

### **Attachment (3): Overview of Youth Empowerment Projects**

#### **First: Overview of the National Youth Empowerment Project implemented in cooperation with Japan Social Development Fund (JSDF):**

1. The National Council for Childhood and Motherhood (NCCM) is implementing Youth Empowerment Project under a grant from JSDF managed by the International Bank for Reconstruction and Development (IBRD).
2. The grant targets 6 governorates (Cairo, Gharbiyah, Bani Suef, Fayoum, Asyout and Souhaj) where the project works on qualifying the youth and unemployed aging from 18 to 39 years and providing qualification opportunities to about 10,000 male and female youth, 5,000 of which receive guidance, instruction and support through civil society organizations that will be qualified for that purpose, in addition to vocational training or job qualification services so that they gain skills fitting the labor market needs and get suitable job opportunities.
3. The project provides guidance and instruction services through the training of about 500 employees of about 150 non-governmental associations at the six governorates, so that the trainees are qualified to provide the youth with guidance and instruction on how to get small enterprise opportunities as well as the relevant requirements and on how to direct the youth and enable them to introduce themselves to the labor market and search for jobs.
4. The project aims at employing above 20% of the targeted youth through three pivots based on (financial and employment grants (e.g. tool boxes or work materials), employment at plants and companies, or facilitated loans). The project operates through effective participations with civil society organizations, most prominent of which is Misr El-Kheir Foundation serving as the main umbrella of the participating society organizations, with one association selected in each of the targeted governorates to serve as a societal communication channel between the project and the youth of targeted communities.
5. The representatives of the non-governmental associations are trained on qualifying the youth to effectively search for jobs through holding trainings for the representatives of the non-governmental associations, so that youth are surely confident that they can get job opportunities and are able to identify work places within their experience and capabilities and to write a good CV. Moreover, youth are directed to vocational training bodies so that they are qualified and, consequently, can get jobs, to civil society organizations that implement training programs or provide employment opportunities, to businessmen associations so that they receive periodic data on available job opportunities, and to the bodies involved in giving loans and supporting small enterprises so that they receive technical support or funds to start small enterprises.
6. In addition, the representatives of the non-governmental associations are trained on how to qualify the youth so that they are surely confident that they can get job opportunities. Feasibility studies are conducted so that the youth are directed towards developing feasibility studies enabling them to get loans to proceed with small enterprises. Representatives are made aware of the laws on establishing small enterprises as well as small enterprises management skills, so that they transfer their experience to the youth visiting the associations to receive guidance and instruction.
7. Youth empowerment centers are a mechanism to achieve the sustainability in providing the project's services as well as the continual achievement of the grant's objectives to empower youth. Vocational training is one of the most important program's activities because it is the key service

qualifying the youth to raise their professional capabilities so that they are more likely to join labor market in order to overcome the increasing unemployment rates.

8. It is important to include the graduates of technical education and those of higher education as the statistics of Arab Labor Organization (ALO) suggest that unemployment rates among the illiterates are the least in most of Arab countries. Unfortunately, unemployment rates among graduates of intermediate education, secondary education and university education are ten times higher than among the illiterates, as in Egypt. The vocational training program works on exploring the available job opportunities in order to avoid the problem that most of vocational training efforts in Egypt are supply-driven rather than demand-driven.
9. The project depends on participation frameworks with the Egyptian civil society organizations, principally Misr El-Kheir Foundation, as well as Social Fund for Development (SFD), Informal Settlements Development Fund (ISDF), National Council on Disability Affairs (NCDA), National Council for Youth, Chamber of Commerce, and Federation of Egyptian Industries, and governmental bodies such as Ministry of Investment, Ministry of Youth, Ministry of Finance and Ministry of Social Solidarity.

Second: The project of the Advanced Technical School for Hotel Affairs and Tourism Services, at Governorate of Fayoum:

1. The Advanced Technical School for Hotel Affairs and Tourism Services, at Governorate of Fayoum, is one of the governmental technical schools that were selected for the implementation of the project of "Education and Training of the Egyptian youth at Governorate of Fayoum in Activities for Promoting Legitimate Immigration and its Positive Alternatives". The International Organization for Migration (IOM) has implemented this project in cooperation with the Egyptian Ministry of Education, NCCM, the Italian Tourism School Elena Cornaro, funded by the Italian Ministry of Labour and Social Policy.
2. The project worked on renewing and developing Fayoum Advanced Technical School so that it serves as a starting point for the Egyptian youth towards building a bridge to professional development and gaining more skills and, hence, those youth become development agents in Egypt. The school facilities and laboratories were renewed and furnished with latest equipments. Three laboratories were established to fit the recognized cleanliness and sterilization criteria and were furnished with latest equipment of cooking, baking and food conservation. At the same level of importance, the school's green areas were renewed in order to guarantee a healthy environment and to serve as a gathering point for performing the activities and enhancing the social and cultural exchange.
3. The professional education and training methodology was developed to fit the international criteria. Students now receive four practical lessons per week for each of the three subjects of specialization, starting from the first year. After the third year, the competences they gained in accordance with the European qualification framework are evaluated, which allow them to early enter labor market. With the aim of achieving the best practical training method, new books of the three specializations (cooking, restaurants, tourism services) were drafted and developed and were linked to supplementary visual lessons. Moreover, the Italian language was introduced to the curriculums as a first foreign language besides the English language. Within the project, various training courses were organized for teachers in various fields – whether linguistic, technological,

or education methodologies – which contributed to the improvement and development of their educational and training competences.

4. The office of career guidance recently established in the school aims at supporting youth employment opportunities. It provides the students and graduates with wide range of services helping the students during their education stages and helping the graduates find training and job opportunities.
5. Recently launched, the school's website serves as a forum for information exchange among students, families and teachers and also as a means for enhancing the share of educational and training materials among teachers inside and outside Egypt.

Third: The most important examples of projects for empowering youth to take decisions making a change in their own lives and the lives of their families:

1. National Youth Empowerment Project and the Advanced Technical School for Hotel Affairs and Tourism Services, at Governorate of Fayoum.
2. Training for Employment Project implemented by the Egyptian government, aiming at collecting employment applications and holding training course for youth according to their technical and educational skills so that they are placed in suitable jobs upon completion of the specific period of training.
3. Focus on meeting the needs of poor local communities by funding the local community development associations from the provisions allocated for that purpose in the budget of Ministry of Social Solidarity for implementation of several small and micro enterprises to provide job opportunities and improve the social position and living standard of poor local communities.
4. Producing Families Projects (706,000 projects), which are the pivots of the Ministry's development projects. They aim at optimizing the use of resources and capabilities available in the society, which contributes to the enhancement of national production by exploiting the competences of all society members of all segments, and also at turning the Egyptian families into producing groups, with priority given to certain segments such as families of the disabled, youth graduates, housewives and female breadwinners.
5. The state is currently keen to enhance technical education and vocational training. In that respect, several partnerships were held with some international foundations, whether governmental or non-governmental.

#### **Attachment (4): Death Sentence Criteria**

The Egyptian legislator was keen to set many guarantees and procedures ensuring that whoever undergoing this punishment will receive the maximum guarantees so that he receives a fair trial allowing him to fully defend himself. Moreover, the legislator enacted a series of procedures before and during the enforcement of the punishment taking into account the humanitarian dimension as well as all other aspects ensuring a humanitarian enforcement that respects the humanity and feelings of the convict.

##### **First: Legal guarantees of whoever sentenced to death:**

1. The Egyptian legislator was keen to impose the death sentence on certain crimes, all of which are felonies so that the accused enjoys the guarantees of appearing before a criminal court as stated in Articles 377-397 of the Code of Criminal Procedure, which constitute the maximum guarantees prescribed in all legislations without exception so as to ensure that the accused receives a fair trial where all methods of defense are available.
2. The court applies the general rules of criminal procedures in order to pass a death sentence, as it derives its conviction of the crime commitment and the accused's eligibility for punishment from reasonable evidence. However, the legislator introduced a limiting condition to those rules as stated in the Second Paragraph of Article 381 of the Code of Criminal Procedure "No criminal court may pass a death sentence unless made unanimously". This is an exception of the general rule stipulated in Article 169 of the Law on Civil & Commercial Procedure, which states that any judgment is passed on a majority basis, because the legislator was keen to impose a procedural guarantee on every death sentence so that the latter is passed with absolute certainty and firm belief that the perpetrator has committed the crime, that all case evidences are present, and that case proceedings are valid. In other words, if a judge of the jury doubted any of the aforementioned bases, the death sentence may never be passed.
3. The opinion of the Mufti is sought as stated in the Second Paragraph of Article 381 of the Code of Criminal Procedure "Before passing the judgment, the court must seek the opinion of the Mufti of the Republic and the case papers must be sent thereto. In case the Mufti's opinion is not submitted to the court within ten days following the sending of the case papers thereto, the court must adjudicate on the case". The court's obligation is limited to sending the case papers to the Mufti and waiting for ten days within which the Mufti shall submit his opinion. If the court passed a death sentence without sending the case papers to the Mufti or before the latter submit his opinion while the ten-day period has not lapsed yet, the court's judgment shall be rendered invalid. However, the court is not required to wait for the Mufti's opinion more than ten days. It is required to consult the Mufti, but it is not committed to adopt his opinion in case it has a disagreeing opinion. It is only required to mention the Mufti's opinion in its judgment. The purpose of this procedure is to make the convict sure that the death sentence passed against him is in accordance with the Islamic Law, and to form a public opinion that the court has applied the provisions of the Islamic Law to the case merits and considered whether or not the Islamic Law permits such death sentence.
4. The case papers of the sentenced-to-death convict is referred to the Court of Cassation as stated in Article 47 of Law 57/1959 on Requirements & Procedures of Filing Appeal before the Court of Cassation "In case of passing a death sentence in the presence of the accused, the Public Prosecution must refer the case to the Court of Cassation along with its opinion on that judgment

within the time limit stated in Article 34". The purpose of this article is to refer all death sentences passed in the presence of the accused to the Court of Cassation – without prejudice to the right to appeal given to the parties to the criminal case – in order to make sure that judgment conforms to the law. Moreover, the Public Prosecution is required to do so even it sees that the judgment is non-appealable. It is worth mentioning that the lapse of the time limit stated in the aforementioned article without having the Public Prosecution referred the case to the Court of Cassation does not set the Public Prosecution free from that duty, so that it is permissible that the Public Prosecution refers the case after the lapse of the time limit. The legislator set this time limit only as a regulatory rule. If the Public Prosecution did not submit a memorandum of its opinion to the Court of Cassation, or submitted the same after the prescribed time limit, this does not prevent the court from exercising its power to oversee the judgment.

5. Whenever the death sentence becomes final, the case papers must immediately be referred to the President of the Republic; and the death sentence shall be enforced if no order of amnesty or punishment replacement is given within 14 days (Article 470 of the Code of Criminal Procedure). The purpose of this procedure is to give the convict a final chance – given the seriousness of the punishment – by referring the matter to the President of the Republic so as to pursue his power of giving an order of amnesty or commuting the punishment at his discretion in that regard.

#### Second: Procedural controls regarding the enforcement of a death sentence:

The Egyptian legislator was keen to set severe controls on the enforcement of a death sentence as stated in Articles 470-477 of the Code of Criminal Procedure and Articles 65-72 of Prisons Act, where the legislator was keen to apply the judgment of ending the life of a person without causing torture to him and to respect his religious feeling and humanity as follows:

1. The Public Prosecution must supervise the enforcement process, since the latter is made upon written request from the General Prosecutor to the Prisons Authority, in which it shall be mentioned that the judgment was referred to the President of the Republic in accordance with Article 470 of the Code of Criminal Procedure and that no order of amnesty or punishment replacement was given (Article 65 of Prisons Act). Enforcement must be made in the presence of a representative of the General Prosecutor, the Prison Manager, a representative of the Prisons Authority, the Prison's doctor and another doctor designated by the Public Prosecution. Except for the aforementioned persons, no one may attend the enforcement process unless under a special permit given by the Prosecution. Upon his request, the defender of the convict must be permitted to attend. If the convict desires to mention any statement, the Public Prosecutor shall draft a report to that effect.
2. No death sentence may be enforced on the days of official festivals or other festivals relating to the convict's religion (Articles 275 of the Code of Criminal Procedure and 67 of Prisons Act).
3. The relatives of the sentenced-to-death convict may meet him on the day of enforcement at a place far from the place of enforcement (Article 472/1 of the Code of Criminal Procedure). If the convict's religion requires him to make confession or otherwise religious duties before death, necessary facilitations must be made to hold a meeting between the convict and a religious man (Article 274/2 of the Code of Criminal Procedure).
4. A death sentence may only be enforced on a pregnant woman two months following delivery (Articles 476 the Code of Criminal Procedure and 68 of prisons Act).

**Attachment (5): Examples of The National Council for Childhood & Motherhood (NCCM)'s  
Projects**

**Female Breadwinner Rights Enhancement Project:**

1. The project looks forward to be a leading entity to support female breadwinners in bringing up family members who are able to participate in and develop the society, in tackling any difficulties that may encounter them, and in protecting their children so that the latter can serve their country and face the life.
2. Female breadwinners represent one quarter of the population according to the figures of the Central Agency for Public Mobilization and Statistics (CAPMAS) and Un Commission on the Status of Women, constituting 22%-26% of the total mothers of Egypt. This indicates the necessity of supporting female breadwinners such as widows, divorcees and wives of prisoners and patients so that they can bear the economic, social and psychological burdens of life.
3. A female breadwinners is compelled to work as her husband (i.e. the one responsible for the family) is absent so that she must search for a livelihood to cover the needs of her family. There are many resulting repercussions such as the dropouts that are caused by the divorce in poor families and the mother's inability to cover the education expenses of her children, the increasing rates of child labor as the children of divorcees resort to labor market because the fathers do not incur their expenses, the increasing rates of street children because of parent separation, the increasing child trafficking rates, the increasing rates of early marriage among the daughters of divorcees, and the family conflicts resulting from the children stay with fathers-in-law or mother-in-law.
4. The project supports female breadwinner from economic, social and psychological perspectives in order to help them perform their social and functional roles to achieve family stability and to protect children from vagrancy, exploitation, trafficking, dropout, child labor, and early marriage.

**Attachment (6): Projects of The National Council for Childhood & Motherhood (NCCM) in Cooperation with Civil Society Organizations in the Field of Child Care**

In cooperation with the Central Agency for Public Mobilization and Statistics (CAPMAS), the NCCM conducted a national survey in 2001 involving a sample of 20,000 families. The survey adopted the procedural definition of child labor "every economic activity performed by a child aging 6-14 years within the last three years preceding the survey", and ended up with estimating the total number of working children at about 2,786,000 children, most of whom are residents of rural areas (83%). In terms of gender of the total working children, 73% are male and 27% are female.

First: 2001 National Child Labor Phenomenon Survey in Egypt, aiming at:

- Determine the volume of child labor phenomenon in ARE
- Explore the properties and circumstances of working children
- Determine the volume of child labor in hazardous and banned works in accordance with Child Act 12/1996 and Executive Regulations 3452/1997
- Consider to what extent child laws are applied to child labor in the facilities
- Identify the family circumstances of working children as well as the parents' characters

Second: 2003 National Strategy for Anti-Child Labor:

It aims at eliminating child work, especially the worst forms of child labor exposing children to risks, through:

- Create a central child labor data base, taking into account the gender while categorizing and analyzing the data
- Provide qualified cadres to deal with working children and develop a human and institutional capacity building program, bearing in mind the child rights perspective
- Enhance societal mobilization and media awareness regarding child rights
- Achieve coordination between the civil society role (non-governmental associations – labor unions) and private and public sector roles
- Update the policies and legislations on protection of working children and match them to international standards so as to ensure the best interest for children
- Provide direct services to raise the economic, health and educational levels
- Develop poverty fighting programs to prevent new children from joining the labor market and bring the working children back to education system
- Modernize hazardous industries so as to eliminate their risks against children, and provide possible alternatives to child hazardous works

### Third: Leading pilot programs implemented by NCCM:

1. The Project on Protection and Care of Working Children at Al-Hirafeen City, Madinat Al-Salam Area, aiming at fighting child labor and enhancing the healthy and professional environment there.
2. The project involves an educational component to provide job opportunities to about 85% of targeted groups. To date, 84 children graduated from Literacy Program, 17 children were brought back to education system, 800 national ID cards and 400 birth certificates were procured, and 24 seminars were held to raise the awareness of 581 male and female members of the working children families, in addition to a number of recreational activities for working children.
3. The Project on Protection and Care of Working Children at Al-Diwikah Area, aiming at protecting working children and limiting hazardous child labor. The total number of beneficiaries is 3266 children. To date, 174 children graduated from Literacy Program, 121 children were brought back to education system, 18 children were enrolled in preparatory schools, 1000 graduated from Mubarak Cool Program for Vocational Training in the fields of leather manufacturing, garments, industrial mechanics, 162 workshops underwent child work categorization and occupational safety standards, 200 learners of families of working children pursued literacy activities, 1467 received awareness seminars about fighting female genital mutilation, child rights, reproductive health, fighting addiction and drugs, volunteering, societal participation, socialization, and bad effects of child labor, 11,236 residents of Al-Diwikah Area received health care services in all specialties offered by the Medical Center at Al-Ashirah Association, 1505 persons were granted loans amounting to 2 million EGP, and 1456 national ID cards and 432 birth certificates were procured.
4. Fighting child labor within the program of "Children In Danger" that succeeded in building the capacities of 421 governmental and non- governmental bodies involved in child labor and other issues such as safety, security, child rights, child protection, and policy making. Moreover, 2390 working children received recreational activities, 2522 children working in hazardous jobs were rehabilitated and trained on safe works and placed on safe jobs or education system, 933 families of working children were made aware of the seriousness of child labor, 323 workshop owners were made aware of the importance of occupational safety and health equipment and their capacities were built to use the same, 267 workshops were developed to match occupational safety and health standards, 1789 working children were made aware of occupational safety and health and received health insurance and comprehensive health care, 824 families of working children were enabled to establish income-generating enterprises and were helped to get fixed income.
5. The program of "Fighting the Worst Forms of Child Labor" funded by World Bank at Governorates of Minia, Damietta, Sharkiyah, Fayoum, and Qaluobiyah aims at developing models and mechanisms that can be applied and circulated as a general framework in the field of fighting child labor in Egypt through exploring the negatives, defining the positives, and presenting the challenges and successful initiatives and solutions. The project resulted in having 1414 working children re-included in education system, 69 alternative-education classes were opened accommodating 947 working and dropout children, 74 level-raising classes were opened accommodating 1416 children of those exposed to dropout due to weak academic achievement, 400 workshops of various fields received occupational safety equipment and tools, 554 children were enrolled in the vocational training program and directed to safe jobs, 279 guarantee loans were granted, 444 micro loans were granted to families of working children, 825 national ID cards were procured to link the families to loan and pensions system, 4211 working children and 400 mothers of working children received comprehensive medical examination and necessary medical

tests, 5965 families and 1010 workshop owners were made aware of the bad effects of child labor and were trained on socialization skills and how to establish and manage small enterprises, 610 families were trained on child labor risks, socialization skills and how to establish and manage small enterprises, 22 training courses were held to the families of working children (610 beneficiaries) explaining child rights, child labor risks and bad effects, and the importance of education, 100 working children were trained on how to raise awareness of child rights, child labor risks, and occupational safety tools (from-child-to-child approach), 114 awareness sessions were held to working children, 2519 received open discussions, 51 visits were paid to 1129 working children and 550 student children, and 102 camps were held to 1720 working children and student children exposed to dropout in order to make them aware of their rights, the importance of education, dropout risks, and bad effects of child labor.

6. The program of "Fighting the Worst Forms of Child Labor" funded by state budget for family and population aims at raising awareness of child labor risks and economic empowerment of families. The program funded 4 workshops targeting 400 societal leaders at targeted governorates, and two seminars for training 60 families of working children on how to start and manage small enterprises to improve their incomes and living standards.
7. The program of "Fighting Child Labor in Agricultural Activities" in coordination with Ministry of Agriculture aims at eliminating child labor in agricultural activities through enhancing and building the capacities of extension workers of Ministry of Agriculture, forming a team of trainers, preparing cadres of leaders of agricultural directorates and labor inspectors, enforcing the laws on child labor in agricultural field, and raising the societal awareness of risks of child labor in agricultural field.

## **Annex (7): Child Treatment within the Criminal Justice System**

1. Treatment of Witnessing Child: during all stages of arrest, investigation, trial and execution, victim and witnessing children shall have the right to be heard and treated with dignity, sympathy and full respect for their physical, psychological and moral security. They shall also have the right to receive protection, healthy, social and legal assistance and reintegration into society. Labor Guidelines might be consulted in issues relating to the child victims of crime (Article 116 *bis* "d" of Child Law 12/1996).

### **2. Treatment of Accused Child:**

#### **a. Child under 12:**

The child at this age shall not be subject to criminal liability due to the lack of discretion and it may not thus be interrogated within the strict sense of the term of interrogation under the Provisions of the Code of Criminal Procedure for the inability to capture the essence of acts and the consequences thereof. However, the child may make its statement and be discussed in respect of the incident and its proofs, conditions and accompanying circumstances. Such discussion shall take the form of questions to be answered by the child and the purport of answers shall be written down in the record depending on the child's abilities and general perception according to the international standards accepted by Egypt. The child shall be handed over to a parent or the guardian for protecting and bringing it upon each summoning as such action is not relative to the liability provisions.

#### **b. Child Over 12 and Under 15:**

The child at this stage may be interrogated but not be put in preventive detention. In case the investigation so requires, the Public Prosecution may order the child to be committed to a care home and brought upon each summoning for no longer than one week. If the Public Prosecution considers extending this term, it must present documents to the Child Court prior to the end of the aforementioned term so that the latter orders it to extend the same according to the preventive detention rules set forth in the Code of Criminal Procedure. In lieu of the stated commitment order, the Public Prosecution may order the child to be handed over to a parent or the guardian for protecting and bringing it upon each summoning.

#### **c. Child Over 15 and Under 18:**

1. Children at this stage may be interrogated and their preventive detention shall be subject to the ordinary procedures taking into account that they may not be detained or imprisoned with adults in the same location. In matters relating to detention-requiring felonies and misdemeanors, the child must have a lawyer to defend it at the stages of investigation and trial. If it fails to retain a lawyer, the Public Prosecution or the Court shall appoint counsel according to the rules of the Code of Criminal Procedure. The legislator has broadened the scope of the child's right to have a lawyer for defense during the stages of investigation and trial to the extent that such right covers the detention-requiring misdemeanors while having been exclusive to felonies in the past.

2. It is prohibited to publish or disseminate any information, data, portrait or picture of child appearing before organizations concerned with children in danger or in violation of law, for protecting children from libel, respecting their feelings. Those who violate these provisions shall be punished by fine not less than ten thousand Egyptian pounds and not exceeding fifty thousand Egyptian pounds without prejudice to any more severe punishment stipulated by any other law.

3. It is worth mentioning that Article (99) of the Child Law 12/1996 prohibits the preventive detention of children under fourteen and permits, if required, their commitment in a care home and bringing them upon

each summoning, for the term of no longer than one week unless the Court extends the same. Instead, the child may be handed over to a parent or the guardian for protecting and brining it upon each summoning. It is impermissible to take any of the alternative actions set forth in Article (201) of the Code of Criminal Procedure. In case investigation requires the retention of child over twelve and under fifteen, it may be committed to a care home affiliated to the social care institution for the term prescribed by law.

## **Annex (8): Disabled Empowerment National Programs**

### **First: Local Disability Plans:**

Local disability plan is a shared plan to be developed by local executives and leaders, primarily persons with disabilities and their associations. The plan aims to integrate persons with disabilities and protect their rights in the village development activities. This plan has been implemented in the Governorates of Minya, Sohag and Assuit. The plan includes three stages:

1. First Stage: analysis of the conditions of persons with disabilities and their families
2. Second Stage: introduction of disability-related concepts and the definition and the awareness thereof
3. Third Stage: drafting of the plan document in preparation for inclusion in the local development plan

### **Second: Capacity Building of Persons with Disabilities Associations:**

Among the activities of persons with disabilities integration and protection, one of the program objectives is to build capacities of persons with disabilities associations for empowering them to play more active role for children. In this context, the training needs of persons with disabilities groups and associations have actually measured for the program-targeted governorates. The program has met some of the technical and administrative training needs in the six governorates and the remaining training needs are currently met hoping for creating network of persons with disabilities associations in the target governorates after verifying the building of their technical and administrative capacities. The program has also prepared a comprehensive development guide showing the importance of including disability matters into all development programs and plans in compliance with the Convention on the Rights of Persons with Disabilities.

### **Third: Educational Integration Program:**

1. Among the objectives of Educational Integration Program is to integrate and protect the disabled children and to enhance the policies of disabled children integration into the governmental education schools in compliance with the International Convention on the Rights of the Child, the International Convention on the Rights of Persons with Disabilities and Child Law 12/1996 amended by Law 26/2008. The program is implemented through coordination with both the Educational Integration Committee at the Ministry of Education and the Educational Integration Network.

2. According to the program objectives, the capacity building of cadres at governmental education schools has been initiated in the target governorates (Cairo, Giza, Qaloubiya, Menya, Assuit and Sohag) as:

- The training content has already been set in cooperation with educational integration experts
- A number of training courses has been held for training the work team of schools nominated from the six governorates
- Coordination for determining the roles of integration subcommittees
- Building of integration subcommittee member capacities

3. The program also encompasses an awareness component through the usage of media and communications, including the publications of associations operating in the field of educational integration.

**Annex (9): Legislative and Executive Frameworks in Respect of Investigation, Handling Torture Cases and other Harsh, Inhumane or Insulting Treatments or Punishments**

1. The successive constitutions stipulate that "Any encroachment on personal freedom, sanctity of private life of citizens, or any other public rights and freedoms guaranteed by the Constitution and the Law, is a crime of which the criminal or civil lawsuit arising therefrom shall not abate by prescription. The State shall guarantee fair compensation for the victim of such encroachment". In application of this constitutional provision, the Code of Criminal Procedure (Law 63/1975 published in the Official Gazette on 31/07/1975 – Issue 31) states in an incorporated Article which reads as "However, for crimes set forth in Articles 117, 126, 127, 282 and 208 *Bis* (1) of the Penal Code, which are committed after the effective date of this Code, the criminal lawsuit arising therefrom shall not abate by the lapse of the term". 2014 Constitution permits the affected party to directly file criminal lawsuit and permits the National Council for Human Rights to inform of any violation of these rights and to intervene in the civil lawsuit in favor of the affected party.
2. The Public Prosecution shall investigate all reports on subjection to torture or harshness and takes all actions required by criminal investigation. Immediately following the receipt of complaint, the Public Prosecutor shall investigate the same and inspect the corpse (in case of death) or the person alleged to be subject to torture or harshness, for writing down the injuries. The Public Prosecutor shall also inspect the scene and seize all objects alleged to be used in the committal of the crime. The corpse or the person alleged to be subject to torture or harshness shall be presented to forensic medicine for reporting on the injuries, the cause and the date thereof, and the used objects. Witnesses questioned, evidence collected, interrogations conducted and indictment shall then be made.
3. Documents of the case shall be disposed based on the result of investigation by either referral to trial or dismissal. The victim shall be informed of the action taken and it can file grievance against such dismissal to the Prosecutor General.
4. The Public Prosecution shall investigate all reports on subjection to torture or harshness and it can refer the public authority members involved in such crime, in case it is proven, to criminal trial or order them to be subject to disciplinary accountability.
5. As for protecting the rights of citizens with restricted freedom and the inspection of prisons, the concerned authorities work in accordance with the rights guaranteed by the Egyptian successive Constitutions whereas every person who is arrested or detained or his freedom is restricted in any way must be treated in a manner that maintains his dignity. He/she may not be tortured, forced, physically or morally harmed, seized or detained except in places designated for that purpose, which shall be adequate in terms of humanitarian and health levels (Article 55 of the Constitution). Prison administration shall be responsible for executing all orders received from the Public Prosecution, the investigating judge in cases assigned thereto, or from the Court for bringing in a prisoner. The prison administration shall inform the concerned Public Prosecution of all actions relative to prisons such as casual injuries, egress for treatment at psychiatric or mental sanatorium and verbal or written serious complaints filed by prisoners after registration in the complaint register.
6. Being the authority responsible for supervising prisons and detention locations where judgments are executed, the Public Prosecution seeks to achieve several objectives in respect of the protection of personal freedom. Both articles 85 of Prisons Act 396/1956 and 1748 of General Instructions of the Public Prosecution, First Book, provide for the stated objectives, which are to make sure that the orders of the

Public Prosecution, the investigating judge in cases assigned thereto and courts are obeyed as required; that no person is illegally imprisoned; that no prisoner is subject to servitude while the judgment passed against him does not decide such servitude except for cases defined in the Law; that the categories of prisoners are separated from each other and each one is treated as required; that the registers defined by law are regularly kept; that, in general, all requirements of the laws and executive regulations shall be observed; that all necessary actions are taken in respect of committed violations; that prisoner complaints are investigated; and that judicial registers and documents are examined for verifying their conformity with judicial forms.

7. Articles of Law 396/1956 define the categories to be committed to prisons in terms of conditions and cases to be considered such as the type of punishment adjudged against convict and the level of seriousness, health condition and age. The Public Prosecutor's role is broad to include the supervision of the application of all articles, executive regulations and ministerial decrees relating to Prisons Act, all daily works of prisons and the rights and obligations of prisoners including their health, social, scientific and religious care, working, wages, release, visits, exchange of letters and complaints.

8. As for the procedures and the manner of prisons and detention locations inspections by the Public Prosecution (Article 56 of 2014 Constitution), the Public Prosecution shall, by virtue of the periodic instructions issued by the Prosecutor General, inspect according to the following standards: inspection shall be carried out periodically at minimum of one time monthly and without maximum, i.e. inspection may be carried out more than one time a month or whenever required; inspection must be carried out ad hoc, which is an essential rule required by the purpose of inspection in order to discover violations and find out facts inside prisons and detention locations in pursuance of Article 1747 which reads as "The Attorneys General of District Prosecutions or their designees must inspect the general prisons located within their areas of jurisdiction. The Heads or Directors of Sub-district Prosecution Offices must inspect the central prisons under their supervision provided that such inspection is to be carried out at least once monthly and ad hoc".

9. Upon inspection of prisons and detention locations, Public Prosecutors must comply with several rules particularly:

- a. Inspection is to be carried out by the most senior Public Prosecutor for ensuring experience in view of the importance of such act
- b. Public Prosecutors must have access to detention orders or execution forms and verify the presence of relative summary in the prison registers for making sure of the legitimacy of detention in prisons and other detention locations and the authenticity of registers
- c. In case the inspecting Public Prosecutor finds out that a person is unduly imprisoned or detained or at location other than the designated one, he shall immediately draft a report to the effect of immediate release of that person in the first case or to move to the appropriate location in the second
- d. Public Prosecutors shall complete drafting of inspection protocol upon returning to the Prosecution premises, including therein any discovered offences and violations. Afterwards, he shall inform the Attorney General of the District Prosecution to this effect and send him the said protocol
- e. In case the inspection process was void of any observations, it will be sufficient for the Public Prosecutor to sign the registers of the prison or detention location for substantiating the conduction of inspection

10. The Public Prosecution shall seriously handle cases of undue imprisonment or detention, which constitutes the offences criminalized by Articles 280 to 282 of the Penal Code, and ill-treatment of whatsoever degree during the term of imprisonment or detention, which constitutes the offences criminalized by Articles 126, 127 and 129 of the Penal Code. Public Prosecution shall also receive and deal in a proper corrective manner with relevant reports. Through inspection, the Public Prosecution aims to discover any violations within prisons or detention locations, hear and investigate the complaints of the imprisoned or detained persons, verify the presence of relief facilities and to inspect the hospitals affiliated to prisons and identify the causes of hospitalization, especially in case of injuries and to identify their causes and how they were made. Article 78 of the Prisons Act requires the Public Prosecution and the concerned authorities to be immediately informed of all cases of prisoner deaths.

11. Article 112/1 of the Child Law 12/1996 prohibits the imprisonment or detention of children with adults in the same location and orders the classification of children by age, gender and the type of offence. The Second Paragraph of the above Article punishes every public servant or person commissioned with a public service who detains or imprisons a child with an adult in the same location with imprisonment for a term not less than three months and not exceeding two years along with a fine not less than one thousand Egyptian pounds and not exceeding five thousand Egyptian pounds or with either punishment.

12. Duties of the Public Prosecution include the protection of child rights within the criminal justice system. The Public Prosecution is commissioned to carry out periodic or abrupt inspection of penal institutions and prisons or detention locations and to make sure those children are not imprisoned or detained with adults in the same location and that they are classified by age, gender and the type of offence. A report is prepared on the violations detected by inspection and the remedial actions taken in respect thereof.

13. The above rules and relevant clarifications shall apply to children who are imprisoned in execution of the sentenced punishments. As for the penal or social care institutions, the Minister of Social Solidarity shall issue a decree on the appointment of social inspectors who will consider cases and investigate complaints at such locations. However, this will not preclude the Public Prosecution from receiving and dealing with reports as required by current conditions and law.

## **Annex (10): Essential Duties of Anti-Human Trafficking Unit at the National Council for Childhood and Motherhood (NCCM)**

### First: Executive Track:

1. To prepare and implement a national plan: the Unit has prepared a national anti-child trafficking plan which was included in the National Anti-Human Trafficking Plan announced by the National Anti-Human Trafficking Committee in December 2010, and followed up on the implementation thereof in coordination with active partners, namely the National Committee, the Ministries of Foreign Affairs, Social Affairs, Interior and Justice, the Public Prosecution, the civil society and the International Organization for Migration.

2. To adopt a national referral mechanism: "The National Referral Mechanism for Helping Victims of Human Trafficking" which is approved by the National Anti-Human Trafficking Committee. It was established in pursuance of Law 64/2010.

3. To build specialized capacities and mechanisms: the Anti-Human Trafficking Unit has been continuing its efforts since 2008 for the awareness of those in charge of criminal justice management (Ministry of Interior, Ministry of Justice and the Public Prosecution), the active players in society (religious leaders, teachers and media men) and those dealing with victims (civil society organizations and those working at health sector). The relative training courses were held for the application of the national laws and international anti-human trafficking conventions which exalt the victim rights. The national laws punish offender with harsh punishments commensurate with the severity of offence. Such training courses are also held for the implementation of the above mentioned national action plan which relies on four principles: prevention, protection, prosecution and participation. The participating competent organizations in those mechanisms are:

- Those in charge of justice administration (the Ministry of Interior, the Ministry of Justice and the Public Prosecution) through the effective application of law
- Active players in society (religious leaders and the media) for apprising them of their role in raising awareness of the channels of that offence
- Those directly dealing with victims (civil society organizations and health sector) where focus was on how to identify victims and provide them with social and health services
- Training courses for diplomats at diplomatic corps for emphasizing their pivotal role in the protection of Egyptian citizens abroad who may fall victims of such offence

4. To protect, cure and reintegrate victims: the Unit has encouraged civil society institution networking by training more than 100 specialists from 48 non-governmental organizations from 5 governorates in the cure and rehabilitation of victims, which resulted in the formation of a national alliance of non-governmental anti-human trafficking associations under the presidency of the Centre for Egyptian Women Legal Assistance. For improving rehabilitation and integration services, several houses were established for providing protection and psychological, social and health rehabilitation to victims as well as the rehabilitation of children in cooperation with Belgian Face Organization, International Organization for Migration, Catholic Relief Services and Freedom Association.

5. Databases: the Unit has managed to create database classified by age, gender, geographical location and social and economic background. The Public Prosecution has provided data on victims whether in respect of human trafficking cases in which offenders were punished or those which are still being investigated by

the Public Prosecution as classified cases according to international conventions and national laws. Some studies were conducted in the Governorates of Giza, Assuit, Aswan, Luxor and Qena and another study is currently conducted in the Governorate of Fayoum, including the quantitative and qualitative analysis of fundamental causes behind the spread of all offences referred to above.

6. Efforts for Preventing Forced Labor: Initiative of "Decent Work for Domestic Workers" was taken and a working group was formed and composed of the National Coordinating Anti-Human Trafficking Committee, the Ministry of Manpower, the International Organization for Migration, the UN Entity for Women, Al Shehab Establishment, the Centre for Egyptian Women Legal Assistance and the National Anti-Human Trafficking Coalition.

7. The component of awareness raising and implementing reporting mechanism for raising awareness of the harms of the key arguments raised by employers for justifying their exploitative and aggressive conduct against maids; enhancing the role of media and civil society in encouraging the society to support such issue; conducting awareness campaigns; implementing practical plans for improving the employers conduct irrespective of the legislative changes in order to change many incorrect concepts and advance ideas about domestic maids; encouraging the acceptable conduct of employers; and making maids aware of the reporting mechanisms and the competent authorities.

8. The component of prosecution by means of imposing punishments on employers at fault and obliging them to pay fines and to announce such punishments to communicate the message that such a conduct is unacceptable.

#### Second: Publicity and Legislative Tracks:

1. Publication of Laws and Literature: To publish national laws and issue reference guide for law enforcement officers to counter human trafficking and how to identify victims, in cooperation with the International Organization for Migration. This guide was circulated among the Ministry of Justice, the Ministry of Interior, the Public Prosecution, the Ministry of Social Affairs, the National Center for Social & Criminological Research, the Ministry of Education and the Governorates. This guide explains the nature of human-trafficking crimes (whether children and women) in light of national and international laws and shows the forms and objects used in the committal of the crime. The guide defines victim and offender; distinguishes between human trafficking crime and other crimes similar thereto such as smuggling of migrants; informs law enforcement officers of the means of effective law enforcement and advises them on the duties of the State and its institutions under both contractual obligations and those stemming from the national laws. The guide focuses on the principles of human rights as it emphasizes that the anti-human trafficking actions must not adversely affect human rights and individual dignity, especially the rights of human trafficking victims. The guide emphasizes the importance of paying close attention to developing relative policies so that they do not result in any violation of human rights. The guide devotes a full chapter for the manner of accessing, providing protection and assessing dangers faced by victims. The guide also explains how to train teachers in raising student awareness of crime patterns. There is another reference guide for social workers at victim care homes.

2. Prosecution and Law Enforcement: to cooperate with the Public Prosecution in prosecuting and punishing offenders, which contributed to the change of policies on offender arrest and pursuit in application of law and the provision of support to child offenders to return to school. A reference guide is currently procured from the Public Prosecution on the nature of legal and administrative rights that must be reported to victims for being exempted from legal accountability, and the importance of providing voluntary assistance to concerned authorities for countering crimes according to Book V, Articles 22, 23

and 24 in particular. In coordination with the Public Prosecution within legal framework, the permanent points of contract are currently identified, which would facilitate access to rights by Egyptians and foreigners.

3. Regional Cooperation with the Arab League: in the implementation of the Arab Anti-Human Trafficking Plan, especially the Legal Department "the Coordinating Anti-Human Trafficking Unit" as this Unit trains the working team of the Arab League.

4. Definition of Human Trafficking: in pursuance of Law 64/2010, Palermo Protocol, the amended Child Law, the Penal Code, Law of Civil Affairs and Law 5 on the Regulation of Organ Transplantation, human (children or women) trafficking is defined as the trade in human beings with the aim of exploitation by means of abduction, fraud, deception, abuse of power or of the position of vulnerability or of the receipt of payments to keep victim under control or to restrict its movement and coerce it to exercise forced labor or commit illegal acts for profiteering or getting financial benefit or reward, by an individual or gang organized at national or transnational levels. The Egyptian legislator has broaden the definition of human trafficking so as to include many exploitation types that change and follow one another hastily because the nature of human trafficking crime is unique for the multiple aspects and the confused and multiple parties thereof. In addition, the crime rate increases during natural disasters, wars and the political, security and economic changes and the accompanying poverty, unemployment, fluidity of security which increases the crime rates, to say nothing of the tremendous development of information and communications technology.

5. Definition of the Sale of Children: though the definition of the sale of children and the prohibition thereof in pursuance of Article 291 of the Penal Code, Article 116 *Bis* (a) of the Child Law, the Optional Protocol to the Convention on the Rights of the Child on the sale and exploitation of children in child prostitution and child pornography, is similar to that of human trafficking, they are not identical as human trafficking includes the recruitment, transfer, lodging or receiving of children by traders for exploitation and as the child may at any stage of trafficking be sold or not, i.e. the sale is not a fundamental part of trafficking. Trafficking requires the sale to be accompanied by any act or transaction whereby the child is offered, delivered or accepted in whatsoever form by a person or a group of persons to another in return for remuneration or any other form of consideration for the purpose of sexual exploitation of the child; transfer of organs of the child; engagement of the child in forced labor; use of child in sexual activities for remuneration or any other form of consideration; use of the child in pornography by any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes; production, distribution, dissemination, import, export, offering or sale or possession of child pornography; or through offering, procuring or providing a child for child prostitution, or improperly inducing consent, as an intermediary, for the adoption of a child in violation of applicable international laws on adoption, or any attempt to commit any of the said acts and to complicity or participation in any of the said acts at the domestic or transnational levels, even if the crime is not committed.

**Annex (11): Mechanisms Set by the Ministry of Interior for Following Compliance with Procedure on the Respect and Protection of Human Rights when Citizens Deal with All Security Authorities**

1. To establish an administrative entity "sector" under the name of " Human Rights and Social Communication" by virtue of ministerial decree no. 2684 of 2012. The new sector is composed of two general directorates (the General Directorate for Social Communication and the General Directorate for Human Rights). Through the new approach adopted by the Ministry in social communication, the Sector emphasizes the significance of enhancing the values of human rights and fundamental freedoms and of opening active communication channels with all societal attitudes, governmental and non-governmental State institutions, elites and public figures in the society.
2. To establish Human Rights Divisions at all police sectors at the Ministry for promoting communication with NGOs and human rights organizations.
3. To establish subdivision under the name of (the Directorate of Violence Crimes Against Women) with qualified female officers and psychiatrists for facilitating communication with women and girls who suffer psychological and physical harms, helping them to access their rights, providing them with awareness and eliminating the psychological harm befalling them.
4. To issue Police Code of Conduct in cooperation with police and legal experts and to print, publish and distribute the same to all policemen and citizens.
5. To distribute work reference guide to officers and heads of Human Rights Sections at all Security Directorates for presenting their role and duties in respect of the spread of human rights culture and ensuring the application thereof within police premises.
6. To prepare and present signs emphasizing respect for human rights and dignity using texts from international agreements and conventions and national laws and to display the same at visible places within all police stations nationwide.
7. To deliver lectures at all police bodies for explaining human rights concepts and the rules and manners of police work.