



Shared Prosperity **Dignified Life**



## Country matrix – Egypt 2024

The country matrix adopts and adheres to the coding standards adopted in the “Gender Justice and the Law” initiative.

# General framework of the State

## **Has the State ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)? Does it have any reservations on the implementation of the provisions of the Convention?**

Egypt ratified the CEDAW Convention in 1981, maintaining reservations to article 2 (public policy measures and amendments to laws); article 16 (equality in marriage and family life); and article 29 (2) (interpretation and application of the Convention and conflict arbitration).

## **Does the Constitution refer to gender equality and non-discrimination?**

The Constitution of the Arab Republic of Egypt includes more than 20 articles dealing with women's rights, including those that guarantee equal opportunities for them, prohibit discrimination against them, protect them from all forms of violence, seek to empower them, and ensure care for women and girls at the different stages of their lives.

## **If customary law is a valid source of law under the Constitution, is it valid if it violates constitutional provisions on gender equality or non-discrimination?**

Customary law is not a valid source of law under the Constitution, as the latter does not include any text, reference or mention of how to deal with customary law. Similarly, the law does not specify the

mandate of informal justice systems and their jurisdiction. However, some local laws address the issue of customary law, as according to article 1 of the Civil Code, if there is no applicable legislative text, the judge shall rule in accordance with customary law, the principles of Islamic law, the principles of natural law and the rules of justice.

## **If personal law is a valid source of law under the Constitution, is it valid if it violates constitutional provisions on equality or non-discrimination?**

The principles of Islamic law are the main source of legislation. Islamic law is valid in the Egyptian legal system, as Islamic law exclusively regulates everything related to personal status, such as all transactions relating to marriage, divorce and inheritance. Similarly, the principles of the canons of Egyptian Christians and Jews are the main source of legislation regulating their personal status and religious affairs, as well as their choice of spiritual leaders.

## **Do national laws clearly define the mandate and jurisdiction of informal justice systems, where they exist, in terms of their enforcement of formal and informal laws, both of which must conform to international standards, including non-discrimination?**

Neither the Constitution nor the national laws define the powers

and authorities of informal justice systems.

## **Is there a law on discrimination that prohibits both direct and indirect discrimination against women?**

Article 53 of the Constitution deals with prohibited forms of discrimination (including discrimination on the basis of sex) and adds an executive mechanism to counter discrimination by establishing an independent commission for this purpose. The State is committed to taking all measures necessary to eliminate all forms of discrimination, including discrimination against women. However, article 53 does not mention indirect discrimination.

## **Is there a national action plan or policy to address violence against women and girls that is overseen by a national mechanism with the mandate to monitor and review implementation?**

In 2015, the Cabinet approved the National Strategy to Combat Violence against Woman. The National Council for Women is the agency responsible for implementing and monitoring the strategy.

## **Are there budgetary commitments provided for by government entities for the implementation of legislation addressing violence against women and girls by creating an obligation on the Government to provide a budget or allocation of**

### **funding for the implementation of relevant programmes or activities?**

There are no budgetary commitments for the implementation of legislation relating to violence against women and girls.

### **Is there a national strategy or action plan currently in place containing measures to ensure full and equal access to the entire range of sexual and reproductive health information, services and supplies, with budgetary, human and administrative resources allocated for its implementation?**

Neither the National Population Strategy nor the National Strategy for Motherhood and Childhood contains a budget for this purpose. Although the Comprehensive Health Law deals with the provision of health care and the allocation of a budget for it, it does not

address sexual and reproductive health.

### **Are there laws that explicitly require the production and/or dissemination of gender statistics?**

Egypt has not adopted any legislation referring to statistics related to gender.

### **Is legal aid mandated in criminal matters?**

Article 64 of Law No. 17 of 1983 (the Advocacy Law) states: "The lawyer should give legal aid to incapacitated citizens and others in the cases provided for in this law, and he/she must fulfil his/her duty on behalf of whomever he/she is assigned to defend with the same care as he/she would if he/she was appointed as attorney". Articles 93 to 97 of the same law detail the legal aid provisions that include filing and attending lawsuits and investigations of the public prosecution, giving legal advice and drafting

contracts. The Bar Association Branch Council delegates a lawyer to attend on behalf of the citizen who is exempted from fees due to being unable to pay.

### **Is legal aid mandated in civil/family matters?**

The Law on Regulating Some Conditions and Procedures of Litigation in Matters of Personal Status No. 1 of 2000 states in article 3: "A lawyer's signature is not required on statements of claim for personal status lawsuits before a summary court. If lawsuits are filed without a lawyer's signature on their statements of claim, the court may, when necessary, appoint a lawyer to defend the claimant. The judgment issued in the case shall determine the fees for the assigned attorney to be borne by the public treasury, without prejudice to the obligation of the Bar Association Branch Council to provide legal aid as set forth in Law No. 17 of 1983 (the Advocacy Law).

## Legal capacity and public life

### **Do women and men have equal rights to apply for passports?**

The judiciary has repealed all restrictions that were imposed on women for obtaining their own passport.

### **Do women and men have equal rights to obtain an identity card?**

There is no discrimination against women when obtaining an identity card.

### **In civil law matters and procedures, are women required to obtain permission from judicial or administrative authorities, spouses and other family members prior to initiating legal action?**

Women have equal rights to file lawsuits in civil affairs, as the law states that the right to file a lawsuit before the courts is for every person who has the capacity and interest in filing it. Women are not required to obtain permission from judicial

or administrative authorities, spouses or other family members before initiating legal proceedings in civil matters. In addition, every person has the right to enter into contracts, agreements and bear civil responsibilities unless otherwise provided by law.

### **In personal/family law matters, are women required to obtain permission from judicial or administrative authorities, spouses and**

### **other family members prior to initiating legal action?**

Women are not required to obtain permission from judicial or administrative authorities or spouses or other family members before initiating legal proceedings in personal/family matters.

### **Does a woman's testimony carry the same evidentiary weight in court as a man's?**

In practice, and in personal status cases, judicial authorities follow the principles of Islamic law, which stipulates that the testimony of a woman is equal to half of a man's. While no specific article addresses this issue, the principles of Islamic law based on the second paragraph of article 1 of the Civil Code are applied.

### **Can a woman enter into a contract the same way as a man?**

The Labour Code does not specify conditions for women entering into contracts.

### **Does the law allow for women to register businesses the same way as men?**

The Commercial Code is neutral and does not address any conditions for women to conduct business. Chapter 2 of the Commercial Code regulates eligibility to practise business.

There is no special legal provision restricting Egyptian women's rights, but there are discriminatory provisions affecting foreign women as follows: "The eligibility of a married woman to practise business is regulated by the law of the country of her nationality".

### **Do women and men have equal rights to own, access, and control or use property?**

The legislator addresses the right to ownership in article 802 et seq. of the Civil Code, which confirms the gender-neutral right to ownership. The owner has the right to use, benefit from and control his/her property in the manner stipulated in the law, which does not impose any restrictions on women's right to ownership in any place. Women have independent financial responsibilities and exercise all of their ownership rights.

### **Do women and men enjoy equal rights and access to hold public and political office (legislature, executive, judiciary)?**

The Constitution stipulates that the State is committed to achieving equal opportunities for all citizens, without discrimination. It also guarantees women the right to occupy public roles and senior

management roles in the State and to be appointed to judicial authorities and bodies, without discrimination.

### **Are there quotas for women (reserved seats) in the national parliament?**

Article 180 of the Constitution guarantees a quarter of the number of seats for women in elected local councils. The House of Representatives consists of at least 450 members, and women are allocated at least a quarter of the total number of seats (25 per cent), according to article 102 of the Constitution amended in 2019.

### **Is there a law that explicitly prohibits violence against women in politics and elections?**

The laws regulating the exercise of political and election rights stipulate that any kind of violence, threat or force is punishable by imprisonment and fines. Law No. 2 of 2021 on the Bylaws of the Senate, in articles 247 and 248, prohibits the use of violence within the Senate or the influencing of freedom of speech, and it imposes penalties for breach of criminal and civil responsibility. However, there is no special law that deals with political violence against women.

## Protection from violence against women and girls in the public and private spheres

### **Is there legislation on domestic violence that includes all forms of physical violence?**

There is no law on domestic violence.

### **Is there legislation on domestic violence that includes all forms of sexual violence?**

There is no law on domestic violence.

**Is there legislation on domestic violence that includes all forms of psychological/emotional violence?**

There is no law on domestic violence.

**Is there legislation on domestic violence that includes financial/economic violence?**

There is no law on domestic violence.

**Are there criminal and civil protection orders available for victims of violence for which a breach (constitutes a criminal offence) has legal consequences?**

There are no legal provisions for protection orders for victims of violence. However, the Government of Egypt has taken a number of measures to protect women from violence, including establishing complaints offices and operating shelters.

**Does the law allow mitigating circumstances for femicide?**

Yes. The Penal Code stipulates that whoever catches his wife committing adultery and kills her and the one committing adultery with her on the spot benefits from a reduced sentence compared with the penalty imposed for other types of murder.

**Does the law criminalize female genital mutilation (FGM) or cutting if practised?**

In 2021, Egypt amended the Penal Code adding Article 242

bis, which explicitly criminalizes female circumcision that is conducted without medical justification and punishes it "with imprisonment for a period of not less than five years and not exceeding seven years".

**Does the law criminalize adultery?**

The law criminalizes adultery, but it discriminates between men and women regarding penalties and the place where the crime occurred. The married woman whose adultery has been proven, whether in the marital home or outside it, is sentenced to imprisonment for a period not exceeding two years. As for every husband who commits adultery – in the marital home exclusively – he is punished by imprisonment for a period of not more than six months.

**Does the law criminalize marital rape?**

The Penal Code does not provide for marital rape (the husband having sexual intercourse with his wife without her consent).

**Does the law include exoneration if the offender marries his victim?**

Article 291 of the Penal Code of 1999 was repealed. It used to stipulate that there was no penalty for the rapist who marries the victim.

**Do laws that criminalize rape act based on absence of consent without requiring proof of the use of physical force or penetration?**

The law defines the crime of rape as an offence based on absence of consent that requires proof of physical coercion

(committing an act of force on the woman's body) or penetration.

**Is sexual harassment defined in any legislation?**

The Penal Code was amended to criminalize sexual harassment, and the concept of sexual harassment was defined for the first time in 2014 in an amendment to the Penal Code. Sexual, verbal, physical, and phone and online harassment is punishable by the law.

**Is there a provision in the law that criminalizes cyberviolence against women and girls?**

Articles 306 (a) and 306 (b) of the Penal Code were amended in Law No. 141 of 2021 to increase the punishment and broaden the concept of sexual harassment following an amendment made in 2014. The law now punishes sexual, verbal, physical, and phone and online behavioural harassment. In addition, the Penal Code, article 360 (a) and (b), punishes sexual harassment, whether by phone or the Internet. In addition, Law No. 175 of 2018 on Combating Information Technology Crimes was issued as the first Egyptian legislation dealing with crimes that occur over the Internet. The law deals with all electronic crimes and punishes crimes affecting the sanctity of private life.

**Are sex work and prostitution criminalized?**

Sex work is a crime under the Anti-Prostitution Law, which punishes the habitual practice of debauchery or prostitution with up to three years' imprisonment.

**Are there comprehensive provisions (punitive, protective and preventive) on human trafficking in any law?**

In 2007, the National Coordinating Committee for Combating and Preventing Illegal Migration and Trafficking,

affiliated with the Council of Ministers, adopted Law No. 64 of 2010 on Combating Human Trafficking. The law imposes prison sentences that range between 3 years and 15 years, in addition to a fine. The law also stipulates protection for victims and their rehabilitation and integration into society. Also, a

comprehensive national strategy has been developed to combat the crime of human trafficking. The Egyptian Constitution of 2014 prohibits sex trafficking, forced labour and child sexual exploitation; the Child Law prohibits sex trafficking and forced labour of children.

## Work and economic benefits

**Does the law mandate non-discrimination on the basis of gender in employment?**

In accordance with article 11 of the Constitution, the State guarantees the achieving of equality between women and men in all civil, political, economic, social and cultural rights, pursuant to the provisions of the Constitution. The Labour Code deals with the issue of discrimination in the chapter on incentives only and does not contain any special text on the prohibition of discrimination on the basis of sex.

**Does the law mandate equal pay for the same work as men?**

The Labour Code prohibits discrimination on grounds of sex in the payment of wages.

**Does the law mandate equal remuneration for work of equal value?**

Discrimination in pay is prohibited as a general rule. However, the law does not address the issue of equal pay for work of equal value.

**Does the law allow women to do the same jobs as men?**

In accordance with Resolution No. 43 of 2021, the Ministry of Manpower amended the exceptions to the article on not "allowing the employing of women in underground work in mines and quarries of any kind, and all businesses relating to the extraction of minerals and stones from underground", as the Ministry of Manpower linked this restriction to a number of conditions, including prohibiting the employment of women during pregnancy and the legally prescribed breastfeeding period (article 3), except in administrative and supervisory work (article 4) and there being all civil safety and health requirements (article 5). It is now permissible for the administrative authority to close the facility fully or partially if it fails in its obligation to take the required precautions and stipulations, and not all the exceptions were cancelled.

**Does the law allow women to work the same night hours as men?**

Resolution No. 44 of 2021 of the Ministry of Manpower regarding regulating the employment of

women at night contributed to the easing of restrictions on employing women at night. It permitted women, at their request, to work during night periods, provided the necessary measures are taken to protect their health and help them to perform their family responsibilities (article 1). The Resolution clarified a number of obligations on the employer, including the provision of alternative daytime work (article 2), the provision of means of transportation for workers during night periods, the provision of safe transportation for working women (article 6), and the impermissibility of employing women at night during the last trimester before birth (article 7). Article 8 requires the employer to obtain written consent to employ women at night in cases where it is permissible.

**Do national labour and civil service-related laws (labour codes, civil retirement acts, etc.) discriminate between men and women in terms of retirement age?**

According to articles 40 and 41 of the Social Insurance and



Pensions Law, women and men have the same retirement age.

**Do national labour and civil service-related laws grant men and women equal rights to pass on their pensions to their spouses?**

National legislation on labour and the civil service stipulates gender equality in the right to transfer pensions to the husband/wife.

**Does the law prohibit dismissal during pregnancy and maternity leave?**

The Labour Code prohibits employers from dismissing women due to pregnancy.

**Does the law provide for maternity leave that meets the International Labour Organization (ILO) standard of 14 weeks?**

A working woman is entitled to receive paid maternity leave for 90 days in the private sector and 120 days in the public sector. Maternity leave is not granted more than twice during the worker's period of service.

**Does the law provide for paid paternity leave available to fathers or partners?**

Articles 91 to 94 of the Labour Code regulate maternity leave but do not address paternity leave.

**Is childcare publicly provided or subsidized?**

According to article 96 of the Labour Code, an employer who employs 100 or more female workers must establish a nursery, but the Public Service Law does not address this issue.

**Does legislation tackle sexual harassment in the workplace?**

The Labour Code does not address sexual harassment, but in 2021, some amendments were made to the articles on sexual harassment in the Penal Code in terms of increasing the penalty to imprisonment for seven years if it was committed by anyone with occupational authority, which includes cases of harassment by superiors or colleagues at work, even if the harassment takes place outside the workplace.

**Are there provisions allowing for civil**

**claims/remedies for sexual harassment in the workplace?**

The law does not expressly provide for civil remedies in cases of sexual assault and harassment at work. But, by taking criminal proceedings, a civil action can be filed seeking compensation.

**Does the Labour Code provide protection for domestic workers?**

The Labour Code excludes female domestic workers from its provisions.

**Is there a public entity that can receive complaints on gender discrimination in employment?**

In 2019, the Ministry of Manpower established the first unit for equality, which was opened to all directorates. The unit aims to support and achieve gender equality, enhance women's opportunities and implement the conventions on the elimination of discrimination against them. The unit has outlets ready to receive the complaints of women and to educate women on the relevant articles of the law.

## Family matters (personal status)

**Is 18 the minimum age at marriage, with no legal exceptions, for both women and men?**

Child Law No. 126 of 2008 defines the minimum age of marriage to be 18 years old. Article 31 *bis* of the Civil Status Code of 2008 states that a marriage contract

may not be certified for those of either sex who have not reached 18 years of age. A disciplinary penalty shall be imposed on anyone who certifies a marriage contrary to the article. There is no explicit provision in the Personal Status Code that defines the age of marriage to be 18.

**Is marriage under the legal age void or voidable?**

The provisions for annulment of a marriage do not include the legal age. Although contracts made outside the official scope are not considered before the judiciary because they violate the provisions governing them,

in the event of proof of registration of the marriage contract under the age of 18, this is considered a crime of forgery punishable by law. Thus, the contract that is marked by this description could lead to it being voided.

#### **Do women and men have equal rights to enter marriage (i.e. consent) and initiate divorce?**

Women do not have equal rights in marriage and divorce. Only the man has the right to dissolve the marriage without going to court. Limited types of divorce are available to women that are only possible to obtain through the court.

#### **Does the law prohibit polygamy?**

Polygamy is permitted under the Personal Status Code for Muslims.

#### **Do women and men have equal rights to be legal guardian of their children during and after marriage?**

The father is the guardian of the children even if the mother has custody, except for decisions on education, which are the responsibility of the custodial guardian.

#### **Does the law grant women and men equal custody rights of their children?**

After divorce, the woman retains guardianship over the children until they reach the age of 15, which can be extended until the children reach the age of 21 or until they complete the educational stages (or get married in the case of girls). After the children reach the age

of 15, they can choose to live with the mother or the father.

#### **Do women and men have equal rights to choose where to live?**

Financial support for the wife from the husband is obligatory. The support includes food, clothing, housing, medical expenses and the other categories stipulated in Islamic law. In addition, in accordance with article 11 *bis* of Law No. 100 of 1985 on Amending Some Provisions of the Personal Status Laws, if the wife refuses to obey the husband without the right to, the support for the wife stops from the date of refusal. She would be considered to be refusing without the right to if she does not return to the marital home after the husband requested her to return by a notice handed to her by a process server in person or to her delegate, and he must indicate the residence in this notice.

#### **Do women and men have equal rights to choose a profession?**

There are no legal restrictions imposed on women regarding the choice of profession.

#### **Do women and men have equal rights to own, access and control or use marital property including upon divorce?**

The law does not address the question of ownership. It is true that the husband and the wife have independent financial responsibility, but according to Egyptian law, women do not have a share in the marital home, and they do not have the legal right to it. So, the marital home is the exclusive property of the husband.

#### **Where rights to inheritance are enshrined by law, do women and men have equal rights?**

The amendment to the Inheritance Law (Law No. 219 of 2017) imposing stricter penalties on whoever deliberately refrains from giving an heir his/her legitimate share of an inheritance, or whoever withholds a document confirming a share for an heir, has had a great impact on women. And under Inheritance Law No. 77 of 1943, all citizens follow the inheritance law among the Muslims, which provides for women's right to inheritance. But in many cases, the daughter receives half the amount the son receives based on article 3 of the Constitution. Non-Muslims can request from the court enforcement of inheritance laws associated with their religion. Many courts have granted equal rights of inheritance for Christian men and women. However, these cases are considered individually.

#### **Are there specialized civil courts or civil court processes for family law matters that provide for the equal rights of men and women?**

Law No. 10 of 2004 established family courts in order to alleviate the burden of the family in general and women in particular by allocating one court for all cases in this regard. Family courts are adopting independent structures, including family settlement offices which mediate between spouses as a first solution before resorting to litigation before the court.



**Do women have equal rights as men to pass their nationality to children?**

In 2023, some provisions of the Nationality Law were amended with the aim of achieving equality between women and men in this field. It gave the right to everyone born in Egypt to an Egyptian father or mother to apply for Egyptian citizenship after establishing his normal residence in Egypt. This right was limited to the father only, before the law was amended.

It also granted this right to every foreigner born in Egypt to a mother or father of foreign origin, if either of them was born in Egypt and belongs to a country whose language is Arabic or whose religion is Islam, if he requests naturalization within one year from the date of reaching the age of majority. In addition, the amended law granted the minor children of a foreign woman who has acquired Egyptian nationality the same right as a man's children to acquire Egyptian nationality when the required conditions are met.

**Do women have equal rights as men to pass their nationality to a foreign spouse?**

While article 7 of the Nationality Law (Law No. 154 of 2004) clarifies the conditions to be met for a foreign woman married to an Egyptian man to acquire Egyptian nationality, the Nationality Law and its amendments do not stipulate the right of a foreign man married to an Egyptian woman to obtain Egyptian nationality.

## Sexual and reproductive health and rights

**Do law(s) or regulation(s) exist that guarantee access to maternal health care for all women and girls, irrespective of marital status and without third-party authorization?**

The Egyptian Constitution of 2019 confirms in article 18 the universal right to health care, but it does not devote any article to sexual and reproductive health. Both the National Population Strategy 2015–2030 and the National Strategy for Motherhood and Childhood 2017–2020 reference frameworks on reproductive health.

There is no law dealing with this issue; however, a policy for the use of contraceptive services has been established with a restriction related to marital status.

**Do law(s) or regulation(s) exist that guarantee access to emergency contraception for all women and adolescent girls, irrespective of marital status and without third-party authorization?**

There is no law dealing with this issue; however, a policy has been established for the use of contraceptive services in emergency cases.

**as well as health-care providers performing it (when consent is fully given)?**

Abortion is prohibited according to articles 260–263 of the Penal Code, except to save the woman's life. Under the general principles of the Criminal Procedure Code, abortion is permissible to save the life of a pregnant woman if necessary.

**Irrespective of the legal status of abortion, do law(s) or regulation(s) exist that ensure access to post-abortion care for all women and girls, independent of their marital status and without third-party authorization?**

There is no law or strategy in this regard. Guidelines for physicians refer to post-abortion care, while stipulating that abortion is illegal. This document relates only to the

**Do law(s) or regulation(s) exist that guarantee access to contraceptive services for all women and adolescent girls, irrespective of marital status and without third-party authorization?**

**Is induced abortion legal at least when the life or health of the pregnant woman is at risk and in cases of rape, incest or severe fetal impairment, and is abortion decriminalized in any case for both the pregnant woman**

medical management of post-abortion care.

**Do law(s), regulation(s) or national policies exist that make comprehensive sexual health education a mandatory component of the national school curriculum?**

Egypt has developed a reproductive health strategy that it seeks to incorporate into the educational curricula.

**Do law(s) or regulation(s) exist that guarantee access to voluntary HIV testing and counselling services for all women and girls, irrespective of marital status and without third-party authorization?**

In 2015, Egypt adopted the World Health Organization guidelines on HIV testing. The country does not follow a national policy on self-testing for HIV; however, the National Programme to Combat AIDS provides treatment with antibiotics free of charge for all infected people, in accordance with the National Care and Treatment Guide.

**Does the law criminalize consensual same-sex sexual conduct?**

The Penal Code does not criminalize sexual relations between two persons of the same sex.