child. It is in the process of submitting another report, for consideration by the Committee on Economic and Social Rights.

With regard to cooperation with the special procedures of the Human Rights Council, in the first half of 2009, Egypt received visits from the Special Rapporteur on the promotion and protection of human rights while countering terrorism and the Independent Expert on the issue of human rights obligations related to access to safe drinking water and sanitation. Preparations are being made for visits by two more Special Rapporteurs: the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Rapporteur on trafficking in persons.

As a member of the Human Rights Council, Egypt has continued to propose various thematic initiatives on the promotion and protection of human rights, including an initiative on the protection of civilians during armed conflict, a joint initiative with the United States on freedom of opinion and expression, a joint initiative with Brazil on guaranteeing access to medicines and an initiative on the impact of the global financial crisis on the enjoyment of human rights. Egypt continues to work with the Office of the High Commissioner for Human Rights and is committed to providing financial contributions to support the Office.

At the regional level, Egypt cooperates with the African Commission on Human and Peoples' Rights and with its complaints mechanism. It also supports the Arab and Islamic human rights mechanisms.

Part II

Human rights in Egypt and compliance with international standards for the protection and promotion of human rights

1. The right not to be subjected to discrimination

Article 40 of the Constitution provides: "Citizens are equal before the law and have equal public rights and duties. There shall be no discrimination between them on grounds of sex, origin, language, religion or belief." This article recognizes equality before the law as the foundation of justice, freedom and social peace. It also affirms the principle of the inadmissibility of discrimination based on sex, origin, language, religion or belief. The different forms of discrimination which the Constitution defines as being prohibited are the most common forms of discrimination which occur in daily life. This does not mean, however, that they are the only forms of discrimination that are prohibited. Indeed, the courts have established that all forms of discrimination not based on objective criteria are

prohibited. The fact that article 2 of the Constitution refers to Islam as the State religion does not amount to discrimination against the followers of any other particular faith. The article acknowledges a de facto situation, namely, that Islam is the religion of the majority of the population of Egypt. This article and article 40 of the Constitution should not be interpreted in such a way to imply that the followers of the main religion have pre-eminence over members of other faiths; the prohibition of discrimination on the grounds of religion or belief is unequivocal.

In support of the principle of equality, the amendments made to the Constitution in March 2007 included article 1, which now stipulates that the Arab Republic of Egypt is a democratic State founded on citizenship. The principle of equality is not viewed solely from the negative perspective of prohibiting discrimination but also has a positive side, insofar as it implies the realization of genuine equality among citizens in the exercise of all the rights and freedoms set forth in the Constitution and the laws.

The judiciary is a mechanism which actively oversees the enforcement of equality and equal opportunities. Indeed, the Supreme Constitutional Court has struck down a number of laws as being unconstitutional, because they discriminated against persons with the same legal status. Similarly, the courts of the Council of State have overturned numerous administrative decisions which discriminated against citizens and awarded damages to the injured parties. The National Council for Human Rights was established as an additional mechanism with the power to offer non-judicial remedies. Members of the public can turn to the Council if they feel that they have been wronged or that their rights have been violated in contravention of the rules on equality and equal opportunities. A proposal from some Egyptian civil society organizations on the enactment of legislation to counter discrimination and breaches of equal opportunities principles is being considered to determine what added value such legislation would bring.

2. Civil and political rights

Given the limited space available, it is not possible to discuss all civil and political rights. This report throws light on the following matters:

The right to life, to humane and decent treatment and to protection from torture

This right raises two fundamental human rights issues: capital punishment and torture.

(a) Capital punishment

In response to the rising incidence of violence in society, the legislature has decided to retain capital punishment for the most serious offences, such as murder accompanied by other serious offences like rape. The purpose is to serve as a deterrent, an objective which deprivation of liberty does not always achieve. The alternative to capital punishment is a "life sentence", which might last no longer than 15 years if parole is granted, or 20 years if the prisoner is eligible for conditional release. The view has been expressed in some quarters that the courts should be given the power to prevent persons convicted of serious crimes from being paroled or from being granted a conditional release, as this would encourage the courts to hand down fewer death sentences, given that deprivation of liberty would serve its real purpose of acting as a deterrent.

The legislature has established powerful safeguards for capital punishment, as described here below:

1. A death sentence may only be pronounced by a criminal court following a fair trial in which the accused was afforded all means of a defence and a defence lawyer was appointed, if the defendant did not have one.
2. A death sentence must be imposed unanimously by all the judges hearing the case.
3. A *mufti* must be consulted before the sentence is pronounced.
4. All death sentences must be referred to the Court of Cassation by the Office of the Public Prosecutor, even if the condemned person does not appeal.
5. It is illegal to pass a death sentence on a child.
6. It is illegal to execute a woman who is pregnant.

(b) Torture

Article 126 of the Criminal Code stipulates: “Any civil servant or public employee who orders or carries out the torture of an accused person in order to extract a confession from that person shall be subject to a penalty of rigorous imprisonment or a term of from 3 to 10 years’ imprisonment. If the victim dies, the penalty shall be the one prescribed for intentional homicide.” Article 129 of the Code states: “Any civil servant or public employee and any public service provider who deliberately resorts, in the course of duty, to cruel treatment in order to humiliate or cause physical pain to another person shall be subject to a penalty of up to one year’s imprisonment or a fine of up to 200 Egyptian pounds (LE).” These two articles make it clear that torture and cruel treatment are offences under Egyptian law. Moreover, if an act of torture or cruel treatment constitutes a different offence which carries a heavier penalty, such as the offences of sexual assault or lethal battery, the heavier penalty will be imposed by the courts.

The Office of the Public Prosecutor investigates every complaint which it receives about torture or cruel treatment. In 2008, it decided to refer 38 cases of cruel treatment and torture to the criminal courts and 1 to a disciplinary tribunal. It also asked the administrative authorities to impose administrative sanctions on defendants in 27 cases. In 2009, the Office of the Public Prosecutor decided to refer 9 cases of cruel treatment to the criminal courts and 1 case to a disciplinary tribunal. It furthermore sought administrative sanctions in 10 cases. The Ministry of the Interior enforces judgements awarding damages to injured parties, as soon as the relevant legal procedures are completed.

In addition to ensuring “accountability” for the offence of torture, the Government, through the Ministry of the Interior, has been taking steps for some time now to teach human rights concepts to officers and ordinary members of the police. This process begins with the curricula in the Police Academy and includes regular human rights training programmes for all members of the police, both officers and men. In addition, a human rights capacity-building project was established by the Egyptian Government and the United Nations Development Programme (UNDP) to offer training to nearly 10,000 police officers, as well as over 2,000 members of the ranks.

Freedom of opinion and expression

The Egyptian Constitution guarantees freedom of expression. For example, article 47 of the Constitution provides: “Freedom of opinion is guaranteed. Everyone is entitled to express their views and to publish them in writing, images or other means of expression, subject to the limits set by law.” The past few years have seen an unprecedented increase in the number of citizens exercising their right to freedom of expression, using the latest tools that the various media have to offer. Party-owned and independent newspapers are circulated in large numbers and the news and views which they contain are published

without any censorship or scrutiny other than that provided for under the relevant regulations. With the advent of satellite and local channels there has been a huge increase in the number of television channels which broadcast in Egypt without any interference or censorship. The same applies to the electronic media. The State facilitates the delivery of Internet services and provides subsidies to ensure that the cost of monthly subscriptions to asymmetric digital subscriber line (ADSL) services and mobile telephone Internet services is within the reach of most sectors of society. This has led to a substantial increase in the number of Egyptian bloggers, who can express their views on various issues freely. The number of blogs in Egypt was over 160,000 in 2009, approximately 20 per cent of them on the subject of politics, 6 per cent for personal uses, 15 per cent on arts and culture, 7 per cent on religion, 2 per cent on social affairs and 4 per cent on science and modern technology. Sixty-eight per cent of these blogs use Arabic, 10 per cent use English and 20 per cent use both Arabic and English.

In that connection, the Criminal Code was amended pursuant to Act No. 147 of 2006, providing for the abolition of the penalty of imprisonment (art. 2) for the offences of insulting an accredited representative of a foreign State in connection with his or her functions or for insulting or defaming civil servants, members of the Office of the Public Prosecutor or public service providers in connection with their duties or for insulting an individual. In Egypt, these are offences which occur most often in publishing and the prison sentences which they carry can act as a curb on freedom of expression and on activities to uncover corruption. The penalty for these offences has been retained for incitement of discrimination on grounds of sex, origin, language, religion or belief, for certain offences against the State and its institutions and for acts damaging to an individual's honour or a family's good name. In practice, the President of the Republic sometimes exercises his constitutional right to pardon a person sentenced to deprivation of liberty for offences connected with publishing which still carry a prison sentence. In any event, a fresh public debate on the issue should be conducted in order to arrive at a formula on the retention or abolition of prison sentences for these offences that will balance freedom of expression with protection of the public interest.

Freedom of religion and belief

Article 46 of the Constitution stipulates: "The State shall guarantee freedom of belief and freedom of worship." There are no Egyptian laws which curb freedom of belief or prevent conversion to a different religion. Some Egyptian Baha'is recently raised concerns about the requirement to include in official identity documents information on religious affiliation. However, the administrative courts have now settled the matter by granting these persons the right not to have to declare a religion other than their own in identity documents. The decision of the courts was that the space on the documents can be left blank. The Ministry of the Interior is bound by this decision and thus the Minister of the Interior issued decision No. 520 of 2009, amending the implementing regulation for the Civil Status Code accordingly. Indeed, a large number of identity documents have been issued for Baha'is in this format. Moreover, the Council of State has issued a number of recent rulings recognizing the right of Christians who convert to Islam and then revert to Christianity to register their faith as Christian on their identity documents.

Freedom of religion is linked to freedom of worship. In this connection, State decrees were issued authorizing the construction of 138 churches from 2005 until mid-July 2008, and a State decree of 2005 tasked governors with issuing approvals to Christian communities subject to their jurisdiction either for the demolition and reconstruction of churches at the same locations or for the reconstruction, repair or extension of existing churches. Applicants must receive a response to their request within 30 days and a refusal must be accompanied by a statement of reasons. A total of 1,007 approvals have been

issued to date for demolition, reconstruction, extension and renovation work. Mosque building is also carried out under plans established by the Ministry of Islamic Endowments in accordance with the applicable laws and decrees. The Ministry is planning to bring all community mosques under its authority in order to put a stop to unauthorized mosque construction. Furthermore, the Egyptian National Council for Human Rights has submitted a proposal for a law on the construction and renovation of houses of worship, which is being reviewed to assess its feasibility.

The right to establish associations and trade unions

Civil society has been active in Egypt since the nineteenth century. There are currently close to 26,000 associations operating in various fields in Egypt, including around 200 non-governmental human rights organizations.

Under article 55 of the Constitution the right to establish these entities is guaranteed in the following terms: “Citizens have the right to form associations in accordance with the procedures laid down by law. No association shall be established for the pursuance of activities which are inimical to the social order or which are secret or military in nature.”

While the State is determined to create an enabling environment for these organizations, which contribute to social development and social progress, the authorities still have the right to ensure that they comply with the relevant constitutional and legal regulations and adhere to the object for which they were established. Any administrative decisions issued in this connection are subject to scrutiny by the courts.

Further to recent comments from a number of Egyptian civil society organizations, preparations are being made to amend the Civil Associations and Organizations Act.

The right to a legal remedy and to a fair trial

The right to a legal remedy is posited upon the existence of a comprehensive, accessible and fair system of justice. This in turn depends on having an independent judiciary. The question of the independence of the judiciary was discussed for quite some time and the law was then amended, broadening the terms of reference of the Supreme Council of the Judiciary, making the Council’s approval a basic condition for action on any judicial matter — whereas, in the past, consultation on certain matters had been deemed sufficient — and, for the first time ever, giving the courts, the Office of the Public Prosecutor and the Council of State their own annual budgets. This was all done in response to demands by the judiciary. It must be stressed that the executive authority is responsible for the administration of justice and for the formulation of justice policies, since it is politically accountable to Parliament. The independence of the judiciary and the immunities granted to judges in order to guarantee their independence are unassailable and are guaranteed by the Constitution. In this connection, the Prosecutor-General and the members of the prosecution service enjoy all the immunities accorded to judges.

In order to guarantee the right to a fair trial, the State security courts were abolished pursuant to Act No. 95 of 2003. The Constitution was subsequently amended in 2007 to abolish the office of the “Socialist Public Prosecutor”, the functions of which were redistributed among the Office of the Public Prosecutor, the courts and judicial institutions. Moreover, the legislature altered the system of military courts, in conformity with international fair trial standards, strengthening the independence of these courts and establishing a higher court of appeal to hear challenges brought against military court verdicts on point of law. These are all guarantees which can help to ensure fair trials for defendants.

The right to liberty and security of person

Under the Code of Criminal Procedures, an accused person must be presented to the Office of the Public Prosecutor within 24 hours of arrest. The legislature has created safeguards to prevent the misuse of pretrial detention. By Act No. 145 of 2006 the legislature amended the Code of Criminal Procedures to provide additional guarantees which restrict the use of pretrial detention to cases where a detention order has been issued. In addition, the Office of the Public Prosecutor is authorized to replace pretrial detention orders with one of the following measures: house arrest; an injunction on leaving the area; orders to report to police headquarters at set times; or exclusion from frequenting certain places. The Act also grants defendants the right of appeal against placement in pretrial detention, together with other guarantees relating to the duration of pretrial detention. Hence, during a preliminary investigation and other stages of criminal proceedings, the duration of pretrial detention must not exceed one third of the maximum prison term prescribed for the offence concerned. This means that pretrial detention must not exceed six months in the case of a major offence, eight months for a serious crime and two years if the offence carries a life sentence or the death penalty. However, if the case involves an appeal against a death sentence, the Court of Cassation and the court hearing the case following cassation may order the detention of the accused for a period of 45 days, which may be extended without reference to the aforementioned time limits. As a result of this amendment, the State recently afforded claimants, for the first time ever, the right to claim material damages in respect of pretrial detention when the defendant is acquitted or the court finds that there is no case to answer. This is all subject to the rules and procedures set out in a special law.

Administrative detention is a measure taken by the Ministry of the Interior during a state of emergency to deprive persons who manifestly constitute a threat to public security and public order of their liberty. It is a temporary and an exceptional measure for which provision is made in article 71 of the Constitution and it is accompanied by the following guarantees:

1. The person must be informed of the reasons for the arrest and allowed to telephone a person of his or her choosing to tell them what has happened. Access to a lawyer must also be guaranteed.
2. The person in administrative detention is treated like a person in pretrial detention.
3. The detention is subject to judicial scrutiny. If the administration took the decision arbitrarily, then compensation will be awarded for the injury caused.
4. The Emergency Act grants the right of appeal against administrative detention, and the Ministry of the Interior must release arrested persons on health grounds, if warranted, without waiting for a formal court decision.
5. Persons in administrative detention are held in the prisons designated for the purpose by the Prisons Act. These facilities are monitored by the Office of the Public Prosecutor, the members of which are entitled to see documents and to hear and investigate prisoners' complaints.

The Office of the Public Prosecutor inspects prisons and custodial facilities in order to ensure compliance with orders issued by the Prosecutor-General, by investigating judges in cases under their purview and by the courts. The Office also makes sure that no one is imprisoned or detained illegally and that different categories of prisoners, including children, are held in separate quarters and are afforded the treatment appropriate for their category.

The Office of the Public Prosecutor has identified a number of irregularities during prison inspections, including overcrowding in prisons which had admitted more prisoners than they could accommodate, lack of sufficient or suitable furniture and mattresses for prisoners, poor hygiene in some cases and inadequate ventilation.

Measures are being taken to reduce the number of prisoners to levels consistent with the capacities of facilities and to create a programme of prisoner reform and welfare, together with support for prisoners' rights. These measures include: making more use of parole for prisoners with a record of good behaviour who have already served a portion of their prison sentence; promoting reconciliation processes, as an alternative to prison, to deal with minor offences; curbing the use of pretrial detention; employing alternatives to imprisonment; and releasing prisoners on health grounds when no treatment is available at prison hospitals.

The Office of the Public Prosecutor instructed the police to remedy other irregularities and will check on the action taken by conducting regular, unannounced inspections in prisons.

Counter-terrorism measures and their impact on civil and political rights in Egypt

A state of emergency was proclaimed in Egypt on 6 October 1981 following the assassination of former President, Mohammed Anwar al-Sadat. The state of emergency was extended on a number of subsequent occasions and is due to end either on 31 May 2010 or with the enactment of a counter-terrorism law, whichever of the two comes first. The assassination in October 1981 of the former Egyptian President and of a number of distinguished senior members of the military, the accompanying episodes of unrest which took place in Upper Egypt and the attacks against and murders of senior police officers at the beginning of Id al-Adha in October 1981 showed just how dangerous a threat these terrorist operations posed to the country and why a state of emergency had to be declared.

While the state of emergency has continued to the present day, for the sake of transparency, we must explain the following:

- A state of emergency was declared because the country and the public were facing a genuine terrorist threat, including the threat of political assassinations. Later, terrorists began to target foreign tourists in order to destabilize the situation and to deprive Egypt of a major source of income – tourism. There have been many incidents over the years (the events at Aqsar, Sharm al-Shaikh and Taba and the recent incident at Hussein), together with attempts to stir up sectarian strife.
- When issuing and extending the declaration of the state of emergency, the political authorities have always pledged to refrain from using their emergency powers except to deal with terrorism and drugs offences, and they have kept their pledge. This is a political pledge and the Government would have to answer to Parliament if it were to utilize exceptional measures.
- Certain accused persons are sent before the military courts, subject to full fair trial guarantees. These guarantees are set out in the Military Courts Act, which was amended to strengthen the independence of the military courts and to grant the right of appeal against military court judgements.
- The President of the Republic included a promise in his 2005 election programme to end the state of emergency as soon as a new counter-terrorism law has been enacted which balances the protection of the public interest with respect for human rights and freedoms.

In order to create a constitutional framework for such a law, the Constitution was amended in 2007 and a special section on counter-terrorism was added which calls for the enactment of a counter-terrorism law. In fact, a Government committee was established to draft a bill. The committee is guided in its work by a number of fundamental principles, first and foremost that of finely balancing the protection of rights and freedoms with the imperatives of maintaining law and order and of shielding society from the dangers of terrorism, while subjecting exceptional, counter-terrorism measures to judicial scrutiny. The committee made sure to examine the experiences of other States and conducted comparative studies of the laws of many different States. Its members visited a number of States to discuss the enactment of counter-terrorism legislation with officials. The committee has not yet finalized the draft law because it is determined to produce a precisely worded law that will meet with public approval. The committee is nevertheless stepping up its efforts to finalize the draft law as soon as possible. The State has undertaken to hold a public debate on the draft law, once the text is ready, and to submit the draft to the Egyptian National Council for Human Rights for comments. During his visit to Egypt, the Special Rapporteur on the promotion and protection of human rights while countering terrorism held meetings with the chairperson and members of the drafting committee, in what proved to be a fruitful exchange of views. The committee listened to the Special Rapporteur's comments and will take due account of them when finalizing the text.

3. Economic, social and cultural rights

The right to food and food security

In order to guarantee food security, to deal with the problem of rising food prices and to create a fairer society through more systematic wealth redistribution, the Government of Egypt has created a mechanism focusing on four main areas: first, dealing with price rises by reducing price inflation and controlling prices; second, developing a system of internal trade that will break the monopoly enjoyed by traders and suppliers and close the gap between producer and retail prices. To these ends, systems were put in place to protect consumers, to safeguard market competition and to prevent harmful monopolistic practices. A third area of focus is increasing the real income of workers, especially those in the lowest income bracket, and a fourth is on providing support targeted at the neediest categories. In this connection, direct subsidies on basic items have been increased steadily in recent years.

Right to suitable housing

The National Housing Programme is one of the most important projects which the Government has designed to overcome the problem of providing suitable housing for low-income groups. The aim of the project is to deliver half a million housing units over the space of six years. The main components of the programme were designed in such a way as to take account of the different needs, wishes and preferences of citizens, to build towns where people wish to live or which are close to the places where people work and to ensure that the units are designed in keeping with income levels. Build land is set aside in the governorates and towns, State subsidies are provided, 20-year loans are offered on easy terms and the private sector is involved in the construction of some housing units. The Government provides facilities and infrastructure, including drinking water, sanitation and electricity, roads and communications, during every phase of construction. Many phases of the programme have already been completed and the remainder are under way.

The Government is doing everything possible to address the problem of shanty towns, where the number and density of dwellings are increasing. The aim is to curb and to

contain the problem and to restructure, redesign and redevelop these areas without depriving them of basic services.

Right to health

The State adopted a national plan for the establishment, replacement and renovation, by the end of June 2010, of 2,500 primary care units across the country. A total of 1,318 health units had been established in 24 governorates by June 2009, while 24 out of a total of 390 Government hospitals offering free public health services had been developed. In addition, medical personnel are despatched to remote areas to deliver diagnostic services and treatment free of charge, together with medicines. Between June 2006 and June 2009, a total of 3,467 medical staff delivered services to around 10 million citizens.

The volume of spending on health in 2008/09 stood at LE 13.5 billion, excluding spending on military and police hospitals, the private sector and corporate health facilities.

Free health insurance coverage is provided for approximately 42.3 million citizens, representing 56 per cent of the population of Egypt. A draft law is being prepared to extend health insurance coverage to include all citizens.

As a result of these initiatives there has been a marked improvement in human development indicators: life expectancy at birth was 69.5 years for men and 74 years for women in 2007; infant and child mortality rates had fallen to 16 per 1,000 live births among newborns, 25 among young infants and 28 among children under the age of 5; and maternal mortality rates due to complications during pregnancy and delivery had also fallen, to 55 per 100,000 live births.

The State has taken robust action to deal with “bird flu” (H5N1) and “swine flu” (AH1N1). Free treatment is provided to all at Government hospitals and vaccinations are available.

With regard to access to medicines, Egypt refused to yield to pressure from certain advanced countries which attempted to impose higher standards of intellectual property protection than Egypt is required to observe under the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS). Consequently, pursuant to Act No. 82 of 2002, mandatory licences are granted for the use of inventions – subject to the identification of patent owner’s rights, whenever the quantity of patent protected drugs is insufficient for the country’s needs, or the quality of the drug declines, or there is an unusual price hike, or the invention is a drug used to treat urgent, chronic, complex or endemic diseases or is a product for the prevention of these diseases.

Safe drinking water and sanitation

Major projects with a capacity to produce 25 million m³ per day have been carried out all over Egypt, at a cost of LE 32 billion, delivering clean drinking water to 222 urban centres and 98 per cent of 4,617 villages. Water production capacity is now being improved in order to supply all the villages, and the daily per capita amount of water supplied is being increased.

Ambitious sanitation projects have been carried out across the country, at an estimated cost of LE 48 billion. Coverage of urban areas is expected to reach 100 per cent by the end of 2010, as compared with 40 per cent of villages by the end of 2012. The sanitation network is being expanded in phases in order to include the remaining villages. The Ministry of Health monitors compliance with international norms for the production and supply of safe drinking water and sanitation. The Government understands the problems involved in this process and is taking action to deal with them.

In June 2009, Egypt received a visit from the Independent Expert on the issue of human rights obligations related to access to safe drinking water and sanitation. In her conclusions and recommendations, the Independent Expert acknowledged the political commitment which Egypt has made to supplying drinking water and sanitation services to its citizens and the achievements that have been scored in that regard. At the same time, the Independent Expert drew attention to the challenges which exist at a number of levels and the need to overcome them through sustained action.

The right to work

Under the Egyptian Constitution and the laws in force, Egyptian men and women are guaranteed the equal right to work, to government employment and to pay. Youth employment policies and schemes are major priorities for the Egyptian Government. These are policies which have successfully reduced unemployment rates, in spite of the steady rise in the number of job-seekers. The unemployment rate stood at 9.42 per cent in the second quarter of 2009, as against 8.37 per cent for the same period in 2008, a result due in large part to the impact of the global financial and economic crisis.

The Government takes steps to deal with any discrimination against women in the workplace, including in recruitment and pay, using mechanisms such as labour offices, the 32 equal opportunities units established in 26 governorates and the 3 units operating in the State administration. Those who engage in discrimination are made to answer to the courts.

Egypt is a party to the fundamental labour conventions and is carrying out a national programme on decent work in cooperation with the International Labour Organization (ILO), based on the Decent Work Agenda. In this connection, since 2008 a social dialogue programme has been run in conjunction with ILO to increase the capacities of the three employment partners — Governments, employers and employees — and to create a permanent mechanism to devise agreed solutions for employment problems such as dealing with the adverse consequences of the global economic crisis, regulating the exercise of the right to strike and conducting collective bargaining in keeping with the fundamental labour conventions.

In this connection, in April 2009 an ILO delegation visited Cairo, where it met with representatives of the parties involved in the social dialogue process and with the employment partners in order to agree on means for moving the dialogue programme forward and for helping Egypt to meet its international obligations and to implement the fundamental international labour conventions, including the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). Cooperation is expected to continue with ILO, which expressed its willingness to provide technical assistance to the partners in the social dialogue process, in the framework of the programme.

Right to education

In Egypt the right to education is guaranteed to all citizens by the Constitution. There are nine years of compulsory basic education, which encompasses primary and intermediate education. Education is free at all stages, including university education delivered at State institutions.

Certain failings have been identified in the education system: too much emphasis on theory and not enough on practice; lack of expertise among some supervisors and assessors; the absence of an integrated evaluation system that uses specific indicators to assess educational performance; deficiencies in the methods and tools used for assessment of learners; inadequate working environments and poor school administration; and low levels of community participation in school education.

Various initiatives have been taken to deal with these shortcomings at different stages of education. In basic education, a comprehensive assessment scheme was introduced for all grades, together with modern teaching techniques (active education), curriculum development, including textbook design, and efforts to teach students the skills that they need to keep up with contemporary innovations and to deal with their problems in an informed manner. Training courses have been held for teachers and instructors on cultural, specialist and vocational subjects, bearing in mind the principles of decentralization, total quality and forward planning. The audio-visual media also support the right to education by broadcasting educational programmes, by allocating channels (7) for all stages of education and by transmitting literacy programmes.

A general secondary education scheme is being designed to keep pace with modern developments and a comprehensive system of assessment is being introduced to track students throughout the course of their studies. The State encourages communities to participate in building private schools in order to ease the burden on Government schools and is creating curricula that take account of scientific and technological advances and include instruction in foreign languages.

Eradication of illiteracy

Egypt is pursuing initiatives and projects to deal with this problem, through the National Authority for the Eradication of Illiteracy and for Adult Education. In 2003, the National Illiteracy Eradication Project was rolled out, with 100,000 young graduates being employed as teachers of literacy skills. Several programmes have been set up, including one involving a single classroom project designed to help young girls who drop out of education to complete their studies and a “girl-friendly schools” project which aims to close the gender gap in basic education. According to a report by the United Nations Educational, Social and Cultural Organization (UNESCO), these initiatives have reduced the illiteracy rate by 28.6 per cent. In the years from 2006 to 2008, a total of 1,498,946 citizens received literacy training, 927,104 of them males. Most beneficiaries came from rural areas.

Information and communications technology

The information and communications technology sector managed to achieve high rates of growth — up to 20 per cent in the period 2005–2008 — and attracted local and foreign investment of some US\$ 8 billion, providing the public coffers with close to 28 billion Egyptian pounds (over US\$ 5 billion) during the same period.

According to World Bank data, Egypt has one of the highest levels of spending on communications and information technology in the Middle East and North Africa, accounting for 5 per cent of Gross Domestic Product (GDP). In 2008, Egypt won a UNESCO award for its use of information technology in the development of education. In 2008/09, Egypt was ranked among the five most attractive States in the world for outsourcing services in the annual report of the World Economic Forum on the network readiness index.

The number of asymmetric digital subscriber lines (ADSL) installed, and thus the number of users, increased sharply from 2005 to 2009, with some 15 million persons subscribers to Internet and approximately 53 million subscribers to mobile telephone services.

Cultural rights

The Egyptian Government takes a great interest in cultural matters, given their deep and broad ramifications, encompassing the Pharaonic, Coptic, Islamic, Arab and Nubian

cultures which together have largely shaped Egyptian culture, in addition to the impact of 7,000 years of interaction with other peoples and civilizations.

Egypt's Constitution and laws guarantee the right to cultural participation, access to the benefits of scientific progress, the protection of artistic works, intellectual property rights and patent protection on inventions. These rights are upheld in the relevant case law.

The State's policy is geared towards the protection of creative works and the establishment of a domestic climate conducive to the pursuit of cultural activities, as well as international cooperation on scientific and cultural matters. This policy has led to the establishment of several cultural and media programmes, which are carried out by Government authorities and organizations through various mechanisms. These mechanisms, which pursue a wide range of cultural activities under the auspices of the Ministry of Culture, the competent Ministry for these matters, include the Higher Council for Culture, the Academy of Arts, the Higher Authority for Antiquities, the General Authority for Books and Places of Culture and the General Authority for Opera. Inasmuch as these and other organizations have taken a growing interest in human rights education in recent years, they also serve as a kind of open forum for the discussion of all issues of social interest.

In addition, the Alexandria Library was inaugurated in 2001, and two funds were established for cultural development and for the welfare of artists and writers respectively. The State is committed to ensuring that low-income groups have access to culture through the public libraries which have been created all across Egypt. Moreover, a family bookstore project was set up to supply cultural books at affordable prices, and initiatives to encourage intellectual, scientific, artistic and literary activities have led to the creation and proliferation, in accordance with the law, of many different annual awards.

4. Women's rights

Egypt attaches special importance to the rights of women in every domain and to gender equality in the political, economic, social and cultural spheres. In regard to legislation, for example, provisions that discriminated against women were amended so as to grant women married to foreigners the same right as men to transmit their nationality to their children. The legal age for marriage was set at 18 years for both men and for women, educational guardianship has now been extended to include women who have legal custody of young children and both fathers and mothers have the right to register the birth of a child and to ask for a birth certificate. A minimum of 64 seats have been set aside for women in the People's Assembly, and the Ministry of Justice is currently reviewing a proposal from the National Council for Women to amend the Criminal Code in order to prevent discrimination against women in cases involving the offence of illicit sexual relations.

The scope of legislative amendments has been expanded to include the personal status laws, to ensure the prompt and timely settlement of disputes without detriment to the rights of the parties at law, to create a mechanism, the family bureau, which can settle disputes before they go to court and to provide for the establishment of a family insurance fund.

Overall, the number of women taking up senior positions is on the rise. There are currently three women Government ministers, and 18.2 per cent of all deputy ministers are women. As far as gender equality in the exercise of political rights is concerned, the situation has continuously evolved since 1956: a total of 14.4 million women were registered on the electoral rolls in 2007, accounting for 39.8 per cent of all registered voters. During the parliamentary term spanning the period from 2005 to 2010 women will have held nine seats in the People's Assembly, five of them by Government appointment,

representing 1.8 per cent of the total number of members of Parliament. In the forthcoming parliamentary term, the number of women members is expected to increase to at least 64, as a result of the recent legislative amendment. Women in Egypt enjoy financial independence and full civil capacity.

With regard to the elimination of violence against women, a new article was added to the Criminal Code prescribing a penalty of imprisonment and a fine for anyone who performs a female genital mutilation procedure. The Ministry of Justice is currently examining a proposal from the National Council for Women on a law which would limit the power of the courts to impose lighter sentences for rape and sexual assault, together with another proposal from the Council on applying the penalty for a serious offence in cases of sexual harassment at work. In the framework of Government policies on different forms of violence against women, Egypt has introduced numerous programmes aimed at the elimination of harmful traditional practices and social customs. Moreover, funds are set aside in the State's annual investment plan for projects focusing on women's advancement and economic liberation.

The general budget of the State makes provision for women under the heading "gender issues" in the five-year plans for economic and social development for 2002–2007 and 2007–2012.

5. Children's rights

By Act No. 4 of 2005 the age at which custody of young children ends was set at 15 years for both boys and girls. After this age, children can choose whether or not to remain with the carer. In order to protect children from family break-ups, Act No. 1 of 2000 established the rule that the courts must refer marriage partners seeking a divorce for two rounds of reconciliation sessions, if they have children. Act No. 10 of 2004 subsequently passed into law, establishing a procedure for dealing with personal status matters which takes place before a case could go to court. Cases are heard at family disputes bureaux which attempt to prevent a family break-up that would adversely affect the children. These bureaux are staffed by a legal expert, a psychologist and a social worker.

By Act No. 126 of 2008 the Children's Act was amended to make the best interests of the child the primary consideration in all matters affecting children's lives. Under the Criminal Code, child trafficking and acts involving the sexual, commercial or economic exploitation of children are punishable as serious offences. As for treatment of offenders, the approach taken by the law is guided by the principle that young offenders are victims of environmental, social and economic factors and of family circumstances. Therefore, the best way to reform them is through treatment.

The State provides special care, under 20 special programmes, for children living in difficult circumstances, such as children deprived of a family, children with disabilities and street children. In addition, the Ministry of Health provides health services for children at the pre- and post-education stages. The Ministry of Information has a television channel for families and children which seeks to promote the interests of families and to raise awareness of the rights of women, children and persons with special needs.

A budget for children was included in the State's general budget for the first time in 2006, while provision for children and women is made in the five-year national plan for economic and social development. The National Council for Childhood and Motherhood furthermore established a unit in 2007 to deal with the problem of child trafficking, together with a free 24-hour emergency helpline for children and a helpline for children with disabilities. Training has been stepped up for members of the police and of the Office of the Public Prosecutor and the role of education in raising awareness of children's rights has

been strengthened. A continuous information campaign is run to bring attention to these rights.

With a view to eliminating the worst forms of child labour, the Ministry of Manpower and Migration established several joint projects with the International Labour Organization (ILO), which resulted in five governorates being declared free of the worst forms of child labour (Aqsar, Aswan, North Sinai, South Sinai and Wadi al-Jadid).

6. Rights of persons with disabilities

According to the statistics for 2006, there are 475,576 persons with disabilities in Egypt, 170,360 of them females. By law, 5 per cent of jobs in the Government sector, the public sector, the public works sector and the private sector must be assigned to persons with disabilities who have been given free job training. Persons with disabilities are provided with special care throughout every stage of their lives, including access to assistive devices for those who need them. They also benefit from a comprehensive package of health care and rehabilitation in the form of free diagnostic and follow-up services which are provided at Government health centres and clinics.

The Ministry of Education has set up a special education department within the structures responsible for administering basic education. The department makes sure that educational services are provided to children with disabilities, together with appropriate skills and capacity training. There are currently 840 special education schools for the different stages of education. Both governmental schools and institutions run by associations are being modernized and are supplied with the necessary equipment for special needs education.

The Ministry of Health drew up a national programme for the prevention of disabilities, focusing on three main areas. The first area of focus is on preventing disability through screening of prospective marriage partners, the operation of safe motherhood programmes, the delivery of pre-, peri- and postnatal care and child development programmes. The second area of focus is early detection of disabilities at health units and hospitals, while the third is the creation of a comprehensive package of health care and rehabilitation consisting of diagnostic, treatment and follow-up services at health insurance centres and clinics. The Ministry of Information allocates approximately 838 hours a year of airtime for 44 radio and television programmes targeted at persons with disabilities. These programmes draw attention to the rights of persons with disabilities and highlight their positive experiences.

The Ministry of Social Solidarity grants a disability allowance to the heads of families with a disabled person. A total of 381,585 families received the allowance in the 2007/08 financial year. In addition, pocket money is given to blind students who enrol in Egyptian universities. Persons with disabilities receive vocational training tailored to their capacities and are issued with vocational training certificates and discount coupons for essential items. The Ministry of Transport offers exemptions and discounts on all public transport for persons with disabilities and their companions.

Persons with disabilities also take part in sports through 40 clubs for persons with disabilities and 44 sports centres in various parts of Egypt. These clubs are overseen by the National Council for Persons with Disabilities and the relevant Egyptian parliamentary committee. Egyptian players and teams — both male and female — have won various international championships and medals, including 12 medals at Beijing in 2008.

Several human rights activists with disabilities took part in the discussions on, and drafting of, the Convention on the Rights of Persons with Disabilities, which Egypt ratified on 14 April 2008.

7. Elimination of human trafficking

Egypt acceded to the United Nations Convention on Transnational Organized Crime in 2005 and ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention. In the domestic arena, by Prime Ministerial decision No. 1584 of 2007, a national coordination committee for the suppression of human trafficking was established as a focal point to advise all relevant Government institutions and other national institutions on the subject. The committee has taken the following initiatives: in the legislative domain, it drafted a comprehensive bill on human trafficking, based on the relevant United Nations standards and the terms of the international and regional treaties to which Egypt is a party. Preparations are being made to submit the draft law to the People's Assembly during the next legislative term. The People's Assembly will also debate a law on regulating the transfer of human organs. Moreover, by Act No. 126 of 2008, amendments were made to several laws, including through the addition of provisions to the Criminal Code prescribing penalties for the offence of child trafficking and doubling the penalties where the perpetrator of the offence is the child's parent, legal guardian or supervisor.

In the executive domain, a wide-ranging national strategy on tackling human trafficking was drawn up and a comprehensive research project was conducted on effective legislative, executive and public information initiatives to deal with the phenomenon. In addition, the coordination committee intensified awareness campaigns, using all the media to raise public awareness of this offence and pursuing training initiatives and international cooperation.

As far as State policies are concerned, the Ministry of Health works with international organizations to improve health services and treatment for victims of human trafficking through: better training and skills development for providers of health care and psychological rehabilitation services who work with these victims; the establishment of a welfare and rehabilitation centre; and the creation, in hospitals, of units to provide assistance to victims.

The National Council for Women set up a special unit on violence against women, including trafficking of women, while the Ministry of the Interior set up special units in the Department for the Protection of Public Morals and the Department for Youth Welfare to systematize procedures for dealing with trafficking cases. The terms of reference of the Department for the Suppression of Illegal Immigration were expanded to include human trafficking. The National Council for Childhood and Motherhood also set up a special human trafficking unit to protect victims who are at risk and to provide them with assistance. Moreover, a rehabilitation centre for victims of trafficking was established in the Salam district of Cairo.

Civil society plays a major part in efforts to eliminate human trafficking. For example, the Suzanne Mubarak Women's International Peace Movement has made a significant contribution through several initiatives, in particular through the adoption, at Athens, of the document entitled "Ethical Principles against Trafficking in Human Beings, especially Women and Children", which focuses on partnerships between Governments, the business sector and civil society to combat human trafficking.

8. Rights of migrants

The Egyptian Government has adopted numerous strategies to safeguard the welfare of Egyptian migrant workers, focusing, in particular, on the relationship between emigration, the education system, training and the labour market, on the formulation and

regulation of employment policies and on the protection of Egyptian workers. Agreements were signed with 12 Arab States on the employment and regulation of Egyptian labour, while efforts have been made to revitalize and update existing agreements with other States.

The welfare of Egyptian workers abroad is monitored by Egyptian consulates and labour offices, which try to help these workers to secure benefits and to resolve any problems or difficulties that they may encounter. The first stage has been completed of a project to establish a database for Egyptians living abroad which will include comprehensive information on employment for migrant workers, residence and employment regulations in host countries and job opportunities on the international labour market. The second stage of the project is under way, and these services will be provided via the Internet.

On another matter, young persons are informed of the dangers of illegal migration via media campaigns, and efforts are made to close down illegal brokers' agencies. Meetings have been held with expatriate communities abroad and action against illegal migration is taken in coordination with European States. The Egyptian security services take the necessary steps to deal with this problem and have rounded up several criminal gangs involved in this kind of activity.

The Higher Committee for Migration was established by Act No. 111 of 1983, and subsidies are provided to support the establishment of Egyptian federations, clubs and societies in host countries in order to create strong Egyptian communities. At present, consideration is being given to the possibility of making it easier for Egyptian workers abroad to cast their votes in Egyptian elections and referendums and of creating a mechanism for the purpose, once the systems for registering names at Egyptian diplomatic missions in host countries have been updated.

9. Right to development

Egypt has experienced strong rates of economic growth since the beginning of the century, reaching a peak of 7.2 per cent in 2007/08. In view of the challenges posed by the world financial crisis, a crisis which is expected to continue for some time, the growth rate for 2008/09 is expected to fall to 4.5 per cent. GDP this year amounted to US\$ 185 billion in value terms.

Egypt has dealt with the social consequences of the economic crisis by focusing on a number of issues: first, increasing the level of public investment up to the end of the 2008/09 financial year in large numbers of infrastructure and social services projects; second, human development aimed at improving quality of life by increasing investments in education and training, improving health and social services and creating women's empowerment programmes; third, social development and the delivery of better living standards for low-income groups, coupled with measures to promote and attract inward investment and to counter the adverse effects of the financial crisis on the agricultural, industrial and petroleum sectors. In order to provide for the welfare, protection and development of impoverished families and to help these families to escape from the poverty trap, two programmes have been established, one offering assistance in kind and the other cash assistance.

With a view to achieving balanced development and to improving living standards for Egyptian citizens, a process of regionalization has been undertaken in the framework of administrative and financial decentralization. Local communities and civil society organizations are encouraged to participate in local development and better use is being made of the natural, human and material resources available in all the governorates of the Republic, in line with the priorities and requirements of each governorate. Investments are

evenly distributed among the different governorates, with a focus on the least developed zones and rural areas. Priority is being given to development in the southern province of Upper Egypt in order to attract more investment to the area, to eliminate push factors for migration, to curb migration to cities and to provide basic facilities for industrial zones.

In order to decentralize the administration of development projects by involving local communities and affected groups, a map was drawn up to show the needs of citizens in every governorate, town, village and commune of the Republic. The map was prepared with the help of citizens in these places and with the participation of officials in each governorate and planning experts.

As far as anti-corruption legislation is concerned, the Egyptian Criminal Code prescribes heavy penalties for bribery, embezzlement, misappropriation of public funds, profiteering, abuse of authority and influence peddling. A legislative review is being conducted with the aim of improving the quality and ensuring the prompt and transparent delivery of public services.

As far as Government measures are concerned, steps are being taken to raise pay levels, to change the way that Government services are delivered by using modern technology to provide services via the Internet, thereby reducing the need for direct contact between users and civil servants, and by automating all Government warehouses and outlets (36 centres have been automated in 11 governorates and 66 centres in 23 governorates are due to be automated in 2009). In addition, a special Government department has been set up to receive and respond to complaints from the public and from civil servants. Electronic mail systems have been created on Government websites to speed up the processing of complaints.

The Transparency and Impartiality Committee is a point of contact for international and regional organizations. It provides information on what Egypt is doing in this area and seeks to learn from successful international experiences. The Committee held consultations with various civil society organizations to garner their views on the standard and methods of delivery of Government services. The Committee is viewed as the first step in the creation of a national committee which will satisfy the criteria set out in article 6 of the United Nations Convention against Corruption.

10. Human rights education

The Ministry of Education has developed a comprehensive vision of how human rights can be written into the curricula for the primary to secondary stages of education. Several non-governmental organizations have carried out programmes designed to promote human rights education in schools in a number of governorates. The Higher Council for Universities has developed a vision for teaching human rights in various faculties, and human rights are taught at military colleges. The Ministry of Information drew up a plan to raise awareness of human rights via radio and television programmes, while the National Council for Human Rights continues to promote a human rights culture.

11. National human rights capacity-building

The number of training courses and workshops held by human rights organizations has increased. Taking the Office of the Public Prosecutor and the Ministry of the Interior as an example, a total of 58 courses were held for 1,680 members of the prosecution service between 2000 and 2009, while as many as 114 training courses were held between 2003 and 2009 for a total of 3,986 police officers and 13 human rights seminars were held for

8,030 students at the Police Academy. Training is also offered to academics and journalists, and members of the Armed Forces have attended human rights training and workshops.

In the framework of a human rights capacity-building programme run jointly by the Ministry of Foreign Affairs and UNDP, over 32,000 individuals have been trained: approximately 12,000 police personnel, 4,000 members of judicial and prosecution services, over 1,000 journalists, 1,100 lawyers and approximately 150 parliamentarians.

Part III

Challenges and voluntary efforts in regard to human rights in Egypt

1. Challenges

Recent years have seen a redoubling of political will to improve the human rights situation in Egypt, as reflected in the continuing process of legislative reform and development, the expansion of the human-rights institutional space, the growing public interest in, and awareness of, these issues and the increasing demands for human rights. Nevertheless, Egypt, like other States, still needs to do more to improve its human rights system and to ensure that citizens genuinely enjoy fundamental rights and freedoms to the fullest extent possible. This implies an effort to identify the main challenges to progress and to devise suitable scenarios for overcoming these problems.

Clearly, the persistent threat of various forms of terrorism, which necessitates the imposition of exceptional measures, does not help to create an ideal climate for the kind of human rights protection that is both desirable and necessary. Although the decision has been taken to end the state of emergency, the ever present threat of terrorism, repeated terrorist attacks and the instability in the Middle East region as a whole are all factors which do nothing to speed up this process.

Likewise, the recent global financial, economic and food crises have severely curtailed the impact that was expected from the economic development initiatives undertaken, and praised by the public, since the beginning of the century. Indeed, these crises have placed a heavy burden on the State budget and put a strain on efforts to eradicate poverty and unemployment as a means of guaranteeing citizens' economic and social rights. Moreover, the steady growth in the size of the population (76,480,426 persons, according to the 10-year census conducted in 2006) only adds to the State's burdens.

Lack of education continues to hamper efforts to disseminate a human rights culture and to raise awareness of human rights; approximately one quarter of the population is illiterate. In that connection, practices derived from certain customs and traditions continue to pose challenges for efforts to promote a human rights culture among certain groups and in certain parts of the country.

The obvious lack of a human rights culture continues to impede the full enjoyment of human rights, making continuing public discussion of human rights issues a matter of necessity. The Government is redoubling its efforts, in conjunction with the National Council for Human Rights and non-governmental organizations, and we hope that increased awareness of these issues will prove a genuine precursor to an active and constructive process of political, economic and social reform.

Although it spares no effort to overcome these obstacles, as is clear from the measures and initiatives described in this report, and although it is determined to continue

this process in the coming years in line with established plans, the Government is also fully aware that the development of a human rights system is a continuous process, which can never end, and that legislation and policies alone do not guarantee the promotion of rights. Indeed, this is a process which calls for diligence and a commitment to the proper implementation of policies and laws.

2. Voluntary pledges

The following are some of the future steps and initiatives which the Egyptian Government is committed to taking in the context of the promotion and protection of human rights and fundamental freedoms:

1. Conduct a wide-ranging review of Egyptian human rights laws in order to bring them into line with Egypt's international commitments.
2. Consider acceding to the International Convention for the Protection of All Persons from Enforced Disappearance, as well as the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of Persons with Disabilities.
3. Enact legislation on community-based associations, violence against women, the rights of persons with disabilities, human trafficking, trade unions and health insurance.
4. Finalize the text of a balanced counter-terrorism law.
5. Review the definition of torture in Egyptian law in order to ensure consistency with the Convention against Torture.
6. Consider amending the Code of Pleadings and Criminal Procedures with a view to preventing criminal and civil prosecutions of third parties that could lead to curbs being placed on freedom of thought and creativity.
7. Review the proposal by the National Council for Human Rights on the enactment of a unified law on the construction of places of worship.
8. Review some reservations which Egypt has entered to human rights treaties in order to explore the feasibility of withdrawing them.
9. Meet regularly with civil society organizations involved in human rights activities as partners in the promotion of these rights.
10. Create more human rights curricula for the different stages of education, including university education.
11. Improve the human-rights capacity-building programme and step up efforts to promote and raise awareness of these rights.

Conclusion

In conclusion, the Egyptian Government looks forward to a fruitful dialogue with member States and partners in the universal periodic review. The Government is firmly of the view that cooperation, positive interaction and a constructive spirit hold the key to any joint process aimed at improving human rights situations in the framework of development and social progress. This is the real added value of the universal periodic review process. Clearly, the work does not end with the review or with its findings; it is just the beginning of a continuous, institutional and collective effort to promote and protect human rights and fundamental freedoms in Egypt.