



United Nations Entity for Gender Equality
and the Empowerment of Women

**Women's Empowerment through Stage
Animated Awareness and Lobbying "WESAL"**

***Draft DESK REVIEW on Gender Based Violence
in Egypt***

Amended in February 2012

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Acronyms & Abbreviations

CEWLA: Centre for Egyptian Women Legal Assistance

EDHS: Egypt Demographic and Health Survey

FGM: Female Genital Mutilation

GBV: Gender Based Violence

NCW: National Council for Women

NDP: National Democratic Party

UNDP: United Nations Development Programme

USAID: United States Agency for International Development

VAW: Violence Against Women

WHO: World Health Organization

WUNRN: Women's United Nations Report Network

CHAPTER ONE

1.1 Introduction to Women's Human Rights (WHR)

With the entry into force of the Universal Declaration of Human Rights adopted by the United Nations General Assembly in 1948 for the first time in history, the fundamental human rights of people in relation to matters as security of person, slavery, torture, protection of the law, freedom of movement and speech, religion, assembly, and rights to social security, work, health, education, culture, and citizenship have been recognized and clearly stated. In Article 2, the Declaration stipulates that these human rights apply to all *"without distinction of any kind such as race, color, sex, language... or other status."* (add footnote: declaration- source) ¹ The Declaration also defines human rights as universal, inalienable and indivisible. That means that they are applied to everyone equally, for everyone is equal in simply being human. By invoking the universality of the human rights, women have consequently demanded for the acknowledgment of their status of humankind. The Declaration was ahead of its time in using language of "human beings" and "persons" instead of men, but ensuring that women would benefit from equal human rights a great deal further than that². Even though, human rights are, by nature, applicable to all human beings, women, however, suffer from social, political and economic deprivations that show disregard for rights recognized as inhering to everyone.

Indeed, *"tradition, prejudice, social, economic and political interests have combined to exclude women from prevailing definitions of "general" human rights and to relegate women to secondary and/or "special interest" status within human rights considerations"*³. This marginalization of women in the world of human rights has been a reflection of gender inequity in the world and discrimination has contributed to the maintenance of women's subordinate status in both the private and the public spheres. Furthermore, abuses perpetrated against women in the name of family, religion, and a patriarchal culture have been hidden by the inviolability of the private sphere, and perpetrators of such human rights violations have enjoyed invulnerability from accountability for their actions⁴.

1.2 Introduction to Violence against Women (VAW)

The term "Violence" has a wide definition and can be viewed through several different perspectives.

Psychological Perspective:

Violence is an expression of emotion, an outburst of strength that takes an irrational form, and is displayed in an aggressive manner . Many psychologists define violence as a behavioral pattern that arises from depression along with signs of nervousness, and is associated with the motive of harming other living beings or other substitutes.

¹ Bunch, Charlotte and Samantha Frost. (2000). "Center for Women's Global Leadership." Published in Routledge International Encyclopedia of Women: Global Women's Issues and Knowledge, Routledge.

<http://www.cwgl.rutgers.edu/globalcenter/whr.html>.

² Ibid.

³ Ibid.

⁴ Ibid., p.69.

Behavioral perspective:

Violence is defined as the invasion of another being's possessions or their personal freedom.

Political Perspective:

"Violence" is defined as using strength to take over power and preserve it, or in the use of strength to reach certain gains, regardless of whether these gains are legitimate.

The definition of violence against women (VAW) has been broadening and becoming more comprehensive throughout the past couple of decades, in an attempt to include all types of violence that women may endure. This can be largely credited to the Global Campaign for Women's Human Rights efforts to position violence against women as an issue of human rights and not of public health, which succeeded in 1993 by placing it on the agenda of the World Conference on Human Rights that was held in Vienna⁵. That is considered by some to be a turning point for the issue, as it not only led to the broadening of the definition but also focused attention on the discrimination and inequalities that are tolerated by any state that lead to increased women vulnerability to violence⁶. The term "violence against women" (VAW) refers to harmful behaviors specifically directed at women. In 1993 through the Declaration on the Elimination of Violence against Women, the United Nations put forward the first official and comprehensive definition VAW.

Violence against women can result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life⁷. Article 1 of the Declaration states: "*violence against women shall be understood to encompass, but not be limited to, the following:*

1. *Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;*
2. *Physical, sexual and psychological violence occurring within the general community, including rape, sexual e, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;*
3. *Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.*

Violence against women is seen as one of the biggest obstacles standing between a society and the achievement of true equality, development and peace. Because of how multi-faceted the issue is, it is very hard to define if you look at it from a narrow perspective. Acts of violence against women encompass human rights, criminal justice, economic and social justice dimensions. The facts that have eventually become known about violence against women show the breadth of the issue, as research has

⁵ Johnson, H., Ollus, N., & Nevala, S. (2008). *Violence Against Women: An international perspective*. Springer Science.

⁶ Ibid.

⁷ USAID. (2009) "Overview of Services on Violence Against Women." *Egypt violence against women study*, National Council for Women, p.3.

revealed its significance, proving statistically that violence causes more ill-health for women than Malaria and traffic accidents combined. Moreover, research has shown that it has the same probability of cancer killing women.

Marital rape, rape by strangers, incest, sexual harassment, trafficking, and dowry related violence, honor killings and female genital mutilation are only some examples of gender based violence.

As said, the problem of violence against women is not a one-dimensional issue in any society, it is rather entrenched in attitudes and practice. Even though there are laws that aim to illegalize violence against women, the problem is hard to end when it often lies within the culture of the society itself. It has also been noticed that the social status of a woman is inversely related to her subjection to violence. This means that the lower the social and economic status of a woman, the more likely she is to be exposed to violence. The reverse is also true, when violence against often leads to lack of women's access to her rights to life, health, security, bodily integrity, political participation, food, work and shelter⁸.

⁸ Johnson, H., Ollus, N., & Nevala, S. (2008).

CHAPTER TWO

2.1 The development of the concept of Human Security

The definition of the term “security” has been surrounded by many controversies over the past century. The controversies mainly lie in the degree of specification this term should be narrowed down to. The fixation on military and nuclear issues in the cold war led to a severe narrowing down of the term to include only military security. This definition, often referred to as the “traditionalist” definition, was mainly concerned with the use of force as the key threat to security, and was fixated on the security of states as a whole.

However, with the growth of importance of economic and environmental agendas in the 1970s and 1980s, and the increase of transnational crimes in the 1990s, the argument of widening the term to include other forms of security began developing. Terms like economic, societal and environmental security began emerging, alongside the terms of political and military security, which were previously deemed the only forms of security worth mentioning. Moreover, the focus on state security began to shift to other objects, with the realization that if a multi-sectored approach to defining security was to be adopted; other objects rather than the state had to be brought into the picture⁹.

The once established assumption that the security of the state leads to the security of the citizens of that state, was proved wrong when other factors such as hunger, violence and human rights abuse started affecting the security of citizens of states. This paved the way for the development of the concept of human security, which claimed that security threats are not only applicable to states as a whole, or of communities, but of individuals themselves¹⁰.

2.2. United Nations Development Program’s (UNDP) definition of Human Security

One of the most comprehensive definitions of human security is put forward by the United Nations Development Program in their Human Development Report in 1994¹¹. Drawing on the statements of the founders of the United Nations back in 1945, the report declares that there are two major components of human security: freedom from fear and freedom from want.

Both of these conditions have to be met in order to have a secure world. The report then goes on to categorize human security into the following seven categories¹²:

- **Economic security:** the accessibility of all people to an “*assured basic income, usually from productive and remunerative work, or in the last resort some publicly financed safety net*”.
- **Food security:** the constant accessibility of food by all people, both by producing it themselves, and by having enough economic freedom to buy it from public food distribution systems.

⁹ Bezan, B., Waever, O., & De Wilde, J. (1998). *Security: A new framework for analysis*. United States of America: Lynne Reiner.

¹⁰ Owen, T. (2004). Retrieved May 1, 2011, from United Nations Institute for Disarmament Research:

<http://www.unidir.org/pdf/articles/pdf-art2138.pdf>

¹¹ UNDP. (1994). *Human Development Report*. Retrieved from: http://hdr.undp.org/en/media/hdr_1994_en_contents.pdf

¹² Ibid.

UNDP. (1994). *Human Development Report*.

- **Health security:** The accessibility of all people, regardless of income level, to health services, in order to decrease the rate of deaths caused by preventable diseases.
- **Environmental security:** Protecting people from both man-made damage inflicted on the environment which have resulted in the degradation of eco systems (Deforestation, air pollution, overpopulation...etc), and consequently affect people living within that ecosystem (droughts or floods, respiratory problems caused by air pollution...etc)
- **Personal Security:** Preventing the subjection to physical violence which can be in the form of: physical torture, war, ethnic tension, crime and street violence, rape and domestic violence, child abuse, suicide and drug use.
- **Community Security:** Removing threats to security caused by either ethnic practices or traditions that can be oppressive to its members (e.g. the genital mutilation of African girls), or of interethnic discrimination.
- **Political security:** Preventing political oppression, detention and imprisonment, and repression by police forces.

2.3 The development of the definition

This approach to defining human security is considered a broader view than most. Although the definition put forth by the United Nations Development Program (UNDP) has been used as a platform by other governments, institutions, and organizations, a unanimous definition still remains absent, and is still largely in development¹³. Driven by the notion put forth in the United Nations Millennium Summit to further focus on the “freedom of want” and “freedom of fear” of individuals, the Japanese Government set in motion an initiative to establish the Commission of Human Security aiming to further conceptualize the term. In May of 2003, the commission presented its report entitled “Human Security Now: Protecting and Empowering People”¹⁴. In their report, the commission stressed on protecting the “vital core” of individuals, summarizing the goal of human security to focus on *protecting* and *empowering* people¹⁵.

The current spread of the Arab spring shows the importance of human security when these popular revolutions have called for deposing rulers that have violated freedom, dignity, and social justice for its citizens. Following the uprisings in the Middle East and North Africa, Deputy Secretary General of the United Nations Rose Migiro noted the importance of expanding the definition of human security quoting, “*That is why we need an expanded paradigm of security that encompasses a broad range of conditions threatening the survival, livelihoods and dignity of individuals, threats can be as sudden and unpredictable as a tsunami or they can be as protracted and unyielding as an oppressive dictatorship*”¹⁶(source of quotation). General Assembly President Joseph Deiss added that any definition of human security must not only be based on three pillars, of security, development and human rights¹⁷.

¹³ Owen, T. (2004). Retrieved May 1, 2011, from United Nations Institute for Disarmament Research: <http://www.unidir.org/pdf/articles/pdf-art2138.pdf>

¹⁴ *Establishment of the commission*. (2003). Retrieved May 2, 2011, from Commission on Human Security website: <http://www.humansecurity-chs.org/about/Establishment.html>

¹⁵ Human Security Now: Protecting and empowering people. (2003). *Commission of Human Security*.

¹⁶ As world faces interconnected threats, General Assembly focuses on human security. (2011, April 14). *UNNEWS*

¹⁷ Ibid

2.4 Criticism of the broad approach in defining the term “Human Security”

Critics of this broad approach to defining human security mainly argue that the definition is not focused enough to be practical, and so they would rather focus on violent threats in specific. Rather than strategically planning on the long term to abolish the threats in all its forms, this approach is more pragmatic by focusing on fighting short term, specific threats to human security¹⁸.

The narrow approach to defining human security tends to focus on violent threats only, such as drug trade and ethnic disagreements, leaving out other development-oriented threats such as poverty and health. However, one thing these two approaches have in common is that they are both focused on the individual rather than the state; so although the term human security may not have a concrete definition, the notion to move from the state-centered approach to an individual-centered approach is unanimous¹⁹.

2.5 Relating the concept of “Security” to “Gender Based Violence” (GBV)

Despite the many definitions of human security, the applicability of all of them to gender-based violence shows the strong relationship between the concepts of security and the violence women may be subjected to. The concept of security even in its narrowest perspective is concerned with lack of violence in general, which obviously applies to women as they are, as mentioned before, exposed to numerous types of violence. The broader approach to defining GBV is concerned with more than just noticeable violence such as physical violence but also takes into consideration any other forms of violence that may pose threats to security and looks at the issue from many different perspectives. Since women, as mentioned before, are not treated equally and discriminated against, it is only logical to assume that any threat to security will be amplified even more when it comes to women in specific.

2.6 The Narrow approach

As mentioned before, the narrow approach to defining security focuses mainly on violent threats excluding any developmental threats such as poverty or hunger. Using the narrow definition, women face a higher level as well as unique threats of violence, such as domestic violence and sexual violence.²⁰

2.7 The Broad approach

Drawing on the definition provided by UNDP in 1994, there are several categories of security that are violated when referring to gender based violence. The UNDP report itself highlighted women’s issues, focusing on the difficulties they face due to discrimination, stating that: *“In the household, they*

¹⁸ Liotta, P., & Owen, T. (2006). *The Whiteboard Journal of Diplomacy and International Relations*, 43.

¹⁹ Owen, T. (2004). Retrieved May 1, 2011, from United Nations Institute for Disarmament Research: <http://www.unidir.org/pdf/articles/pdf-art2138.pdf>

²⁰ Haq, K. (1999). Human Security for Women. In M. Tehranian, *Worlds Apart: human security and global governance* (p. 95). New York: I.B Tauris & Co. Ltd.

*are the last to eat. At school, they are the last to be educated. At work, they are the last to be hired and the first to be fired. And from childhood through adulthood, they are abused because of their gender*²¹.

As previously stated, being economically secure means having an *“assured basic income, usually from productive and remunerative work, or in the last resort some publicly financed safety net”*. Although both men and women can be economically insecure, women are generally more insecure when they face gendered discrimination. Barriers such as lack of access of employment opportunities due to discrimination in the hiring process, lack of education, lack of awareness of women’s rights to inheritance and the burden of childcare and household responsibilities, represent hurdles to women’s access of resources, employment opportunities and legal autonomy²².

Moreover, gender based violence received greater attention in UNDP’s definition of personal security, when women were referred to as having to face the worst forms of threats. The report stated that *“In no society are women secure or treated equally to men. Personal insecurity shadows them from cradle to grave”*²³.

Hence, whether you view security as merely the protection from violent threats, or if you include the developmental definitions of violence, it is apparent that gender based violence is strongly linked to the concept of security.

²¹ UNDP. (1994). *Human Development Report*.

²² Adrosik, A. (2007). Human Security and Economic Empowerment. 111. New York.

²³ UNDP. (1994). *Human Development Report*.

CHAPTER THREE

3.1 Addressing the causes of Gender Based Violence (GBV)

Violence against women and girls is a global problem that affects the health and economic stability of women, their families, and their communities. Violence affects every aspect of women's lives – from their personal health and safety, to the safety of their families, to their ability to earn a living. Globally, up to six out of every ten women experience physical and/or sexual violence in their lifetime. A World Health Organization study of 24,000 women in 10 countries found that the prevalence of physical and/or sexual violence by a partner varied from 15 percent in urban Japan to 71 percent in rural Ethiopia, with most areas being in the 30–60 percent range. (UN Women website) In some countries, one in four women and girls over age 15 may experience sexual abuse by a partner, and rates of sexual abuse by non-partners range from one to 12 percent over the course of a woman's lifetime.²⁴ Violence against women and girls has far-reaching consequences, harming families and communities. For women and girls 16–44 years old, violence is a major cause of death and disability. (UN Women website) An estimated 100 to 140 million girls and women worldwide are currently living with the consequences of female genital mutilation or cutting, with the majority of these instances taking place in Africa and the Middle East.²⁵ In 1994, a World Bank study on ten selected risk factors facing girls and women in this age group, found rape and domestic violence more dangerous than cancer, motor vehicle accidents, war and malaria. Studies also reveal increasing links between violence against women and HIV and AIDS. A survey among 1,366 South African women showed that women who were beaten by their partners were 48 percent more likely to be infected with HIV than those who were not. Gender-based violence not only violates human rights, but also hampers productivity, reduces human capital and undermines economic growth. A 2003 report from the US Centers for Disease Control and Prevention estimates that the costs of intimate partner violence in the United States alone exceeds US\$5.8 billion per year: US\$4.1 billion are for direct medical and health care services, while productivity losses account for nearly US\$1.8 billion due to absenteeism. 89 countries had some legislation on domestic violence, and a growing number of countries had instituted national plans of action. Marital rape is a prosecutable offence in at least 104 States, and 90 countries have laws on sexual harassment. However, in too many countries gaps remain. In 102 countries there are no specific legal provisions against domestic violence, and marital rape is not a prosecutable offence in at least 53 nations. (UN Women website)

Beyond identifying types of GBV and their characteristics, it is important to know what factors – or causes – lead to incidents of GBV. Discerning this will allow us to create strategies to directly counteract these clearly negative influences. However, doing so will require creating a conceptual framework that will help to organize how each cause leads to GBV.

Conceptual framework – Generally, when determining what factors, or causes, lead to Violence against Women, researchers have turned towards a four-level analysis described as an “ecological framework”²⁶. The levels of analysis are the individual, family and close relationships, the community,

²⁴ García-Moreno et al. 2005. WHO Multi-country Study on Women's Health and Domestic Violence Against Women. World Health Organization. Retrieved on December 4, 2008 from http://www.who.int/gender/violence/who_multicountry_study/en/.

²⁵ World Health Organization. 2008. Female Genital Mutilation Fact Sheet. Retrieved on December 5, 2008 at <http://www.who.int/mediacentre/factsheets/fs241/en/index.html>

²⁶ An ecological approach to understand VAW views the violence as a product of the interplay of a multiplicity of factors that all influence the individual.

and the society. These levels each contribute in unique ways to the likelihood that a partner or close family member will be abusive. Below is a better description of what these levels mean, including examples of how each level can affect spousal abuse. These examples, however, are not meant to be exhaustive, as there are a variety of factors which can affect the probability for VAW to occur.

At the individual level, the biologic and environmental factors are taken into consideration. Is the husband prone to irrational anger? Does he abuse alcohol/drugs? Did he witness to spousal abuse between his parents? If, indeed, the husband does have anger issues, abuse alcohol, or was a witness to abuse as a child, there is a greater likelihood that he will abuse his spouse.

At the relationship level, the dynamic and characteristics of relationships of the intimate partner will affect how he interacts with his spouse. If his friends tend to be misogynist males, he will have a stronger tendency to abuse his spouse. If his parents were cold, unsupportive, or failed to nurture positive self-esteem, there is a greater chance that he will be abusive.

The community level refers to social networks, local neighborhoods and peer groups which surround the individual. This is the level at which the most important forms of institutional support – or lack thereof – can occur. A high quality police force and legal system can help decrease the incidence of VAW. Conversely, if these institutions are weak, there are low consequences for such abuse. Furthermore, if there is a tolerant attitude towards violence against women – or if there is a high prevalence among the local populace – then there is a greater chance it will happen on an individual level.

The highest level, the society, involves law-making, cultural norms of patriarchy and gender relations, and levels of crime and rule of law. These all have an effect on the incidence of VAW. For example, a patriarchal culture which places more value in men, at the expense of women, will be more tolerant of VAW than a culture where men and women are seen as equals.

Title: factors of...

- **Individual factors:**
 - Represents biology and personal history
 - alcohol/drug use; coercive sexual fantasies; history of abuse, whether direct or familial
- **Relationship factors:**
 - The *“immediate context within which the abuse occurs”*
 - associate with sexually aggressive and delinquent peers; strongly patriarchal familial environment; emotionally unsupportive family
- **Community factors:**
 - The neighborhood, social clubs, workplace or office, peer groups
 - poverty; lack of employment opportunities; lack of support from police and judicial system; general tolerance in community of sexual assault
- **Societal factors:**
 - Cultural mores and norms
 - norms support male superiority; sexual entitlement or oppressive sexual environment; weak laws and policies against sexual violence/gender inequality; high levels of crime

Title or linkages between the above factors and below??

Education – Though there hasn't been a causal link established, studies have shown that there is a correlation between a lack of education among both partners and spousal abuse. This is explained through the idea that education helps people think through problems rationally and arrive at solutions more peacefully. Conversely, those without much education generally have worse communication skills, leading to violence to resolve arguments²⁷.

Age – Studies have addressed the misperceived theory that spousal abuse decreases with age. Out of seven countries, two countries (Egypt included) recorded spousal abuse actually peaked between the ages of 30-34. Overall, there wasn't any correlation between age and abuse. This would suggest that the "social status" theory, wherein a woman grows in social status as she ages and thus experiences less abuse, is not a factor of abuse.²⁸ However, the younger the woman marries the higher her chances of experiencing abuse, which was demonstrated in six of seven countries studied. In Egypt, a girl who marries before the age of fifteen has twice the likelihood of experiencing domestic partner violence as a woman who marries at 25 years or older²⁹.

Financial contribution – The link between poverty and an increased risk of domestic violence is well-established. Another dimension suggests women who contribute a significant share of income, particularly in economically deprived families, may be at a greater risk of violence. In this study, the authors link this to the perceived challenge to traditional gender roles and the impotence of the male to provide for the family on his own³⁰.

Comment [n1]: this is odd yi

Furthermore, Egypt's socio-cultural attitudes and public perceptions towards Women remain a primary cause of violence. The result is that while women are afforded equal rights addressed in the constitution and supported by legislation, they still have a reduced status in society owing to patriarchal attitudes and resistance to change. Social-cultural barriers, traditional beliefs, biased value systems and attitudes prevent women from accessing an equal social, political and economic representation making women vulnerable. In addition, religious misconceptions on Egyptian Women's status, gender equality, and gender roles justify violence against Women in the private as well as the public space hindering the fully participation of Women socially and economically. Moreover, social acceptance of women's work is still very scarce. Women's economic independence is critical for their exercise of influence on decisions that affect their lives and families. Opportunities for most Egyptian Women to fulfil their potential are few, with many lacking the awareness, social and institutional encouragement to participate fully in the political life of the communities in which they live.^{29,10} Inequality, discrimination, inadequacies prevent Women's access to education, training and information also hampering Women's scarce awareness of their rights.

²⁷ As the authors phrase it, "the working hypothesis in the current study is that wife assaulters may use violence when the lack verbal means of having impact." Dutton, Donald G. and Catherine E. Strachan, "Motivational Needs for Power and Spouse-Specific Assertiveness in Assaultive and Nonassaultive Men," *Violence and Victims*, Vol 2, No. 3, 1987

²⁸ Kishor, Sunita and Kiersten Johnson. (June 2004). *Profiling Domestic Violence: A Multi-Country Study*, MEASURE DHS+

²⁹ Ibid.

³⁰ Bates, Lisa M., Sidney Ruth Schuler, Farzana Islam and Md. Khairul Islam. (December 2004) *Socioeconomic Factors and Processes Associated with Domestic Violence in Rural Bangladesh*, *International Family Planning Perspectives*, Vol. 30, No. 4

²⁹ UNDAF 2007-2011, p.17.

This low status of the Egyptian women also depends on general stereotypes that threaten the full development and participation of girls and young Women, by limiting their roles in society and by circumscribing their behavior to certain narrow norms. These attitudes and conceptions are upheld by a patriarchal social system that defines and identifies the different roles of both men and Women. The opportunities for young men and Women are still not completely equal in any of the sphere of the public and private life. Boys and girls are socialized differently since their early age. Girls are required to be obedient, caring and ready to serve the needs of men, while boys are socialized to lead and control. Hence, the majority of Women in Egypt still internalize their inferior positions, accepting men's superior role as ascribed to them by the society. The management of this type of social upbringing takes place on the level of the household or educational and religious institutions, by peers and the community at large. Attitudes that are regarded in Egypt as acceptable actually violate Women's rights. Violence in the home, wife battering or female genital mutilation is met by silence unless attracting the attention of the authorities. Violence against women and girls can include economic abuse, hampers productivity, reduces human capital and undermines development.

3.2 Overview on the status of rural women in Egypt

Minya is an economically challenged agrarian governorate located in Upper Egypt approximately 200 kilos South of Cairo which has a high percentage of rural residency. The rural segment of Egypt constituted, as of 2002, around 38.433 million citizens, which is around 57.6% of the total Egyptian population. They are distributed over 4137 villages. The percentage of concentration of rural citizens is approximately 55% in Lower Egypt, 44% in Upper Egypt and 1% in governorates³¹. In Lower Egypt, residents tend to be more economically well off than those of Upper Egypt, as, 28% versus 23% of households own land, 55% versus 48% of women who were ever married and were of reproductive age receive formal education, and 19% versus 11% of women were working for cash. Moreover, the gender gap seems is apparent, with 83% of girls versus 96% of boys are enrolled in primary education, and where 13% of women versus 19% of men participate in the workforce. Residents in Upper Egypt, compared to the nation as a whole, have less access to mass media. Residents of rural Upper Egypt have even less access to mass media than those living in urban settings. Religious voluntary organizations are known to be quite active in Upper Egypt, engaging in women and development initiatives, where there is a higher population of Coptic residents that there is in Lower Egypt. It can therefore be concluded that Upper Egypt is a region where the educational system and labor market are highly patriarchal thus a lot of women tend to rely on their family's social and economic resources to remain secure, however it is possible for residents to gain exposure through religious organizations, more education and paid work, mass media and urban residency³².

Rural women are those who reside in rural areas, which can be defined as areas in which the majority of residents have taken up agricultural crafts, or other various crafts that are related to agricultural production, or animal related crafts such as herding and grazing, and breeding livestock and sheep. Rural areas tend to have their own culture and traditions arising from their different lifestyle than depend on agricultural rather than economical resources. Egyptian women in rural areas can basically be divided into four categories:

Employees who work in return of a constant monthly salary in administration or other roles that aim to provide the basic services to rural residents such as education, health...etc.

³¹ Morsi, M. 2010. Status of Egyptian Women between marginalization and empowerment.

³² Youn, K. (May 2005). Women's Family Power and Gender Preference in Minya. *The Emory Center for Myth and Ritual in American Life*.

Land-owners who either manage the land themselves or work in the land in several activities such as breeding cattle, producing agricultural products. Employees who work in return of a constant monthly salary in sewing clothes, selling fabric...etc. Women who do not work and do not have a source of income, and depend on others economically usually their husbands, fathers and sometimes brothers.

The rural areas occupy the vast majority of the Egyptian soil, according to statistics till 2002 around 38, 433 millions live on 57,6% of the Egyptian land in over 4137 village. Their concentration is about 55% in northern Egypt, 44% in Upper Egypt and 1% near the borders. The Egyptian village itself is not a homogenous entity; there are different components.

فالريف هو هذا القطاع المكاني البارز في حياة المجتمع المصري، سكانا ومساحة إذ يسكن الريف المصري حتى عام 2002 حوالي 38.433 مليون نسمة، يشكلون 57.6% من جملة سكان مصر، يعيشون في 4137 قرية ويتفاوت تركيز الريفيين بين 55% في الوجه البحري و 44% في الوجه القبلي و1% في محافظات الحدود وتتعاظم نسبة الريفيين ب72.4% من الوجه البحري لتتخفف إلى 53.9% من الوجه القبلي ولتصل إلى أدناها 41.2% في محافظات الحدود وفي هذه المحافظات الحدودية يعيش الريفيون في تجمعات اصغر ذات خصائص صحراوية .

كما أن كل قرية مصرية واحدة، أيضا ليست نسيجاً متجانساً إذ إنها تتألف من أربعة نطاقات عمرانية. أولها، نطاق متخلف يتفق مع قلب القرية داخل شارع داير الناحية يحتاج إلى إزالة وإعادة التخطيط. وثانيها، النطاق الحلقى القديم والكثيف خارجة وثالثها، يتمثل في النطاق الهامشي النامي والحديث والمتاخم للاراض الزراعية والذي يتطلب تثبيته ورابعها النطاق المتناثر الذي يتخلل الاراضى الزراعية ومطلوب تحجيمه .

In rural areas the social and economic status of women is even more unfortunate if compared to that of the urban women. In the rural areas with a climbing illiteracy, those patriarchal norms and traditional social barriers represent a great vehicle of women's submission to men and a source of constant discrimination. Moreover, recent food crises and problems related to the commercialization of agriculture and food security have in most cases worsened the situation of rural women forcing them to face new challenges.

Rural women in Egypt have unstable working conditions. They work in more precarious conditions than men and they usually have to accept the difficulties related to seasonal contracts, unpaid work and longer working hours than men. Moreover they have more difficult access to inheritance and land ownership (addressed in the part concerning inheritance and properties) and to human resources such as education and consequently to political participation. Women rarely own the land they cultivate since male members of the family are in charge of such a role. Furthermore, women also tend to give up their land rights in return for a portion of the land's remittances. The scarce control of land by women can hamper their living conditions in case of divorce or widowhood. Being the husband the controller, without him, women often risk to lose the source of their maintenance. Thus, enhancing rural women's land ownership is crucial for many reasons. Giving women access to land and owner rights could represent a necessary step in the fight against hunger and poverty and an efficient tool in addressing food security issues in the MENA. Moreover, insuring women's access to land and other fruitful assets represents a long term strategy to increase agricultural productivity and sustainability within the Egyptian agricultural field.

However, women's conditions in these areas should be also enhanced through extensive access to education. In 2006, according to United Nations report entitled Arab Youth Strategizing for the

Millennium Development Goals, in Egypt, 41% of adult females were illiterate, and mostly in the rural areas of Upper Egypt. Moreover, 54% of rural Upper Egyptian girls aged 13 to 15 are not enrolled in school, compared with 11% of boys.³³ In the rural areas of Egypt, schools are scarce and located too far away for young girls to have an easy access to them. Besides, the poor quality of education often discourages parents to send their kids to school; thus, girls are usually denied education since an early marriage is considered for the family a better investment.

Women working in the rural field are thus deprived of the minimum guarantees provided by the law, while women employed in other sectors enjoy these guarantees. They are denied their rights to fair wages, holidays, social and health insurance, as well as union activism; moreover, they are also deprived of the right to social insurance that supports them in case of cripple, injury, disease, ageing, unemployment and death. Despite the fact that most women working in Egypt are working in agriculture, and despite the multiple demands to amend the provisions of the law, to protect the rights of women workers in the agriculture sector, the Egyptian government ignored all the pleadings that were made by a number of studies and civil society organizations like the LCHR.

However, the detrimental social and economic status of rural women in Egypt is not only harmful for women themselves but for the society as a whole. Rural women's diminished and hindered role has a negative and costing impact on agriculture, societies and food security. Rural women represent a strategic potential for economic and social development and for the improvement of the agricultural sector in this region. Making women educated and able to achieve their own rights, is therefore not only a development goal but a right that should be granted to every single human being on earth.

3.3 Forms and characteristics of Gender Based Violence (GBV) in Egypt

A wide variety of forms of violence against women have been recognized. They can include physical and sexual, psychological, or even economic violence. Women can be violated from the very beginning of their life until the time of marriage and also during old age. The table underneath has been drawn from United States Agency for International Development (USAID) "Violence Against Women Study" and adapted from WHO VAW Consultation 1996; World Health Organization. The table below will help to clarify the concept and the forms of violence against women. However, not all of its forms will be elaborated in details in this desk review.

³³ Save the Children website, Middle East Eurasia, Save the Children Egypt page, 2004

Life Cycle of Violence		
Pre-birth /infancy		Sex-selective abortion, infanticide or neglect (health care, nutrition)
Childhood		Child abuse involving malnutrition, FGM, child sex abuse) prostitution or pornography), violence against girls in school, child marriage, trafficking for sex, begging
Adolescence		Prostitution, trafficking, early marriage, rape
Reproductive age		Honor killings, domestic violence, homicide, sex trafficking, violence against domestic workers, sexual harassment
Elder years		Widow abuse
By Action		
Physical violence	Psychological violence	Sexual violence
<ul style="list-style-type: none"> • Slapped • Pushed • Struck with a fist • Kicked • Dragged • Threatened with a weapon 	<ul style="list-style-type: none"> • Insulted • Humiliated in front of others • Intimidated or scared on purpose • Threatened with harm (directly or indirectly) • Controlling behavior 	<ul style="list-style-type: none"> • Rape • Sexual abuse • Sexual exploitation • Partner violence: <ul style="list-style-type: none"> - Sex against her will - Sex for fear of the partner - Humiliating form of sex

As mentioned in the previous sections, Gender Based Violence (GBV) can take many insidious forms, from child marriage to marital rape to honor killing. Being able to identify what constitutes GBV is obviously important if it is to be stopped. Equally as important is the identification of the characteristics of GBV. Where does it occur? Are women in urban settings or rural settings at greater risk? For what reasons do men feel justified in committing GBV? Learning the answer to these questions, along with a variety of others, can help combat GBV.

Most studies on GBV in Egypt have thus far dealt with domestic violence or intimate partner violence. **Intimate partner violence** focuses on violence by a husband or boyfriend, whereas domestic violence means the entire nuclear family.

Almost half of every-married women in Egypt have been subjected to **physical violence** at some point since the age of 15. Of this group, the majority of victims were subjected to this violence at the hands of their spouse. Almost half of them said they experienced non-spousal physical violence. This could mean their father, brother, or even mother (36% said they were subjected to violence by a woman)¹

Over one-third of Egyptian wives have been subjected to emotional, physical or sexual violence by their **current/most recent** husband. Perhaps most strikingly, a quarter of Egyptian ever-married women have been the subject of violence **within the past twelve months**¹

Age has always been believed to play an important role in GBV, as it is thought that as a woman grows older and gains social status in the community, she is less likely to be the subject of GBV. While the youngest demographic (ages 15-19) surveyed in the Egypt Demographic and Health Survey 2005 was the least likely to have ever experienced violence, the oldest demographic (ages 40-49) was the least likely to have experienced GBV within the past twelve months³⁴.

Geography is also thought to have an effect on the type of GBV which happens. This is for a myriad of reasons. Often, this is explained through cultural differences (such as those between Upper and Lower Egypt). However, the human environment can also play a factor. In urban settings, people are packed closer together, effecting interactions within the community and the amount of relative privacy any one family has³⁵.

- **Rural/Urban**
 - Almost equivalent chance of having experience physical violence at some point after the age of 15
 - Rural women more likely to have experienced violence within the past twelve months than their urban counterparts
- **Upper and Lower Egypt; Frontier Governorates**
 - Women were more likely to have experienced violence in Lower Egypt, with half reporting ever having experienced violence vs. 43.8% in Upper Egypt
 - Less than 39% of women reported having experienced violence in the Frontier Governorates

3.4 Physical Gender Based Violence

In general, physical violence is the *“deliberate use of physical force with the potential for causing harm”*. It includes, but is not limited to, scratching or biting, pushing or shoving, throwing, grabbing, choking, shaking, hair-pulling, slapping, punching or hitting, use of a weapon (gun, knife, or other object), use of restraints or one's body, size, or strength against another person. It also includes encouraging other people to do any of these things³⁶. With respect to GBV, physical violence includes honor killing, FGM, assaults, homicides, domestic violence, sex-selective abortion, infanticide, child marriage, season marriage, and more.

According to a 2005 United Nations Report, types of physical violence in Egypt included murder (76%), attempt to murder (5%), battering 18%), kidnapping (2.5%). The remaining forms of violence included burning property, forcing women to sign cheques and become guarantors of men, accusation of insanity etc. The report indicated that causes of violence were honor crimes (42%), leaving the house without the husband's approval (7.5%), wives asking for divorce (3%), etc

³⁴ El-Zanaty, Fatma and Ann Way. (2006). *Egypt Demographic and Health Survey 2005*. Egypt Ministry of Health and Population; Egypt National Population Council, pp. 222-230.

³⁵ Ibid, pp.220-230.

³⁶ Department of Education and Training. *Physical Violence*. The State of Queensland. Queensland Government. Retrieved on 3 May 2011.

1. Assault

The legal definition of assaults varies between countries. However, there are two general categories of assaults: **aggravated assault** and **simple assault**.

- Aggravated assault involves an unlawful attack on another person for the purpose of causing severe physical harm or death; usually by using a weapon, hitting, kicking, or choking.
- Simple assault is the attempt or threat to cause less physical harm by using nonphysical force, “coercion”; including verbally threatening a victim into doing something he or she doesn’t want to do³⁷.

In addition to these two categories, psychological assault exists when there is an emotional abuse, threat of violence and physical harm, use of the children as a means of control, attack against property and other acts of intimidation³⁸. The offender’s purpose is to exert power and control, to intimidate, humiliate, punish, or force a victim to do something against his or her will. While most of the reports involve women as victims, men can also be sexually assaulted by women. The person who commits assault could be a current or former partner, a family member, a neighbor, a friend or a coworker.

Assaults could take many forms like *Sexual Assault, which generally involves physical and nonphysical force. It includes “... unwanted sexual touching or penetration without consent, such as rape (vaginal intercourse), forced sodomy (anal intercourse), forced oral copulation (oral-genital contact), rape by a foreign object (including a finger), and sexual battery (the unwanted touching of an intimate part of another person for the purpose of sexual arousal).”* The National Council for Women (NCW) report “Egypt, Violence against Women Study, April 2009”, claimed that researches have confirmed that violence against women in Egypt is both varied and widespread. According to the 2005 Egypt Demographic and Health Survey (EDHS), 47% of married women reported that they have experienced physical violence since the age of 15, making the rates for physical and sexual violence to reach 34% after being 22% in 2004³⁹.

2. Homicide/ Honor Crimes

Honor crimes refers to “the murder of a woman by her male family members for a perceived violation of the social norms of sexuality, or a suspicion of women having transgressed the limits of social behavior imposed by traditions”⁴⁰. It, therefore, constitutes a major violation of women rights, let alone human rights. It is also one of the most extreme forms of domestic violence. “Exceeding the limits of social behavior” ranges from suspicion of a woman meeting or seeing a man to a wife betraying her husband. It is particularly difficult to estimate the overall number of honor killings in Egypt each year as there very little statistics available and those that do exist are outdated. Official statistics indicate that murders committed in the name of honor accounted for 5.4% of all the murders committed in 1997. ⁴¹ However, statistics available revealed that between 1998 and 2001 79% of the reported crimes were murders of females suspected of sexual behavior,

³⁷ U.S. Department of Justice. (2005) *Victim Impact: Listen and Learn*. Facilitator Manual. *Office of Victims of Crimes. Office of Justice Programs*. Retrieved on 2 May 2011.

³⁸ *Women’s Human Rights and Access to Justice in Egypt*. (30 Sept 2010). Chapter Two: The National Legal Framework for Women Rights. Criminal Law. *Knowledge Package*: p. 94-103. *UN Women*. Retrieved on 12 May 2011.

³⁹ United Nations Population Fund. *Gender Based Violence*. UNPF: Egypt (2011). Retrieved on 1 May 2011.

⁴⁰ Khafagy, F. (2005). *Violence Against Women: Good Practices in combating and eliminating violence against women*. *Division for the Advancement of Women*.

⁴¹ Benninger-Budel, Carin. (2001). *Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women by Egypt*: p. 23. Report prepared for the Committee on the Elimination of Discrimination Against Women. OMCT

9% were murders of females due to adultery, 6% were murders of female to hide incest, and 6% were murders for other reasons. The perpetrators of the reported crimes were husbands (41%), fathers (34%), brothers (18%), and other relatives (7%)⁴².

There have been several initiatives in combating this kind of violence against women. One of these initiatives is CEWLA'S Campaign Against Honor Crime, which is mainly concerned about analyzing information on honor killing that could help in discussing legislations and policies in this regard. The following table summarizes the findings according to news and articles written on honor crimes in Egyptian press (newspapers and magazines) published during the period 1998 and 2001 reviewed by CEWLA.

Murder of a female for being suspected	79%
Murder of a female because of adultery	9%
Murder of a female to hide incest	6%
Murder for other reasons	6%

Degree of relationship between the victims and the murderer

Husband killing the wife	41%
Father killing the daughter	34%
Brother killing the sister	18%
A man killing his female relative	7%

It's important to take into consideration that honor crimes are usually not listed but they are included in Sociology crimes or what is known as "Dark Figures" that it doesn't reach the police or any official authority due to its nature of being social crimes, a study was done by the National Center for Social and Criminal Research about that fact, 98.2% of honor crimes are not listed officially due to the fear of its nature and that people will suspect those women rather than trying to find the murder. Also, the view towards honor crimes differs from a place to another according to the habits and traditions of the place.

There is law discrimination between women and men regarding honor crimes, such as in case of "committing adultery" , if the man was the guilty person, he only gets 3 years in prison, while if the women was the guilty one, then she gets execution as a punishment. That's happen according to article (17) in crimes of honors, and it gives the judge authorities to be flexible with men more that women.

Honor crimes up to now include 3 main dimensions which are: crimes of assault on honor, crimes of defending honors and crimes that breach honor. The last dimension specifically, focuses on crimes that are related to bad behaviors including: libel, slander and defamation. In those kinds of crimes, it should be considered the motives for the crime and the environment in which the guilty person is living in.

⁴² Somach. Susan D. and Gihan AbouZeid. (2009). *Egypt Violence Against Women Study. Literature Review of Violence Against Women*: p. 12, USAID

This table shows the number of (assault and Rape) that is officially listed in Egypt (1995-2000)

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Assault	173	196	184	176	142	143	133	110	140	124
Rape	6	6	16	21	25	20	22	18	20	21

This table shows the violence that Egyptian women face that has its psychological and physical impacts not only on women but also on the whole family and the society. And it's clear that there isn't specific rate of increase or decrease, its increasing and decreasing through time, which indicates the social defects regarding those crimes.

Another study was done by Dr. Nahed Ramzy, in her report of Rabetat Almar2a Al3arbya, 66% of girls face gender violence in their work places, which maybe by words with sexual meanings (30 %) rape with touching (17 %). The number of women who were killed with a reason of honor in 1995 was 52, and that is the listed number only. Also, between 1610 murder case in 1999 in Cairo and 1793 in rest of governments, honor crimes represent 10 % of them.

Crimes performed by men are 5 times the crimes done by women, and that goes back to the nature of females body and psychology, in addition to the low probability of a women facing a crime, and this confirms the nature of the Egyptian society where there is male domination. On the other hand, scientist of crimes confirms that that there is a direct relation between, that in early age of human beings crimes start to increase till it reaches its peak then it starts to go down when they get older.

A study was done on 24 girls/women in Elminya, they faced honor crimes, the following was noticed; most of them were girls who didn't reach the age of marriage (20 girls), also honor crimes are faced by educated girl, they go into relations that aren't accepted by the society, and they bear the results of those things. Girls also are forced to go into relations under threats of violence that at the end the girls bear the violence by her. Usually the results of the relations appear in the form of pregnant girls, here in the sample, one case was killed, 2 cases escaped, 1 case making an official marriage. Also according to the sample, there were 11 killed people, 8 were women and 3 were men.

As CEWLA argues, there are several means used in honor killing, including: strangling, burning, forcing the woman to take poison, or throwing her from the window. Other initiatives have attempted to tackle laws that are biased against women and give lenient sentences to men who commit these honor crimes.

Despite these eye-opening statistics, the act of honor-killing apparently still isn't being taken seriously enough, as article 17 in Egypt's penal code grants the judge presented with a case of honor killing judiciary power to ease the criminal's sentence, which is an option many judges have referred to⁴³.

⁴³ Scholz, B. (2006). *In Search of Equality*. Geneva, Switzerland: Centre On Housing Rights And Evictions.

3. Female Genital Mutilation (FGM)

FGM is the full or partial removal of the clitoris and/or labia minora, a practice found in mostly African countries. FGM is a widely spread problem in Egypt, as it is reported that 91% of girls and women have been subjected to FGM in urban areas, and a higher rate of 98.3% in rural areas⁴⁴. For the wealthiest quintile of the population, 78.3% of the population have had the procedure done⁴⁵

It is important to understand the bigger picture when it comes to FGM, as the problem does not lie within the act of the procedure itself, but rather in what FGM symbolizes, which is the way society views women in Egypt⁴⁶.

Egyptians believe FGM to be an Islamic practice, despite the fact that it is also performed by Egyptian Christians and not practiced in most Muslim countries outside the Nile valley. Although the al-Azhar leadership (Islamic authority) condemned the practice of FGM, the religious clergy continue to confirm FGM as religiously mandated, explaining its continuation. Furthermore, FGM is practiced with the belief that females who are circumcised grow up to be less prone to sexual desires, and that girls who are circumcised have a bigger chance of getting married⁴⁷. Moreover, another false belief that is common is that FGM is associated with cleanliness meaning that it makes girls cleaner⁴⁸.

Consequences of FGM:

Health consequences

Health complications resulting from FGM can be mainly encompassed in the following (occurring with varied degrees of intensity):

- Tearing of blood vessels
- Exposure to disease transmission
- Genital shock from pain
- Extensive bleeding (the most dangerous complication)
- The formation of rough tissues as a result of the wound around the opening of the Vagina which can lead to various complications
- Chronic Urinary Tract infection
- Possibility of being infected with AIDS

Psychological Consequences

The consequences that are faced by women psychologically due to FGM should not be underestimated, as they not only affect the women themselves but also on marital happiness and family life in general. Psychological consequences of FGM are mainly encompassed in:

- The shock during the actual procedure as it is a psychological and physical invasion that can be extremely difficult to forget.

⁴⁴ Rifaat, Elwan & Forcier. (2009). *Towards FGM-Free Villages in Egypt*. Population Council.

⁴⁵ Ibid, pp.211-217.

⁴⁶ Morsi, M. (2010). Status of Egyptian Women between marginalization and empowerment.

⁴⁷ *UN Training Manual*. (2010).

⁴⁸ Morsi, M. (2010). Status of Egyptian Women between marginalization and empowerment.

- Fear of sexual relationships
- Intense pain during menstruation
- Loss of trust between the girl and her parents⁴⁹

FGM under the law:

The practice is forbidden under Articles 241 and 242 of the penal code. The State Council outlawed FGM on December 28, 1997, reversing a lower court ruling of summer 1997 which overturned the Health Ministry's ban on the practice when it was not needed medically. The State Council said: "*circumcision of girls is not an individual right under Islamic law because there is nothing in the Koran which authorizes it and nothing in the Sunna.*" The Court ruled: "*henceforth, it is illegal for anyone to carry out circumcision operations, even if the girl or her parents agree to it.*"⁵⁰

Although they were able to prohibit it by law under the condition that it is not needed medically, this condition served as a loop hole and the law was not widely executed. However, after a girl died while undergoing the procedure in 2007, the practice of FGM was legally criminalized in 2008. Moreover, the law was faced with opposition from the Muslim Brotherhood expressing their belief that FGM should not be banned since it is not prohibited by Islam⁵¹.

FGM statistics in Egypt:

The most common forms of FGM in Egypt are: I and I I, according to World Health Organization, type (I) is the partial or total removal of the clitoris and/or the prepuce. Type (I I) is the partial or total removal of the clitoris and the labia minora with or without excision of the labia majora.

FGM is practiced for a variety of reasons, according to the EDHS in 2005, almost three-fifths of those surveyed adhere to the practice to maintain tradition: roughly a third said the practice reduced sexual desire, another third thought it essential for hygienic and cleanliness, and just over a tenth supported FGM to gain religious approval.

In Egypt the practice is mainly performed by medical personal. Almost 68% of the circumcisions were performed by doctors, 7% by nurses and 22% by *dayas* (traditional birth attendants).

In interviews with 250 women in Egypt attending family planning centers, 80% of circumcised women were more likely to report psychosexual difficulties, including reduced sexual activity, fewer orgasm and less enjoyment of sex than their uncircumcised peers (Eldefrawi 2001). Another study of 331 circumcised Egyptian women found that just over 29 % didn't experience sexual satisfaction during intercourse (Karim and Ammar 1956). Yet another Egyptian study of more than 250 women found that those who had been circumcised were more likely to experience loss of sexual desire (Abd El-Hady and

⁴⁹ Ibid.

⁵⁰ The Egyptian Center for Women Rights. *Violence Against Women in Egypt*. Retrieved from <http://www.un.org/womenwatch/daw/vaw/ngocontribute/Egyptian%20Center%20for%20Women%20Rights.pdf>

⁵¹ Kelly, S., & Breslin, J. (2010). *Women's Rights in the Middle East and North Africa*. Rowman and Littlefield Publishers.

El-Nasharr 1998). A survey of 100 married women in Egypt, more than 90% of whom circumcised, found that 70% experienced some sort of sexual dysfunction including dyspareunia, decreased arousal and desire, however almost quarter of the women with such problems said that they were not distressed by them, the most common aggravating factors cited by the women were marital disharmony and socio-economic pressures (El Nasharr 2007)

Methods of treatment:

Breaking the barrier of silence that surrounds FGM

- The association of the issue of FGM with other women rights issues, meaning that the issue should be affiliated to any woman's right to make her own choices, to education and the right to control her own body.
- Raising awareness on health and psychological complications that arise from FGM
- Raising awareness of the general public that the purity of any girl is a result of how she was raised and not of FGM
- Preparing the society to start accepting new ideas and to let go of old beliefs
- Highlighting the fact that FGM is purely a harmful procedure and has no medical or religious basis
- Dealing with the issue from several different perspectives and contacting leaders who have popular followings to help in getting through to the society due to their credibility⁵².

The current situation

According to the government, FGM has been largely wiped out due to government measures and today largely exists only in the most remote areas. However, other sources state that the percentage of women subjected to FGM remains very high. According to a recent study "*Investigating Women's Sexuality in Relation to Female Genital Mutilation in Egypt*" funded by the World Health Organization (

WHO)FGM continues to be wide practiced. The Egyptian Center for Women Rights reported that FGM affect 90-97% of Egyptian women equal to an average of four girls on five according to SYPE. This form of violence is strongly interlinked with other forms of physical violence when circumcised females were not only found to be more likely to circumcise their daughters, but they were also found to accept a husband's beating of his wife.

Study about FGM in Elminya and Manashyet Nasser:

A research was financed by the World Health Organization in two slums are in Elminya (Abou Korkas and St. Marcos village) and Manashyet Nasser , with the objective of understanding local experience of sexuality among Egyptian women in relation to FGM and to investigate the linkage between marrigability, gender roles, sexual pressure and FGM. The research was based on qualitative methods through data collected in personal interviews and Focus Groups Discussions. 31 Personal interviews were conducted with 8 women, 6 men 4 community leaders, 6 religious leader and 7 circumcisers and health providers. In Addition to 25 focus groups, 13 for women and 12 for men, the women focus groups were divided by age (older and younger than 35) and all of them were married due to traditions and culture that don't allow people to talk with unmarried girls about FGM.

⁵² Morsi, M. (2010). Status of Egyptian Women between marginalization and empowerment.

Women:

All participants mentioned that FGM is very common there and that circumcision takes place from the age of 9 to 12 (when the girl shows sign of puberty). All participants mentioned that they prefer to have doctors perform circumcision, doctors usually charge between (50 to 100 LE). All the participants said that they themselves are circumcised and half of the women said that their older daughters are circumcised. Women who don't circumcise their daughters are under 35 years old.

According to the participants, women are the main decision makers when it comes to FGM and grandmother in particular influence the decision greatly. All participants mentioned that celebration after a boy's circumcision but not for the girls. All participants said that they were aware of the decree from the Ministry of Health against FGM, but they still practice FGM, they said that if the ministerial decree forbade doctors from performing FGM they will go to dayaa (Traditional Birth Attendant).

Women in Elminya and Manashyet Nasser said that there is no relation between FGM and honor, but they mentioned that honor is mainly related to the way and the environment she raises in. there is strong association between family reputation and status, and girls' honor. Honor is mainly about virginity not circumcision.

All participants from Elminya said that neither men nor their mothers ask whether the bride is circumcised or not. And girls can marry even if they are uncircumcised; they mentioned that non-circumcised girls are likely to get married as circumcised ones. They all agreed that men's knowledge about female anatomy is limited. They also had contradictory views about the relation between FGM and sexual pleasure, some agreed on the existence on the relation and some ignored it, while just few said that "love" is the main prerequisite of pleasure.

Participants were asked about "dokhla balady or "hand defloration" and they all mentioned that it still exists but on a smaller scope, and it was noticed that it exist in Elminya lesser than Mainsheet Nasser. Most of the participants aged 35 and above and almost half of the participants aged 35 or less had experienced it.

Men:

Almost all participants in Elminya stated that female circumcision is a common. However few participants stated that the prevalence is slowly declining. Men didn't state certain age for circumcision, they said that it takes place when girls reach puberty. Many or urban men mentioned that doctors or medical personnel should be approached for consultation. If dayaa it will cost 10-25 LE while if doctor, it will cost between 25-100 LE. Rural men confirmed that they will circumcise their daughters while urban men said that it's not necessary depends on the medical consultation. Most of Elminya participants justified circumcision on the ground that it lessens female sexual desire and therefore ensures girls' chastity.

Most of the participants in all sites stated that mothers are the main decision makers and fathers rarely know about their daughters circumcision. Most of the participants stated that the ministerial decree isn't going to decrease the prevalence, someone mentioned that the minister issued a decree that is isolated from the people and the people's opinion should be consulted before issuing such decree. Many of them agreed that the decree will be done by doctors but they will continue to do it with dayaa.

In Elminya there was no consensus among participants when they were asked about the relation between FGM and marrigability, some mentioned that it has no effect on the relation, while others mentioned that FGM influence a girl's marrigability and sexuality. But on the other hand the issue of FGM is not taken into consideration while choosing the bride.

Most participants in Elminya argued that "dokhla balady" is not common anymore. Some of them mentioned that it is performed if there is are doubts or rumors about the girl and her honor especially in the cases when the bride is a stranger (different village)

Community leader:

Community leaders opinions where based on personal interviews, they had different opinions regarding FGM, some agreed that there is no relation between FGM and sexual desire, others said that they don't know if it really affects since they don't have non-circumcised girls, while only minority said the good girl is good regardless of her situation whether circumcised or not, and girls sexual desire is related to "love" not "circumcision".

Local religious leaders:

While Christian's leaders are mainly united in their view against FGM following instructions of the Coptic Church, Moslems leaders are very much divided among themselves. It is clear that those traditions are quite influential in the decision of those religious leaders who support the practice. All Christian's religious leaders agreed that the practice of FGM is prevalent in their communities but it has been declining due to media campaigns and the work of NGOs. They also agreed that from a religious perspective, FGM is completely banned due to the holly verses that both men and women have equal rights and a girl should behave good whether she is circumcised or not. On the other hand, Moselms leaders had different opinions some agreed while others didn't.

Overview about this sample:

- 1- Despite the efforts by various organization including: Ministry of Health, the National Council for Childhood and Motherhood, international development agencies and local civil society groups to eradicate FGH, the practice is still prevalent in the three sites where the study was conducted and there is strong support for it continuation. There are few uncircumcised girls in these communities and most of the participants think that they aren't circumcised because doctor said they don't need to be circumcised.
- 2- The main reason for the existence and continuation for this practice as mentioned by the majority of the participants, is to lessen the sexual desire for girls before marriage, and to keep the girl clean and hygienic
- 3- The role of the religion is still important, however , due to the fact that Moselms religious leaders are arguing among themselves and no consensus has been reached, people seek other means to affirm the necessity of the practice, and therefore the medical discourse is gaining more power and authority
- 4- The age of Circumcision is increasing, this is due to medication of the practice, since doctors prefer to circumcise older girls to avoid medical complications

4. Child Marriage

Child marriage is defined as marriage before the age of 18. This practice is more common in poor and rural communities due to social and economic reasons. Men prefer marrying young women to ensure obedience and subservience and to maximize their childbearing⁵³. Furthermore, poor families usually regard girls as economic burdens when they cannot support the family as much as men. Thus, families believe marrying their girls at an earlier age would help them survive economically.

Contrary to these perceptions, child marriage aggravates poverty because most of the child brides are pulled out of school, deprived from education and work, suffer health risks associated with early sexual activity and child bearing increase the probability of child mortality. Furthermore these girls are more vulnerable to domestic violence and sexual abuse. These consequences, according to United Nations International Children's Emergency Fund (UNICEF), depict why child marriage is a violation of human rights, whether it happens for boys or girls⁵⁴.

Since child marriage is unofficial and unregistered marriage when most nations have outlawed this practice, it is hard to have exact statistics regarding this issue. However, a survey data of 100 countries show that, in developing countries, more than 60 million women aged 20-24 were married or in union before the age of 18. According to UNICEF Statistics, Egypt ranks number 17 in child marriage over the period from 2000 to 2009 (number 9 for urban areas and 22 for rural areas). Despite the fact that the Egyptian law states that the minimum marriage age for women is 18 years old, it was reported that there has been 9274 violation committed in several Egyptian governorates.

3.5 Sexual Violence

Sexual Violence is defined by WHO as *"any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work"*⁵⁵.

In other words, sexual violence or assault is any act that includes an exposure to unwanted sexual activity. It is also considered sexual abuse to pressure someone to engage in sexual activity with someone who is under the influence of drugs or alcohol⁵⁶. There are several types of sexual violence, like rape, kidnapping, marital rape, incest, sexual harassment, forced prostitution, women and child trafficking, and female child sex abuse.

⁵³ What We Do. (23 Sept 2010). Child protection from violence, exploitation and abuse. Unite For Children. *The United Nations Children's Fund UNICEF* Retrieved on 11 May 2011.

⁵⁴ The Child Protection Section 1-2. (May 2006): Child Protection Information Sheet. Unit For Children.. *The United Nations Children's Fund UNICEF*

⁵⁵ *Sexual Violence*. (2011). Asia and Pacific Islander Institute on Domestic Violence. Retrieved from <http://www.apiidv.org>

⁵⁶ *Sexual Violence*. (2007). Department of Education and Training.. *The State of Queensland Queensland Government*. Retrieved on May 2011.

1. Rape

Rape is any act of sexual intercourse that is forced upon a person through physical force⁵⁷. According to the Egyptian Law, "Anyone who performs a sexual act (*waqa's*) with a woman without her consent will be punished by life imprisonment or a fixed sentence of forced labor". (Article 267 of Law No. 58 of 1937)

Reports estimate that there are around 27 cases of rape happening every day, with a total of 10,000 cases per year, 51.4% of these cases occur to girls under the age of 18. The worst status of rape crimes in Egypt is reported to be in the governorate of Dakahlia, followed by Alexandria, Giza and Gharbeyya⁵⁸.

According to Article 267 of Law No. 58 of 1937, "Anyone who performs a sexual act (*waqa's*) with a woman without her consent will be punished by life imprisonment or a fixed sentence of forced labor". When a rape is committed by a relative of the family (such as a person charged with the education of the women, her care or has authority over her, by an employee of the victim or the employee of the before mentioned person) life imprisonment with forced labor is provided by the Egyptian Penal Code under the Articles 267.

In cases when a woman is rendered incapable of denying consent through the use of drugs, hypnosis, illness or madness, a sexual act performed on a woman is also qualified as rape⁵⁹.

ECWR's report of 2008 estimates that there are around 27 cases of rape happening every day, with a total of 10,000 cases per year, 51.4% of these cases occur to girls under the age of 18. However, this figure is assumed to be underestimated since many cases of rape go unreported. It is estimated that 98% of rape cases are not reported to the authorities for fear of public scrutiny, particularly as cultural norms are against unmarried sexual activity in Egypt. When asked whether a girl should be killed if she was sexually active out of wedlock even if it was not at her own will (as in the case of rape), 10 percent of married men and 7 percent of male youth agreed that she should in fact be killed. These cultural views obviously are the major fuel to honor crime incidents⁶⁰. Furthermore, rapes are further to legally take to court when the burden of proof rests with the Victim. The worst status of rape crimes in Egypt is reported to be in the governorate of Dakahlia, followed by Alexandria, Giza and Gharbeyya.

2. Marital rape

Marital rape, also known as spousal rape, is a form of domestic violence and sexual abuse by which a partner rapes his or her spouse. Around 93% of the women sampled in a study conducted by the New Women Research Center and El-Nadim Center in 2010 have considered forced marital intercourse as rape. The same study concluded that 46% of the male sample declared to have forced their wives to have intercourse⁶¹. As such, marital rape is considered a kind of domestic violence.

The legal structure in Egypt however dismisses cases or reduces penalties for spousal rape. Marital rape in Egyptian law on the other hand is not considered to be a crime because "the women is legally obliged due to the marriage contract to obey her husband and to follow him to his bed each time he asks her,

⁵⁷ Dictionary. "Rape." *Dictionary.com*, LCC (2011). Retrieved on 2 May 2011.

⁵⁸ Abol Komsan, N. (2008). *Annual Report on Egyptian Women's Status*. The Egyptian Centre for Women's Rights.

⁵⁹ The Egyptian Center for Women Rights. *Violence Against Women in Egypt*. Retrieved from <http://www.un.org/womenwatch/daw/vaw/ngocontribute/Egyptian%20Center%20for%20Women's%20Rights.pdf>

⁶⁰ National Council for Women, "Egypt: Violence Against Women Study," April 2009

⁶¹ "Women's Human Rights and Access to Justice in Egypt." Chapter Two: The National Legal Framework for Women Rights. Criminal Law. *Knowledge Package* (30 Sept 2010): 94-103. *UN Women*. 12 May 2011.

and she can only refuse for a legally valid reason"⁶². Judges in Egypt who implement the sentences usually refer either to the general principle that "family is above the law" or to the Shari'a provisions of the Personal Status Code, Article 209 which allows men to use some degree of violence against women and children under the name of maintaining discipline in the household⁶³.

Even though spousal abuse offers ground for divorce; however, the victim is first required to produce medical reports of bodily harm as evidence⁶⁴. The ministry of social affairs has opened family counseling centers which aim to assist victims in dealing with domestic violence. Many female victims however, still experience limited access to supportive, legal, and psychological and social services.

3. Sexual Harassment

Sexual harassment is a major problem that women face in Egyptian society. Sexual harassment is: "Unwanted sexual conduct deliberately perpetrated by the harasser, resulting in sexual, physical or psychological abuse of the victim regardless of location, whether in the workplace, the street, public transportation, educational institution, or even in private places such as home or in the company of others such as relatives or colleagues, etc"⁶⁵. It can occur in a variety of circumstances, including: the victim as well as the harasser may be a woman or a man; the victim does not have to be of the opposite sex; the harasser can be the victim's supervisor; an agent of the employer; a supervisor in another area; a co-worker, and the harasser's conduct must be unwelcome⁶⁶.

Sexual harassment, didn't exist before 1970, scientists and researchers started to pay attention to it as a form of violence against woman, then there were many reasons that increased the importance of the elaboration of sexual harassment, such as; NGOs and institutions-local or international-, which took care of women's issues which is related to violence and her freedom rights.

According to " Rokaya Elkhary", sexual harassments is any form of violence against women which harms her dignity, honor and freedom, in reality they are the following: words, signs and touch. Sexual harassment was classified into different forms, according to "Mary France": the behavior of solicitation, sexual extortion, and sexual assault. According to "Michell Damon" Sexual harassment was classified into the following: intended sexual behavior based on touching, sexual comments by words or eyes. And finally according to "Jocelyn" sexual harassment may be apparent or compulsive.

Many studies tried to show the main reasons for sexual harassment in the work place, and the common reasons were the following: delay of marriage, the high percent of bachelorhood, and no separation of gender in the workplace, in addition to other reasons that lead to sexual harassment whether inside or outside the work place; sexual aggressive beliefs and wrong sexual beliefs and low economic status is a main reason for sexual harassment in any society, and there are two level of poverty; poverty of the district and poverty of the family, poverty in rural areas in Upper Egypt reached 33.1% of its total

⁶² The Egyptian Center for Women Rights. *Violence Against Women in Egypt*. Retrieved from <http://www.un.org/womenwatch/daw/vaw/ngocontribute/Egyptian%20Center%20for%20Women%20Rights.pdf>

⁶³ National Council for Women, "Egypt: Violence Against Women Study," April 2009

⁶⁴ Nazir, Sameena and Leigh Tomppert. 2005. *Women's Rights in the Middle East and North Africa. Citizenship and Justice*. Freedom House INC, U.S.: Rowman & Littlefield Publishers.

⁶⁵ Abo El Komsan, N. (2009). *Clouds in Egypt's Sky*. The Egyptian Centre for Women Rights.

⁶⁶ *Facts About Sexual Harassment*. The US Equal Employment Opportunity Commission (EEOC) (27 Jun 2002). Web. 20 May 2011.

inhabitants. And this leads to the increase of the number of family members in the home, which leads indirectly to incest.

A study was performed on 17 Egyptian families (100 individual) to know to what extent they face crowds in their houses, and got the following results;

- 1- None of those families are able to provide all the family members with a bed (and the bed here is single or half-double bed) but out of 100 individuals, just 75 sleep in a bed with the previous definition of bed, and to solve this problem, they overload beds with children and teenagers to sleep on one bed, this adhesion leads to an early sexual harassment between family members.
- 2- No separate rooms available to parents and children who are over 4 years old.
- 3- Teenagers from both genders who sleep in one room.

Facts and Statistics: “Women on Egyptian Streets”

Up until 2008, the issue has been notoriously denied by the government. The Egyptian Center for Women’s Rights conducted a study in 2008, where 2,020 Egyptian citizens were questioned, half of them being females and the other half males. The sample also included 109 foreign women either living or travelling in Egypt. The research showed that women experience seven types of sexual harassment: *“touching, noises (including whistling, hissing noises, kissing sounds etc.), ogling of women's bodies, verbal harassment of a sexually explicit nature, stalking or following, phone harassment, and indecent exposure”*. It was estimated that 98% of foreign women visitors, while 83% of Egyptian women, have experienced sexual harassment. Besides, 62% of Egyptian men admitted harassing women and 53% of Egyptian men blame women for being responsible for such an act. The study also proved that contrary to some arguments, the way women are dressed is not a factor in whether or not they get harassed, as 72.5% of the victims surveyed were veiled⁶⁷.

Out of 1,010 Egyptian women almost half reported to experience harassment on a daily basis, ranging from lewd comments to molestation. Sixty-two per cent of Egyptian men admitted to harassing women. Currently, there is no law against sexual harassment in Egypt. That means that many crimes, including touching, indecent exposure, and rape, are frequently seen as socially acceptable. As the report argues, these levels depict how sexual harassment is a social “cancer” which the Egyptian government has a responsibility to intervene and curb this trend. Some initiatives by women’s organizations include: campaign awareness initiatives, such as HarassMap, a social networking site, which allows women to report sexual harassment via SMS and Twitter. An example of an initiative that Harassmap has taken in an attempt to raise awareness on sexual harassment, is the organization of an event that invited bloggers to tweet and blog about sexual harassment on June 20th. By the end of the day, there were 12000 tweets using the official hashtag for the blog (#endSH) and 152 blogs⁶⁸. The following are top tweets from the day: *“For me, if you disrespect me on the street, i'll stand up for myself and say something back..the walk away policy is passive i think #EndSH”*

“I never forget all the times someone stalked me, tried to touch me, harassed me, in a street, bus, taxi, car, I can never forget #endSH”

“Although we've been discussing sexual harassment in #Egypt widely since 2005, many are still in denial and blame women directly #endSH”

⁶⁷ Abol Komsan, N. (2008). *Annual Report on Egyptian Women's Status*. The Egyptian Centre for Women's Rights

⁶⁸ Itameri, K. (2011). The sexual Harassment File: Harassment debate lights up blogosphere. *Al Masry Al Youm*

According to the report prepared by the National Council for Women, it was mentioned that there are several cases of sexual harassment and rape in Egypt, in different forms, whether it is the form of incest or in the form of strange partners. According to the research of “new women-المرأة الجديدة” which was submitted to Peiking conference, 66% of a sample, faced insulation in their work place, the form of insulation varied in the following; 70% in a sexual terms, 30% sexual harassment by words, 17% sexual harassment by touch, 20% flirtation.

The report of “بحث الجريمة حول العالم” that was applied on Egypt in 1998, it was mentioned that the percent of women who faced crimes was 66.3% and the percent of whom faced sexual violence was 20.7%

Another study by Azza Karim about the features of girls who face gender violence (rape, sexual harassment, disgracing): 91.9% faced sexual harassment, 4.5% rape, 1.8% disgracing. So it’s very obvious that the most common crime faced by girls is sexual harassment which proves the moral degradation of youth, and the lack of legal rules to protect women. The age of women in this sample was the following; 51.1% (16-24) and 25.9 % (25-34). The place of sexual harassment was: 27.3% in transportations, 45.5% streets, 20% universities and 7% houses. The consequences of sexual harassment: 21.8% feel discontent towards men, 25.5% depressed and sad, 40% fear and worry and 12.7% aggression towards men.

According to data from police stations in different poor areas, sexual harassment of incest was the following: (in terms of quantity)

Variables	Matarya	KasrElnile	Basatine	RoudElfarg	Total
Sexual assault	2	0	1	0	3
Father on daughter					
Brother on sister	2	0	0	0	2

Another study was performed when studying domestic violence on 120 individuals, 4.1%of them did crimes of rape and sexual crimes, and the reason was sexual repression.

4. Women in the workplace

Studies have shown that 68% of women have stated that they are exposed to sexual harassment in the workplace by their bosses or coworkers, either verbally or physically. Sexual harassers in the workplace, as stated by a victim of harassment in the workplace, may appear to be a gentleman at first, until he eventually starts verbally harassing his co-worker and showing signs of infatuation. This leads to eventually staring at female genital parts and touching some of them. This study was based on a sample of 100 women working in public and governmental places, who live in Greater Cairo.

The study also showed that what constitutes sexual harassment as viewed from the victims’ point of view, is becoming more drastic by time, as 22% of the women in the sample motioned above stated that

they don't constitute being touched by their coworkers hand as sexual harassment, and 22% didn't constitute attempts of kissing them as sexual harassment either.

The report also showed that harasser's age lies between 29 and 53 years of age, and that it is not uncommon for highly educated men to harass women in the workplace. 64.4% of the men referred to in the study were married, 47.6% had harassed their coworkers before, 69% of the men were unattractive and 90.5% of them were perceived to be sociable. According to a study conducted in April 2008, fear of sexual harassment at work was one reason why women's participation in the workforce is low. 15 young women working in small enterprises in Minya, were interviewed as part of the study, along with 8 in-depth interviews with women working in the private sector in Egypt and one woman working in the governmental sector. One of the conclusions of the study showed that the probability of being sexually harassed at work increases in smaller sized businesses, bearing in mind that 90% of non agricultural wage employment is in fixed establishments with 10 workers or less. It is not uncommon that there is only one woman working in these small businesses, and this is where one of the major concerns of women comes in. One of the interviewees, "Abeer" quit her job after describing that she couldn't get enough protection from her boss against sexual harassment. Abeer is quoted as saying "I was new to the factory. Of course for any new girl, the boys would tease her to see what type of girl she is, like if they can go out with her, joke with her, touch her as they joke... So for instance, a guy would see me working on a machine and come to me and say, "You honey...You're pretty, what's your name?" I used to go to the supervisor and complain to him"⁶⁹.

It is unlikely that the problem will be solved unless adequate legislation is put forth and police are trained to stop the phenomenon. It is reported that during several instances of harassment in the past, police failed to intervene to stop serious cases of harassment, even though they were present at the scene. Often, no efforts are made to prosecute the harassers even when there is proof of the incident occurring. Although there are some exceptional cases where men were sent to prison for a sentence of 1 to 3 years charged with sexual harassment. This growing phenomenon is causing many families to restrict the free movement of women in public spaces out of fear for their safety and welfare.

Women's rights organizations are regularly attempting to fight any form of gender inequality. In the case of sexual harassment in specific, new women's groups have emerged to collaborate with already existing women's rights organizations in response to instances of mass sexual harassment that occurred in recent years. This has led to the origination of campaigns that are against harassment and call for greater accountability for perpetrators⁷⁰.

5. Seasonal marriage & Women's Trafficking

Egypt is a country of transit and destination for women and children subjected to trafficking for forced labor and prostitution. Indicators say that trafficking in Egypt for forced marriages, forced labor, transplantation of human organs and body tissues may be much more than current estimates.

Trafficking refers to the forceful transportation of individuals across borders using systems of ineptness, or debt bondage aiming for economic exploitation that can include forced industrial, agricultural or sex work. Sex trafficking is widespread around the world, which large number of women and children, mostly poverty stricken, are dragged along borders to accommodate the male demands for sex. Because of the differing perspectives from one country to regarding women prostitution, trafficking is sometimes a

⁶⁹ Barsoum, G. (2008). When There Is No Respect At Work. *Ontario International Development Agency*.

⁷⁰ Kelly, S., & Breslin, J. (2010). *Women's Rights in the Middle East and North Africa*. Rowman and Littlefield Publishers.

controversial subject when discussed between two countries with different positions concerning prostitution⁷¹.

Two forms of abuse against women are still tolerated in Egypt appearing under the form of “transactional” and “seasonal marriage”. Transactional marriage is a category of marriage in which, the woman is married without her consent or against her will. One common form of transactional marriage is the practice of deceiving young girls from rural areas of Egypt into marrying men from other countries. Usually, these girls are transported to isolated areas where they cannot speak the language and they are not familiar with the new community. Usually they finish to be exploited for prostitution, or forced labor. Another form of trafficking consists in the “seasonal” marriage. These marriages see the union of very young Egyptian girls to wealthy men able to “buy” them through a marriage procedure usually combined by the family of the girl and lasting for no more than a season. Some parents, in the poor areas of Cairo or in the countryside, offer their underage daughters to men for money; these arrangements are therefore considered common form of commercial sexual exploitation of women in Egypt.

In one of the cases, a 14 years old girl has been forced to marry a Saudi man, 50 years her senior and the father was rewarded with 10,000 Egyptian pounds. Doctors later reported that the girl was sexually abused by her husband⁷². This represents one of the social ill caused by the extreme poverty of a big part of the Egyptian population. Family members can also oblige young girls to work in prostitution to supplement the family’s income. Due to dependence upon their families, the victims have no choice than to submit to these practices; mostly, victims never receive any compensation for their activities.⁷³ According to the International Organization for Migration, and to Trafficking in Persons Report by the US State Department of 2009, Egypt is also a transit country for women being trafficked from Eastern Europe countries to Israel for the purpose of forced labor and sexual exploitation. These women are usually trafficked from Uzbekistan, Moldova, Ukraine, Russia, and other Eastern countries; African women as well coming from Ethiopia, Eritrea and Sudan who migrate voluntarily to Egypt are often found to work as prostitutes in Egyptian night club. Moreover, Egypt is also a country of origin for women who are trafficked to Arab countries such as Saudi Arabia, the United Arab States, Jordan, Kuwait and Yemen for the purpose of transactional marriage.

3.6 Domestic Violence

Several complex social and cultural factors make women particularly vulnerable to the violence directed at them. These factors include socioeconomic forces, family-relations, social belief in the inherent superiority of males, and legislations which often deny women a fair legal and social status. Besides, without economic independence, women have no power to escape from an abusive relationship. Also partners’ unemployment can generate instability in the familiar relations. Furthermore, traditional and cultural interpretations also justify women’s physical punishment under the notion of entitlement and ownership of women.⁷⁴

⁷¹ *Trafficking* (2011). Asia and Pacific Islander Institute on Domestic Violence. Retrieved from <http://www.apiidv.org>

⁷² Egypt: Anti-Trafficking Law “not sufficient”.

⁷³ Assessment on the status of trafficking in persons in Egypt.(2007). *Changing perceptions and proposing appropriate interventions*. USAID.

⁷⁴ UNICEF. “Domestic Violence Against Women and Girls”. *Innocent Digest*, no.6, (June), 2000, pp.7-8.

Cultural	<ul style="list-style-type: none"> ● Gender-specific socialization ● Cultural definitions of appropriate sex roles ● Expectations of roles within relationships ● Belief in the inherent superiority of males ● Values that give men proprietary rights over women and girls ● Notion of the family as the private sphere and under male control ● Customs of marriage (bride price/dowry) ● Acceptability of violence as a means to resolve conflict
Economic	<ul style="list-style-type: none"> ● Women's economic dependence on men ● Limited access to cash and credit ● Discriminatory laws regarding inheritance, property rights, use of communal lands, and maintenance after divorce or widowhood ● Limited access to employment in formal and informal sectors ● Limited access to education and training for women
Legal	<ul style="list-style-type: none"> ● Lesser legal status of women either by written law and/or by practice ● Laws regarding divorce, child custody, maintenance and inheritance ● Legal definitions of rape and domestic abuse ● Low levels of legal literacy among women ● Insensitive treatment of women and girls by police and judiciary
Political	<ul style="list-style-type: none"> ● Under-representation of women in power, politics, the media and in the legal and medical professions ● Domestic violence not taken seriously ● Notions of family being private and beyond control of the state ● Risk of challenge to status quo/religious laws ● Limited organization of women as a political force ● Limited participation of women in organized political system

(Source: Heise. 1994)

Source: domestic Violence Against Women and Girls (Innocent Digest), no.6, 2000.

Domestic Violence refers to a systematic pattern of behaviors that are motivated by the urge to gain power and control over an intimate partner and keep that power. Through physical battering, coercive control, and economic, emotional and sexual abuse, the perpetrator uses to frighten, humiliate, terrorize or injure the victim. The phenomenon is not restricted to a certain age, race, sexual orientation, religion, education level...etc, it can rather happen to anyone regardless of the above criteria⁷⁵.

⁷⁵ *Domestic Violence*. (2011). Asia and Pacific Islander Institute on Domestic Violence. Retrieved from <http://www.apiidv.org>

It is important to be able to look at the issue of domestic violence through the bigger picture, as it is not only an issue of behavior patterns or a series of incidents, it changes victims' lives to the worse, causing them to live in a constant climate of fear and affects their selfhood, psychological well being, health, economic independence and emotional availability⁷⁶.

Forms of domestic violence can include physical violence, sexual violence, economic violence, and psychological assault⁷⁷. It is usually not seen as a kind of violence because it occurs among intimate relationships and by closed relatives.

Judging from reports that are received from victims of domestic violence as to what they experience, and from other elements that are relevant when attempting to reach a definition of domestic violence such as the forms of domestic violence, the tools used to enforce the violence and the effects of it, some forms of domestic violence can be defined as follows:

Physical Violence: (battering)

Judging from past experiences of domestic violence, battering seems to be a common factor in all cases, and is viewed from the perspective of the victims as a basic criteria that can define and measure physical violence. It not only causes physical pain, but also psychological pain as victims often feel that they are humiliated when they experience this type of violence

Reports show that his type of violence can be found in all social sectors of the society, and that women who experience it often experience along with it being insulted, cursed at, spit on, kicked, pushed, pulled at from their hair, punched, beaten by sticks or other tools and being burnt.

(Verbal violence) Insults and cursing

There are many similarities between the insults that are used between intimate partners, and through the reports of victims of domestic violence, reveal that a common insult that a husband uses towards his wife is the word "prostitute". Calling a woman a prostitute shows that the husband is viewing her in a degrading manner, and has summoned her value to a mere sex object. It also shows lack of confidence on the husband's side towards his manhood which is measured by the degree of sexual compliance of his wife to him.

Verbal violence can also reach beyond the partners themselves, to their immediate family, the wife's family in specific, as wives tend to ask for their families' interference as a defense strategy against the violence they experience. Often, this interference leads to exchange of violence between the husband and the wife's family. Moreover, it is also not uncommon that the husband's family will interfere by either pushing the husband to instill more violence on his wife or doing so themselves⁷⁸.

The concept of aggression behavior:

It's important to point out the significant meaning of Aggressive Violence when discussing the domestic violence as they are totally related concepts. Aggressive violence is a basic feature for any kind of violence whether it is domestic or any kind of violence and it's entirely related to the childhood phase of any human being, it is a response learnt when being a child (especially at age 2 years old) to be turned into functional aggression after a long time, and that is due to its relation with the satisfaction of human

⁷⁶ Ibid

⁷⁸ Morsi, M. (2010). Status of Egyptian Women between marginalization and empowerment.

beings. Aggression also holds the meaning of hurting another person or destroying any object, from an attentive view on "Hurting another person" it maybe psychological (insult) or physically (flapping).

The psychological basics for the aggression behavior, is related to two main motives, the first motive is concerned with "staying alive" that it includes the motives of self protection and the motives of gender protection (sex and motherhood). The second motive is concerned with secondary motives that are gained through the social upbringing of the individuals (education and culture) it includes the motives of the love of ownership, competition and control. Other psychological motives could be: lack of abilities or unfavorable habits that could be as obstacles for some individuals, for example if someone is disabled or if he/she has a psychological problem that resulted from the social and economic environment. The fear of showing up the repressed desires, the fear of being guilty, being anxious are indirect motives for aggression. Aggression from youth prospective could be in different forms: being a member in a criminal gang and that is a result of a desire for self defense or getting money. Studies showed that those youth are in the range of (17-19) years old to get money in an easy way. The other form is sexual harassment.

Motives for domestic violence:

In general domestic violence is a direct result of the current life we are living nowadays with its pressure and depression. Studies showed that wives are the first victims for domestic violence and hence the husband is the aggressor, the second victims are the children and in general the man is the main source for domestic violence. To be more specific there are 3 main reasons for domestic violence

1-Self motives: Those are the motives that come out from "inside" the human, and leads to domestic violence, such as an individual who is not stable psychologically.

2-Economic motives: It's one of the main reasons for men to do acts of domestic violence to the rest of his family and in many cases it happens to discharge the hatred of poverty.

3- Social Motives: Traditions and habits that by time made men is a symbol of strength and he has to show some of his manhood by this violence.

Domestic Violence in Egypt:

According to UNICEF Statistics, Egypt ranks number 39 in the attitude towards domestic violence over the period from 2002 to 2009⁷⁹. Based on the a study conducted by USAID on transactional marriage (poor Egyptian women marrying men from wealthier Gulf countries), all the victims that were interviewed in the sample claimed to have experienced domestic violence, ranging from being hit, insulted, humiliated, and forced into having sex with their spouses⁸⁰.

In 2008, of the reported rate of domestic violence experienced by Egyptian women was 40%. The report highlighted violence committed against female minors in specific, including slapping, punching,

⁷⁹ Women. Unite For Children. Information by Country: Egypt. Statistics. *The United Nations Children's Fund UNICEF* (2 Mar 2010). *The United Nations Children's Fund UNICEF*. Web. 19 May 2011.

⁸⁰ "Assessment on the Status of Trafficking in Persons in Egypt: Changing Perceptions and Proposing Appropriate Interviews. (Aug 2007): United States Agency for International Development. *Chemonics International Inc* 1-80. USAID. Retrieved on 12 May 2011.

dragging, strangling and burning with a hot iron. It is estimated that 50% of female minors experience some form of physical violence before reaching the age of 15⁸¹.

The main cause of such violence lies in the fact that in many cultures, domestic violence is viewed as the right of the husband, who is merely “disciplining” the wife. It is found acceptable to hit a woman when a wife refuses to obey her husband or talks back at him, fails to care for the children, questions the husband about money or girlfriends, going somewhere without permission...etc. However, research shows that the rates of domestic violence tend to be lower for couples who share household decisions rather than any party taking the decision alone, indicating the importance of women’s participation in politically but in the household⁸². Victims of domestic violence usually suffer for health problems affecting both the victims themselves and their children. Violence can result in poor health outcomes like non-live birth, and higher mortality for children. Gender-based violence is detrimental for women’s health in different ways.⁸³ At first, it limits women's growth and productivity causing disabilities and death and putting women to higher risk for unwanted pregnancies and sexually transmitted infections, including HIV/AIDS. Violence against women can also accelerate the spreading of sexually transmitted infections (STIs), also giving form to gynecological disorders and pregnancy complications. Among Egyptian women, victims of domestic violence, rapes or other forms of harassment, abortion is often the only solution to an unintended pregnancy. Thus, domestic violence remains a serious public health problem and is a major contributor to psychiatric symptomatology.⁸⁴

Indeed, violence can also take a psychological form. Psychological problems include shock, passivity and feelings of betrayal. These emotional disturbances lead the way to some psychiatric disorders like Post Traumatic Stress Disorder. Egyptian women, especially those belong to a low social condition, have usually a subordinated role within the family and are often limited in their free decisions of marrying or divorcing. This lack of independence can create in women psychological disorders leading to depression, suicide or making women vulnerable to particular diseases.⁸⁵ Besides, a more serious form of psychological disease can derive from rape. A pre-marital sexual relation is said to spoil something intrinsic in their physical and moral person. The strong cultural stigma attached to rape means that women survivors of sexual violence are often reluctant to seek medical assistance or to file police reports. Other factors that have been found to put women at risk of depression include infertility, domestic isolation, an unhappy marriages, powerlessness and poverty, all being associated with higher prevalence of psychiatric morbidity in women. In 1996, the World Health Assembly declared violence against women a violation of human rights and a major public health problem to be addressed urgently by governments and health organizations. In Egypt, according to 2005 Egypt Demographic and Health Survey (DHS), a third of women have been abused in some forms. The frequent occurrence of this form of violence, the shame, and the social taboos associated with it means that the problem has not been estimated not only from the public but from family, and health care practitioners.

Besides, violence can generate in economic costs for the all country. Women’s absenteeism, higher health care costs, and increased burdens on law enforcement structures have all been noted as

⁸¹ Abol Komsan, N. (2008). *Annual Report on Egyptian Women’s Status*. The Egyptian Centre for Women’s Rights

⁸² Somach, Susan D. and Gihan AbouZeid

d. (2009). *Egypt Violence Against Women Study: Literature Review of Violence Against Women*. United States Agency for International Development

⁸³ National Council for Women. (April 2009). *Egypt: Violence Against Women Study*, p.11.

www.prb.org/Articles/2010/domesticviolenceegypt.aspx⁸⁴

⁸⁵ Egypt Human Development Report, 2010

costs of violence. Women can also lose earnings, and employers may lose output and incur additional costs for sick leave and the recruiting and training of replacements.

In Egypt, the majority of women who have been domestically abused usually seek the support of family members, neighbors and friends, who in many occasions, try to minimize the event. Moreover, denial and fear of social stigma also prevent women from seeking help. Women in Egypt rarely report wife abuse to the police. In one study of 100 abused women, only 13 went to the police, and even when complaints are filed, an estimated 44 percent are withdrawn within a few days, according to another study. The Egyptian Centre for Women's Rights (ECWR) reported that of 2,500 women who had reported cases of sexual harassment to ECWR, only 12 percent had made a complaint to the police. Women stay in abusive relationships because of challenges posed by Egyptian law, such as an unequal divorce system, "obedience" laws, and difficulty accessing their legal rights to alimony, child support, housing, and custody. The Penal Code does not distinguish between violence in private and in public. It criminalizes violence regardless of the perpetrator or location of the crime. As such, domestic violence is subject to the general rules set forth in the Penal Code, which specifies graduated penalties for a wide range of offenses based on the seriousness of the crime. While the legal structure allows for the prosecution of cases of domestic violence, in practice, judges and prosecutors often use their discretionary authority to dismiss cases and/or reduce penalties. In some cases, judges make reference to the general principle, "family is above the law," established by the Court of Cassation. In other cases, judges cite Article 60 of the Penal Code, which states that "the provisions of the Penal Code may not be enforced on any act committed in good faith, in accordance with a right prescribed by virtue of *Sharia*," and Article 7, which states that "The provisions of the said law may not replace in any way the personal rights conferred by the dignified *Sharia*." Article 209 of the *Sharia* provisions of the Personal Status Code allow men to use a moderate level of violence against wives and children in the name of maintaining "discipline" in the household.⁸⁶ A 2004 Human Rights Watch study raised concerns about the lack of institutions available in Egypt to help women who have been victims of violence. In all the country, there are currently only nine shelters. However, not only are shelters barely advertised and remain thus unknown to women, but for a woman to be eligible to stay in such a shelter she has to fit into a long series of criteria set by the ministry.

Domestic Violence in Elminya:

A study was sponsored by a project called (سلامة وأمان) and it is a project that was done over 3 years (2007-2010), in 3 governorates in Egypt: Elminya, Assuit and Sohag. This project was for the aim improving women rights for a better life for Egyptian women.

Sample of towns: Abou Helal (أبو هلالة), Abou Korkas (أبو قرقاص البلد), Ezbet Shalby (عزبة شلبي), Kafr Elmansoura (كفر المنصورة), Mataay Elbald (مطاي البلد), Manashyet Aldahab (منشية الذهب), Azouz ومنشأة (عزوز ومنشأة), Nazlet Hussein (نزلة حسين), Saft Ella ban (صفت اللبان), الفكريّة

⁸⁶ National Council for Women. (April 2009). Egypt: Violence Against Women Study, p.39.

Main Features of those Towns:

Abou Helal its population is 12000 and it has a lot of slum areas such as: Esshash Mahfouz (عشش محفوظ) and Masakn Eley'waa' (مساكن الإيواء). Most services provided to those areas are through Jesuit and Ferrier. **Nazlet Hussein** its population is 10500, childhood labor reaches 85%. 15% of the population doesn't read or write, 30% got regular education, 12% read and write and 8% got university degree. **Saft Ella ban** its population is 17450, there are only two primary schools, and its main habits and traditions are: female genital mutilation, municipal wedding and not getting married outside family members. **Abou Korkas** its population is 20588, 45% of its population works in the agricultural sector, 5% works in trade sector, and 25% works in industrial sector. Its main habits and traditions regarding domestic violence are: female genital mutilation and early marriage. It provides services for women in the form of improving their health and economic situations and it also provides them with loans. It has a lot of governmental services and different kind of transportations.

Ezbet Shalby its population is 1000, on average 5 persons per family. It's very poor rural area, 85% of the population works in the agricultural sector and 65% of the population doesn't read or write. Domestic violence is in the form of preventing girls from completing their education and FGM. **Kafr Elmansoura** its population is 33472 (5169 families). There are services provided to women by different organizations such as: Sayadat Masr (سيدات مصر), Rabetat almara'a Elarabya. (رابطة المرأة العربية). **Mataay** its population is 38982, where 19761 males and 19221 females, illiteracy rate is 28%. Most of its population works in agricultural sector while others works in trade. Main organizations working there are: Tanmyet Almogtam3 Almahaly (تنمية المجتمع المحلي), Da'wa (جمعية دعوة), and Elsheikh Haroun (جمعية الشيخ هارون). **Manashyet Aldahab** its population is 7726, where 3879 males and 3847 females, and 1545 are illiterate,

Mansha't El fekrya: its population is 8000, where 70 % works in agricultural sector, and 30% works in manufacturers, and just few works at governmental institutions. 62% of the population is registered in all levels of education; children who aren't registered represent 8% where female represents 6% out of this 8. Illiterate people over the age of 25 represent 7.77%, and finally regarding the political participation for women, 25% of the females are registered in the election tables, while only 3% really vote. **Azouz** its population is 5000; females in labor market represent 2% of the population. Illiteracy rate is 8% of the total population and the females represent 5.5% of this number. 85% of the population works in the agricultural sector, while other workers in other sectors represent 15% of the population

The most common forms of domestic violence in Elminya according to this project were the following

- 1- Beating and humiliation
- 2- The husband doesn't spend on his family
- 3- Bargaining on the rights
- 4- Female Genital Mutilation
- 5- Gender discrimination
- 6- Deprivation of inheritance
- 7- Deprivation of education/work
- 8- Obligatory marriage
- 9- Dismissing wives
- 10- Prohibition for wives to go out of the house
- 11- Neglecting wives
- 12- Early marriage

- 13- Municipal wedding
 14- Unofficial divorce/marriage

Town	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Abou Helal	x			x	x	x	x		x					
Abou Korkas	x	x	x	x	x	x		x	x					x
Ezbet Shalby	x			x	x	x	x		x	x				
Kafr Elmansoura	x	x			x	x								
Mataay	x	x		x	x	x				x				
Manashyet Aldahab	x			x		x	x				x			
Azouz	x	x			x	x	x							
Nazlet Hussein	x			x	x		x			x		x	x	
Saft ellaban	x	x		x	x	x	x		x		x			

1- Beating and humiliation

The sample showed that beating and humiliation is part of Elminya’s culture and it is a main behavior in its society, women and girls are the most kind of human beings who are affected badly by it, and this shows the true meaning of the concept of “Male Domination”. Women mentioned the tools used for beating, and they varied from a village to a village, are: wood, sticks, stones, slippers and iron or simply just beating with hands or throwing cold water in winter. Other women had problems with humiliation that affects them psychologically.

The main reasons for beating and humiliation vary from one place to another depending on the environment and the community where the couples are leaving and their level of education. The most common reasons where the following:

- a) The bad-psychology of men: it’s a common reason that both women and men use it to justify the reason for beating.
- b) Unemployment of husbands: when a man is unemployed and he should get all the needs of the house. Hence, lack of money is a main reason for beating, because he feels that he is unable to satisfy their needs, on another note, a lot of work pressure affects men also.
- c) Women’s desire to work: when women show their desire to work and help their husbands, they are beaten on the spot.
- d) Lack of sexual satisfaction for men: it’s an common reason for beating and humiliation in this society, some mentioned literally that “Sex is the most important thing for the man”, so when men are not satisfied or when their wives don’t do what they want sexually and immediately, they beat their wives.

- e) Other family members interference in their daily life: parents of both husband and wife interfere in their daily life and give them instructions that affect them negatively
- f) Careless wives: when men find that their wives are not taking care of the home and the children they beat them.
- g) Going out without the husbands' permission: this is a reason due to the doubt of men in their wives that they have to know where they are going.
- h) Different education level between wives and husbands: this affects the level of discussion between both of them, that the more they are different in their educational level, the more they will argue and be disabled to reach a common point, and this will motivate men to beat their wives.
- i) Number of children: the more is the number of children in a small home the more there will be quarrels in the home that end up with a man beating his wife.

The impact of beating and humiliation is huge that it should be taken into consideration as it affects the women and children in various ways. Physical pain is the initial impact on women, and this is beside the psychological impact. Also beating affects children: boys will beat their wives in the future, and girls may refuse to get married or will not respect their fathers' anymore.

2- Deprivation from inheritance:

Usually women face problems to get their rights in inheritance and families prefer to give to male more than females, regardless of their legal right. In inheritance cases, women face domestic violence from different members of the family not only the husband, because usually brothers and uncles don't want to give women their rights and husbands want her inheritance to use this money for their interests, and at the end women are the victims of both sides. The main reasons for women deprivation from the inheritance are summed up in the following:

- a) The marriage of a woman to a man who isn't a family member, thus they assume that since that happened, then the woman has no inheritance from her original family since she belongs to another family after her marriage.
- b) Another reason is: woman doesn't ask for her right and this is a normal outcome to a woman who was grown up in this environment. Men believe that woman doesn't need her inheritance since she is staying with them. And on the other side, woman refuses to use legal ways to get her rights due to habits and traditions.
- c) Violence used from men towards women, men usually threat women (usually who are brothers and sisters) not to take their rights.

The impacts of this of deprivation from inheritance are: ongoing quarrels between wives and husbands, and a woman usually suffer economically from this, that she might be in need for this money for the children or to help her husband.

3- Gender discrimination

Gender discrimination takes many forms in Elminyia villages, one of them is, parents usually take the opinion of the male children not the female, and parents allow male to go to school and learn while girls aren't allowed, even when a girl is grown up and wants to go to literacy classes, they ban her from going because they do believe that it's not good for a girl to learn and get more knowledge. Girls are also

banned from learning because they need the girls to help their mothers at home and they should get married as early as possible. Another reason for banning is that usually rural families cannot afford to educate all the children, so they usually give priority to the boys to get good education. Finally, some parents don't like their girls to go out to avoid sexual harassment by gangs.

4- The husband doesn't spend on his family:

This is another kind of violence, when the father decides not to spend on the home and leave the family members without education or medical treatment. Some men use physical violence when anyone asks him for money or sometimes they dismiss them from home. Other men don't stick to a job to have a permanent income but they keep moving from a job to another. Also "Multiple wives" is a reason that isn't taken into consideration, men cannot afford them all.

5- Prohibition for wives to go out of the house

This kind of domestic violence is related to the culture and traditions but according to the table above, this phenomenon is not seen much in the sample of Elminya (just in Abou korkas) but for people who still believe in it, have the following reasons: argument that they have to protect the girls' reputation and they do also believe that it isn't safe for girls to go out alone.

6- Dismissing wives

This problem is related to problem (1) Beating and humiliation, and the duration of dismissing varies from a case to another depending on the situation and circumstances. Also dismissing might be repeated every now and then. The main problem with dismissing is that, usually women face difficulties in that period that they aren't supported economically. Another point related to this is the reaction of the parents' of the women, some of them keep the woman until the husband asks her to go back, while other parents ask the women to go back to her home (even if she doesn't want), last case is when they accept the women without her children.

7- Female Genital Mutilation

In Mataay, FGM is there by 100%, while in Mansha't Daheb it is done by 98%, at Kafret Elmansoura they stated that it is done in secret not with doctors, and in Saft Ella ban women said that they do this to avoid spinsterhood for their daughters.

8- Bargaining on the rights:

Bargaining in general means negotiation under pressure on certain terms that were set on before. But in Elminya, specifically Abou korkas, it is in the form that the husband takes signed papers from his wife to not to take her rights if she asks for divorce. Men justify doing those actions, that they aren't able to pay their wives after the divorce, and usually women who are the disadvantaged by this.

9-Early marriage

It is the marriage of girls before they reach their legal age for marriage. Parents usually do this to get a better chance for their girls before they reach 20 years old, also they make this to make use of their

small age and to not to take her opinions in any detail in the marriage. But this has a lot of dangerous consequences in the long run, that those girls have problems with their husbands due to the difference in mentality that comes from the age gap and problems increase when they have children. This phenomenon was highly noticed in Nazlet Hussein, and these increases by time and especially when they have children.

10- Obligatory marriage:

It goes back to the culture of rural areas that parents assume that they are doing the best for their daughters, but on the other side this has negative effects on the girls' lives, some of the women mentioned that: "her parents ordered her to get married to a guy who is 40 years old, while she was just 16 years old, she was beaten and punished to this".

11- Municipal wedding:

It was highly observed in Nazlet Hussein, and it is considered psychological obstacle for women, that has negative effect on women and their relation with their husbands, that they don't even want to remember that day.

12- Unofficial divorce/marriage

It was highly observed at Abu korkas, and this due to different reasons, some assumes that marriage and divorce contracts are considered "disgrace" and others make use of it to help them in "Early Marriage". Unofficial marriage and divorce has a lot of harmful impact on the family and the society, a lot of children don't have birth certificate and hence then don't have national ID, then they can't apply for education or jobs and cant travel or get their inheritance, they also cannot do their military service or punished by law if they are accused in any criminal, simply because from the point of view of the country they are not alive since they don't have any legal certificates or ID. For the unofficial divorce, women usually don't have strong evidence to take their rights.

CHAPTER FOUR

4.1 Economic Violence in Egypt

4.2 Women's access to education

As mentioned earlier, barriers restricting female employment are considered forms of economic violence in Egypt. One of the main ways of securing employment is having access to education. According to the research conducted by "The Survey of Young People in Egypt" (SYPE) in April of 2009, who consists of a sample of 15,029 young people, between the ages of 10-29, there have been noticeable improvements in education of women over the past decade. 74% of the women questioned have at least a basic education. Moreover, half of the total university enrolments were by women, 56% of those who complete university are women and 54% of those graduated from two year higher education institutions.

Primary-school enrolment among boys and girls is 94 and 91 per cent respectively. Net school attendance rates are lower by around 10 per cent for both genders. Enrolment in the formal education system in parts of Upper Egypt lags behind the rest of the country, ranging from 96 and 95 per cent among boys and girls respectively in Aswan governorate to 77 and 75 per cent respectively in Sohag governorate. Economic pressures on families, the quality of learning, and the school environment negatively affect achievement rates.

According to UN Egypt has one of the highest female youth illiteracy rates in the region. Almost 20 percent of females aged 15-24 are illiterate. This is the second highest rate among lower-middle-income countries in the Middle East and North Africa.

The proportion of literate young females to males is 93.1 percent, the second lowest among those countries⁸⁷. These rates demonstrate the need to increase access to the right to education for women and girls. The national average, 65 percent hides regional disparities in women's access to education. Amongst adults, women are more likely than men to have no schooling, and the disparities are much wider in rural areas than in urban areas. Women in rural Upper Egypt are twice as likely to have no schooling than women in urban Upper Egypt or than men in their own region.

The above trends can be explained by the social and cultural dynamics of the Egyptian society that still locate women in an inferior position. Females' drop out from school or their scarce attendance can be explained by looking at women roles within the society. First, in Egypt, girls marry very young while repeatedly receiving instructions to embrace domestic and household roles. Second, religious traditions can be other barriers to girl's education. Moreover, poverty is another significant factor limiting girls' access to education since girls are considered more economically valuable in doing profitable household or traditional work as compared to males. Indeed, cultural beliefs see girls as more suitable for domestic work and to be mothers and wives while men are required higher education and hence a high social status in order to provide for their families. Investing in daughters' education is

⁸⁷ Centre for Economic and Social Rights. (2009). *Factsheet no.10*

perceived of as giving a low economic return. On the contrary, parents are much more likely to offer an economic rationale for a son's school's attendance than they are for a daughter's.⁸⁸

In rural areas these discrepancies are even stronger where economic restrictions, scarce infrastructures, and huge distances between home and schools impede girls' schooling. Moreover, not only is there a shortage and an unbalanced distribution of schools between urban and rural areas, also the lack of single-sex schools in certain communities discourages traditionally-minded parents from sending their daughters to school. Continuing education for girls remains a problem especially in the rural south. Upper Egyptian subculture is more conservative leading to stronger prominence on traditional beliefs, attitudes and practices and consequently to a more rigid disparity in equal rights for men and women.

The denial of women's access to education has severe consequences for their overall life. Scarce education means limited possibility for women of having a job and being independent from the male components of the family. Moreover, it means limited political participation and scarce possibilities for women to see their legal and civil rights respected.

The importance of tackling this issue is crucial for many reasons. Besides the lifelong benefits literacy engenders, being able to read and write also allows women to know their rights and make significant use of them, such as land ownership rights or appealing against unfair judgment for instance. Literacy also helps breaking women's confinement to domestic activities which diminishes economic growth and family revenues. Literacy thus has a direct link with women's security and is a significant means of fighting women's deprivation.

4.3 Right to work (women's access to workforce and labor)

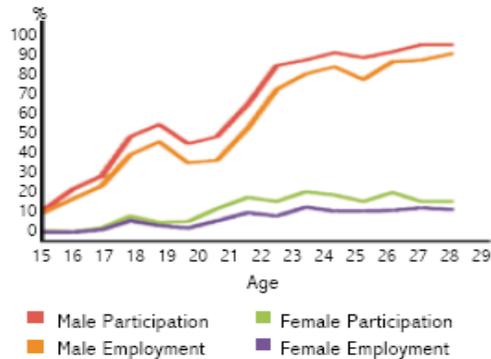
Although there have been improvements to women's education, this improvement doesn't equally reflect in women's employment. Driven by cultural norms and market conditions, Egypt has one of the lowest female labor participation rates in the world, as only 18.5% of women are employed. Slow growth in the Egyptian economy has predisposed society toward low demand for Egyptian female labor. In addition the traditional view that the man is the breadwinner blocks the employment of women and contributes to an increase in women's unemployment relative to men. Also, the terms and conditions of work limit women when women do not enjoy equality with men in job opportunities, conditions or wages and in promotion to decision-making positions. The failure to use human capital of women, curbs economic development and squanders important energies and investments, which might otherwise contribute to greater economic development for all.

The rate of unemployment is highest for women between the ages of 18-24, causing some women to lose hope early in their career and decide to desert the idea of participating in the labor market. Around 40% of women questioned between the age of 18 and 24 were married, and 81% percent were married before they reached the age of 29. Even though unemployment is high in general for both young men and women, in a culture where two thirds of young men and half of young women believe that work does not improve a girl's marriage opportunities women are further discouraged from joining the labor force. And almost all except one of the 2496 females questioned had at least one baby, implying that

⁸⁸ Population Council-Regional Office, et a. Transitions to Adulthood a National Survey of Egyptian Adolescents. Cairo, 1999, pp.62-66 in CIDA Gender Equality orientation Package, p. 21.

they sacrifice opportunities to work when they carry the burden of housework and childcare more than their partners⁸⁹.

The figure needs source – date



90

As discussed, although generally there is a high level of unemployment, women face a greater disadvantage of being employed than men. As shown in the figure above from the Human Development Report of 2010, male employment reaches its' peak at the age of 29, when 92% of males are employed. However, female employment reaches its' peak at the age of 24, when 15% of females are employed. Obviously, there is a wide gap between the two figures. This shows that while a large fraction of unemployed men eventually find jobs, women are more likely to move from seeking employment to economic inactivity. Moreover, the gap between female participation and employment shown in the figure refers to the fact that between the ages of 21 and 27, women are looking for work but are not actually employed⁹¹.

About one-quarter of women work and they make up one-quarter of Egypt's workforce nationally. However, women are much less likely to be able to work in some regions- for example; women make up only 11 percent of the workforce in the governorate of Fayoum, suggesting that access to work opportunities is more difficult there.

The World Bank reports that concern about lack of employment opportunities leads to the false belief that encouraging women to enter the labor force will lead to greater unemployment for men (2007).

Of the women who do work, many do not receive fair pay. Women earn less than one-quarter of men's wages. The right to fair wages is apparent when Egyptian women earn only 23 percent of men's income, which is the lowest ratio in all lower-middle-income Middle Eastern and North African countries.

Furthermore, almost one fifth of women who are seeking work in Egypt are unemployed, which is three times the rate for men. This is the highest gender gap in all lower-middle-income Middle Eastern countries. Not only is there cultural pressure preventing women from working, but also there is discrimination against women in the job market.

⁸⁹ Handoussa, H. (2010). *Egypt Human Development Report*. Egypt: United Nations Development Programme .

⁹⁰ Ibid.

⁹¹ Ibid.

Causes of lack of female representation in labor force

The lack of women's participation in the labor force was reported to have three reasons: harsh treatment at work, low wages and long working hours. 56% of females, between the age of 22 and 29, reported that low wages were the main reason for their unemployment. 38.5% reported that they suffered from long working hours, while 19% reported that they were subjected to harsh treatment.

The prevailing masculine culture and values see women as dependants of men. As a result, men take priority both in access to work and the enjoyment of its returns. Society incorrectly believes that females being employed means women take men's chances for employment.

At the same time, some employers prefer to employ men in the belief that they are less expensive, using paid maternity leave as a pretext not to employ women as though such leave were a privilege for women and not a right of the new-born child and a service to society.

Women in Egypt reported that they received lower wages for the same type of work and effort when compared to men. Women were also told that their jobs were considered too masculine for them and so were forced to change departments, and had a lower chance of getting an incentive allowance. Moreover, sexual harassment in the workplace is also widespread in Egypt, with 98.9% of women reporting that they were subjected to verbal harassment and 50% subjected to physical harassment. Quotes from working Egyptian Women: The following quotes are from women who were part of a study conducted in April of 2008.⁹²

(A) The sample that was interviewed consisted of 15 young women working in small enterprise in Minya, eight women who work in the private sector in Egypt and one woman who works in the governmental sector. The study examines job quality issues for young women in Egypt. The Conclusions of the study highlighted five main issues including fear of sexual harassment, which was discussed earlier. "No Respect" and "No Trust" in the workplace:

A general issue of lack of respect was mentioned in the interviews of the women. For example, one interviewee stated:

"We were in a staff meeting. He [the employer] got angry during the meeting and said out loud, "If you don't like it here, the door is large enough to get a donkey through." I didn't like being insulted like this. I quit."

Another issue that was highlighted was that women in the workplace often feel disrespected when asked to do menial work, especially that some women interviewed had come level of education such as vocational secondary diplomas or even higher level certificates. One young woman stated:

"The owner used to respect me; he saw my style, my dress, and that I had a degree. However, his relative who worked with him asked me to make tea. I refused. There has to be a janitor for this. I can't clean. The bathroom was dirty... what would make me accept all this? My father taught us to have dignity (*karama*); we would not humiliate ourselves for money (*al-'irsh*)"⁹³.

⁹² Barsoum, G. (2008). When There Is No Respect At Work. *Ontario International Development Agency*

⁹³ Ibid

(B) Fear of Sexual Harassment at work:

(Mentioned Above- Check Sexual Harassment in “3.1. Sexual Violence”)

(C) Gender propriety issues: Working very long days

Another problem that was highlighted by many interviewees, was that it was difficult to work long hours especially in a culture where returning home late at night is culturally frowned upon and may harm a woman’s reputation. The following is a quote describing the difficulties women have in this area.

“I used to work at a clothing factory, but my brother didn’t approve of the fact that I would finish work late, so problems would occur at home. I would work from 10 a.m. till 10 p.m. I had to leave this job and stay at home for a few months until my mother managed to get me a job in a nursery. This was a better place, the salary was not enough for me, but I was comfortable there and the working hours were suitable, from 7 a.m. till 3 p.m.”

It was concluded through the study that private sectors require long working hours. Long hours are not only culturally frowned upon, but they also affect women’s family life and their health, especially for women with kids.

“I’m on my feet 12 hours a day. We are not allowed to sit down. I only get half an hour break during the day. I’m too tired to do housework when I get home”⁹⁴.

(D) Working for less pay

One of the many misconceptions that devalue the importance of equal salaries, is the conception that women’s salaries are not essential to the household income and is only used to buy trivial products. The study attempts to study two main points: firstly, that women are underpaid in private sectors, and secondly that women are paid less than men for very similar jobs. The following quotes were stated by an interviewee named “Asmaa”:

“The men at my work get paid 1000 LE and they perform the exact same job as we do, yet we only get 350 LE a month. Even the new men who come, my boss pay them 600 LE per month. But even with the women who have worked for him for a long time, he still will not give us what he gives the new men, and when we complain he says it is fair because men have greater responsibilities”

It is apparent that women, particularly young women, don’t get paid enough in the private sector. Interviewing women in **Minya**, it was reported that the going rate for a clerk is 120 LE per month. In Cairo, it was reported that the starting salary for women working in factories is 250 LE.

The misconception that men have greater responsibility and that their salaries are more important than women’s salaries, is proven inaccurate through the words of this interviewee, who describes how her salary is essential to the household.

“But I have to work to earn money. My family knows, they understand that I have to work. My son goes to a private college and it is very expensive. His brother does not work, life is very expensive.”

⁹⁴ Ibid

(E)Social Security Issues: Working without a contract

The lack of contractual agreements between young workers and employers makes issues such as method of payment, job description, probation period and agreed wage unclear. Moreover, the absence of a contract means that other issues such as medical and social security are also unclear. The following quotes show some of the problems women employees have to face as a result of the lack of a contract.

“The employers can change the working hours, can increase the hours, and I have to abide.”

“The most important thing for my boss is to deduct from my salary. He is always deducting from me every time I come to work late, even if it is just 15 minutes. We never get paid overtime if we stay behind. He used to say we would, but he has never paid”

“I don’t know if I have insurance or not. I hear that we do, and my boss took a copy of my diploma certificate, my birth certificate, and my national ID, and sometimes I see the insurance people with him at work. But of course I do not speak to him about these things. Nothing is deducted from my salary for insurance, and I have never had a work contract, so I do not know.”

“Medical insurance is an illusion. It just doesn’t exist”⁹⁵.

⁹⁵ Ibid

CHAPTER FIVE

5.1 Political Violence against Women

Before the Egyptian revolution, many contradictions existed between Egyptian law and its implementation in the field of political and civil rights. While in theory, Egyptians can freely elect their representatives, in practice, men and women have very limited access to the country's political process and structure. Egypt's political system itself was seriously flawed.

Men and women both were unable to participate politically when Egypt's political system was closed and contradictory; all state facilities and powers rested with the National Democratic Party (NDP). The NDP dominated the People's Assembly and Shura Assembly, the civil service, provincial authorities, and the public industrial sector. Opposition parties had little say in the political process⁹⁶.

The patriarchal structure of the political system is reflected in the number of women who participate or who are selected to be included in the system. Women's participation in the People's Assembly is just 11 out of 454 elected representatives (Freedom House). The number of female parliamentarians is just 2.2 percent in the First House and 5.7 percent in the Second House. The cabinet has only two female ministers, with no women serving in any significant way in the crucial ministries such as defense, economic, or the interior.

Despite the fact that women in Egypt were granted citizenship and full political rights in the 1956 Constitution, the social and economic environment in the country has worked against women exercising their political rights. While women have had full suffrage since 1956, the political system tends to work against their efforts to run successfully or win election to public office. In many cases, women are unable to afford the high costs required to mount a political campaign. The proportion of registered voters who were women in 2003 was just 37.4 percent⁹⁷. Furthermore, poverty and illiteracy also are important factors that obstruct women's participation in politics. Candidates previously often bought votes of the poor, taking advantage of illiterate and needy women to mobilize support for a particular candidate.

Women have even less say in the political process and have limited access to participation in the political structure. Similar to how women's economic participation has declined and women have been marginalized into certain fields that do not allow them to reach senior positions, this is also an ongoing obstacle to women's participation in political forums⁹⁸.

Values encouraging the participation of women in public affairs have coexisted with more reactionary values, and the conflict between the two has varied over time. In the last two decades this conflict has become more intense, mainly due to the political and economic situation in Egypt. Many argue that Islamists are using this network of services to push forward a political ideology hostile to women, calling for their return to the home. Egyptian conservative views also limit women's participation in the political sphere. In 2005, around 60% of Egyptians believed that women should have an equal right to political

⁹⁷ Freedom House. Retrieved from <http://www.freedomhouse.org/template.cfm?page=384&key=253&parent=24&report=86>

⁹⁸ Abo u-Zayd, G. (2002). *In Search of Political Power – Women in Parliament in Egypt, Jordan and Lebanon*. Retrieved from: http://www.vintob.com/elections/docs_6_G_6_6a_3.pdf

action and around 45% agreed women should have the right to become prime minister, and only 25% believed women should have the right to become Head of State.

An analysis carried out in 1995 based on the testimonies of Arab women who participate in public affairs, indicated that women are capable of achieving their political goals in more than 80 per cent of their attempts, if they have a clear vision and goal. The obstacles they face are mostly social, cultural, and material, and are not linked to the actual presence of women within parliament.

Political restrictions that prevented women from taking high state positions include the following:

1. Restrictions on political parties have led to a weakness in democratic participation, and this in turn is an obstacle to greater women's political participation.
2. Low rates of literacy for women, and as a result low political awareness, can lead to women's votes being used by others.
3. Traditions force women into roles that lead to their exclusion from direct decision-making processes.
4. Political support for women is inconsistent and linked to the international agenda.
5. Reactionary powers influence society and push for the marginalization of women and the restriction of their role, opposing their political participation, whether inside or outside parliament (e.g., in Jordan).
6. Lack of legislation to promote and ensure women's participation in parliament, despite many amendments.
8. Politics has become linked to parliamentarians' abilities to provide services, rather than any ideological considerations. This applies to both women and men.

1. Economic Restrictions causing political violence

1. The same study indicates that economic obstacles constitute 75 per cent of the problems faced by women MPs, in terms of the high cost of living and the need to manage their income for their families.
2. The study found that 64 per cent of women said that economic difficulties left them with insufficient time to be interested in public affairs. In addition to this, women lack the resources that would enable them to participate politically, since the cost of political and social work is high. Women's financial independence alone is thus not a sufficient condition to enable them to participate in parliament. She must also possess a high enough level of financial resources to allow her to carry out her parliamentary role, especially the role of providing services. This is the principle obstacle agreed upon by Egyptian and Lebanese woman MPs.
3. Economic policies have negatively affected women in terms of their standards of living, incomes, and unemployment rates. This has weakened their abilities to compete, since women are prevented from access to suitable educational and training opportunities and women continue to be economically dependent on their husbands.

Despite the different positions Egyptian women have held, women gaining high State positions does not necessarily mean women's political empowerment. Before the revolution, Egyptian women like men, were not able to wield effective political influence in the absence of freedom and political plurality in Egypt. Poverty and illiteracy are also important factors severely obstructing women's participation in politics. Candidates often vie with one another to buy the votes of the poor, frequently paying men and clan chiefs to marshal their womenfolk's vote as a bloc or to take advantage of illiterate or needy women to mobilize support for a particular candidate. This puts women under much greater family and tribal pressure than men. Some point to women's reluctance to

employ men's coercive methods, especially smear campaigns impugning candidates' morals. Moreover, with the spread of the violence that characterized elections in Egypt and many Arab countries, candidates and voters were forcibly prevented from reaching the polls⁹⁹.

⁹⁹ Handoussa, H. (2010). *Egypt Human Development Report*. Egypt: United Nations Development Programme.

CHAPTER SIX

6.1 Social and economic impact of GBV

As one study put it, “physical, sexual, and emotional safety and security that are essential to good mental health are systematically denied to countless women in Islamic societies simply because of their gender”¹⁰⁰. Without safeguarding women’s safety and security, women will never be able to enjoy the rights to which every human is guaranteed. Thus, it becomes necessary to look at the overall impact gender based violence. This will lead to a better understanding of the phenomenon as well as, hopefully, better strategies to combat it.

Assessing the impact of GBV isn’t straightforward. Given the myriad of forms which it can take, the effects at times can be subtle. In one example, due to years of emotional abuse when younger, a married woman, at one point interested in making money of her own, becomes discouraged. Because of this, she never goes to work and remains economically dependent on her spouse. Sometimes, however, the effects are much more obvious. Bruises from physical or sexual violence, unfortunately, demonstrate this all too well. To this end, we will review numerous ways in which GBV affects individuals, communities, and the nation.

Conceptual Framework – When looking at the impact of gender-based violence, reports tend to look at social/health issues on an individual and familial basis. The economic impact, however, is provided on both an individual and national basis.

Social/Health Impact – GBV results in significant health problems for victims and their families. These include physical, behavioral and psychological effects on a personal level, as well as psychological and behavioral effects on the children of women victims. These victims are often unable to adequately protect themselves from both unwanted pregnancies and sexually transmitted diseases. The resulting higher rate of STDs among victims of sexual GBV gets passed down to their children. More generally, GBV can have a “direct consequence” on the quality of health of victims, either psychological or physical. This can include physical ongoing health issues like gastrointestinal disorders, irritable bowel syndrome or lifelong pain syndromes as well as an overall permanent loss of bodily functionality. More immediately, physical injuries can include bruises, cuts and broken bones. For a variety of reasons, such as embarrassment, prohibitive cost to correct, or the lack of adequate local health services, short-term physical injury resulting from GBV may turn into longer term issues, potentially damaging a woman’s right to work, or right to adequate standards of living. Once again, cruelly, this has a negative impact on the children of GBV victims.

Regarding adequacy of marriage, usually the most intimate and longest lasting relationship of one’s life, women in an abusive marriage reported a negative practices in marital communication, lower levels of commitment to marriage (and, from this, the family) as well as “lower levels of satisfaction, affection...and happiness in marriage”¹⁰¹. For the most important human relationship in life, this is devastating to quality of life.

Children of parents in an abusive relationship are impacted in a variety of other ways as well. They have a significantly greater chance of having health complications throughout life, as well as a “chronic,

¹⁰⁰ Somach, Susan D. and Gihan AbouZeid. 2009. “Egypt Violence Against Women Study. Literature Review of Violence Against Women.” UNAID.

¹⁰¹ Ibid, p24.

*elevated level of tension and stress*¹⁰²¹⁰³ Second, they have a greater chance of picking up the abusive habits learned during their childhood¹⁰⁴. As violence is seen in the context of the household, the child perceives it as the norm. Another effect of intimate partner abuse on children is a sense of isolation, as a household culture where abuse (whether verbal, psychological or physical) is common leads to a sense of worthlessness from internalizing the negativity. Studies of adolescents in Egypt regarding GBV consistently linked abuse and depression later in life¹⁰⁵.

Children of women who suffer from domestic spousal abuse may experience decreased parental availability. This may manifest itself in either a loss of physical presence due to injuries or the more subtle form of emotional absenteeism from exhaustion. Furthermore, in such relationships, males often hold traditional views of gender roles regarding childrearing and fail to adequately meet the needs of the offspring, feeling as it is not their responsibility but the mother's¹⁰⁶.

As suggested by the predilection of children reared in a household where spousal abuse is the norm to perceive violence as acceptable, such children often develop overall poor social skills¹⁰⁷.

Economic Impact – GBV has a devastating economic effect at the personal, household, community and national levels. At a personal level, it strips women of adequate protection of such basic rights as the right to work, the right to personal choice of employment, the right of employment and, of course, the right to an adequate standard of living. At the national level, it decreases productivity, hurts innovation and contributes to diminished levels of state income.

On a personal level, women who are victims of GBV have a greater rate of absenteeism. This results in a higher-than-normal rate of lost wages, which, as before, disproportionately affects the poor.¹⁰⁸ This also appears to influence a woman's ability to keep a job¹⁰⁹¹¹⁰. Moreover, who have experienced male violence is more likely to receive welfare¹¹¹. One report noted that these victims earn up to 46% less than women without a history of domestic abuse¹¹². These patterns become self-reinforcing as the loss of income suffered from absenteeism, as mentioned above, leads to an increased chance of termination. This has a negative resonance on hiring. With empty timeslots in the resume as well as short-term positions, victims of GBV have a difficult time looking attractive to employers.

¹⁰² Health issues include. From preschool, sleeping and eating disorders, chronic stomachaches and headaches, as well as anxiety. Also, speech, motor skill and cognitive delays are often manifest in children who are the products of abusive relationships. As they grow, such children are more prone to develop depression as well as approval-seeking behavior or even symptoms of post-traumatic stress disorder.

¹⁰³ National Resource Center on Domestic Violence, "Children Exposed to Intimate Partner Violence," March 2002

¹⁰⁴ Somach, Susan D. and Gihan AbouZeid. (2009). "Egypt Violence Against Women Study. Literature Review of Violence Against Women ." UNAID.

¹⁰⁵ Ibid, p.24.

¹⁰⁶ "Children Exposed to Intimate Partner Violence"

¹⁰⁷ Ibid.

¹⁰⁸ Somach, Susan D. and Gihan AbouZeid. (2009). "Egypt Violence Against Women Study. Literature Review of Violence Against Women ." UNAID.

¹⁰⁹ Women who are victims of intimate partner violence have a higher rate of job turnover and are more prone to suffer job-performance-affecting mental and health complications.

¹¹⁰ Browne, Angela, Amy Salomon, and Shari S. Bassuk. (April 1999). "The Impact of Recent Partner Violence on Poor Women's Capacity to Maintain Work," *Violence Against Women*, Vol. 5, No. 4

¹¹¹ Lloyd, Susan and Nina Taluc. (April 1999). "The Effects of Male Violence on Female Employment," *Violence Against Women*, Vol. 5, No. 4

¹¹² Morrison, A.R. and M.B. Orlando. (1999). "Social and economic costs of domestic violence : Chile and Nicaragua," In Too close to home: domestic violence in the Americas, Inter-American Development Bank, pp. 51-80.

On a national level, both public institutions and private firms bear the cost of GBV, though the costs overwhelmingly weigh on the public sector. Certainly, the private sector suffers from lost productive capacity. This hurts the state through the loss of tax income. It also puts a burden on a range of public services. GBV and domestic spousal abuse increases national health care costs as well as increasing the burden on housing and shelters, social services and the criminal justice system¹¹³.

Due to widespread underreporting of GBV, these national services are inadequately funded. Thus, when these services are need, they are found lacking¹¹⁴. This translates into civil society often trying to meet the needs that it can. Moreover, underreporting makes it difficult to correct these inadequacies. On the one hand, the government does not know what the funding shortfall is. On the other hand, underreporting makes it difficult to determine the cost-effectiveness of programs designed to reduce the economic impact of GBV¹¹⁵.

¹¹³ United Nations General Assembly. In-depth Study on All Forms of Violence Against Women: Report of the Secretary-General. A/61/122/Add.1. 2006

¹¹⁴ Morrison, Andrew R. and Maria Beatriz Orlando, "The costs and impacts of gender-based violence in developing countries: Methodological considerations and new evidence," World Bank, Nov. 2004. Found here: <http://siteresources.worldbank.org/INTGENDER/Resources/costsandimpactsofgbv.pdf>

¹¹⁵ Ibid, p. 32.

CHAPTER SEVEN

7.1 Legislative Perspective: Forms of Discrimination Against Women

Not all, but parts of the Egyptian Legal Framework, emphasize discriminatory practices against women. Indeed, laws through the lack of adequate legal protection can ignore violations of women's rights and discriminatory practices against them. In Egypt violations of women's rights still happen under some specific legislative areas. Within the Personal Status Laws and Family Laws, discriminatory rules put women in subordinate positions for what concerns marriage, inheritance, custody of children, and freedom of movement. Discriminatory laws and practices still place women in an inferior and submissive position within the family undermining their legal standing in both the private and public spheres. These laws "deal with women as part of the regulation of the organization of the family, not as individuals with their own separate or equal rights"¹¹⁶. Beside, also the Penal Code in some of its parts is not really structured to protect women victims of crimes. On the contrary, criminalization of women is stronger if compared to men and many other kind of violence against women are still not considered as crimes despite international legal standards and therefore not punished with adequate penalty. This includes the still scarce consideration of rape within marriage and honor killings as crimes. Labor Laws also contain discriminatory provisions for what concerns employment in the private sector and lack of regulation in the informal sector and in the agricultural one. Moreover, women remain discriminated in other areas related to their social and public life like access to education and political participation; although, these issues remain outside the context of physical violence against women they are also fundamental to understand the interrelated factors that oppress women.

7.2 Men's repudiation and women's fault based divorce

Although women have recently been granted more rights in case of divorce, inequality is still stridently between men and women. Men in Egypt have unilateral and unconditional right to divorce¹¹⁷. They can repudiate their wife by a simple willful declaration and without the need to justify this decision in front of court. However he needs to present his decision to the *ma'dhun* at the presence of two witnesses. Repudiation is revocable (*raj'i*) during the following three months. This kind of repudiation is called *talaq ahsan*. During this time, the husband can decide to continue the normal marital relations without the need of remarrying or paying a new dower. If a husband decides to take his wife back, the opinion or the consent of the wife is not required. Nonetheless, since 2000, according to Article 22 of Law No.1/2000, a husband that wants to restart normal marital relations, should inform his wife through an official written letter (bailiff) submitted to the judge or the repudiation process will be completed in case other physical proves have not been shown (like pregnancy)¹¹⁸. The Law stipulates a prison term of six months or a monetary penalty for the husband that does not inform his wife of his choice for

¹¹⁶ Deif, Farida. (2004). "Divorce from Justice: Women's Unequal Access to Divorce in Egypt." *Human Rights Watch*, Vol.16, No.8 (E): 1-68.

¹¹⁷ LaShawn R.Jefferson. (2004). *Egypt: Ensure Women's Equal Right to Divorce*. <http://www.hrw.org/en/news/2004/11/28/egypt-ensure-womens-equal-right-divorce>

¹¹⁸ Bernard-Maugiron, Nathalie. 2010. Promotion of Women's rights in Egypt. Personal Status Law in Egypt. *GTZ, German Technical Cooperation. Institute of Research for Development*: 1-32.

repudiation¹¹⁹ When the three months are passed, repudiation becomes irrevocable (*ba'in*). If the husband wants to re-take his wife again he should marry her again and pay for a new dowry. (Ibid) If repudiation happens for three times in three different moments (can be just few seconds), it becomes irrevocable and the husband can remarry the wife only after she remarries, she consummates her marriage and gets repudiated by another man in the interim (the *muhail*, the legitimizer). This is the *talaq bidaa*.

Women filing for divorce face much greater obstacles than men. They are required to petition the court and seek either a fault-based or no-fault (*khul'*) divorce. Women that want to begin a normal fault-based divorce are required to obtain legal counsel and to justify in front of the court their motivations. Women should prove through witnesses' testimony the impossibility of continuing the marriage relation due to inflicted harm. However, if these grounds for divorce have appeared prior to the marriage or tolerated for years during the marriage, divorce request is inadmissible¹²⁰. Moreover, in order to file for divorce on grounds of physical violence women often need to provide a medical certificate from a hospital as well as two witnesses. Since the law does not clearly define what constitutes harm, this identification usually remains at the discretion of the judge. For example, while rural women are seen as more used to some forms of physical abuse or polygamous marriage and therefore less in need of asking for divorce, wealthy women, are on the contrary, simply more harmed because of the higher quality of life to which they are accustomed¹²¹.

However, while repudiation for a man takes few minutes, for a woman, the right to divorce herself can take years¹²². If the clause of women self-divorce is not clearly stated in the contract, women can only have access to divorce following a very long and expensive judicial procedure. For Non-Muslims repudiation is forbidden. However, if the two spouses belong to different religions, Muslim personal status law can be applied granting to the husband the right of repudiating the wife in front of the court.

7.3 *Khul'* (no-fault divorce)

In 2000, the law adopted a judicial procedure according to which women can break-off their marriage without the need of proving harm. Article 20 of the personal status law codified the traditional Islamic practice of *Khul'* the possibility of self-divorce on the side of the woman. This practice is derived from the Holy *Qur'an* and the traditions of the Prophet Muhammad:

"And it not lawful for you (men) to take back any of your Mahr (money given by the husband to his wife at the time of marriage) which you have given them, except when both parties fear that they would be unable to keep the limit ordained by Allah, then if you fear that they would not be able to keep the limits ordained by Allah, then there is no sin on either of them if she gives back (the Mahr) for her Al Khul' (divorce). Qur'an: Surah 2, Verse 229. "

At the practical level, *khul'* proved to be easier for women thanks to the fact that this decision does not require the approval of the judge since the divorce can be granted without his acceptance. "The declaration that she detests life with him, that continuation of married life between them became impossible, and that fears she will not maintain the "limits of God" due to this detestation in case she is

¹¹⁹ Ibid

¹²⁰ Deif, Farida. 2004. "Divorce from Justice: Women's Unequal Access to Divorce in Egypt." *Human Rights Watch*, Vol.16, No.8 (E): 1-68.

¹²¹ Ibid. p.29

¹²² Reem, Leila. 2003. "A Family Affair." *Al-Ahram Weekly*, January: 16-22.
<http://weekly.ahram.org.eg/2003/621/fe1.htm>

compelled to remain with him, is sufficient for woman to see the divorce granted¹²³. However, when this practice is chosen, the woman has to forsake her financial rights such as the dower, alimony (*nafaqa al-idda*) and the two years compensation (*mut'a*); however, she does not lose her custody rights on her children. The Family Court shall not decide divorce through *Khul'* unless after an effort for reconciliation for a period of time not exceeding three months and after the wife's declaration on what stated above.

It is undeniably that Law No.1 of 2000 contains some unprecedented and revolutionary aspects. First, the procedure of divorce has been accelerated. Second, women do not need to have witnesses while divorcing and they do not have to prove harm or other reasons. Besides, they do not have to get consent from neither the husband nor the judge. However, on the practice level, discrimination remains. *Khul'* provides an easier access to divorce, but it still requires women to appeal to court in order to end the marriage. As LaShawn R. Jefferson, executive director of the Women's Rights Division of Human Rights Watch says, women who are searching for divorce in Egypt finds themselves "between a rock and a hard place". "If she files for a fault-based divorce, she has to endure years of legal uncertainty. To obtain a faster no-fault divorce, she must sign away all her financial rights"¹²⁴. Indeed, divorced women are at risk of becoming homeless, since usually they do not have stakes in marital assets and they do not have ownership of the flat they live in. These conditions along with the troubles for the custody of the child essentially condemn women to accept violent and life-threatening marriages. *Khul' sometimes* do not facilitate the process remaining an option limited to wealthy or to desperate women. Beside, asking for no-fault divorce was intended to require no more than six months, a timeframe that has proved to be illusory for many women.

7.4 Divorce and alimony

Maintenance is the lawful right of the wife under a valid marriage contract. The Egyptian Law states that food, clothing, housing and medical expenses are part of the maintenance as well as any other things as are dictated by the *Shari'ah*.¹²⁵

Women are allowed for a period of maintenance after the dissolution of the marriage varying between three months and one year. However, they usually lose any other financial assistance from their husband after that period. They can only get economic help for the year immediately subsequent to the divorce along with alimony for the children until the age of 15 for boys and up until the marriage for girls. However, if the divorce was not wanted by the wife, the amount of compensation cannot be less than two years (*mut'a*).

For what concerns the domicile of wives after the marriage, they are granted the right to sit in the matrimonial domicile during the duration of the custody of the children. If the husband has the economic capabilities of providing another accommodation, he can rent or buy another flat for the ex wife and their children. However, husbands do not always provide for adequate housing post marriage,

¹²³ Bernard-Maugiron, Nathalie and B.Dupret. 2008. "Breaking-off the Family: Divorce in Egyptian Law and Practice." *Hawwa, Brill*: 52-74.

¹²⁴ LaShawn R. Jefferson. 2004. "Egypt: Ensure Women's Equal Right to Divorce". <http://www.hrw.org/en/news/2004/11/28/egypt-ensure-womens-equal-right-divorce>

¹²⁵ Nasir, Jamal J. 1990. *The Status of Women Under Islamic Law and Under Modern Islamic Legislation*. London: Graham & Trotman.

forcing women to come back to their fathers or to look for any other shelter. Moreover, if the wife does not have children she also has fewer rights since women without the ability of having children are even more denigrated. Thus for women without alimony or any other financial assistance the only solution is to search for a refuge in the few shelters available in the country or to finish as a homeless.

7.5 Informal (Urfi) marriage

A form of non registered marriage called *urfi* marriage is permissible and widespread within the Egyptian marital system. An *urfi* marriage is common among the young generations which are divided between sexual desire and the economic limitations to afford a real marriage, women and men can get married secretly without the need to register this family tie. In Egypt, around three million *urfi* marriages have been already documented. This marriage form is an informal civil contract concluded in front of two witnesses but without the need of acknowledgment from the family and without the presence of a state representative. However the number of this kind of unofficial marriage is not available, yet it could be estimated by looking at the rate of the official marriage. It was found that the number of traditional marriages has declined from 592,000 in 2000 to 506,000 in 2006, despite a youth population bubble¹²⁶.

In a non-registered marriage, women are not protected by the law on inheritance in case of the husband's decease; they do not see maintenance and succession recognized and they can have fewer rights on their children. The wife cannot demand her legal rights in case the husband denies the marriage relationship or hides the proof of its existence. Moreover, in an *urfi* marriage it is very difficult to prove the paternity of the children as DNA tests are not compulsory in paternity cases¹²⁷.

However, for what concerns parentage, courts are allowed to listen to women's grievances asking to have the paternity recognized. Nonetheless, women should provide proves of the existence of intimate relations with the assumed father. Without any legal document, women cannot start any legal procedure for any of the other issues cited above. If the husband destroys the document that proves the existence of this marriage the wife can neither ask for divorce nor remarry for fear of being accused of bigamy. Since till January 2000, the *urfi* marriage was considered illegal under the old status law, many women did not have any legal rights to seek a divorce. Only after that date, women married under the *urfi* marriage formula can petition for dissolution of the marriage following the same procedure as the registered ones. However, they lose any financial support from their ex- husband, but keep their right to alimony for the children.

7.6 Child custody

Article 1-20 of Law No. 25 of 1929 amended by Law No. 100 of 1985 and amended once again by Law No.4 of 2005 states that the mother's custody of the children ends when the children both boys and girls reach the age of fifteen.⁶ Previously, women's custody rights ended when the boys reached the age of

¹²⁶ Carroll, Jill. "Young Egyptian Couples in a Hurry Tie Temporary Knot." *Women's UN Report Network (WUNRN)* (20 Sept 2007). Web. 18 May 2011.

¹²⁷ Bernard-Maugiron, Nathalie. 2010. Promotion of Women's rights in Egypt. Personal Status Law in Egypt. *GTZ, German Technical Cooperation. Institute of Research for Development: 1-32.*

⁶ A child's parents fall into two categories: custodial parent or non-custodial parent. Custodial parent is a term for the parent with primary physical custody of the child. The child the parent resides with most of the time is considered the custodial parent.

10 and girls the age of 12. Economic maintenance remains a personal obligation of the father for the boy until fifteen and for the girl until the time of marriage. In very special cases, judges, offer the option to the mothers to extend the custody if both parents agree on that. The parent to which the custody has not been granted has the right to visit the child. If parents cannot agree harmoniously on visiting rights, the judge can organize the visits in places that would not affect the serenity of the child. Under Egyptian law, the courts generally support mothers which are considered to be the appropriate custodians of children. Under Egyptian law, if the mother remarries or she leaves the country she may lose her claim to custody of her children, depending on the court's determination based on the best interests of the child. This law, however, does not apply to the father that would usually retain custody rights in both situations. Moreover, the privilege of divorced women to live in the marital home or in another domicile provided by the husband lasts only during the custody time. *"Should her custody be terminated at any point, her right to support for shelter would disappear"*¹²⁸. Furthermore, women's apprehension that the husband will not provide for child care after divorce if custody is granted to the mother, push many women to give custody rights voluntarily for fear of not being able to feed their children.

7.7 Inheritance

Male members of the family are regarded as having the duty to provide for the females and dependants of the family. Since men have a greater responsibility, they are allocated a larger share of the family wealth. Thus, *"the pre-defined inheritance shares attempt to strike a balance between rights and responsibilities."* However, this creates a system in which women should depend on men for their financial well-being and where their independent rights are not taken into consideration. Moreover, these social practices do not consider the fact that women contribute financially to the household and to the economic progress of their countries¹²⁹.

Inheritance rights are vital for women because they directly related to their right to housing and property. Moreover, a woman can be evicted from the marital property after her husband dies, or when a girl child is not allowed to inherit property on equal terms with her brother, on the pretext that she will 'not need it' because she will eventually be married¹³⁰. Often, women who lay claim to their rightful inheritance are also subjected to violence and in some cases, such women have even been killed by family members under the name of the "honor killings"; the honor of the family, the tribe and the community largely hinge on the conduct of its women. If they do not behave as required, they are considered shameful, *ayib*. Women are often assured by male members of their family to not demand their inheritance rights but relinquish their share in favor of their brothers or uncles. Women are also assured that their male relatives would financially support them and their families, as tradition required. If women are unable to legally own, control and inherit property, they have little economic and personal autonomy because they fundamentally lack access to wealth. Thus, women without property are proper to become homeless in case of divorce and to lose the custody of the children if not able to provide for them.

The non-custodial parent does not live with the child; in some cases, this parent does not have legal or physical custody. http://www.ehow.com/facts_5542075_custody-laws-egypt.html

¹²⁸Deif, Farida. 2004. "Divorce from Justice: Women's Unequal Access to Divorce in Egypt." *Human Rights Watch*, Vol.16, No.8 (E): 1-68.

¹²⁹Scholz, Birte. 2006. "In search of Equality: A Survey of law and Practice related to Women's Inheritance Rights in the Middle East and North Africa (MENA) Region." *Centre on Housing Rights and Evictions. COHRE*: 1-215.

¹³⁰Ibid.

Specifically to Egypt, inheritance laws and property rights represents another area in which women face discrimination limiting their possibility to live an independent financial existence. The low status of women in the social and economic life is not only indicated by the low presence within the labor market or the educational sectors but also in their general incapability to access property and inheritance rights. Especially in Upper Egypt, inheritance and properties are managed by the bloodline patriarch, the father or the brother in charge of taking care of family finances. Through a traditional practice called *radwa* women are offered a small amount of money in exchange for not claiming their inheritance rights in order to retain family estates in patrilineal families. Women are often forced to accept such an amount because they cannot access justice or their rights due to social pressures and lengthy litigation procedures¹³¹.

Moreover, women are often unaware of their inheritance rights. Although the protection of women's inheritance's rights is an obligation that Egypt has ratified at international and regional level, the country still does not have a clear legislation able to ensure the empowerment of Egyptian women regarding their rights.

Despite the fact that women are compensated for their inadequate access to inheritance shares through material obligations on the part of husbands (clothing, food, housing, dower, gold), a clear inequality remains¹³². The government also reports that there are "*no laws that prohibit any women from owning land.*" However, for what concerns women access to land, the national indicator in the country is reported to be alarmingly low, only 0,061; beside, data provided by the Principal Bank for Development and Agricultural Credit cover only 6 out of the 26 governorates of Egypt. As women's access to land is extremely low, a cautious estimate of even lower real access to credit could be drawn.

Women's real access to credit is limited in the very regions where agriculture provides most of the income and where women own more land relative to men.

¹³¹ "Egypt Violence Against Women Study: Summary of Findings." 2009. *National Council for Women*: pp.1-65.

¹³² Siraj Sait M. and Hilary Lim. 2005. "Islam, Land & Property Research Series." *Paper 6: Islamic Inheritance Laws and Systems*, UN-HABITAT: 1-17.

CHAPTER EIGHT

8.1 Legal services provided by local NGOs

8.1.1 Center for Egyptian and Women's Legal Activities (CEWLA)

The Center for Egyptian and Women's Legal Activities (*Markaz Quadaya al-Mar'ah al-Masriya*) has been formed in 1995 by four lawyers (3 women and 1 man) and it has been registered as a civil company not as an NGO. Even though it is located in *Boulaq* and therefore it actively deals more with the *Boulaq's* inhabitants, it also helps women from other parts of Egypt. It advocates for changing unjust laws directed against women. CEWLA provides legal support of personal status and civil cases related to the conditions of women and women's rights. Among the legal and non-legal services that CEWLA provides to safeguard women's human rights there are the following:

- Legal awareness: teaching women their legal rights;
- Legal services: these include the issuing of identity cards, voting cards, and registering people in the civil registry office;
- Assistance in legal cases, mainly related to the Personal Status Law;
- Literacy classes to teach basic reading and writing skills to women and men;
- A telephone hotline through which asking questions and getting legal advice;
- Training of Researchers.

From the interviews and the research that CEWLA embarked on throughout the years, have been discovered the enormous problem faced by women and their families. Thus, the Centre has had an extremely positive impact on the lives of community members and many women has succeeded in obtaining their identity cards, voting cards, birth certificates, educational degrees. (Guenena and Wassef, 1999: pp.60-61) Among its initiatives there has been one extremely remarkable, namely the so called "campaign against honor killing in Egypt" that CEWLA launched in 1997. The strategies adopted during the campaign consisted of searching for and analyzing information on honor killings, analyzing court rulings and sentences given to offenders and discussing solutions and recommendations with legislators, policy makers, and the media. The campaign resulted in drafting amendments to the discriminatory penal code Articles and cooperating with other NGOs working against gender based violence. (Somach. Susan D. and Gihan AbouZeid. 2009: p.21) CEWLA also works with media to improve anti-FGM messages and to produce media campaigns in order to combat the practice. Lastly, CEWLA organizes workshops to empower communities through sharing experiences, and training community cadres as peer educators.

8.1. 2 The Association for the Development and Enhancement of Women (ADEW)

ADEW organization is an Egyptian NGO, established in 1987 by a group of seventeen women and three men working in different development fields. They initially focused their attention on the financial inadequacy of women in accessing credit and income-earning opportunities; from this investigation ADEW developed a credit program for women-headed households at the *Mokattam* for the garbage collectors called *zabaleen*. The women targeted by ADEW are generally poor, illiterate, divorcees or victims of abuse. (Guenena and Wassef, 1999: pp.56-57)The initial function of the organization has been that of providing credit and technical assistance to women as well as supplying them with small credit loans payable with an administrative fee, so that they can initiate or expand income-generating

activities. These loans have been important instruments in increasing women's incomes as well as providing employment opportunities. ADEW has been also the first Egyptian nongovernmental organization to identify [female heads of households](#) as a target group and to established a micro credit loan system. ADEW also provides women with legal literacy support and health awareness campaigns.(Ibid) Its ultimate goals is that of making women economically independent in order to develop their life options and enabling them to challenge gender based inequalities and patriarchal hierarchies faced at home and within the community at large.

Even though, ADEW's initial target has been female heads of households, today, this NGO works in the overall field of gender empowerment through social, economic, and cultural projects in poor urban areas for young women and girls. ADEW's final aim is that of creating suitable conditions for Egyptian women on two levels: personal and societal. On a societal level they seek to transform the culture of the community, the laws and the policies as well as changing women's image in society. On a personal level ADEW wants to empower women by giving them skills in various areas through the proposed programs and activities. Thus, ADEW aims to give women, especially female heads of households, their legal, economic, social, political and cultural rights in order to become full citizens and decision-makers within the family. They also seek to make women equal in rights and duties and to give her the same opportunities offered to men so she can make her own choices. ADEW has also initiated in 2005 a Domestic Violence Program with the aim to:

- Provide a safe, secure alternative place to stay in a potentially threatening situation
- Create a comprehensive service plan for women and children fleeing domestic violence
- Develop and promote a working definition of and dialogue about domestic violence in Egypt
- Educate and empower women with the regard to the issues surrounding domestic violence
- Raise awareness of the problem of domestic violence among women and local communities, in the media, at the policy level, and with relevant agencies
- Organize and deliver training on issues of violence awareness and female empowerment both for new staff and for other relevant agencies and organizations in Egypt
- Identify the best approaches to create income-generating projects to encourage the financial self-sufficiency of the women staying in the shelter

In 2005, ADEW also opened a shelter to supply psychological counseling, economic empowerment through microcredit, and legal empowerment by helping women to obtain IDs and legal property. The *Qalyubiyya* Governorate supported the idea and it rented out the land to build the shelter although it did not provide funds to have qualified staff. ("Women's Right to Adequate Housing and Land", p.75). Between 2005 and 2008, the shelter has served a total of 485 people and it filed 71 court cases on behalf of women. During their permanence in the shelter, children have also benefited from literacy classes and arts and crafts classes. (Somach. Susan D. and Gihan AbouZeid. 2009: p.10) ADEW also holds informal sessions on legal awareness for women during which other organizations and independent lawyers train women on their legal rights.

8.1. 3 African and Middle East Refugee Assistance (AMERA)

AMERA was established in 2000 to provide pro bono legal aid as a professional service in Egypt and other forms of support to the refugee and asylum seekers in Egypt; it is one of the few providers of pro bono legal aid as a professional service in the country. Moreover, it has established working relations with UNHCR and other refugee service providers. The team of volunteers working in AMERA helps people through the following services: (www.amera-uk.org/egypt/)

- Legal assistance for those asylum seekers undergoing refugee status determination
- Legal assistance with protection issues and in registering with UNHCR

- Legal and psycho-social assistance in cases of gender-based violence
- Protection and social for unaccompanied minors
- Psychosocial services, which connect asylum seekers and refugees with community support services during and after the preparation of their legal submissions and testimonies.
- Advocating for the international legal recognition of asylum-seekers as refugees and guarantee their access to administrative justice through the preparation of testimonies and legal briefs outlining legal arguments and country of origin information necessary in the evaluation of their first-instance claims or appeals;
- Ensuring asylum-seekers' and refugees' access to administrative justice through the provision of representation at refugee status determination hearings and other administrative procedures before the UNHCR;
- Providing training in international refugee law to Egyptian and refugee lawyers and paralegals, institutions, and NGOs;
- Ensuring that policies affecting refugees and asylum-seekers are developed and implemented in accordance with the general principles of human rights and refugee law,;
- Promoting for the protection of refugees in need of urgent resettlement due to safety concerns, medical conditions, or family reunification considerations;
- Ensuring asylum-seekers' and refugees' access to administrative justice and social services

8.1.4 The Egyptian Foundation for Refugee and Migrant Rights (EFRR)

The Egyptian Foundation for Refugee and Migrant Rights is a non-governmental organization that assists in protecting the rights of migrants and refugees in Egypt as guaranteed by domestic law. It provides legal services to individual refugees and migrants. The Foundations' lawyers are legally trained and qualified members of the Bar Association of Egypt. The Foundation also abides by the Nairobi Code, an ethical code of conduct for legal aid providers working with refugees. Among its main objectives there are the following:

- To provide legal advice to refugees and migrants who wish to form community groups.
- To provide assistance to individual refugees and migrant groups according to the domestic and international legal proceedings designed to secure the enjoyment of their rights.
- To provide legal representation to migrants who are arrested and detained. In accordance with the Egyptian law the Foundation aim to secure their release.
- To assist refugees and migrants in filing complaints about criminal acts committed against them.
- To provide representation to refugees and migrants facing improper deportation, including refoulement.
- To educate refugees and migrants in the country, Egyptian lawyers, Egypt government officials, journalists in Egypt and the public opinion

Since 2009, the organization is focusing its work on three core human rights securing refugees their protection:

- Freedom from arbitrary arrest and detention
- Right to the equal protection of the law
- Freedom from association

8.1.5 Egyptian Center for Housing Rights (ECHR)

The Egyptian Center for Housing Rights mainly addresses the problem of adequate housing on a continuous basis among the Egyptian population. Being an institution engaged in human rights defense, the Center pursues all relevant activities in the fields of monitoring, training, advocacy, research, documentation and adoption of concrete cases for socio-legal assistance on that issue.

Among its main activities, the Center for Housing Rights monitors housing rights violations and documenting them. The institution prepares research about the situation of housing problems in the country, monitors the laws and regulations on housing rights and their application, provides legal advice and legal aid to people suffering from problems connected with housing rights through the legal staff of the ECHR and the network of pro bono lawyers co-operating with the ECHR. The Center also aims to create public awareness especially in the poor areas which suffer from problems connected to the right of receiving adequate accommodation.

8.1.6 Land Center for Human Rights (LCHR)

The Land Center for Human Rights (LCHR) was established in conformity with Article No.96 of the Egyptian Constitution as a civilian non-profit firm for the protection of the Egyptian farmers from a human rights perspective. The Centre's mission is to strengthen the rule of law and legal and social equality in order to enhance the rural populations to be able to rely on themselves; it aims to improve the life conditions of rural workers in the countryside, and their economic and social life according to human rights' standards. It also encourages mutual work between NGOs to enforce values such as democracy, human rights, and economic, social and cultural rights. The center also aims at representing the real needs of the poor groups in Egypt and enabling these categories in the decision making process. Moreover, it monitors, documents and studies the conditions of the Egyptian countryside, and educates the rural population about their rights. Indeed, the absence of legal protection for both permanent and temporary agrarian laborers pushed LCHR to provide legal aid to the farmers' associations, unions and syndicates. It also enables female agrarian laborers to face the violations to which they are exposed to due to their sex or social role and to fight against the phenomenon of child labor. (<http://www.lchr-eg.org/indexe.htm>)

Among its goals are the following:

- Participate in improving the agrarian laborers' economic and social conditions in rural Egypt.
- To develop & provoke the rural citizens' minds about the human rights' culture and about their own rights.
- Encouraging mutual work between NGOs to enforce values such as, democracy, human rights, economic social and cultural rights, etc.
- Formulating the economic reform program in Egypt to guarantee the farmers' rights and give them a secure labor atmosphere.
- Exposing the real needs of the poor categories in Egypt and enabling these categories in the decision making process.
- Providing legal aid against any violations of the agrarian laborers' economic, social and civil rights
- Holding training courses and publishing brochures to raise the awareness of the rural citizens of the causes related to them

The Legal Unit provides legal proceedings before the courts and various blocs of investigation. It is composed of full-time lawyers or workers from abroad, and it is working to support the target groups of the Centre of the farmers, workers, women and children of workers and the agricultural sector and fishermen. The Unit also is specialized for arranging the complaints and violations they have received from the Research Unit, which is handed over to the legal unit every three months or on a daily basis. In the case of a sudden violation, the intervention of the Centre is required, to defend the mentioned rights focused by the Centre.

8.1.7 The Egyptian Center for Women Rights (ECWR)

The Egyptian Center for Women Rights is an independent NGO founded by a group of women in the Dar El Salaam neighborhood of Cairo in order to provide legal aid to women and to train them on their rights. Its main objective is to encounter all forms of discrimination against women providing legal aid for them during their daily life problems. The primary objectives of the organization are to increase the awareness of women's rights, develop their participation in the public life, provide women with legal consultations and control laws and legislations that limit women's rights and are contrary to the Egyptian constitution and to the conventions ratified at the international level. The programs proposed by the Center are mainly based on awareness raising, training, legal and family counseling, and empowering women to participate within the political life of the country.

In 2005, ECWR also launched a campaign entitled "Stop Violence Against Women" focusing especially on the different forms of violence committed by state agents. Journalist, NGOs, and researchers discussed legal and social trends related to violence against women, media's role in portraying women, and the various forms of violence perpetrated by state agents and police men. (ECWR) This campaign has been important in raising the awareness of the Egyptians about sexual harassment, and improving the legal and enforcement mechanisms to better protect women.

8.1.8 The Association for Human Rights Legal Assistance

The Association for Human Rights Legal Aid is a NGO formed by a group of human rights activists. Since 1999, it provided legal aid for victims of human rights' violations and continues its efforts to eliminate legislation that is not in accordance with the Egyptian constitution or with the ratified international agreements and conventions on human rights.

8.1.9 Cairo Institute for Human Rights Studies (CIHRS)

The Cairo Institute for Human Rights Studies (CIHRS) is a regional NGO founded in 1993. It aims at promoting respect for the general principles of human rights and democracy, looking at the difficulties facing the application of International Human Rights Law and disseminating Human Rights Culture in the Arab Region as well as establishing dialogue between cultures in respect to the various International Human Rights treaties and Declarations. It also campaigns for the integration of human rights values and principles into academic curricula and conducts training courses for sectors of society. CIHRS works on the promotion of the human rights in national, regional and international mechanisms and organizations. It also supplies training on professional development for Human Rights Defenders. The Institute has the important role of coordinating both leaders and NGOs from across the region to collaborate together for the enhancement of public awareness regarding human rights' issues. CIHRS enjoys consultative status with the United Nations Economic and Social Council (ECOSOC), and has an observer status in the African Commission on Human and Peoples' Rights; it also a member of the Euro-Mediterranean Human Rights Network (EMHRN) and the International Freedom of Expression Exchange (IFEX). (www.cihrs.org)

8.2 Aid and assistance services

(NB. The status of the services is updated to before the revolution)

In Egypt there are some forms of services regarding legal issues available that assist women in general and abused women in particular. These services which have increased significantly over the last years are mainly offered by local NGOs but they still represent limited efforts for addressing the immediate needs of women victims of violence and abuses.

8.2.1 Shelters to protect women victims of violence

In Egypt, there are at the moment eight shelters in operation, available in the country since 2003. Following two ministerial decrees issued in 2000, the MoSS established seven shelters; one of them is under direct MoSS operation while the others operate under NGOs assigned by the MoSS. All shelters share the same objectives and mandate as specified by MoSS:

- Host women who are in emergency circumstances as a victim of violence.
- Protect women from violence and assist them in overcoming difficulties and solving their problems.
- Provide social, health, vocational, and cultural care.
- Develop women's skills and invest in their potential.
- Hold awareness seminars for men and women to create community awareness that would combat violence against women and support the importance of family ties to protect the family and children.
- Hold awareness seminars on legal, religious, cultural, and health issues.
- Conduct psychological rehabilitation aiming to assist women to overcome their crises.
- Rebuild women's self esteem to encourage them to be assertive. (Overview of services on violence against women, p.7)

The Association for Development and Enhancement of Women (ADEW) established the eighth shelter, called *Beit Hawaa* (House of Eve), in 2005. This shelter is the only shelter which operates independently from the MoSS. Shelters are distributed throughout the country as follows: two shelters are in Lower Egypt (Alexandria and Mansoura), three in Greater Cairo (6th of October, Heliopolis, and Qalubiya), and three in Upper Egypt (Fayoum, Beni Suef, and Menia), while there are no shelters in Sinai, the Canal region, or Upper Egypt beyond Menia (Ibid, p.7) The staff of such shelters include a shelter manager, a social worker, a legal advisor, a part-time medical doctor, a secretary, a cook, a day supervisor, and a night supervisor. Four of the shelters have admitted psychologists as members of the staff. (Ibid, p. 9) The shelters follow regulations stipulated by the ministry, although implementation of these rules varies somewhat across the different shelters. Admission policies for shelters are set by MoSS and are standard across all eight shelters. Shelters admit women victims of violence provided that they submit the following extensive paperwork:

- An application form with two photos.
- Identification card.
- Recent police record. (Applicants with a criminal background not accepted.)
- Completion of a social case study (to be conducted by social worker in the shelter and during the first week of her stay).
- Copy of formal documents of her marital status.

- Detailed salary sheet if the women is employed.
- A pregnancy test and medical examination to ensure that the applicant is free of any infectious diseases (to be examined by the medical center associated to the shelter during her first week of stay).

However, also due to the long list of documents required, shelters, remain often empty. Moreover, the under-occupancy of the shelters can also partly be contributed to the fact that many women are not aware about the existence of the shelters. Generally women stay up to 12 weeks, however, they may continue for an additional three months or even longer depending upon the decision of the shelter supervision committee. Women are allowed to bring their children as well. Moreover, women admitted to the shelters are allowed to leave the shelters during the day to go to work, or search for a job provided that she has had a meeting with her supervisor. Check-in times for residents to return to the shelter and stay for the night – 7 p.m. during winter and 8 p.m. during summer.

For what concerns street children there are few centers that offer protection to them. One is the Hope Village, an organization devoted to assisting children by providing programs on education, psychological and medical care, family care, as well as literacy, religious and cultural activities. The main purpose of these temporary shelters is to rehabilitate the children and prepare them to engage in a family-like life. Temporary shelters are located in *Hadayek el Koba* and in *Muqattam*, while there are three permanent shelters in Nasr City and other two in the Tenth of Ramadan City. They provide children with meals, clothes, places to sleep, recreational activities and sports. Another institution providing shelters and services to street children in Cairo is *Tofuly* Foundation.

8.2.2 Medical services

Medical services for female victims of violence are really crucial. In Egypt, immediate medical attention is available through hospitals and their emergency rooms (primarily in urban areas), and rural health units. In addition, forensic services are available through specialized, forensic medical bureaus. (Ibid, p.11) However, female victims of a specific form of abuse are not treated differently from other patients. Indeed, there are no specific services at hospitals or health units for victims of gender-based violence, with the exclusion of normal emergency treatment as provided to any women in need of medical attention; hospitals and doctors also lack specific case management protocols for victims of gender-based violence. Therefore, not only are the medical examinations in some cases superficial, but there is also a lack of specific psychological assistance for women in hospitals. The Social workers that are supposed to be present in the hospitals as well as in the courts to assist the victims are usually not there.

Moreover, it can happen that although doctors treat women with an accurate cure they do not report who or what caused the injuries. Indeed, incidents of sexual violence or assault are rarely reported in hospitals and consequently women often lack the required forensic examination needed to start a judicial proceeding (Ibid, pp.12-13).

8.2.3 Help lines

Help lines and hotlines are still limited in Egypt. Although this service can represent an effective way to establish initial contact with female victims of violence and offer immediate support to them, there is still only one hotline and four help lines operating. While Nadeem Center hotline focuses on serving

female victims of violence, the others almost focus only on legal advice to women regarding discrimination within the Personal Status Law. Of the five assistance centers, only two have nationwide reach: the NCW Ombudsman's Office and the Nadeem Center. (Ibid, p. 14)

8.2.4 Inadequacies of the services to address violence against women

Availability and limited infrastructure

- First, shelters do not meet the requirements of availability, accessibility, acceptability, and quality essential to ensure appropriate protection of female victims of violence. Only 214 shelter beds are available across all eight shelters, which translate into approximately one bed per 380,000 inhabitants of Egypt. According to the Council of Europe's Group of Specialists for Combating Violence against Women, there should be a minimum of one place in a shelter per 7,500 persons in the population. Thus, Egypt would need more than 10,000 more shelter beds. (Ibid).
- The number of listening and counseling services is scarce, especially when one considers the high rate of abuse in Egypt. Only eight organizations offer in-person listening or counseling services while only one of them can provide for a trained psychologist within its services. This is a very paradoxical since it is almost worthless to have session on counseling without medical advisors capable of such a help. For women that escape from conditions of abuse, sometimes psychological advising can be more beneficial than legal consultation. (Ibid, p.16)
- Concerning the number of hot-lines and help lines, Egypt is making good progress, however it still needs to take several steps towards achieving an adequate capacity of dealing with the women's demand for quick consultancy sessions. Indeed, only two lines are nationwide and only one of them is available 24/7. The National Council of Women's Ombudsmen's office remains the only helpline provided by the government. In conclusion, the limited number of the help lines, makes it even more difficult for women to be aware about the possibility of having these forms of assistance.
- Within hospitals, not only is there a lack of specific treatment and protocols to deal with female victims of abuse, but also there is a general lack of those social workers required to bring relief and practical help to the victims.
- Also the volume of legal services provided by NGOs is limited. Only three NGOs have more than two lawyers within its staff and the majority of them are located in Cairo, leaving other districts underrepresented. The lack of decentralization of the services offered by those institutions, limit the access to equal justice for women living in the rural areas, while it is this group in particular which have a higher chance of becoming a victim of sexual abuse and violence.

Weak Accessibility

- As mentioned above, the shelters available in Egypt are only located in a few areas of the country. They are still inexistent in Sinai, the Canal region and many parts of Upper Egypt. For this reason, only few victims of violence against women go to shelters, resulting in shelters that are frequently empty. Shelter directors attribute this to factors such as the inadequate protective measures and legislation to protect female victims of domestic violence, the patriarchal culture and to structural problems in the management of shelters. (Ibid)

Strict eligibility criteria

- For being admitted in the shelters, women have to submit extensive paperwork. This can be problematic for women, especially for those living in the country side, since they sometimes lack identification card or copy of formal marriage documentations. In addition to these official policies, managers at most of the shelters, with the exception of the shelters in *Menia* and *Fayoum*, stated that they refuse to accept an applicant who is unable to take care of herself due to age or incapacity (often women with particular disabilities are not accepted in the shelters) Children may accompany their mothers in the shelter, although male children must be younger than the age specified by the shelter, which varies from 8 to 15 years. This could be a problem for mothers victims of violence having male children of more than 8 years. However, there is no age limit for girls. Moreover, none of shelters have a specific program for dealing with children living in the shelter with the exception of *Beit Hawaa* managed by NGO ADEW, as they have special recreational activities and psychological help for children.

Low awareness level

- In Egypt, although, protective mechanisms like shelters are available, they are seldom advertised to those in need of their services. Within the country, there is no general awareness on the existence and the activities of these shelters. For instance, many officials or people working within the legal system or for the rights of women such as policemen, family courts' staff, and other community leaders, do not know about the existence of shelters. To illustrate this point; Human Rights Watch conducted an interview in 2004, with a social worker whose primary responsibility was to assist women who complain of domestic abuse. When asked where a woman should go if battered, this person did not know about the existence of shelters in Egypt. (Deif,2004: p.47) Therefore, women as well are not familiar with such possibilities and they prefer to search for help among relatives and friends.

Quality of the services

- Four out of eight shelters still do not have psychologists to serve on their staff resulting in limited medical assistance and the accurate support those women victims of violence need. Moreover, most of the members of the staff still need an intensive training in order to acquire the appropriate skills to deal efficiently with victims. In general they also demonstrated a lack of gender sensitivity and adequate care towards violated women (Overview of Services on Violence Against Women, p.9)
- Concerning the medical treatment of female victims of violence, investigations show that although women that have been abused receive some forms of cure, it is rarely suitable to treat their specific problems. Additionally, hospitals lack specific services, protocols and health units for victims of violence (Ibid, p1). Health officials, doctors and social workers are still not prepared and not aware about the needs of a female victim of abuse. Thus, they do not know how to proceed and how to deal with personal situations that require psychological assistance and discretion.
- NGOs are doing monumental efforts to improve public awareness on women's human rights. However, much more still need to be done. The activities and initiatives of NGOs related to violence against women, need to be sustained by extensive media and civil society's campaign.

CONCLUSION

Gender-based violence both reflects and reinforces inequities between men and women and compromises health, dignity, security and autonomy of women. Gender-based violence can affect women at all stages in their lives- from prenatal stage to widowhood. There are many interrelated forms of gender based violence that women in Egypt experience and factors of location-whether urban or rural- affect the forms and the magnitude of violence. For example, half of every-married women in Egypt have been subjected to **physical violence** at some point since the age of 15. Women were more likely to have experienced violence in Lower Egypt, with half reporting ever having experienced violence vs. 43.8% in Upper Egypt. Rural women more likely to have experienced violence within the past twelve months than their urban counterparts.

Many forms of violence against women in Egypt take a physical form such as female genital mutilation, rape, or sexual harassment. However, barriers restricting against education and employment for instance also are considered forms of discrimination and violence against women. According to UN Egypt has one of the highest female youth illiteracy rates in the region. Almost 20 percent of females aged 15-24 are illiterate. Amongst adults, women are more likely than men to have no schooling, and the disparities are much wider in rural areas than in urban areas. Women in rural Upper Egypt are twice as likely to have no schooling than women in urban Upper Egypt or than men in their own region.

As discussed, forms of violence often are interrelated to one another and perpetuate the cycles of discrimination of women. For instance, being able to read and write helps women to know their rights and make significant use of them, such as land ownership rights or appealing against unfair judgment. Literacy also helps breaking women's confinement to domestic activities which diminishes economic growth and family revenues. However, when almost 20% of females in Egypt aged 15-24 are illiterate, the probability as well as the forms of gender based violence are more likely to increase. Furthermore, gender-based violence persists in Egypt not only continues because of larger political, social, and economic factors, but from attitudes that lie within both Egyptian women and men.

Many efforts have been made in the past years to reinforce and secure women's rights, the legal framework and to change community behaviours. Violation against women is a violation of Egypt's cultural and religious values. And as shown in this report, the whole society ultimately suffers from the consequences of violence against women. Furthermore, Egyptian stakeholders have understood that the whole society suffers the consequences of violence against women. Such costs include the economic cost of treating and rehabilitating women survivors of violence, healing emotionally damaged children and families, the loss of women's contribution to development, healing traumatized and dysfunctional families. It affects the cornerstone of Egyptian life and culture: the family and the community.

In post-revolutionary Egypt, efforts must be made towards enforcing a gender-sensitive attitude to laws within the constitution, encouraging women to participate in all realms of society, and to change social and cultural attitudes towards the role and rights of women as equal citizens of Egypt.

Gender violence is an international and national topic, that usually women are the 1st victims, then the children and finally the society. **Women** are the first victims because they are affected physically and psychologically, they face gender violence inside the workplace, at home, and in public areas. **Children** are also affected whether they are boys (they will treat their future wives as their parents do) and girls (will not respect their fathers or they will be afraid of getting married). **Society** will be also affected, in terms of treating the women as tools not a part of the society will increase the independency rates and prevent the society from developing economically and politically.

Regardless of the efforts done in Egypt to face the gender violence problems, so far nothing is effective if comparing the efforts done with output reached. Because there are still some constrains that cannot be changed on the spot, like **habits and traditions**; in Elminya men are used to the habit of beating their wives for many reasons such as; lack of money, many children and lack of sexual satisfaction, in another simple ways, when a man is not happy for any reason he just beats his wife. Habits and traditions also is a restriction to end FGM. it is reported that 91% of girls and women have been subjected to FGM in urban areas, and a higher rate of 98.3% in rural areas Although the practice is forbidden under Articles 241 and 242 of the penal code, statistics proved that FGM still exist in rural areas of Egypt with wrong beliefs about it, it exists under *dayas* not official doctors, ignoring the dangerous consequences.

Another main reason for gender violence is **the culture of male domination**, it became a general belief for the Egyptians, that man/boy is more useful than woman/girl, it is believed that man is the only able member of the family who can work and get money, so this culture by time led to **gender discrimination** in each home, that if a family can afford education fees for only one child, they will allow the boy to get good education. This was proved by statistics; According to UN Egypt has one of the highest female youth illiteracy rates in the region. Almost 20 percent of females aged 15-24 are illiterate. This is the second highest rate among lower-middle-income countries in the Middle East and North Africa. In Elminya they believed that it isn't good for girls to get good education, incase girls are in school, they aren't allowed to continue their high schools, in order not to get knowledge and information, in addition to the belief that they need girls to do jobs in home, some families also fear the long distance schools from home. Regardless of the reasons of banning girls from getting good education, the denial of women's access to education has severe consequences for their overall life. Scarce education means limited possibility for women of having a job and being independent from the male components of the family. Moreover, it means limited political participation and scarce possibilities for women to see their legal and civil rights respected.

In terms of gender discrimination, there is **law discrimination**, between women and men regarding honor crimes, such as in case of "committing adultery", if the man was the guilty person, he only gets 3 years in prison, while if the women was the guilty one, then she gets execution as a punishment. That's happen according to article (17) in crimes of honors, and it

gives the judge authorities to be flexible with men more than women. Law and education discrimination is example of gender violence.

Gender discrimination is related to the idea of **early marriage**, Egypt ranks number 17 in child marriage over the period from 2000 to 2009 (number 9 for urban areas and 22 for rural areas). Despite the fact that the Egyptian law states that the minimum marriage age for women is 18 years old, it was reported that there has been 9274 violation committed in several Egyptian governorates.

Gender discrimination also led to discrimination for women in terms of her **legal rights**, that women aren't able to get their legal right such as inheritance; usually women face problems to get their rights in inheritance and families prefer to give to male more than females, regardless of their legal right, usually brothers and uncles don't want to give women their rights and husbands want her inheritance to use this money for their interests, and at the end women are the victims of both sides. The impacts of this of deprivation from inheritance are: ongoing quarrels between wives and husbands, and a woman usually suffer economically from this, that she might be in need for this money for the children or to help her husband. Divorce: it is very easy for men to do it, while for women, it takes many years and at the end it will lose her financial rights.

A final picture of discrimination, is **political discrimination**, statistics showed how women aren't enjoying their rights in the political area in Egypt, In 2005, around 60% of Egyptians believed that women should have an equal right to political action and around 45% agreed women should have the right to become prime minister, and only 25% believed women should have the right to become Head of State. And those numbers are related to the previous problems mentioned above, about the culture and male domination, and the belief that the women are not an important organ in the country.

Besides, gender discrimination and male domination and their consequences, sexual violence is another form of gender violence, **Sexual violence** is a broad subject that is in Elminya with a big scope, it varies from Assault to sexual harassment to rape or marital rape. Women could be killed just when they suspect her behavior, women face different kinds of social harassment in different places (by words or actions) Out of 1,010 Egyptian women almost half reported to experience harassment on a daily basis.

It was proved by a study that 91.9% faced sexual harassment, 4.5% rape, and 1.8% disgracing. The place of sexual harassment was: 27.3% in transportations, 45.5% streets, 20% universities and 7% houses. Currently, there is **no law against sexual harassment in Egypt**. That means that many crimes, including touching, indecent exposure, and rape, are frequently seen as socially acceptable. This indicates again that it's HABIT!

Also another kind of sexual harassment is incest, and this is due to **low economic status** that led to more than certain number and certain gender to sleep in small places.

After showing the main reason and forms of gender violence, it's important to sum up the efforts done to face it and why do sometimes they aren't affective. There are many institutions trying to face this problem but on real ground there are difficulties, some of those institutions: The Association for the Development and Enhancement of Women (ADEW) African and Middle East Refugee Assistance (AMERA) The Egyptian Foundation for Refugee and Migrant Rights (EFRR) The Egyptian Center for Housing Rights (ECHR).

Many efforts have been made in the past years to reinforce and secure women's rights, the legal framework and to change community behaviors. Violation against women is a violation of Egypt's cultural and religious values. And as shown in this report, the whole society ultimately suffers from the consequences of violence against women. Furthermore, Egyptian stakeholders have understood that the whole society suffers the consequences of violence against women. Such costs include the economic cost of treating and rehabilitating women survivors of violence, healing emotionally damaged children and families, the loss of women's contribution to development, healing traumatized and dysfunctional families. It affects the cornerstone of Egyptian life and culture: the family and the community.

Recommendations to decrease gender violence, could be focused on the importance of the continuous role played by NGOs and other national institutions to aware rural areas about the dangerous consequences of gender violence, the necessity of awareness campaigns (whether direct or on TV) about the importance of education for both genders and the literacy classes, the government should provide more human infrastructures for rural areas and try to improve their economic status and finally the state should execute rules and law, to protect the women.

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