



INTERNATIONAL CONFERENCE
THE ROLE OF INTERNATIONAL COOPERATION
IN TACKLING SEXUAL VIOLENCE AGAINST CHILDREN

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"Panel 3 – Mediterranean Project" Egypt"

Presented by Dr. Azza El Ashmawy, Ph.D.

General Director of the Anti- Human Trafficking Unit,

at the National Council for Childhood & Motherhood(NCCM) Egypt,

Child Rights Expert, Former member of the CRC Committee in Geneva

1. Introduction:

1.1. Before and after the revolution, and in spite of all the political and economic instabilities and challenges, Egypt is committed to promote child rights, and combat violence against children particularly against the girl child.

1.2. This commitments lead to the witnessed development in safe guarding child rights and welfare, this ongoing efforts were lead by the National Council for Childhood and Motherhood (hereinafter: the NCCM), being the highest national body entitled to safeguard child rights, NCCM joined hands with the relevant governmental entities, donor institutions, United Nations organizations and agencies as UNICEF, UNFPA, UNDP, and also IOM, and the Italian Cooperation, EC, and the World Bank, those donor institutions shed light on many gaps, and provided technical assistance to build capacities of NCCM staff aiming to develop cadres capable of sustaining those crucial projects, furthermore, NCCM cooperated with the civil society who played a vital role in mobilizing the community.

- **1.3.** Egypt was Guided by the ratified international Conventions and treaties and International Standards and norms, particularly the following:
 - ✓ *The Convention on the rights of the child (CRC) and its two optional protocols, on the sale of children, child prostitution and pornography,(OPSC) and its optional protocol on the involvement of children in armed conflicts (OPAC);*
 - ✓ *The CEDAW;*
 - ✓ *The Convention on the rights of persons with disabilities, and UN Convention on the transnational organized crimes and its two optional protocols , protocol to prevent , suppress and punish trafficking in persons specially women and children,(Palermo protocol) and the protocol against smuggling of migrants;*
 - ✓ *The slavery convention;*
 - ✓ *The ILO Conventions C182 on the worst forms of child labour , And C 138 on Minimum age of child labor;*
 - ✓ *The international standards and norms particularly the UN Study on Violence against children and the UN Committee on the rights of the child relevant general comments and guide lines .*

 - 1.4.** In this regard Egypt harmonized its national legislations in line with the previously mentioned international conventions and treaties, the most significant was the amendments to the child law no 12/1996, which was amended by the law 126/2008.
 - 1.5.** This law included an article which guarantees Egyptian children, at a minimum, all of the rights provided by the Convention on the Rights of the Child, its two optional protocols, and other human rights instruments ratified by Egypt.
 - 1.6.** Reforming legislation, featured high on the situation of the Egyptian Child as it included **some basic aspects of the civil status law to strengthen protections for marginalized children.**
- For example:**
- The right of every child to free birth registration.
 - The right to identity is guaranteed to every child without discrimination.
 - The amendments give the unwed mothers who are left with unregistered children the right—for the first time—to register her child at birth and to issue her child a birth certificate with only the mother's name .
 - The minimum age for registration of marriage for the girl child was raised from 16 to 18 years, and medical checkups are also required before marriage, to ensure a healthy start for the couple's children (these amendments were attached to the civil code)
 - The law also considered the rights of the child to health and education, as basic human rights, the rights of the child to be protected from violence, abuse, neglect, and maltreatment were considered an area that has been comprehensively covered by the new law, since It safe guards the protection of children from any form of violence, including corporal punishment.

- Two new articles were inserted to the penal code, the first was concerning criminalization of Female Genital Mutilation (FGM), and the other was an article which clearly defined trafficking in children and sets criminal sanctions upon perpetrator, even when the crime occurs outside the country.(The principle of Extraterritoriality), in accordance with the CRC (OPSC), The law also criminalizes the sale of children and strengthens penalties for the abuse of children in prostitution and pornography. To account for new technologies, specific reference was made in the child law that criminalizes child pornography, or sexual exploitation of children through the internet and in drawings and cartoons.

1.7. In a nutshell the Egyptian child law is a binding legal instrument to ensure that all appropriate legislative, administrative, social and educational measures are taken to protect the Egyptian child from all forms of physical or mental violence, injury or abuse, neglect or, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Challenges and gaps

2.1. In spite of the existence of this significant legal binding national law, challenges were there and are still there, particularly after the revolution, due to the unmet needs related to fulfilling the children and parents basics rights, particularly with regard to insufficient resource allocations to child protection agencies, political, economic and security instability, as well as the lack of specialized services for preventing and responding to the key child protection issues.

2.2. A multidimensional cross cutting factors are vehicles creating a vicious circle, as poverty, cultural, social norms, and lack of information and knowledge concerning the basic economic, social and political rights, in addition to discrimination, gender based violence.

this horrible loop exists particularly in rural under privileged areas, where most of the families are marginalized poor, illiterate, with an average 4 to 5 children, and where basic services are lacking, harassment in the streets are prevalent, with remote, unequipped school, lacking quality education, where bullying of children at schools can exist, either sexually, or gender based in nature, aimed at putting pressure on children decreasing their performance and interest in education; the result is increase rate of school dropouts, which is a major factor that subjects and threaten child 's safety, moral, health, or life to risk, *for example*; increase phenomenon of street children being abused in drug trafficking, prostitution, organized begging, and in petty crimes, used as catalysts in protests.

Additionally, the social and cultural norms which supports abusing the girl child in harmful practices like; child marriage which takes several forms either "*selling*" those girls or brides under the umbrella of "*marriage*" to old wealthy un-Egyptian men, a well-known phenomena in some governorates entitled" *summer or transactional marriages*" facilitated by brokers and gangs, which is wrongly translated as "*marriage*" thought it is a cruel form of prostitution, another form of violence against the girl child is through "*early or child marriage*" throughout "*Orfi, or unregistered marriages*" violating the civil code and the child law.

2.3. This dilemma violates the rights of the girl child and subject her to various forms of physical, moral, social and psychological violence, leaving her threatened due to decreased opportunities being illiterate, unskilled, filled to capacity with unwanted pregnancies, new children denying their rights to identity, susceptible to being subjected to sale and trafficking by gangs who sell neonates born out of wedlock, and the cruel ring persists.

2.4. The previously mentioned problems are already reflected in the Surveys which demonstrate that, 36% of the population in Egypt are children, 26.4% of the children are below poverty line, 11.8% are deprived of food, 5% deprived of basic education, 1.5 million are children engaged in labor (CAPMUS Egypt report 2012).

2.5. As mentioned by UNICEF reports the use of corporal punishment in schools may compromise the already very fragile learning process and, in many cases, drive children out of school. In a study on corporal punishment in disadvantaged communities, 81% of children declared, they were beaten at home and 92% were beaten at school. The prevalence of Female Genital Mutilation/Cutting (FGM/C) reaches 91% in the age group 15-49 and 74% for girls aged 15-17 years. This harmful practice is widely supported by communities, particularly in rural areas. The medicalization of FGM is a cause of concern as 72% were performed by medical doctors in 2008.

2.6. The exact number of children living on the streets is unknown. Available studies go from 5,000 to 18,000. However these numbers do not reflect the reality. UNICEF estimates the number to be in the tens of thousands of children.

2.7. Depending on the source and definition used, it is estimated that between 7% to 21% of children between the ages of 6-14 are working (boys more than girls), 81% of working children are located in rural areas . For working children aged 10-14, 53% work in agriculture and 28% work in construction, which are considered hazardous occupations .

3. International Cooperation and best practices

3.1. The “Poverty Alleviation project legal rights for children, women and girls”, was an excellent collaboration between the NCCM and the World Bank funded by the Italian cooperation through its continuous efforts in Egypt to safeguard the basic rights of children through protection and empowerment of families specially women and girls by increasing their available opportunities, and improve their economic and social conditions.

3.2. The project was conducted in 7 governorates, and aimed at raising awareness on child rights and human rights, particularly their rights to identity, it also aimed at building capacities of NGOs, health service providers, and local communities on the procedures required to issue official documents required to guarantee child ‘s identity, furthermore it aimed at facilitating access to birth certificates, IDs, on a parallel track It empowered the project’s beneficiaries economically, educationally, and in terms of enhancing access to health services guiding policy makers.

3.3. The positive impact of the project featured high on both beneficiaries and local community; since it raised awareness on how essential are the birth certificates, and how it improves the lives of the children since it is a key access to their basic rights to education, and health care.

3.4. The role of the Italian Cooperation was to provide technical support, particularly in the area of capacity building and monitoring the impact, while the World Bank partnered in implementation, technical and administrative support, and funding activities.

3.5. This project was implemented in collaboration with the relevant ministries as Ministries of interior, health, education, social affairs, local developments, in collaboration with the NGOs and local community.

3.6. The project components were the policy component which focused on facilitating the procedures required to issue official documents, the operational component was to increase access to economic and social services to combat poverty through acquiring birth registrations, micro credits and loans, health and educational services.

3.7. Cooperation with IOM for rehabilitation and reintegration of children victims of trafficking

Best interest determination in collaboration between NCCM/ IOM & UNICEF

A Long Journey Home

- Mariam was sold when she was 10 to an Egyptian family living in her country, Freeland. Brought to Cairo, she was physically and emotionally abused.
- Mariam escaped after six years and was arrested for her irregular migratory status.
- IOM was called in to provide return assistance. Recognized as an unaccompanied minor (UAM) and Victim of trafficking(VoT), Mariam was released and admitted to the NCCM/IOM shelter. Her employer is being prosecuted in accordance with Law 64/2010.
- In coordination with UNICEF, NCCM and Freeland authorities, IOM helped Mariam to return home, as per her desire as outlined in the NCCM Best interest (BID) determination.
- An IOM travel escort accompanied Mariam to final destination, where she was welcomed by a shelter specialized in assistance to VoTs.
- Mariam can now continue her education. She found her long lost family. IOM will support her reintegration needs with a grant.

Successful Story, Some gaps need to be addressed:

Initial Referral: She was identified as irregular migrant in need of travel assistance home. However, after initial assessment, it was determined that she was a VoT/UAMs. Protection

role of police/immigration—need for proper screening and identification for VOT/UAM status

Legal Guardians: in both host country and country of origin. Who's the legal guardian in Egypt?

Best Interest Determination. the national Child Protection system is of limited capacity, IOM should seek UNICEF guidance. No official, systematic BID mechanism in place as of yet.

Family tracing. Carried out by Freeland Child Police, but family was not assessed until after her return. Can this create a problem?

- Child Appropriate Support. Specialized counseling and age-appropriate activities are needed.
- Coordination between authorities (NCCM/MoI/MoJ). To ensure her right to return. Lengthy exit visa procedures. Psychological effect on the UAM/VoT.
- Reintegration assistance

Crucial point. Ensure follow-up and reinsertion. Who has to follow up with monitoring her welfare, and to what extent?

Within the limits and possibilities of the national context need to address gaps, at a minimum, need for systematic legal guardianship process and BID mechanism.

In the meanwhile: Periodic interagency meetings with the aim of setting standard operational procedures on UAMs in Egypt (guardianship, BID, case management meetings).

4. Way Forward... more has to be done specially now... “International cooperation in implementation of sustainable child protection mechanism”

4.1. Adopting comprehensive protection and time-bound coordinating strategies and frameworks for child care giving and protection, in a participatory approach, with the children themselves, and according to their own views .

4.2 Budgets at national and decentralized levels should be the primary source of funds for child care giving and protection strategies, in addition to international cooperation and assistance from donor institutions, including the EC, World Bank, private sector and United Nations agencies and organizations; and other international and regional bodies and organizations to support, both financially and technically the child protection programmes, including training professional groups those who are working with and for children.

4.3. This financial and technical support should be provided systematically through strong and reasonable partnerships, at the national and international levels.

4.4. Child rights-based protection programmes should be one of the main components in assisting sustainable development in countries receiving international assistance.

4.5. Continue working with the Special Representative of the Secretary-General on Violence against Children, and other international and regional human rights mechanisms to advance this goal.

4.6 International Cooperation for enhancing human resources, particularly improving communication, cooperation and individual exchange experiences, within and between professional groups working with, and for children as; social workers, medical staff , mental health staff, law enforcement officials, teachers, academic/researchers, child rights activists and training organizations/institutions, also improved communication and cooperation within and between civil society groups as, NGOs, child-led organizations, faith-based organizations, organizations of persons with disabilities, community and youth groups, and individual experts involved in the development and exchange of knowledge and practice.

4.7. International cooperation for financial measurement, coordination, monitoring and evaluation of the impact of a holistic child protection approach versus the costs of managing the direct and indirect impact of violence at the individual, community, national and even international levels.

4.8. International cooperation and technical support for developing evidence-based indicators, systems, models, including model legislation, tools, guidelines, protocols and practice standards for use by communities and professionals, with guidance on their adaptation to different perspectives.

4.9. A platform for organized sharing and accessing of information, knowledge and best practices.

4.10. Mechanisms for ensuring child rights protection during up and down cycles of economies, and challenging circumstances as war, revolutions, protests, natural disasters..etc

4.11. Regional and international cross-border cooperation during situations that can put children at risk regionally or cross-border as in what we call “children *on the move*” as : Children who migrate in search of opportunities, children exploited in the context of migration, children who flee dangerous situations, children of migrants/refugees facing with social vulnerabilities and discriminations, unaccompanied /separated /orphan migrant children, children involved in illegal adoption, or missing children.