



Convention on the Rights of the Child

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Committee on the Rights of the Child

Fifty-seventh session

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Consideration of reports submitted by States parties under article 44 of the Convention

Concluding observations: Egypt

1. The Committee considered the consolidated third and fourth periodic reports of Egypt (CRC/C/EGY/3-4) at its 1622nd and 1623rd meetings (see CRC/C/SR.1622 and CRC/C/SR.1623) held on 6 June 2011, and adopted, at its 1639th meeting, held on 17 June 2011 (see CRC/C/SR.1639), the following concluding observations.

I. Introduction

2. The Committee welcomes the submission of the State party's consolidated third and fourth periodic reports (CRC/C/EGY/3-4), submitted in accordance with the reporting guidelines of the Committee, as well as the written replies to its list of issues (CRC/C/EGY/Q/3-4/Add.1). The Committee appreciates the analytical and self-critical nature of the report and the efforts of the State party to present its report as scheduled despite the current political transition. The Committee further appreciates the constructive dialogue held with the State party.

3. The Committee reminds the State party that these concluding observations should be read in conjunction with its concluding observations adopted on the State party's initial reports under the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSC/EGY/CO/1) and under the Optional Protocol on the involvement of children in armed conflict (CRC/C/OPAC/EGY/CO/1).

II. Follow-up measures undertaken and progress achieved by the State party

4. The Committee welcomes the significant efforts of the State party with respect to the implementation of the Convention during the period under review. In particular, the Committee notes as positive the adoption of Child Law No. 12/1996 Amended by Law No. 126/2008 in 2008 (hereinafter "Child Law (2008)").

5. The Committee also welcomes the ratification of or accession to:

- (a) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in 2007;
 - (b) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, in 2002;
 - (c) The Convention on the Rights of Persons with Disabilities, in 2008;
 - (d) The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, in 2004;
 - (e) The ILO Convention No. 182 (1999) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, in 2002;
 - (f) The African Charter on the Rights and Welfare of the Child, in 2001.
6. The Committee also welcomes the following institutional and policy measures:
- (a) The creation of the Ministry of State for Family and Population, in 2009, while regretting its dissolution in 2011;
 - (b) The establishment of the Egyptian National Child Rights Observatory (ENCRO) within the National Council for Childhood and Motherhood, in 2009;
 - (c) The establishment of Child Protection Committees at governorate and district levels;
 - (d) The establishment of a National Committee to Combat Violence against Children;
 - (e) The Second Decade for the Protection and Welfare of the Egyptian Child (2000-2010);
 - (f) The Strategic Plan to Improve the Quality of Education (2007/8-2011/12);
 - (g) The Children at Risk Programme (2006-2008);
 - (h) The adoption of various national plans, programmes and strategies for children, including the Girls' Education Initiative (2002), the National Strategy for the Protection, Rehabilitation and Reintegration of Street Children (2003), the National Strategy for the Protection of Adolescents against Drugs (2005), the National Strategy for the Elimination of Child Labour and its action plan (2006), and national plan to combat violence against children (2007-2012);
 - (i) The National Illiteracy Eradication Project, initiated in 2003.

7. The Committee notes as positive the invitation, for the first time, extended by the State party to United Nations special procedures in 2009 and 2010. The Committee welcomes the statement by the delegation that the State party intends to further strengthen cooperation with United Nations human rights mechanisms, including special procedures. In this vein, the Committee recommends that the State party issue a standing invitation to all special procedures mandate holders, as also positively considered by Egypt during its consideration under the universal periodic review (A/HRC/14/17/Add.1, para. 21). The Committee further welcomes the invitation to the Office of the High Commissioner for Human Rights (OHCHR) to undertake a mission from 27 March to 4 April 2011 and notes with appreciation the willingness of the State party to host the OHCHR Regional Office for North Africa.

III. Factors and difficulties impeding the implementation of the Convention

8. The Committee notes the socio-political challenges facing the State party in the aftermath of the 25 January 2011 Revolution and the current interim rule by the Supreme Council of the Armed Forces under which, pending parliamentary and presidential elections, the Parliament has been dissolved and a temporary Constitutional Declaration has replaced the suspended Constitution. In this context, the Committee reminds the State party of the continuous nature of international human rights obligations and that the rights under the Convention apply to all children at all times. It calls upon the State party to seize this critical transitional period towards democratic governance, solicited by the youth, as an opportunity to strengthen its legal and institutional system for the protection and promotion of human rights, including the rights of the child, as indicated by the delegation during the dialogue. In this spirit, the State party is strongly encouraged to preserve and build upon achievements made in recent years, including the Child Law (2008) and other domestic legislation relating to children, with a view to further improving the situation of children in the country.

IV. Main areas of concern and recommendations

A. General measures of implementation (arts. 4, 42 and 44, para. 6 of the Convention)

The Committee's previous recommendations

9. The Committee notes as positive the efforts by the State party to implement the Committee's concluding observations on the State party's previous report (CRC/C/15/Add.145, 2001) which have yielded positive results. However, it regrets that many of its concerns and recommendations have been insufficiently or only partly addressed.

10. **The Committee urges the State party to take all necessary measures to address those recommendations it made in its concluding observations on the second periodic report under the Convention which have not been implemented or sufficiently implemented, including those related to coordination, data collection, allocation of resources, independent monitoring as well as those concerning adolescent health, the best interest of the child in all matters affecting children, children with disabilities, economic exploitation, sexual exploitation and abuse of children. The Committee further urges the State party to provide adequate follow-up to the recommendations contained in the present concluding observations.**

Legislation

11. The Committee welcomes the comprehensive review of the Child Law No. 12/1996 amended through Act No. 126 (2008) which requires the State party to guarantee, as a minimum, the rights under the Convention and other relevant treaties, and stipulates harsher penal sanctions when crimes are committed against a child. However, the Committee remains concerned that some provisions of domestic law, including family law, are still not in full conformity with the provisions of the Convention, mainly due to restrictive interpretation of some domestic laws, and that the reservations to articles 2 (Sharia) and 16 (equality between men and women in family matters) of the Convention on the Elimination of All Forms Discrimination against Women may hamper the implementation of the Convention on the Rights of the Child in the State party. Furthermore, the Committee also

notes with concern the limited use of the Convention in national courts, despite article 151 of the Constitution pursuant to which the Convention has the force of domestic law.

12. The Committee strongly recommends that the State party:

(a) Continue to review domestic legislation to ensure its full compliance with the Convention, including by considering withdrawing its reservations to articles 2 and 16 of the Convention on the Elimination of All Forms of Discrimination against Women;

(b) Ensure that the Convention is invoked directly before and applied by domestic courts.

National Plan of Action

13. The Committee welcomes the information provided by the State party during the dialogue about the ongoing elaboration by the National Council for Childhood and Motherhood (NCCM), in partnership with UNICEF, of a comprehensive ten-year National Plan of Action for Children and which will give priority to pertinent child protection issues, including child labour, poverty alleviation and children in street situations. The Committee strongly recommends that the State party pursue ongoing work, in close consultation with civil society and children themselves, and adopt the National Plan of Action without undue delay. It recommends that the State party in formulating such a plan pay appropriate attention to the outcome document of the 2002 Special Session of the General Assembly of the United Nations “A World Fit for Children” and its mid-term review in 2007.

Coordination

14. The Committee notes efforts by the State party to implement its previous recommendation on improved inter-sectoral coordination at and between national and local levels of government (CRC/C/15/Add.145, para. 12). While further noting the commendable work of the NCCM as the Government entity responsible for coordinating, monitoring and evaluating activities on children’s rights, the Committee is nevertheless concerned at the lack of systematic and institutionalized coordination of the implementation of the Convention among line ministries and between central, provincial and local levels, as acknowledged by the State party. It also expresses concern at the limited capacity and leverage of the NCCM to effectively enforce coordination. In particular, the Committee is concerned that effective coordination and implementation of children’s rights may be undermined in light of the change in institutional affiliation of the NCCM from the dissolved Ministry of State for Family and Population to the Minister of Health.

15. While noting as positive the creation, under the Child Law (2008), of Child Protection Committees at governorate and district levels respectively, the Committee is concerned at the delay of their establishment due to the lack of resources and at the absence of a mechanism to ensure regular coordination and information sharing among them.

16. The Committee reiterates its previous recommendation and urges the State party to:

(a) Put in place an effective coordination system on child policies and programmes, including by ensuring that the NCCM receive sufficient human, technical and financial resources, that it enjoys autonomy and holds a high position with leveraging power in relation to all ministries and other governmental entities at central, provincial and local levels;

(b) Increase human, technical and financial resources to the Child Protection Committees and ensure that all Governors and other members of the Child

Protection Committees are well informed of their responsibilities with regard to the protection of children's rights;

(c) Put in place a system for the effective coordination and information-sharing between Child Protection Committees at governorate and district levels.

Independent monitoring

17. The Committee welcomes the establishment of the National Council for Human Rights in 2003 (Act No. 94) as the State party's national human rights institution in accordance with the Paris Principles, in line with its previous recommendation (CRC/C/15/Add.145, para. 18). Nevertheless, the Committee regrets that the State party lacks an independent mechanism specifically devoted to children's rights, including the absence in the National Council for Human Rights of a unit specifically devoted to monitor and promote children's rights. It notes, in this regard, that Child Protection Committees are mandated to receive and consider complaints on violations of child rights but recalls that these are not independent from the Government.

18. The Committee reiterates its recommendation that the State party establish an independent monitoring mechanism devoted to the protection and promotion of the rights of the child, vested with the competence to receive and follow-up on complaints of child rights violations. In this respect, the Committee recommends that the State party explore the most appropriate institutional arrangement of such a mechanism, including by considering the possibility of establishing a specific unit on children's rights within the National Council for Human Rights. It recommends that the State party ensure that the mechanism is readily accessible to children and provided with sufficient human, technical and financial resources to ensure its independence and efficacy, in accordance with its general comment No. 2 (2002) on the role of independent human rights institutions in the promotion and protection of the rights of the child .

Allocation of resources

19. The Committee notes as positive the unprecedented rights-based tracking of public budgeting for children in 2006, and that its resource allocation system provides for the monitoring and evaluation of governmental programmes for children. It notes the creation in the National Council for Childhood and Motherhood of a fund for "children at risk". Notwithstanding these initiatives, the Committee is deeply concerned that budgetary allocation directed to children has decreased in relative terms in recent years and that Government spending decreased from 22,9 in 2003/04 to 17,6 in 2006/07 per cent of the overall spending. It further regrets the limited capacity of individual ministries to evaluate the effectiveness of activities for the realization of children's rights.

20. In light of articles 2, 3 and 6 of the Convention and with a view to further strengthening the provision of and effective monitoring of budgetary allocations for children, the Committee recommends that the State party:

(a) Ensure a child-rights perspective in all budgets affecting children to guarantee equal access for all children to services and assistance necessary for their development;

(b) Strengthen the analysis of and increase budgetary allocation for children and put in place the planned child rights analysis of sectoral budgets for health, education and child protection as developed in the Memorandum of Understanding in collaboration with the Ministry of Finance.

Data collection

21. The Committee welcomes efforts of the State party to strengthen its data collection system on child rights, notably the creation of a central database at the National Child Rights Observatory of the National Council of Childhood and Motherhood. It further notes as positive that the collection of data from all line ministries through the coordination committee for data collection has started, and the ongoing efforts of the NCCM to develop child rights indicators as well as a child rights index intended to monitor the situation of children in the State party. Nevertheless, the Committee is concerned that its previous recommendation for systematic data collection on children (CRC/C/15/Add.145, para. 16) is yet to be implemented. The Committee is deeply concerned that the absence of a comprehensive data collection system contributes to the State party's lack of data on children deprived of their liberty, children subjected to torture and ill-treatment, children with disabilities, and children in street situations.

22. **The Committee reiterates its recommendation that the State party provide adequate human, technical and financial resources to the Child Rights Observatory in order to ensure systematic collection and analysis of data – disaggregated by age, sex, geographical location and socio-economic background – on the implementation of children's rights. It also calls upon the State party to intensify efforts to ensure the proper functioning of the central database of the Observatory, in close coordination with the National Centre for Statistics and with meaningful participation and cooperation with civil society active in the field of children's rights, and to make the database readily available and accessible to the public as soon as possible. It recommends that the State party continue seeking technical assistance from UNICEF in this regard.**

Dissemination and awareness-raising

23. The Committee notes as positive the numerous awareness-raising activities and institutional initiatives to enhance understanding of children's rights, the Convention and the Child Law (2008). Nevertheless, the Committee is concerned that such efforts have not been systematic, do not adequately take into account the high level of illiteracy and remain limited in outreach.

24. **The Committee recommends that the State party continue and strengthen dissemination and awareness-raising activities on the Convention, the Child Law (2008) and children's rights in general. Specifically, it recommends that the State party increase media engagement in raising awareness of the Convention and the Child Law (2008) in a child-friendly manner, in particular through greater use of the press, radio, television and other media and the active involvement of children themselves in public outreach activities.**

Training

25. The Committee welcomes that training on the Child Law (2008) is mandatory for all new incoming prosecutors and notes as positive the training on the Law for judges of the Child Courts, representatives of the media, and for court and school social workers, and for lawyers. The Committee remains concerned, however, that such training remains limited, and regrets that targeted training on children's rights and the Convention has not as of yet been introduced for all personnel working for and with children in the relevant sectors.

26. **The Committee recommends that all professional groups working for and with children be adequately and systematically trained on children's rights, in particular teachers, social workers, lawyers, police, staff of the Office of the Prosecutor-General, members of the Child Courts and Specialized Child Prosecution Offices, members of Child Protection Committees and personnel working in all forms of alternative care of**

children. It further recommends that the State party strengthen training for journalists in broadcasting and television on the Convention and the Child Law (2008), including by allocating adequate resources to the Ministry of Information and by enhancing the technical expertise and capacity of staff of the Childhood Committee of the Egyptian Radio and Television.

Cooperation with civil society

27. The Committee notes the high number of civil society organizations involved in promoting understanding of the Convention and the Child Law (2008) and the active cooperation by the National Council for Childhood and Motherhood with such organizations, notably in the areas of education and health. It also welcomes the provision in the Child Law (2008) calling for the inclusion of representatives from non-governmental organizations (NGOs) in all Child Protection Committees at governorate and district levels. The Committee is nevertheless concerned at the State party's reliance on civil society organizations in the provision of social services for children, notably in the fields of family support, care of children deprived of their family environment, children with disabilities, and children who are victims of violence and abuse, which may reduce the responsibility of the State party as the primary duty-bearer for the realization of the rights guaranteed under the Convention. Furthermore, the Committee is concerned at the absence of a monitoring and evaluation system of social services provided by private entities.

28. **While acknowledging the important role played by non-governmental actors in the provision of services for children, the Committee recommends that the State party undertake a comprehensive review of their involvement in the provision of core social services for children as well as their participation in policy formulation and programme development for children. The Committee, recalling paragraph 44 of its general comment No. 5 (2003) on general measures of implementation, reminds the State party of its obligation to ensure that non-State service providers operate in accordance with the Convention. The State party is encouraged to establish a system of continuous monitoring and evaluation of social services provided by private entities for children, including by elaborating appropriate standards.**

29. The Committee recalls its concern about the State party's legal restrictions on freedom of association and regrets that the State party has not yet revised Law No. 84 (2002) regulating the freedom of association and the ability of NGOs to register and operate freely as recommended by the Committee and other treaty bodies (CRC/C/15/Add.145, para. 14; A/56/18, para. 290; CMW/C/EGY/CO/1, para. 9).

30. **The Committee urges the State party to repeal Law No. 84 (2002), as part of the State party's announced reforms to strengthen human rights protection, and to implement in practice the constitutional right to freedom of association.**

Child rights and the business sector

31. The Committee notes with interest the statement by the delegation that the State party intends to examine how to regulate the impact on human rights of activities of the business sector, as attested by the invitation extended to the United Nations Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises to visit the country. The Committee encourages the State party to take advantage of the visit of the Special Representative to examine, in the light of his final report to the Human Rights Council on Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework (A/HRC/17/3) and other guidelines and good practices. On the basis of this examination, the Committee encourages the State party to adopt policies and programmes in order to protect,

regulate and respect human rights, especially children's rights, in relation to activities of the business sector.

B. Definition of the child (art. 1 of the Convention)

32. The Committee welcomes the definition of a child as a person under the age of 18 in article 2 of the Child Law (2008) and that marriage of persons under the age of 18 cannot be registered pursuant to new article 31 bis of the Civil Status Act No. 143 (1994). The Committee is nevertheless concerned that domestic law still falls short of an explicit prohibition and criminalization of marriages of persons below eighteen years of age.

33. **The Committee reiterates its earlier recommendation and urges the State party to explicitly prohibit and criminalize marriage of persons below the age of 18 in domestic legislation.**

C. General principles (arts. 2, 3, 6 and 12 of the Convention)

Non-discrimination

34. While the Committee recognizes efforts undertaken by the State party to ensure equal enjoyment of rights for all children in the State party, the Committee shares the State party's concern at continued discrimination against the girl child and children living in poverty and regrets reports of discrimination against children of migrant workers and refugee children, especially in relation to the right to education.

35. **In light of article 2 of the Convention, the Committee urges the State party to ensure that all children in the State party enjoy equal rights under the Convention without discrimination on any ground, and to this end:**

(a) **Continue the Girls' Education Initiative and intensify awareness-raising programmes, including campaigns, on the right of all children to education and on the correlation between girls' education, the eradication of poverty and the achievement of the Millennium Development Goals;**

(b) **Ensure that all children, irrespective of nationality, gender or socio-economic background, have access to primary education without discrimination, in accordance with article 54 of the Child Law (2008);**

(c) **Repeal all discriminatory legislation against women, including the Penal Code and the Personal Status Law, with a view to eradicating negative perceptions and stereotypes on the role of girls and women in society.**

Best interests of the child

36. The Committee welcomes the fact that the principle of the best interests of the child has been incorporated into article 3 of the Child Law (2008) according to which the principle will assume paramount priority in all decisions and measures taken or implemented concerning children. It is concerned, however, that the principle of the best interests of the child is not well understood and known among State authorities and civil servants and remains insufficiently integrated in policies, programmes and decision-making processes. The Committee reiterates its concern (CRC/C/15/Add.145, para. 33) that when, in matters relating to custody of the child, the starting point for consideration is age, there is a risk that each child is not treated individually. Further, the Committee is concerned that the principle is rarely considered with respect to decisions concerning children in street situations, children deprived of a family environment and children in conflict with the law.

37. **The Committee calls upon the State party to strengthen its efforts to ensure that the principle of the best interests of the child is appropriately integrated and consistently applied in all legislative, administrative and judicial proceedings as well as in all policies, programmes and projects relevant to and with an impact on children. The legal reasoning of all judicial and administrative judgments and decisions should also be based on this principle. To this end, it recommends that the National Council for Childhood and Motherhood of the State party initiate awareness-raising programmes, including campaigns, on the principle of the best interests of the child, targeting in particular all line ministries, members of the judiciary and the Child Protection Committees.**

Right to life, survival and development

38. The Committee welcomes article 111 of the Child Law (2008) which prohibits the sentencing of children to death, life imprisonment and forced labour. While noting information provided by the State party delegation during the dialogue, the Committee nevertheless remains concerned at reports that a person was sentenced to death for an offence committed while he was under 18. The Committee is also very concerned at the reports of excessive use of force by security forces against peaceful demonstrators during and after the 2011 January Revolution, resulting in the death of twelve children according to the Ministry of Health and in serious injury of many persons under the age of 18. It notes with deep concern information that children were in close proximity of and affected by tear gas, rubber bullets and live bullets during the demonstrations and that injured children were refused access to health care due to the lack of identification.

39. **The Committee urges the State party not to carry out the death penalty on children or on persons who were under the age of 18 at the time of the commission of the crime, in compliance with its obligations under international and domestic law. The Committee urges the State party to further investigate the case referred to above and take appropriate action in the best interests of children. Recalling the findings and recommendations of the April 2011 report of the State-appointed fact-finding committee on the use of force by security forces during the mass demonstrations in January 2011, it further urges the State party to conduct thorough, prompt and impartial investigations into all cases of deaths of children during and after the 25 January 2011 Revolution with a view to bringing to justice those responsible. In light of article 39 of the Convention, the Committee further calls upon the State party to provide compensation to all children who suffered injuries during the January 2011 Revolution and ensure their full physical and psychological recovery and social reintegration.**

Respect for the views of the child

40. The Committee welcomes that the Child Law (2008) protects, inter alia, the right of the child to form and express his/her views and to be heard in all matters affecting him or her and that the Family Courts Act provides for the right of the child to be heard in legal and administrative proceedings. While further noting initiatives aimed at strengthening children's participation and adolescents' decision-making skills, such as the Youth Network and child/youth advisory boards, the Committee remains seriously concerned at the limited practical application of children's right to be heard and that it is not systematically integrated in the development of public policies and programmes or in judicial and administrative proceedings. It is particularly concerned about reports that educational institutions and youth centres remain weak in terms of encouraging child participation and about a perception in society of children as recipients of benefits rather than as rights-holders, including the right to freely express themselves.

41. The Committee urges the State party to take all necessary measures of ensuring effective implementation of article 3 of the Child Law (2008) and in particular to:

(a) Develop a systematic approach to ensure that the views of children are heard and taken into account in the development and implementation of public policies and programmes affecting them;

(b) Put in place specific guidelines which explain in a child-friendly manner the right of the child to be heard in administrative and judicial proceedings, in particular regarding custody and children without a family environment;

(c) Ensure that schools and other educational institutions are sufficiently resourced to equip children with the skills and opportunities to express themselves freely, including by encouraging and ensuring the right of pupils to form student unions and pupils' councils, and to participate in school decision-making processes.

D. Civil rights and freedoms (arts. 7, 8, 13-17, 19 and 37 (a) of the Convention)

Birth registration

42. The Committee welcomes that the Child Law (2008) gives both parents the right to register the birth of a child or to ask for a birth certificate and that the universal right to birth registration also includes children born out of wedlock. It further notes with appreciation information provided by the delegation that line ministries have committed to ensure birth registration to all children with a view to closing the remaining gap of children in the State party still lacking birth certificates (1-4 per cent). Nevertheless, the Committee is deeply concerned that the rates of birth registration are not yet uniform throughout the State party, with remaining gaps in Upper Egypt, and that children born in the State party of migrant workers (CMW/C/EGY/CO/1, para. 34), children in street situations and children born out of wedlock continue to face difficulties in obtaining birth certificates due to social stigma. It is also concerned that registration is not yet de facto free of charge since obtaining a certificate requires a stamp.

43. **In light of article 7 of the Convention, the Committee urges the State party to ensure free and compulsory birth registration to all children born in the State party as guaranteed by law, paying particular attention to children in remote and deprived regions, including Upper Egypt, children of migrant workers, children in street situations and children born out of wedlock. The Committee recommends that the State party abolish birth registration fees.**

Name and nationality

44. The Committee commends the State party for adopting legislation granting equality between Egyptian men and women in passing the nationality to their children. While welcoming the joint decree by the Ministries of Interior and Foreign Affairs on 2 May 2011 allowing Egyptian women married to Palestinian men to pass on their nationality to their children, the Committee is concerned that this provision has not yet been fully incorporated into domestic law. It further regrets that Egypt has not signed or ratified the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

45. **The Committee recommends that the State party ensure that the decree of 2 May 2011 is fully incorporated into national law, including by amending Act No. 154 of 2004 to the effect that it explicitly grants all children born to Egyptian mothers or fathers the nationality of the State party, irrespectively of the nationality and origin of**

either parent. It calls upon the State party to ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

Freedom of expression and access to appropriate information

46. While noting as positive the establishment of a high number of libraries (700) and youth centres (500) across the country, the Committee remains concerned that programmes and policies with respect to children's access to information and their right to freedom of expression remain insufficient. Noting the worrisome decrease in awareness among adolescents of HIV/AIDS from 62 per cent in 2006 to 30 per cent in 2008, the Committee is seriously concerned at the limited access of children and adolescents to health information, in particular information on reproductive health. The Committee is also concerned that child-dedicated programmes on television and other media are insufficient to provide adequate information essential for adolescent health, development and healthy life styles.

47. **The Committee calls upon the State party to intensify its efforts to ensure the right of the child to freedom of expression, including the freedom to receive information. In particular, it recommends that the State party:**

(a) **Enforce article 3(c) of the Child Law (2008) concerning the right of the child to freedom of expression, including the freedom to receive, seek and impart information;**

(b) **Increase budgetary allocation to promote children's right to freely express themselves and encourage their active involvement in the media, and thereby consolidate their position in society as subjects of rights;**

(c) **Strengthen efforts to ensure that all children, especially those living in rural areas and other locations with high illiteracy, have access to age-appropriate and accurate information on matters of concern to them, including by pursuing plans to expand children's libraries throughout the territory of the State party;**

(d) **Take all necessary measures to strengthen access to information on the right to physical and mental health, on healthy lifestyles and behaviours, and on reproductive health.**

Torture or other cruel, inhuman or degrading treatment or punishment

48. While noting human rights training for police by the National Council for Childhood and Motherhood, the Committee notes with deep regret the acknowledgment by the State party in its report that violations of the right of the child to protection from torture and ill-treatment still occur (CRC/C/EGY/3-4, para. 122). The Committee further regrets that no data on the number of children who have been subjected to torture or ill-treatment by law enforcement officers nor details of investigations and prosecutions conducted and their outcomes was provided in the written replies of the State party.

49. **The Committee urges the State party to eliminate all forms of torture and ill-treatment against children and recommends that the State party provide specific guidance and supervision to police, security forces and prison guards on the care and protection of children under their responsibility. The Committee recommends that the State party provide data, disaggregated by age, sex, geographical location and socio-economic background, on children who have been subjected to torture and other cruel, inhuman or degrading treatment or punishment in its next periodic report. The Committee further recommends that the State party continue and strengthen human rights training for police, security forces and prison guards and, to this end, seek technical assistance from OHCHR.**

Follow-up to the United Nations Study on Violence against Children

50. The Committee encourages the State party to:

(a) Prioritize the elimination of all forms of violence against children, including by ensuring implementation of the recommendations of the United Nations Study on Violence Against Children (see A/61/299), taking into account the outcome and recommendations of the Regional Consultation for the Middle East and North Africa held in Cairo from 27 to 29 June 2005 as well as the Regional Follow-up Consultation held in Cairo from 25 to 28 March 2006, paying particular attention to gender;

(b) Provide information concerning the implementation by the State party of the recommendations of the study in the next periodic report, particularly those highlighted by the Special Representative of the Secretary General on violence against children, namely:

(i) The development in each State of a national comprehensive strategy to prevent and address all forms of violence against children;

(ii) The introduction of an explicit national legal ban on all forms of violence against children in all settings;

(iii) The consolidation of a national system of data collection, analysis and dissemination, and a research agenda on violence against children.

(c) Cooperate with the Special Representative of the Secretary General on violence against children and seek technical assistance from, inter alia, UNICEF, the Office of the United Nations High Commissioner for Human Rights (OHCHR), the World Health Organization (WHO), the International Labour Organization (ILO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Office on Drugs and Crime (UNODC), and NGO partners.

E. Family environment and alternative care (arts. 5, 18 (paras. 1-2), 9-11, 19-21, 25, 27 (para. 4) and 39 of the Convention)

Family environment

51. The Committee welcomes the creation in 2004 of Family Courts (Act No. 10) and advisory services on childbearing and settlement of family disputes by civil society organizations under the umbrella of the Ministry of Social Solidarity. Notwithstanding these measures, the Committee is concerned at an increase in family disintegration and at the separation of children from their parents due to the dire economic situation, especially on the part of the mother. While noting the monthly pension to children of single or divorced mothers, orphans or children with unknown parents and the increase in social insurance support and education grants to widows and divorced women, the Committee remains concerned at the insufficient support and attention by the State party to divorced and single parent families, parental education, childcare services and facilities. In this regard, the Committee shares the regret expressed by the delegation that only 22 per cent of children in the State party go to pre-school. It is further concerned at:

(a) The very limited maternity leave (13 weeks) for women employed in the public and private sectors;

(b) The fact that divorce (*khul* divorce) is conditioned on the wife forgoing all financial rights, including alimony, dowry and other benefits and that polygamy remains lawful in the State party;

(c) The weak enforcement of decisions by the Family Courts relating to child maintenance due primarily to the refusal on the part of the father to accept court decisions, with the result that the mother often hands over custody of the child to the father.

52. The Committee strongly recommends that the State party:

(a) **Develop a comprehensive policy to protect children's rights to a secure family environment which would include parental education;**

(b) **Allocate adequate resources to ensure childcare benefit and support to single parent and poor families, and sufficient number and quality of childcare services and facilities;**

(c) **Put in place effective enforcement mechanisms for ensuring the recovery of child maintenance from parents who have had their parental rights removed or suspended by court decisions, and consider adopting new legislation to this end, as well as to strengthen the monitoring role of Child Protection Committees at governorate and district levels of the execution of decisions on child maintenance by Family Courts;**

(d) **Strengthen the Family Courts and take all necessary measures to ensure that the principle of the best interests of child and the right of the child to be heard are reflected and implemented in all administrative and judiciary decisions, policies and programmes relating to children;**

(e) **Pursue plans of strengthening maternity protection legislation, as indicated by the delegation, and to intensify efforts to reach the target of 60 per cent enrolment of children in preschools;**

(f) **Repeal provisions in domestic legislation depriving women of their financial rights in case of divorce and ensure that the law guarantees equality between men and women in matters relating to divorce and child-rearing responsibilities;**

(g) **Take all necessary legal, administrative and educational measures to discourage polygamy which can have adverse effects on children;**

(h) **Ratify or accede to the 1973 Hague Conventions No. 23 on the Recognition and Enforcement of Decisions relating to Maintenance Obligations and No. 24 on the Law Applicable to Maintenance Obligations.**

Children deprived of a family environment

53. The Committee notes as positive the development of minimum standards of alternative care and the availability, albeit weak, of the *kafalah* system as an alternative system to institutional care. However, the Committee is deeply concerned at the high number of children, including "abandoned children", living in institutions, in particular the 45,845 children staying in 256 social surveillance offices throughout the State party due to the dire economic situation of mothers, neglect and domestic violence and separation of parents. In this regard, the Committee, noting that the majority of alternative care institutions available in the State party are operated by NGOs under the supervision of the Ministry of Solidarity and Equity, is concerned that the alternative child care system remains weak and geared towards institutionalization rather than being family-oriented, and that it lacks a proper inspection and monitoring system.

54. In light of article 20 of the Convention, the Committee recommends that the State party continue and strengthen its system of alternative childcare and in particular:

(a) Promote the placement of children in extended and foster families and other types of family-type placements, including by strengthening the *kafalah* system;

(b) Establish a system of regular inspection and effective monitoring of all alternative childcare placements, including the *kafalah system*, and the availability of a complaints mechanism for children in institutional or alternative care;

(c) Adopt national minimum standards for childcare institutions, taking into account the United Nations Guidelines for the Alternative Care of Children (General Assembly res. 64/142).

Illicit transfer and non-return

55. While noting that the Penal Code of the State party prescribes penalties for the abduction of children, the Committee is concerned that the Child Law (2008) does not expressly prohibit abduction of children by a family member by exempting the mother, father and grandparents from prosecution. The Committee is particularly concerned that Decree No. 11 (2011), amending article 288 of the Penal Code (1937), stipulates discriminatory punishments for the abduction of girls (no less than 10 years imprisonment) compared to boys (no less than five years in high security imprisonment). The Committee further regrets that the State party is not a party to the 1980 Hague Convention No. 28 on the Civil Aspects of International Child Abduction.

56. The Committee recommends that the State party amend the Child Law (2008) so as to prohibit abduction of children, regardless of family kinship, and ensure appropriate penalties. The Committee urges the State party to consider ratifying or acceding to the 1980 Hague Convention No. 28 and to ensure its incorporation into domestic legislation.

Abuse and neglect

57. The Committee is alarmed at the high levels of corporal punishment of children in schools and in the home, and at reports of an unacceptably high number of children aged 2-14 who experience physical or mental violence (92 per cent in 2006). While noting as positive the right of the child to be protected against all forms of violence in article 3 (a) of the Child Law (2008) and that, as indicated by the delegation, the Penal Code criminalizes domestic violence and provides double punishment if a parent causes bodily harm, the Committee is gravely concerned that all forms of violence against children are still not prohibited in domestic legislation. It remains seriously concerned that corporal punishment remains lawful in the home and that, despite a ministerial decision of 1999 prohibiting the use of violence and beating in all schools, corporal punishment remains common practice in educational institutions. It further notes with particular concern information in the State party's report (CRC/C/EGY/3-4, para. 147) that domestic law allows fathers to use "reasonable corporal punishment" without being held responsible. The Committee is further deeply concerned at reports of the use of corporal punishment, including flogging, and of verbal abuse to "discipline" children, in childcare institutions.

58. While noting the recent possibility for children to file complaints not only through Specialized Child Prosecution Offices but also through helplines, and the role played by the NCCM in this regard, the Committee remains concerned that the responsibility for monitoring and follow-up rests primarily with civil society organizations. It expresses concern in this respect at the absence of an effective protection system under the responsibility of municipal authorities for children exposed to violence, sexual abuse and

neglect and the lack of systematic reporting of such cases. In this regard, and noting the acknowledgement by the delegation of resistance in society to hold perpetrators responsible, the Committee is seriously concerned at the limited number of prosecutions and convictions of individuals responsible for violence against children in any setting.

59. The Committee, drawing the State party's attention to its general comment no. 13 (2011) on the right of the child to freedom from all forms of violence, reiterates its previous recommendation (CRC/C/15/Add.145, para. 38) and urges the State party to:

(a) Ensure that domestic legislation explicitly prohibits all forms of physical and mental violence against children in all settings;

(b) Undertake a national awareness-raising campaign on the prohibition and unacceptability of all forms of violence against children as well as to make available complaints mechanisms widely accessible to children;

(c) Create a child protection system which is publicly supported and which has social workers at the municipal level who are specifically trained to receive reports on violence, abuse and neglect against children and to deal with and follow-up such cases by providing the child with the necessary support, treatment and protection. This should include providing the family with supportive measures to prevent ill-treatment from reoccurring as well as by referring complaints to Specialized Child Prosecution Offices for prompt and impartial investigations.

F. Basic health and welfare (arts. 6, 18 (para. 3), 23, 24, 26 and 27 (paras. 1-3) of the Convention)

Children with disabilities

60. The Committee welcomes the strengthening of legal protection for children with disabilities pursuant to the Child Law (2008). Nevertheless, the Committee is concerned that definitions with respect to disability are not yet in conformity with international standards, resulting in persistent discrepancies and very limited available data on children with disabilities. The Committee is concerned at the extremely low number of children with disabilities (4 per cent) who access services provided by the State. It finds particularly worrisome that rehabilitation services and the general health insurance do not cover children with disabilities who are outside the education system, affecting especially children with mental, severe and multiple disabilities. Despite efforts of the State party to establish community-based services, the number of villages providing such services through health centres remains very low. While noting the integration of inclusive education as a key component of the national plan for educational reform, the Committee is concerned at the limited number of schools in this regard and the extremely low number of children with disabilities (1,1 per cent) enjoying their rights to education compared to other children.

61. The Committee urges the State party to:

(a) Ensure that the draft law on the rights of persons with disabilities fully conforms with the Convention on the Rights of Persons with Disabilities and the Convention, and recommends that it adopt the law, in accordance with the State party's voluntary pledge during its consideration under the universal periodic review (A/HRC/WG.6/EGY/1, p. 24);

(b) Adopt a national strategy on the rights of persons with disabilities with special attention to children, so as to ensure respect for difference and acceptance of persons with disabilities;

(c) Strengthen the availability and accessibility of community-based educational and health services for children with disabilities, in particular by strengthening inclusive education which promotes the child's self-reliance and active participation in the community in line with article 23, paragraph 1 of the Convention;

(d) Ensure that all children with disabilities regardless of their status, in light of the State party's obligation under article 23, paragraph 3 of the Convention, enjoy access to rehabilitation services and increase the coverage of community-based rehabilitation facilities across its territory;

(e) Review the current health insurance system in order to cover all children and to lower the cost of health services for the most disadvantaged families;

(f) Ensure that data and statistics on the situation of and enjoyment of rights by children with disabilities is collected, stored and analysed, including through the database of the Child Rights Observatory.

Health and health services

62. While noting as positive the adoption of a national plan for the strengthening of primary health-care units across the country by June 2010 and the decline in infant, under-five and maternal mortality rates, the Committee is concerned that child mortality remains high in rural areas of the State party. In this regard, it deeply regrets the wide disparity in the provision of health care in rural (Upper Egypt) and urban (Lower Egypt) areas, as acknowledged in the State party's report. While taking note of information provided by the delegation that public spending on the health sector will increase, the Committee is concerned that health care may not be a Government priority and that recent activities reported on in the written replies of the State party have been developed and implemented almost exclusively by the National Council for Childhood and Motherhood. The Committee is further deeply concerned that:

(a) Children continue to die from diarrhoea and respiratory diseases;

(b) A significant number of children continue to suffer from anaemia;

(c) Malnutrition among children under the age of five is increasing;

(d) Children in street situations have difficulty accessing State-run health-care services;

(e) The State covers only 70 per cent of health services provided and that since the late 1990s no hospitals have been certified as "baby friendly" in the State party;

(f) The continuing low rates of exclusive breastfeeding in the State party and the lack of State budget for breastfeeding protection and promotion.

63. **The Committee urges the State party to make improved access to and availability of quality primary health care a Government priority, and, to this end, recommends that it:**

(a) **Significantly increase budgetary allocation and public spending on the health sector;**

(b) **Improve the quality of and expand preventive interventions in primary health care, including increased immunization coverage, nutrition interventions and provide training for medical personnel, with a view to reduce neo-natal, infant and maternal mortality rates, giving priority to rural areas (Upper Egypt) where there are high levels of poverty;**

(c) **Implement the programme, referred to by the delegation, of the Ministry of Health to establish “baby-friendly” status in two hundred hospitals in the State party;**

(d) **Encourage breastfeeding through awareness-raising programmes, including campaigns, and education programmes and to adopt the International Code of Marketing of Breastmilk Substitutes and to control the advertising of infant formula;**

(e) **Seek technical assistance from, inter alia, UNICEF and WHO, in the implementation of the above recommendations**

Adolescent health

64. The Committee notes as positive the introduction in the school curricula of adolescent health care, the establishment of youth advice clinics at provincial level and the adolescent health programme of the National Council for Childhood and Motherhood (NCCM) in cooperation with the United Nations Population Fund (UNFPA). Nevertheless, the Committee reiterates its previous concern (CRC/C/15/Add.145, para. 43) at the limited available information and data on adolescent health, in particular access to and availability of reproductive health-services. It notes with significant concern that the majority of married girls aged 15 – 17 never used family planning methods. The Committee further regrets that the State party has not yet implemented its recommendation to undertake a comprehensive study on adolescent health.

65. **The Committee, recalling its previous recommendation (CRC/C/15/Add.145, para. 44), urges the State party to undertake a comprehensive study on adolescent health, including adolescent mental health and reproductive health, and to use the findings of the study as the basis for formulating a nation-wide adolescent health policy and programme. The Committee further recommends that reproductive health be included in the school curricula and that the State party take urgent measures to increase reproductive health services, counselling, and rehabilitation for adolescents. In considering the above recommendations, the Committee recommends that the State party seek technical assistance from UNICEF and UNFPA.**

Mental health

66. While noting the opening of the first clinic providing adolescent mental health services (in Cairo), the Committee is seriously concerned that mental health counselling remains close to non-existent in the State party.

67. **The Committee recommends that the State party improve mental health services and increase the number of well-trained and qualified mental health personnel specialized in children.**

Harmful practices

68. While acknowledging the significant awareness-raising efforts at national and village level to prevent and eradicate female genital mutilation (FGM) in the framework of the National Programme to Combat Female Genital Mutilation, and while commending the criminalization of the practice, the Committee remains seriously concerned (CRC/C/15/Add.145, para. 45) at the high prevalence (66 per cent of girls aged 10-14) of girls subjected to FGM. It is particularly concerned at impunity for perpetrators, as indicated in the low number of convictions of individuals performing FGM in violation of article 242 bis of the Penal Code, and at the strong correlation between FGM and poverty. It regrets that reporting cases of FGM is not mandatory under domestic law.

69. **The Committee urges the State party to:**

(a) Strictly enforce application of the criminalization of FGM, including by making reporting on such harmful practice mandatory, encouraging public reporting to and strengthening the monitoring of medical doctors by the Child Protection Committees, and ensure that medical doctors who practice FGM are prosecuted and punished in accordance with law;

(b) Develop sensitization programmes to foster positive change in underlying social norms, value systems and attitudes which may contribute to the practice of FGM, targeting households, local authorities, religious leaders and medical practitioners as well as judges and prosecutors. The Committee further recommends that the State party consider adopting a programme on alternative income for those performing FGM, and ensure that the awareness-raising programme at village level conducted in the National Programme to Combat FGM is extended throughout the State party.

70. While noting that efforts to curb and prevent child marriage has resulted in 3,000 marriages being diverted in one year (2009-2010), the Committee nevertheless is deeply concerned at the high number of early marriages of girls and at “tourist”/“temporary” marriages of young Egyptian girls to foreign men. It is concerned that these practices occur primarily in poor rural areas, and may disguise the prostitution and trafficking of children. While noting the monitoring and review by the tri-partite committee and subcommittees of marriage clerks with a view to prevent and punish those registering child marriage and the family counselling help line, it is concerned that these measures are insufficient and do not specifically and comprehensively target the phenomenon of temporary marriages.

71. **The Committee urges the State party to:**

(a) Intensify efforts to prevent and eliminate all forms of child marriages, in particular by prohibiting by law any marriage between persons below the age of 18, and by pursuing plans of the National Council for Childhood and Motherhood (NCCM) to prepare and adopt an action plan to combat child marriages and by strengthening the joint efforts by the Anti-Trafficking Unit of the NCCM, law enforcement agencies, the public prosecutor’s office, the judiciary, and civil society to identify and punish individuals performing and facilitating child marriages;

(b) Consider designing a programme within the NCCM specifically targeted to prevent and eradicate “temporary”/“tourist” marriage of children.

Standard of living

72. While welcoming the intention of the Government to launch “Poverty Free Egypt” and the statement by the delegation that child poverty alleviation will be a priority issue in the planned National Plan of Action for Children, the Committee is seriously concerned at the high level of and increase in poverty in the State party. The growth of slum areas and the socio-economic disparities among the population living in different regions of the State party, with 70 per cent of the poor living in rural areas, as noted in the report of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation (A/HRC/15/31/Add.3, para. 26), is of serious concern. The Committee is particularly concerned that 18 per cent of all children in the State party are deprived of shelter, water or sanitation, especially in Rural Upper Egypt. The Committee is further concerned at studies indicating an increase in children living in income poverty to 23,8 per cent in 2008 and that 41 per cent of children living in households with over three children were income poor.

73. **The Committee urges the State party to accelerate and intensify its poverty reduction programme, giving priority to children. In particular, the Committee recommends that the State party:**

(a) Improve social benefits and security schemes for poor families with many children and increase their social security pensions to the equivalent of the minimum wage, as established by the Constitutional Court, and focus anti-poverty programmes in rural areas;

(b) Review steps taken to implement the recommendations of the independent expert following her visit to the State party in June 2009 (A/HRC/15/31/Add.3, paras. 69-70);

(c) Provide information in the next periodic report on the outcome of this review and provide specific analysis on how implementation of the Independent Expert's recommendations concerning access to safe drinking water and how the revolving fund initiative respectively have improved the living conditions of children.

G. Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)

Education, including vocational training and guidance

74. The Committee welcomes institutional and programmatic initiatives by the State party to improve the enjoyment of all children of their right to education, notably the Strategic Plan for improving the quality of education, the Girls' Education Initiative, illiteracy reduction projects, and so called "one class" and "community" schools. Despite these efforts, the Committee remains seriously concerned that persisting socio-economic inequalities and low public spending on the education sector (2,5 per cent of GDP) perpetuate obstacles to achieving effective and equal implementation of article 28 of the Convention, as acknowledged by the State party and as manifested in:

(a) Challenges in improving the quality of education, including poor school infrastructure, high density classrooms, poor teaching standards, affecting in particular children in rural areas and poor children;

(b) Persistent low level of enrolment in primary schools and high school dropout rates in secondary schools, attributed in part to poverty but also to school violence, which both contribute to child labour and children in street situations;

(c) Significant gender, income and rural-urban gaps with respect to children who are never enrolled in schools, 82 per cent of whom are girls;

(d) High levels of illiteracy (29 per cent) affecting in particular women in rural areas (69 per cent), and the absence of a database on illiteracy among children;

(e) Lack of opportunities for children in rural areas to access preschool and other early childhood development institutions.

75. **The Committee urges the State party to intensify and increase the number of measures to guarantee to all children without discrimination access to free and compulsory quality education as provided for in the Constitution. In particular, the Committee recommends that the State party:**

(a) Significantly increase its budgetary allocation to and public spending on primary and secondary education, recalling the recent statement to this end by the Minister of Finance;

(b) Ensure that early childhood development education is integrated in compulsory basic education and increase the number of preschools in rural areas to prevent dropout by instilling the value for and importance to education at an early age;

(c) Consider initiating a school- free- from- violence programme, including campaigns, as strategies to ensure schools from physical, psychological and sexual violence;

(d) Continue and expand the Girls' Education Initiative, "societal schools", "small schools" and other flexible modalities of education, including on the basis of findings of the 2010 Program for the Care of Children at risk of dropout of schools and of the current study on school dropout in Cairo, as a strategy to promote girls' enrolment and prevent school drop outs;

(e) Expand the School Improvement Program (SIP) and reinforce the human, technical and financial capacity of the Ministry of Education in order to implement the quality reform program under the National Authority for Quality Assurance and Accreditation of Education (NAQAAE) at district level;

(f) Include human rights education and the principles of the Convention in the primary and secondary school curricula and to this end provide teacher training programmes on the Convention;

(g) Continue and seek technical assistance in this respect from UNICEF, the World Bank and other relevant organizations.

H. Special protection measures (arts. 22, 30, 32-36, 37 (b)-(d), 38, 39 and 40 of the Convention)

Asylum-seeking and refugee children

76. The Committee, noting that children comprise almost a third of the refugee and asylum-seeking population living in the State party, the majority of which are of Sudanese, Somali, and Iraqi nationalities, regrets the absence of a national asylum system in the State party and the lack of legal protection of refugee children in domestic law. While noting the provision of scholarships and educational grants by the State party for refugee children and Decrees of 1992 (No. 24) and of 2000 of the Minister of Education and Decree No. 147 (2003) of the Minister of Health, the Committee is seriously concerned at legal and de facto restrictions in equal and effective access to education and public health-care system for all refugee and asylum-seeking children. Such restrictions are of particular concern to the Committee in view of poor living conditions of refugees living in Egypt, exacerbated, as acknowledged by the State party, by the prohibition of work permits for refugees. The Committee is further deeply concerned at reports of unregistered asylum-seeking children held in detention and at difficulties of international protection agencies to have access to these children.

77. In light of article 22 of the Convention and recalling articles 7 bis and 54 of the Child Law (2008), the Committee calls upon the State party to:

(a) Ensure access to free public education and to primary and emergency health care for all asylum-seeking and refugee children on an equal basis with Egyptian children, including by amending the aforementioned decrees issued by the Ministries of Education and Health and by putting in place a comprehensive law on the status and rights of refugees;

(b) Ensure that no asylum-seeking child is ever detained and to this end ensure the Office of the United Nations High Commissioner for Refugees unimpeded access to any detained asylum-seeking child;

(c) Take all necessary measures to improve living conditions for refugee and asylum-seeking children in the State party, including by considering abolishing the prohibition of work permits for refugees.

Economic exploitation including child labour

78. While noting as positive the alignment of the Labour Code with the ILO Convention No. 182, the prohibition of employment of children under the age of 15 in the Child Law (2008), the adoption of a National Strategy on Child Labour and its action plan as well as ongoing studies to identify the scope of child labour, the Committee remains deeply concerned at the poor enforcement of laws and a prevailing acceptance by society of child labour as a strategy for poverty reduction which contributes to a persistently high number of children engaged in child labour. The Committee is further concerned at:

(a) Reports that the vast majority of children economically exploited are below the age of 11;

(b) The high prevalence of child labour in agriculture and that the Labour Code still does not cover agriculture or domestic work and other forms of work in the informal sector;

(c) Shortcomings in outlawing child labour in the Child Law (2008) which allows seasonal employment of children of 12-14 years of age;

(d) Discrepancies between the provisions prohibiting child labour of the Child Law (2008) and its executive regulations which lowers the minimum age to 17 years for children to be employed in worst forms of child labour and do not cover all hazardous occupations listed in ILO Convention No. 182 and ministerial decree 118/2003;

(e) The lack of available data on children economically exploited, including in domestic work.

79. The Committee urges the State party to strengthen effective measures to prohibit and eliminate economic exploitation of children, and in particular to:

(a) Strengthen monitoring mechanisms to guarantee effective enforcement of labour law and penal law as they apply to economic exploitation of children, mainly by enhancing the role of the Child Protection Committees and labour inspectorate to this effect;

(b) Amend the Labour Code of 2003 to bring it in full conformity with ILO Convention No. 182 and the Convention, and to include domestic and agricultural work under article 4 of the Labour Code;

(c) Update the executive regulations of the Child Law (2008) to ensure that it covers all 44 hazardous occupations listed in ministerial decree 118/2003;

(d) Strengthen social protection, assistance and recovery programmes for children involved in economic exploitation by increased human, technical and financial resources, including through the creation of a train the trainers programme to address child labour in the agricultural sector as indicated in the written replies of the State party;

(e) Ratify ILO Convention No. 10 (1921) on Minimum Age (Agriculture) which prohibits employment or work in any public or private agricultural undertaking of children under the age of fourteen;

(f) Seek technical assistance from ILO and UNICEF in the implementation of the above recommendations.

Children in street situations

80. The Committee is deeply concerned at the plight of children in street situations in the State party where they risk exposure to violence, drug abuse, arrest and detention by police and forced into prostitution, begging and other forms of exploitation. It is concerned that underlying problems such as school dropout, family disintegration and extreme poverty, stigma and negative perception of street children in society, including the media, perpetuate the phenomenon. While noting efforts to strengthen the institutional capacity as well as services and reception centres for children in street situations, the Committee regrets the limitations of social care institutions with recovery programmes aimed at facilitating reintegration of street children and other vulnerable groups of children into society as well as the low number of civil society organizations engaged in providing protection services. Further, the Committee expresses concern at reports of challenges facing many children in street situations in obtaining identification documentation.

81. The Committee recommends that the State party undertake appropriate measures to prevent children from street situations and to ensure protection and social assistance to those already in the street. In particular, the Committee recommends that the State party:

(a) Ensure that the new National Plan of Action for Children under elaboration will contain appropriate strategies to effectively protect and ensure social integration of children in street situations;

(b) Ensure access of children in street situations to birth registration and identification documentation, education, health and employment opportunities as well as to safe shelters and child care centres for physical and psychological recovery and reintegration;

(c) End all arrests and detention of children in street situations and ensure that these children are provided with protection and assistance from social services rather than being dealt with in the framework of criminal justice;

(d) Consider the recommendations issued to the Ministry of Social Solidarity and Equity contained in the April 2010 interim assessment study on the situation of children in street situations, and publish and widely distribute the guide prepared for staff of the social defence institutions working with street children;

(e) To these ends, the Committee calls upon the State party to provide adequate training and resources to the Child Protection Committees at governorate and district levels to effectively monitor the situation of children in street situations;

(f) Promote the active participation of civil society in activities relevant to children in street situations by providing them with human, technical and financial resources.

Sexual exploitation and abuse

82. The Committee is deeply concerned at the high level of sexual harassment and abuse experienced by the young girls in the State party and at a prevailing acceptance among young people of violence against women. The Committee is further seriously concerned at the lack of available physical and psychosocial rehabilitation centres and support services available for victims of sexual abuse and exploitation. In this regard, the Committee shares the concern of the Committee on the Elimination of All Forms of Discrimination against Women concerning the lack of data and information on the incidence of various forms of violence against girls (CEDAW/C/EGY/CO/7, para. 23).

83. **The Committee urges the State party to implement the recommendation by the Committee on the Elimination of All Forms of Discrimination against Women to adopt a comprehensive law criminalizing all forms of violence against women, including domestic violence, marital rape, sexual violence, sexual harassment, institutional violence and crimes committed in the name of honour (CEDAW/C/EGY/CO/7, para. 24). It urges the State party to put in place social care institutions and shelters for protection, physical and psychosocial recovery of child victims of violence, including sexual abuse and exploitation. The Committee further calls upon the State party to ensure systematic collection of data on incidences of all forms of violence, including sexual violence, against children and use the findings to draw up a new National Plan of Action to Combat Violence against Children (2005-2011), with a specific focus on sexual exploitation, abuse and violence.**

Helplines

84. The Committee welcomes the establishment of various helplines for children, notably helpline 16000, a 24-hour free emergency telephone helpline covering the entire territory of the State party which receive and follow-up on complaints on violations of children's rights. The Committee, nevertheless, regrets reports indicating that few children utilize this helpline and that most calls received are from adults rather than children themselves. It is also seriously concerned at reports that out of 72 cases of violence and abuse in schools reported to the helpline, only two abusers were reprimanded.

85. **The Committee recommends that the State party further develop available helplines for children, including helpline 16000, and ensure that they are accessible to all children, free of charge for both the helpline and the caller and available 24 hours. It strongly recommends that the State party raise awareness among children about available helplines in child-related programmes and schools, strengthen the expertise in children's rights among personnel operating the helplines, and ensure effective referral mechanisms to appropriate authorities for necessary follow-up action, including investigation.**

Administration of juvenile justice

86. The Committee commends the shift in the State party from a punitive to a child rights-oriented juvenile justice system pursuant to the amended Child Law (2008). It welcomes, as previously recommended by the Committee (CRC/C/15/Add.145, para. 23), the raising of the minimum age of criminal responsibility from 7 to 12 years. The Committee further notes as positive the strengthening of legal safeguards for children in conflict with the law and the provision on the establishment of Child Courts and Specialized Child Prosecution Offices in the Child Law (2008). It further appreciates the reassurance provided by the delegation that criminal sanctions against children under the age of fifteen are prohibited under domestic law (Child Law (2008)). The Committee nevertheless remains seriously concerned at:

(a) The slow progress in establishing special child courts and specialized child prosecution offices and lack of a developed system of alternative measures for children in conflict with the law;

(b) The high number of children aged 12 to 18 years who are deprived of their liberty during investigation, in spite of article 119 of Child Law (2008) which provides that children below the age of 15 shall not be placed in custody;

(c) The continued practice of children held in custody together with adults in some police stations;

(d) The long average periods of custody in supervisory detention establishments, ranging from three years for open or semi-open establishments to five years in closed institutions, as referred to in the State party report (CRC/C/EGY/3-4, para. 332), in contravention of international juvenile justice standards;

(e) The weak monitoring by public prosecutors, as provided by law, or by independent mechanisms on conditions of children deprived of their liberty;

(f) The lack of data on children deprived of their liberty and on the number of children prosecuted and sentenced to by courts to imprisonment;

(g) The detention of children by the military and prosecution of children before military courts since January 2011 under military law as well as reports of children sentenced by military courts and imprisoned together with adults in the period following the January 2011 Revolution.

87. The Committee urges the State party to continue reforming its juvenile justice system in line with the Convention, in particular articles 37, 39 and 40, and with other relevant standards, including the Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules), the Vienna Guidelines for Action on Children in the Criminal Justice System; and the Committee's general comment No. 10 (2007) on the rights of the child in juvenile justice . In particular, the Committee recommends that the State party:

(a) Put in place the system of specialized Child Courts and Specialized Child Prosecution Offices as provided for in the Child Law (2008) and ensure their effectiveness by allocating necessary human, technical and financial resources;

(b) Ensure that deprivation of liberty of children is only a measure of last resort and for the shortest period possible by putting in place a restorative juvenile justice system that promotes alternative measures to deprivation of liberty, such as diversion, probation, counselling, mediation, community service or suspended sentences, wherever possible, in line with article 107 of the Child Law (2008);

(c) Specify the role of and empower the Child Protection Committees with respect to identifying alternatives to deprivation of liberty;

(d) Ensure that places where children are deprived of their liberty are regularly monitored by public prosecutors, in accordance with domestic law, and by independent monitors, and ensure verification of such monitoring;

(e) Ensure that all children deprived of their liberty are registered, and their records kept confidential, so as to guarantee a comprehensive data collection system on children deprived of their liberty, disaggregated by age, sex, and offence;

(f) Ensure that children are never brought before and prosecuted under the military justice system, that any sentence handed down to children by military courts be considered null and void and that their cases are reviewed by civilian courts;

(g) Review all cases of children held in military detention and ensure, as stipulated in article 112 of the Child Law (2008), that all children are separated from adults;

(h) Make use, if relevant, of the technical assistance tools developed by the United Nations Interagency Panel on Juvenile Justice and its members, including UNDOC, UNICEF, OHCHR and NGOs, and seek technical assistance in the area of juvenile justice from members of the Panel.

Protection of witnesses and victims of crimes

88. The Committee also recommends that the State party adopt adequate legal provisions and regulations to ensure that all child victims, such as child victims of abuse, domestic violence, sexual and economic exploitation, abduction, and trafficking, and child witnesses of such crimes are provided with the protection required under the Convention, and fully take into account the United Nations Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime (annexed to Economic and Social Council resolution 2005/20).

I. Ratification of international human rights instruments

89. The Committee welcomes the State party's announced plans to accede to all United Nations human rights treaties. It recommends that the State party, in order to strengthen the fulfillment of children's rights, ratify the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the International Covenant on Civil and Political Rights, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol to the Convention against Torture, the Optional Protocol to the Convention on the Rights of Persons with Disabilities.

J. Cooperation with regional and international bodies

90. The Committee recommends that the State party cooperate with the African Committee of Experts on the Rights and Welfare of the Child of the African Union towards the implementation of the Convention and other human rights instruments, both in the State party and in other African Union member States.

K. Follow-up and dissemination

91. The Committee recommends that the State party take all appropriate measures to ensure that the present recommendations are fully implemented, *inter alia*, by transmitting them to the members of the Head of State, the Supreme Council of the Armed Forces, the Supreme Constitutional Court, the Council of State, the Parliament (both the *Shura* Council and the *Majlis al-Sha'b*), relevant ministries and to provincial and local authorities, as well as to Child Protection Committees at governorate and district levels respectively, for appropriate consideration and further action.

92. The Committee further recommends that the consolidated third and fourth periodic reports and written replies submitted by the State party and the related recommendations (concluding observations) it adopted be made widely available and accessible in all languages of the country, including (but not exclusively) through the Internet to the public at large, civil society organizations, youth groups, professional groups and children, in order to generate debate and awareness of the Convention, its implementation and monitoring.

Next report

93. The Committee invites the State party to submit its next fifth and sixth periodic reports by 2 March 2016 and to include in it information on the implementation of the present concluding observations. The Committee draws attention to its harmonized

treaty-specific reporting guidelines adopted on 1 October 2010 (CRC/C/58/Rev.2 and Corr. 1) and reminds the State party that future reports should be in compliance with the guidelines and not exceed 60 pages. The Committee urges the State party to submit its report in accordance with the reporting guidelines. In the event a report exceeding the page limitations is submitted, the State party will be asked to review and eventually resubmit the report in accordance with the above-mentioned guidelines. The Committee reminds the State party that if it is not in a position to review and resubmit the report, then translation of the report for purposes of examination of the treaty body cannot be guaranteed.

94. The Committee also invites the State party to submit an updated core document in accordance with the requirements of the common core document in the harmonized guidelines on reporting, approved at by the fifth inter-committee meeting of the human rights treaty bodies in June 2006 (HRI/MC/2006/3).
