



**Convention on the Rights  
of Persons with Disabilities**

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**Committee on the Rights of Persons with Disabilities**

**Initial report submitted by Egypt under article 35 of the  
Convention, due in 2010\*\***

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## Contents

	<i>Page</i>
Introduction .....	4
Part one: Common core document .....	5
I. Demographic characteristics and social, economic and cultural indicators .....	5
II. Constitutional, political and legal structure .....	6
III. General framework for the protection and promotion of human rights .....	8
Part two: Commentary on the articles of the Convention .....	18
I. Application of the articles of the Convention under national law, practical and substantive measures taken, and mechanisms put in place in order to achieve the objectives of the Convention and give effect to the rights contained therein .....	18
Article 1: Purpose of the Convention and definition of a person with disabilities .....	18
Article 2: Definitions of terms found in the law (Act No. 10 (2018)) .....	19
Articles 3 and 4: General principles and general obligations .....	21
Article 5: Equality and non-discrimination .....	22
Article 6: Women and girls with disabilities .....	23
Article 7: Children with disabilities .....	26
Article 8: Raising awareness .....	28
Article 9: Accessibility .....	30
Article 10: The right to life .....	32
Article 11: Situations of risk and humanitarian emergencies .....	33
Article 12: Equal recognition before the law .....	34
Article 13: Access to justice .....	34
Article 14: Liberty and security of person .....	35
Article 15: Freedom from torture or cruel, inhuman or degrading treatment or punishment .....	37
Article 16: Freedom from exploitation, violence and abuse .....	38
Article 17: Protecting the integrity of the person .....	40
Article 18: Liberty of movement and nationality .....	41
Article 19: Living independently and being included in the community .....	41
Article 20: Personal mobility .....	42
Article 21: Freedom of expression and opinion, and access to information .....	43
Article 22: Respect for privacy .....	45
Article 23: Respect for home and the family .....	46
Article 24: Education .....	48
Article 25: Health .....	50
Article 26: Habilitation and rehabilitation .....	53
Article 27: Work and employment .....	55
Article 28: Adequate standard of living and social protection .....	56
Article 29: Participation in political and public life .....	58
Article 30: Participation in cultural life, recreation, leisure and sport .....	60

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Article 31: Statistics and data collection .....	62
Article 32: International cooperation.....	63
Article 33: National implementation and monitoring.....	64
II. Government efforts to optimally implement the Convention, the law and implementing regulations .....	66

## Introduction

### Accession to the Convention

1. Egypt acceded to the Convention on the Rights of Persons with Disabilities in 2006 by virtue of Presidential Decree No. 400 (2007) on 27 December 2007. The Convention was published in Arabic in issue No. 27 of the *Official Gazette* on 3 July 2008, and it has the force of law pursuant to article 151 of the 1971 Constitution. In implementation of article 35 of the Convention, the Government of Egypt submits the present report, in which it has combined its initial, second and third reports.

### Methodology for preparing the report

2. The present report is the product of a participatory approach that involved intensive consultations with various national stakeholders, in particular human rights institutions, civil society groups and several public figures. The Government ensured that the relevant ministries, specialized national councils (National Council for Persons with Disabilities, National Council for Human Rights, National Council for Women and the National Council for Childhood and Motherhood), information, research and studies centres (Decision Support Centre of the Cabinet, State Information Service, Central Agency for Public Mobilization and Statistics, National Population Council and Supreme Council of Universities) and civil society organizations.

3. The present report was prepared according to the following methodology:

(a) An action plan that includes a methodology for collecting information, data and statistics, as well a specific time frame for the completion of the report, was adopted;

(b) Consultative meetings among stakeholders were held on a regular basis;

(c) The relevant studies were conducted by government agencies and civil society institutions and organizations, with coordination taking place through official correspondence and direct contacts;

(d) Several task forces analysed and classified information, data and statistics with a view to drafting the report in accordance with the guidelines established by the Committee on the Rights of Persons with Disabilities.

4. In accordance with the Committee's guidelines regarding the preparation of initial and periodic reports, the present report consists of two parts:

#### **Common core document (part one), which includes:**

- Basic information and indicators
- Constitutional, political and legal structure
- General framework for the protection and promotion of human rights and for combating discrimination in Egypt

#### **Commentary on the articles of the Convention (part two), which includes:**

- Legal application at the national level of the articles of the Convention, application in practice and substantive measures taken;
- The mechanisms that have been put into place in order to achieve the purposes of the Convention and the realization of the rights set out therein;
- Government efforts to implement the Convention, the law and implementing regulations in the best possible manner.

## Part one

### Common core document

This section covers the following items:

- (i) Demographic characteristics and social, economic and cultural indicators
- (ii) Constitutional, political and legal structure
- (iii) General framework for the protection and promotion of human rights

## I. Demographic characteristics and social, economic and cultural indicators

5. The Arab Republic of Egypt is situated in the north-eastern corner of Africa and extends into Asia, where the Sinai Peninsula is located. The area of Egypt is 1,002,000 km<sup>2</sup>, of which 78,990 km<sup>2</sup>, or 7.8 per cent of the total area, is inhabited. That area constitutes less than 4 per cent of the country's total area, while undeveloped desert land constitutes the majority of the country. Egypt is divided into 27 governorates, and each governorate is divided into administrative divisions, which are cities, neighbourhoods, divisions, centres and villages.

6. According to 2017 estimates, the country's population was 94,798,827 (94.8 million), with an annual growth rate of 2.56 per cent. Some 51.6 per cent of the population were males and 48.4 per cent were females. Population density across the country's entire area is 86.1 persons per km<sup>2</sup>. However, the population density is 1,130 persons per km<sup>2</sup> in the inhabited area. The population of Egypt is concentrated in only 7.7 per cent of the country's total area, in particular in the Nile Valley and the Delta. The largest population group is found in the greater Cairo area, which includes the Governorates of Cairo, Giza and Qalyubiah. Almost a quarter of the population lives in that area. The second most populous area is Alexandria Governorate, while the Delta region, the coastal regions on the Mediterranean and Red Seas and the cities of the Suez Canal together comprise the third most populous area.

### 7. Population indicators

- Of the total population, 42.2 per cent live in urban areas and 57.8 per cent in rural areas.
- Persons under 15 comprise 34.2 per cent of the population.
- Persons over 65 comprise 3.9 per cent of the population.
- Persons of working age (between 15 and 64) comprise 61.9 per cent of the population.
- The birth rate is 26.8 live births per 1,000 inhabitants and the mortality rate is 5.7 deaths per 1,000 inhabitants.
- The infant mortality is 15.1 per 1,000 live births.
- Life expectancy at birth is 71.2 years for males and 73.9 years for females.
- The illiteracy rate stood at 25.8 per cent in 2017 (21.2 per cent for males and 30.8 per cent for females).
- Persons with disabilities comprised 10.64 per cent of the total population, according to the 2017 census.<sup>1</sup>
- Data from the 2017 census indicate that there were 23,455,079 households at the national level.

8. Economic indicators: The Egyptian economy is one of the most diversified in the Middle East and Africa and has the third highest growth rate, which currently stands at 5.8

<sup>1</sup> According to the latest official census, which was issued by the Central Agency for Public Mobilization and Statistics in 2017.

per cent. Agriculture, industry, tourism and services constitute roughly equal portions of the economy. According to 2016 estimates, the average number of workers in Egypt is approximately 26 million, of whom 51 per cent are employed in the service sector, 32 per cent in the agricultural sector and 17 per cent in the industrial sector. The economy depends mainly on agriculture, tourism and revenues from the Suez Canal and oil exports. According to specialized international bodies, the Egyptian economy is one of the most promising economies and is a candidate for rapid growth in the light of the successful economic plans and policies implemented by the Government, as well as efforts that have led to many oil and gas discoveries and major national projects, such as the new Suez Canal and the smart cities that are being established in many of the country's governorates. In addition, presidential initiatives have been launched at the national level in relation to housing, health, education, youth, women's empowerment, child and maternal care and informal settlements. As a result of those efforts and initiatives, Egypt has achieved such tangible successes as increasing the balance of its foreign exchange reserves to more than \$45 billion, reducing the unemployment rate to 7.5 per cent in 2019 and reducing the inflation rate to 4.3 per cent as at September 2019. The country's economic plans and programmes are aimed achieving growth rates of 7 per cent or more over the next two years.

## **II. Constitutional, political and legal structure**

9. Egypt is a sovereign State and a democratic republic based on citizenship and the rule of law. Sovereignty belongs strictly to the people, which they exercise and protect. The people maintain the country's national unity, which is based on the principles of equality, justice and equality of opportunity for all citizens. The political system is based on political and party pluralism, the peaceful transfer of power, the separation and equality of powers, the intrinsic link between power and responsibility, and respect for human rights, in accordance with the Constitution.

10. Since the beginning of 2011, Egypt has experienced internal turmoil and tension during which the Egyptian people lived through two revolutions, one in January 2011 and the other in June 2013. That situation that arose in the wake of those revolutions made it necessary to set out a road map for the future and rebuilding of State institutions. The 2014 Constitution represents a victory for the goals and principles of the revolution, and it marks, in particular, a paradigm shift with regard to improving the human rights situation in Egypt and the right of persons with disabilities.

11. In Egypt, power is divided among three branches: the legislature, the executive and the judiciary.

(a) Legislative authority is vested in the House of Representatives, which approves general policy, overall development plans and the general budget of the State, and oversees the work of the executive branch. The House of Representatives is responsible for enacting laws and regulations and amending the Constitution. It comprises 568 members elected by the people through direct secret ballot. The President of the Republic may appoint no more than 5 per cent its membership, pursuant to article 1 of the House of Representatives Act (No. 46 (2014)), as amended by Act No. 92 (2015). In 2015, eight persons with disabilities were elected to the House of Representatives through direct election, while one other person with disabilities was among those who were appointed to serve by a decision of the President of the Republic. The Senate was established as the second chamber of the legislative authority in accordance with the amendments that were made to the Constitution in April 2019. The Senate has the competence to review and propose bills that are aimed at strengthening the foundations of democracy; consolidating social peace and the building blocks of society and its supreme values; promoting rights, freedoms and public duties; and entrenching and expanding the democratic system. The opinion of the Senate is sought with regard to constitutional amendments; the general plan for social and economic development; treaties of peace and alliance; all treaties related to sovereign rights; and draft laws and draft laws supplementary to the Constitution. The Senate is composed of a number of members that is established by law, provided that number is not less than 180. The term of office for Senate members is five years; two thirds of Senate members are elected by direct, secret, universal

suffrage, and the President of the Republic appoints the remaining third. Senators are elected and appointed in the manner prescribed by law.

(b) The executive branch, which comprises the following:

- The President of the Republic is the Head of State and of the executive authority. He is also the commander-in-chief of the armed forces. The President is elected to a six-year term of office by the absolute majority of the number of valid votes cast through direct, secret, universal suffrage. The process of electing the President is established by law. No person may be elected to more than two consecutive presidential terms. The President and the Cabinet jointly set and oversee the general policy of the State. The President may appoint one or more deputies. He also may pardon a person or commute a penalty, after consulting the Cabinet.
- The Government is the supreme executive and administrative organ of the State. It consists of the Prime Minister and his deputies and the ministers and their deputies. The Prime Minister oversees the work of the Government. The President of the Republic tasks the Prime Minister with forming a government and putting his programme before the House of Representatives. If the Government does not secure the confidence of the majority of the members of the House of Representatives, the President of the Republic instructs the Prime Minister to nominate the party or coalition that holds the majority of seats in the House of Representatives (art. 146 of the Constitution).
- The local administrations consist of administrative units that enjoy legal personality, including governorates, cities and villages. Local administrative units have independent financial budgets. Their resources consist of those resources allocated to them by State, as well as core and additional local taxes and fees. The conditions for the appointment or election and the powers of governors and the heads of other local administrative units are established by law. Each local unit elects a council through direct, secret, universal suffrage for a term of four years, on condition that half of the total number of seats are allocated for young persons under the age of 25 and one quarter are allocated for women. In addition, workers and farmers must hold no less than 5 per cent of all seats, and Christians and persons with disabilities must be appropriately represented. These councils are responsible for following up on the implementation of the development plan and wielding the tools for exercising oversight over the executive authority, including by making proposals, posing questions and requesting briefings and explanations. In addition, they may bring a motion of no confidence in the heads of local units. The financial resources and independence of these councils and the guarantees granted to their members are established by law. The decisions taken by local councils within the scope of their competence are definitive. The executive authority may intervene in local council decision-making only to prevent such councils from exceeding their competence or from harming the public interest or the interests of other local councils. Local councils may not be dissolved by a universal administrative procedure. The manner in which such councils can be dissolved and re-elected is established by law.

(c) The judiciary is an independent authority, and its powers are exercised by courts of various types and levels. Judges are independent and cannot be dismissed, and they are answerable only to the law. The general judiciary has the competence to adjudicate all cases and offences other than those that fall under the competence of another judicial authority. The general judiciary alone has the authority to adjudicate cases related to the affairs of its members. The Council of State has the competence to adjudicate administrative disputes, as well as lawsuits and appeals related to disciplinary matters, and to review and draft laws and decisions of a legislative nature. The Supreme Constitutional Court has competence to review the constitutionality of laws and regulations, interpret laws and adjudicate cases of conflict of jurisdiction between judicial bodies. It has an independent budget. Its judgements and decisions are published in the *Official Gazette* and are binding on all State authorities, over which it has absolute authority. Each judicial body or entity is

responsible for its own affairs, has a supreme council that manages the affairs of its members and has an independent budget. In addition, the Constitution also creates other judicial bodies that enjoy the guarantees established for judicial bodies. Those bodies are the State Lawsuits Authority, which acts on behalf of the State in cases filed by it or against it and can propose an amicable settlement thereto at any stage of litigation, and the Administrative Prosecution Authority, which investigates financial and administrative transgressions committed by government employees and initiates disciplinary proceeding and appeals before the courts of the Council of State, in accordance with the law. The members of those authorities enjoy the same guarantees and have the same rights and duties as the members of the regular judiciary, and they can be subject to disciplinary proceedings in accordance with the law.

### **III. General framework for the protection and promotion of human rights**

12. The Constitution is the supreme basic law that establishes the rules and foundations on which the system of government is based. It also establishes general freedoms and rights and the basic guarantees for safeguarding those freedoms and rights. In successive Egyptian constitutions, human rights and freedoms have been considered to be supreme values encompassing rights that cannot be waived, diminished or disposed of and that must be guaranteed in their entirety in order for States to be able to develop their societies. The Constitution incorporates all the principles contained in the Universal Declaration of Human Rights and subsequent related instruments and conventions. Article 1 of the Constitution provides that all persons are equal in respect of rights and duties without discrimination, and that freedoms are guaranteed for all persons. In the context of Egyptian law, the explicit inclusion of human rights principles in the Constitution means that these principles are parts of the Constitution that lawmakers must uphold, and that they cannot repudiate, violate, diminish from or deny them unless they do so in accordance with rules and procedures stipulated in the Constitution. Such measures must be carried out under the supervision of the Supreme Constitutional Court, which has competence to decide on the constitutionality of laws and regulations and issue judgments regarding the constitutionality thereof that are binding on all State authorities. In addition, such constitutional provisions must be enforced immediately and directly, in accordance with the jurisprudence of the Court of Cassation since 1980.<sup>2</sup>

13. Chapter III of the Constitution covers public rights, freedoms and duties and incorporates all human rights principles and fundamental freedoms established by international human rights treaties and instruments, and includes, inter alia, the following:

- Human dignity must be safeguarded and is inviolable, and the State is obliged to respect and protect it (art. 51).
- Torture is prohibited and the statute of limitations is not applicable to this offence (art. 52).
- Equality is guaranteed, and the State is obliged to take the measures needed to eliminate all forms of discrimination (art. 53).
- Personal freedom is a natural right that is protected and inviolable. It is not permissible to arrest, search, detain or restrict the freedom of any person except pursuant to a substantiated judicial order necessitated by an investigation (arts. 54 and 55).
- The right to privacy (arts. 58 and 57).
- The right to a safe life (art. 59).
- The right to movement, residence and migration (art. 62).
- Arbitrary, forced displacement is prohibited (art. 63).

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<sup>2</sup> Appeal No. 1630, forty-eighth judicial year, session of 13 March 1980, Technical Office 31, Part No. 1, p. 810.



- Freedom of belief and to practice a religion and establish places of worship (art. 64).
- Freedom of thought, opinion and scientific research (arts. 65 and 66).
- Freedom of artistic and literary creation and the right to intellectual property (arts. 67 and 69).
- Freedom of the press, freedom to print and freedom to establish visual, print and audio and digital media outlets (art. 70).
- The right to assemble, demonstrate, organize peaceful strikes and engage in all forms of peaceful protest, upon filing notification in accordance with the law (art. 73).
- The right to form political parties, upon filing notification in accordance with the law (art. 74).
- The right to form civil associations and institutions on a democratic basis, with such entities have a legal personality upon notification of their establishment (art. 75).
- The right to establish trade unions and federations (art. 76).
- Caring for and protecting children from violence, ensuring their right to early education, prohibiting the employment of children in hazardous work, establishing a judicial system for children and providing legal assistance to them, and realizing the best interests of the child (art. 80).
- The right of persons with disabilities to stand for election to and be represented in the House of Representatives and local councils (arts. 180 and 244).

Many new rights that are enshrined in international conventions have been added to Constitution, such as the right to play sports, the right to protect the environment, natural resources and monuments, and the right to development. Those rights and freedoms are addressed in detail in part two of the present report.

### **Most significant guarantees in the 2014 Constitution relating to the protection and promotion of human rights and the rights of persons with disabilities**

14. The Constitution contains significant protections with regard to human rights principles:

- In order to promote a human rights culture (art. 124), universities are obligated to teach human rights and the professional values and ethics of various academic disciplines. This is an international obligation pursuant to international instruments. Citizens' core rights and freedoms cannot be repudiated or derogated. No law regulating the exercise of rights and freedoms may restrict them in a manner that undermines their essence (art. 92). That provision constitutes a specific guarantee and a commitment to international controls in relation to the regulation of the exercise of rights and freedoms.
- Article 93 provides that the State is bound by the international human rights agreements, conventions and instruments ratified by Egypt, and that those international human rights agreements, conventions and instruments shall have the force of law upon publication.
- Furthermore, any assault against the personal freedom and private lives of citizens, as well as other rights and freedoms guaranteed under the Constitution, is an offence that is not subject to any statute of limitations with respect to either criminal or civil proceedings. Injured parties may launch criminal proceedings directly and the State guarantees that injured parties will be justly compensated.
- The National Council for Human Rights is mandated to report any violation to the Office of the Public Prosecutor and may intercede in civil proceedings at the request of the injured party.

- Laws that regulate presidential, parliamentary and local elections, political parties, the judiciary and judicial bodies, or those that regulate the rights and freedoms established in the Constitution and in other laws supplementary thereto must be enacted with the approval of a two-thirds majority of the members of the House [of Representatives].
- The Constitution stipulates the establishment of independent and specialized national human rights mechanisms. Such a stipulation is in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles of 1990). Those mechanisms include, inter alia, the National Council for Human Rights, the National Council for Women, the National Council for Childhood and Motherhood, and the National Council for Persons with Disabilities. The neutrality of their members is enshrined in the law, as is the right of those bodies to report to the public authorities about any violations related to their areas of work. These national councils all have legal personality and enjoy technical, financial and administrative independence, and their views are taken into consideration when enacting laws and related regulations that are relevant to their areas of work. Accordingly, the Government strives assiduously to develop independent follow-up and monitoring mechanisms that can contribute to the ongoing efforts aimed at strengthening human rights protection mechanisms (para. 214).

15. For the first time, the Constitution enumerates the rights of persons with disabilities and includes an article whereby [the State is obligated to] guarantee the health, economic, social, cultural, recreational, sporting and educational rights of such persons; provide them with employment opportunities and allocate a proportion of such opportunities for them; adapt public facilities and the surrounding environment; ensure that they are able to exercise their political rights; and integrate them with other citizens, with a view to realizing the principles of equality, justice and equality of opportunity (art. 81). In addition, article 55 provides that the State is obligated to provide means of access for a person with disabilities should such a person be arrested, imprisoned or deprived of liberty, while article 244 provides that persons with disabilities must be represented adequately in the House of Representatives on an ongoing basis, not just in the first legislative term.

### **Contributions of Egypt with regard to human rights at the international and regional levels**

16. Egypt has devoted considerable attention to human rights and accession to the principal international treaties and conventions relevant to the protection and promotion of human rights. Accordingly, Egypt, a founding member of the United Nations and of the League of Arab States and the host of the latter's headquarters, and a member of many international organizations (e.g., African Union, Organization of Islamic Cooperation, Movement of Non-Aligned Countries, International Organization of la Francophonie and Developing Eight Countries Organization for Economic Cooperation), has strived to accede to the majority of the basic international conventions, covenants and instruments that are relevant to human rights and the fundamental freedoms of human beings and that align with its national identity and religious, civilizational and cultural heritage.

#### **I. International human rights conventions to which Egypt has acceded**

17. The following instruments are listed in the order to which Egypt acceded to them:
1. Protocol amending the Slavery Convention of 1926
    - (a) The Protocol was ratified on 25 January 1928.
    - (b) The Protocol amending the Slavery Convention signed at Geneva on 25 September 1926 was ratified on 29 September 1954, published on 22 September 1955 in issue No. 73 of the *Official Gazette* and entered into force on 7 July 1955.
    - (c) The Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery was ratified on 17 April 1958 and entered into force on 17 April 1958, the date on which the instrument of ratification was deposited pursuant to article 24 of the Supplementary Convention.

2. Egypt ratified the Convention on the Prevention and Punishment of the Crime of Genocide on 28 January 1952 and acceded to it by Act No. 121 of 1951, which was published on 16 August 1951 in issue No. 71 of the *Official Gazette*. The Convention was published on 3 July 1952 in issue No. 100 of the *Official Gazette*.
3. Egypt acceded to the Forced Labour Convention, 1930 (No. 29), of the International Labour Organization (ILO) by Law No. 510 of 1955, which was promulgated on 19 October 1955 and published in issue No. 81 bis of the *Official Gazette* on 23 October 1955.
4. Egypt acceded to the Abolition of Forced Labour Convention, 1957 (No. 105), by Presidential Decree 1240 (1958), which was issued on 4 October 1958 and published in the annex to issue No. 101 of the *Official Gazette* on 25 December 1958.
5. Egypt acceded to the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others by Presidential Decree No. 884 (1959), which was issued on 11 May 1959 and published in issue No. 105 of the *Official Gazette* on 23 May 1959.
6. Egypt acceded to the International Convention on the Elimination of All Forms of Racial Discrimination by Presidential Decree No. 369 (1967), which was issued on 25 January 1967, and it ratified the Convention on 1 May 1967. The Convention was published in issue No. 45 of the *Official Gazette* on 11 November 1972.
7. Egypt acceded to the International Convention on the Suppression and Punishment of the Crime of Apartheid (United Nations, 1973) by Presidential Decree No. 62 (1977) and ratified it on 13 June 1977. The Convention was published in issue No. 32 of the *Official Gazette* 11 August 1977.
8. Egypt acceded to the Convention relating to the Status of Refugees (United Nations, 1951) by Presidential Decree No. 331 (1980), dated 28 June 1980, and ratified it on 22 May 1981. The Convention was published in issue no. No 48 of the *Official Gazette* on 26 November 1981.
9. Egypt acceded to the Protocol relating to the Status of Refugees (United Nations, 1967) by Presidential Decree No. 333 (1980), dated 28 June 1980, and ratified it on 22 May 1981. The Protocol was published in issue No. 45 of the *Official Gazette* 5 November 1981.
10. International Covenant on Civil and Political Rights (United Nations, 1966) and the International Covenant on Economic, Social and Cultural Rights (United Nations, 1966).
11. Egypt signed both covenants on 4 August 1967 and ratified them on 14 January 1982. Egypt acceded to the former by Presidential Decree No. 536 (1981) and the latter by Presidential Decree No. 537 (1981). The former was published in issue No. 15 of the *Official Gazette* on 15 April 1982 and the latter in issue No. 14 of the *Official Gazette* on 8 April 1982.
12. Egypt acceded to Convention on the Elimination of All Forms of Discrimination against Women (United Nations, 1967) by Presidential Decree No. 434 (1981) and ratified it on 18 September 1981. The Convention was published in issue No. 51 of the *Official Gazette* on 17 December 1981.
13. Egypt acceded to the Convention on the Political Rights of Women (United Nations, 1953) by Presidential Decree No. 345, dated 17 June 1981, and ratified it on 8 September 1981. The Convention was published in issue No. 49 of the *Official Gazette* on 3 December 1981.
14. Pursuant to Presidential Decree No. 128 (1983), dated 26 March 1988, Egypt ratified the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), of ILO. The Convention was published in issue No. 47 of the *Official Gazette* on 24 November 1988.
15. Egypt acceded to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (United Nations, 1984) by Presidential Decree

No. 154, dated 6 April 1986, and ratified it on 25 May 1986. The Convention was published in issue No. 1 of the *Official Gazette* on 7 January 1988.

16. Egypt acceded to the Convention on the Rights of the Child (United Nations, 1990) by Presidential Decree No. 260 (1990), dated 24 May 1990, and ratified it on 8 July 1990. The Convention was published in issue No. 7 of the *Official Gazette* on 14 February 1991.

17. Egypt acceded to the Worst Forms of Child Labour Convention, 1999 (No. 182), of ILO by Presidential Decree No. 69 (2002), issued on 23 March 2002. The Convention was published in issue No. 30 of the *Official Gazette* on 25 July 2002.

18. Egypt acceded to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, which was adopted in 2000, by Presidential Decree No. 104 (2002), issued on 13 May 2002. The Optional Protocol was published in issue No. 8 of the *Official Gazette* on 24 February 2005.

19. Egypt acceded to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, which was adopted in 2000, by Presidential Decree No. 105 (2002), issued on 13 May 2002. The Optional Protocol was published in issue No. 31 of the *Official Gazette* on 2 August 2007.

20. Egypt acceded to the International Convention against Apartheid in Sports (1985) by a Presidential Decree that was issued on 23 December 1990. The International Convention was published in issue No. 24 of the *Official Gazette* on 13 June 1991.

21. Egypt acceded to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families by Presidential Decree No. 446 (1991). The People's Assembly endorsed the International Convention on 26 December 1992 and it was ratified by Egypt on 16 February 1993. The International Convention was published in issue No. 31 of the *Official Gazette* 5 May 1993.

22. Egypt acceded to the Convention on the Rights of Persons with Disabilities by Presidential Decree No. 400 (2007). The Convention was published in issue No. 27 of the *Official Gazette* on 3 July 2008.

## **II. Regional human rights conventions to which Egypt has acceded**

1. Egypt acceded to the Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa (1969) by Presidential Decree No. 332 (1980), issued on 28 June 1980. The Convention was published in issue No. 20 of the *Official Gazette* on 20 May 1982.

2. Egypt acceded to the African Charter on Human and Peoples' Rights (1981) by Presidential Decree No. 77 (1984), issued on 27 February 1984. The Charter was published in issue No. 17 of the *Official Gazette* on 23 April 1992, and it entered into force as of 21 October 1986.

3. Egypt acceded to the Charter on the Rights of the Arab Child (1983) by Presidential Decree No. 356 (1993), issued on 27 September 1993. The Charter was published in issue No. 11 of the *Official Gazette* on 17 March 1994.

4. Egypt acceded to the African Charter on the Rights and Welfare of the Child (1990) by Presidential Decree No. 33 (2001), issued on 4 February 2001. The Charter was published in issue No. 44 of the *Official Gazette* on 28 January 2004.

5. Egypt ratified Arab Convention No. 17 (1993) concerning the Rehabilitation and Employment of Persons with Disabilities in 1994.

6. Egypt acceded to the Arab Women Organization Convention (2002) by Presidential Decree No. 133 (2002).

7. Egypt acceded to the Arab Charter on Human Rights by Presidential Decree No. 429 (2018), issued on 15 September 2018. The Charter was published in issue No. 24 of the *Official Gazette* on 13 June 2019.

### **Legal status of the Convention in the legal system of Egypt**

18. In accordance with the provisions of articles 93 and 151 of the Constitution, the Convention, following accession, ratification and publication in the *Official Gazette*, is considered as though it were a law enacted by the legislative authority. Accordingly, the Convention is considered to be a legal text that must be adhered to and is in force with respect to all State authorities, whether legislative, executive or judicial. Several court judgments have been issued on the basis of international conventions or protocols following their entry into force. One of those is the judgement that the Supreme Constitutional Court handed down in case No. 8 (sixteenth year) at its session of 5 August 1995. In that case, the Court was asked to find that article 10 of Act No. 39 (1975) concerning the rights of persons with disabilities was unconstitutional. Under that Act, the administrative authorities of the State were obligated to ensure that persons with disabilities holding rehabilitation certificates constituted 5 per cent of the workforce. The Court, citing the Declaration on the Rights of Disabled Persons, which was proclaimed by the General Assembly of the United Nations in its resolution 3447 (XXX) of 9 December 1975, rejected the appeal. In its reasons for rejecting the appeal, the Court stated that measures aimed at regulating the status of persons with disabilities, whether at the national or international levels, have always been based on providing persons with disabilities with opportunities that enable them to overcome the obstacles and difficulties that they face, and make it possible for them to contribute to public life in an effective and productive manner. Given the lack of equal employment opportunities for persons with disabilities in respect of certain jobs, they must be enabled to have access to employment and given opportunities and assistance in line with the reality of their situation. Moreover, they must be integrated into society by setting aside a proportion of job opportunities for them. It should be noted that this judgment was issued before Egypt acceded to the Convention and even before it had been adopted, and also before the new Constitution was adopted in 2014. These facts demonstrate that the rights of persons with disabilities have always been of great interest to lawmakers and the judiciary.

### **National mechanisms for the protection and promotion of human rights**

19. As previously explained, under the Constitution, all the rights and freedoms stipulated in the international conventions to which Egypt has acceded are guaranteed. In addition, the Constitution mandates the legislative authority to regulate such rights and freedom and prohibits lawmakers from impose restrictions that would in any way undermine, suspend or diminish human rights so as to hinder the serious and effective exercise thereof, because human rights are necessary for the realization of democracy in its constitutionally mandated form and substance. The Constitution also establishes a national system of redress, namely, the judiciary and independent mechanisms for protecting human rights in accordance with international standards. In addition, the Government has consistently sought to establish implementing mechanisms, with a view to spreading the culture, principles and values of human rights in society, and protecting individuals and groups from violations of their freedoms and legal rights.

### **Judiciary (national system of redress)**

20. The judiciary is the authority that ensures the effective realization of all fundamental human rights and freedoms. Individuals must have recourse to an authority that can adjudicate, in accordance with national laws, cases involving attacks or violations committed against them and that infringe upon or are contrary to the fundamental principles of human rights and freedoms. The judiciary is independent and, through its various bodies, adjudicates disputes submitted to it on the basis of the nature of the dispute and the parties to it, as well

as the rights and freedoms being sought or the violations thereof. In Egypt the, the judiciary consists of:

**(a) Ordinary courts**

The ordinary courts have the competence to adjudicate all cases and offences other than those that fall under the competence of another judicial authority. The ordinary courts alone have the authority to adjudicate cases related to the affairs of its members. Their affairs are managed by a supreme council the composition and jurisdiction of which are regulated by law. The courts consist of:

- Courts of cassation
- Courts of appeal
- Courts of first instance
- Summary courts

Each of those courts has jurisdiction to hear cases brought before it in accordance with the law.

**(b) Office of the Public Prosecutor**

The Office of the Public Prosecutor is an integral part of the judiciary and is responsible for conducting investigations and initiating criminal proceedings and overseeing criminal cases.

**(c) Council of State**

The Council of State alone has the competence to adjudicate administrative disputes, cases involving the implementation of its judgments and lawsuits, and appeals related to disciplinary matters. In addition, it alone has the competence to deliver legal opinions to the authorities specified by the law, review and draft laws and decisions of a legislative nature, and review the drafts of contracts to which the State or a public body is a party.

**(d) Supreme Constitutional Court**

The Supreme Constitutional Court has competence to review the constitutionality of laws and regulations, interpret laws and adjudicate cases of conflict of jurisdiction between judicial bodies. It has an independent budget. Its judgements and decisions are published in the *Official Gazette* and are binding on all State authorities, over which it has absolute authority.

21. The Government has taken a series of measures and procedures and established independent mechanisms that are aimed at promoting and protecting human rights.

I. Governmental human rights bodies: The Government has been at pains to establish administrative bodies and structures, at various levels and invested with various powers, to promote, protect and disseminate a human rights culture, in accordance with ministerial regulations and decrees.

**(a) House of Representatives**

The House of Representatives has established a Human Rights Committee that is endowed with the parliamentary authority and tools to monitor the performance of the government and the executive branch in respect of the practical application and effective enforcement of all laws and decisions concerning human rights. This committee has conducted many successful field visits and participated in the drafting of relevant laws.

**(b) Cabinet**

The Supreme Permanent Committee for Human Rights was established by Prime Ministerial Decree No. 2396 (2018) with the aim of creating a permanent and specialized institutional entity to follow up on the implementation by Egypt of its

international obligations arising from the provisions of international and regional conventions and protocols to which it is acceded, and to propose the legislative measures and actions necessary for the implementation thereof. In addition, this committee develops policies, programmes and plans to raise awareness and build capacity in the field of human rights; proposes laws and legislative amendments aimed at supporting, protecting and promoting human rights; and cooperates and shares expertise and experiences with international and regional bodies.

**(c) Ministry of Justice**

The Human Rights, Women and Children Section was established by Decision of the Minister of Justice No. 3081 (2002) and is headed by one of the Minister's assistants. It was established in order to promote and advance human rights in Egypt by participating in the preparation of international reports and replies, including the legal aspects thereof; collecting data and statistics related to the activities of the Ministry in that regard; keeping abreast of laws, decisions and judicial rulings related to human rights; conducting the legal research and studies needed to harmonize national legislation and laws with the international instruments to which Egypt is a party; and cooperating with all State ministries and civil society organizations in order to achieve this goal.

**(d) Ministry of the Interior**

The Human Rights Section of the Ministry of the Interior was established with the aim of promoting, developing and protecting human rights; consolidating human rights values and spreading a culture of human rights among police personnel; developing plans and programmes to implement the human rights system at the Ministry, in accordance with the Constitution and the law, as well as the charters and treaties ratified by Egypt; and communicating with all State human rights institutions, as well as all other human rights organizations and institutions. A committee headed by the Assistant Minister for the Human Rights Section has been established. This committee, the membership of which comprises representatives of the relevant units in the Ministry, monitors the performance of the Ministry's security units and their respect for human rights, and the implementation of the Ministry's human rights strategy.

II. Independent mechanisms (independent national councils): The State has established specialized organs and institutions for the protection and promotion of human rights at the national level that monitor and follow up the progress made in the implementation of these conventions and prepare reports thereon in response to international and national requests. Article 214 of the Constitution establishes various independent national councils, including:

**(a) National Council for Childhood and Motherhood**

The Council was established by Presidential Decree No. 54 (1988), as amended. Act No. 12 (1996), concerning the promulgating the Child Act, provides that a council of that name shall be established, that it shall have a legal personality and be headquartered in Cairo, and that the President of the Republic shall issue a decision setting out its structure and terms of reference. In addition, articles 144 and 144 bis of the Child Act provide that a fund, to be named the Child and Maternal Welfare Fund, shall be established under the control of the National Council for Childhood and Motherhood, and that this fund shall have an independent legal personality and its own budget. The aforementioned presidential decree provides that the Council has an independent budget and that its purpose is to propose general policy in relation to childhood and motherhood; develop, within the framework of the State's general plan, a draft comprehensive national plan for childhood and motherhood that is aimed at protecting childhood and motherhood in various aspects, in particular with regard to social and family welfare, health, education, culture, information and social protection; monitor and evaluate the implementation of the general policy and the national plan

for childhood and motherhood in the light of the reports submitted to it by ministries, agencies and various bodies; and issue directives aimed at removing obstacles.

**(b) National Council for Women**

The National Council for Women was established by Presidential Decree No. 90 (2000). In accordance with article 244 of the Constitution, Act No. 30 (2018) was issued concerning the organization of the National Council for Women, which is an independent council that enjoys financial and administrative independence. The purpose of the Council is to promote, develop, protect and spread awareness of women's rights and help to ensure that those rights can be exercised; and consolidate equality and promote equality of opportunity and non-discrimination using all visual, audio and print media. The Council is responsible for setting down and monitoring national plans and proposing policies aimed at promoting the development of women and empowering them to fulfil their essential role in society and comprehensive development programmes. In addition, the responsibilities of the Council include cooperation with non-governmental organizations (NGOs) and systematic coordination with government institutions and equality of opportunity units in the relevant ministries, with a view to eliminating all forms of discrimination against women and to achieving the Council's objectives. The Council furthermore proposes general State policy in relation to promoting women's development, with a view to encouraging the advancement of women; enabling women to fulfil their political, economic, social and cultural role; integrating women's efforts into comprehensive development programmes; proposing draft national plans for the advancement of women; and solving the problems that women face.

**(c) National Council for Human Rights**

The National Council for Human Rights was established pursuant to Act No. 94 (2003), in accordance with the Paris Principles of 1990. It was amended by Act No. 197 (2017) on the basis of article 244 of the Constitution. The Council enjoys technical, financial and administrative independence in respect of its functions, activities and competencies. Its purpose is to promote, develop and protect human rights and public freedoms in accordance with the Constitution and the law and in the light of the international conventions, covenants and treaties to which Egypt is a party; develop a national plan of action to promote, protect and raise awareness of human rights in Egypt; and help ensure that human rights can be exercised, with a view to effectively implementing the international human rights instruments ratified by Egypt. In addition, the Council is mandated to propose means of achieving the goals of the national action plan and to coordinate systematically with all State agencies in order to achieve those goals; provide opinions regarding draft laws, as well as proposals and recommendations regarding matters related to the protection and promotion of human rights that are referred to it by the competent authorities; review allegations of human rights violations; receive complaints and follow up thereon with the competent authorities; provide its input in the drafting process of international reports; report on the situation of and developments in human rights; monitor implementation of the international human rights conventions, treaties and other instruments ratified by Egypt; and submit such proposals, observations and recommendations as are necessary in that regard to the relevant authorities. The Council has the right to visit prisons, places of detention, therapeutic settings and correctional facilities; report any violations of personal rights and public rights and freedoms to the Office of the Public Prosecutor; and intervene in judicial cases in support of victims of human rights violations.

**(d) National Council for Persons with Disabilities**

On 17 April 2012, the National Council for Persons with Disabilities was established by Prime Ministerial Decree No. 410 as the "National Council for Disability Affairs". Act No. 11 (2019), concerning the National Council for Persons with Disabilities Act, was subsequently promulgated in implementation of article 244 of the Constitution. Pursuant to the latter Act, the National Council for Disability



Affairs was replaced by the National Council for Persons with Disabilities, which enjoys technical, financial and administrative independence in respect of its functions, activities and competence. Its purpose is to promote, develop, protect and raise awareness of the rights of persons with disabilities and ensure that persons with disabilities are able to exercise their rights, with a view to effectively implementing the international conventions, covenants and treaties ratified by Egypt. The Council strives to achieve its objectives in cooperation with NGOs and through systematic coordination with government institutions.

22. The audio, print and visual media and social networking sites are among the most important means of exercising the right to freedom of opinion and consolidating the right to freedom of thought that is enshrined in the Constitution, as well as the right of every person to express his or her opinion verbally, in writing, pictorially or by other means of expression and publication (art. 65 of the Constitution). As a result, these means have become some of the most effective tools for seeking redress, in view of their speed and impact. Under article 72 of the Constitution, the State is obliged to guarantee the independence of the press institutions and media outlets that it owns, with a view to ensuring their neutrality and ability to convey all political and intellectual views, uphold social interests and ensure equality of opportunity in addressing public opinion.

23. The Government, in keeping with its belief that freedom of the media is a cornerstone of a healthy democratic regime, is striving to spread awareness of human rights among government employees and other professionals, and to provide adequate training on human rights for law enforcement officials. The Media Syndicate Act enshrines the independence of the Syndicate in order to protect the right of journalists to fulfil their mission and practice their profession within the framework of a media code of conduct drawn up by the Syndicate's general assembly, so as to guarantee society's right to be served by professional and responsible media. Three laws have been enacted that regulate the press and the media. They guarantee freedom of the press, the media, printing and publication, whether on paper or through audiovisual or digital means. Under the Constitution, moreover, newspapers can be published simply by providing notification, while censorship, confiscation, suspension or closure of newspapers and media outlets is forbidden, except in time of war or general mobilization. In addition, those laws provide that opinions expressed by journalists may not be used as grounds for their prosecution, and they guarantee their right to obtain and publish information and not to be compelled to reveal their sources. Those laws prohibit the imposition of custodial penalties for offences related to publication, with the exception of incitement to violence, discrimination or calling into question a person's reputation. They also establish the independence of the Supreme Council for Media Regulation and prohibit any interference in its affairs.

24. Civil society, in particular NGOs, are involved in promoting and protecting human rights. To that end, the Government has sought to encourage the growth of civil society. Following the promulgation of Act No. 17 (2017) regulating the operations of associations and other institutions involved in civil work, a series of community dialogues were held in response to criticisms directed at the Act. As a result of those dialogues, Act No. 149 (2019), regulating the activity of civil society associations, was promulgated. That Act contributes to the reform of the civil association system by granting the right to establish associations through notification in the absence of an objection from the administrative authority and by honouring the constitutional right to freedom of association. The Act also gives such associations financial benefits, tax exemptions and the right to receive funds and grants after notifying the administrative authority. Non-objection by the administrative authority within 60 working days is considered approval. The new Act contains no penalties that entail deprivation of liberty. In addition, it provides that no association or its governing board can be dissolved other than by a judicial ruling. The fees for authorizing foreign associations to operate have been reduced while the proportion of foreigners able to sit on the governing boards of civil society organizations has been increased to 25 per cent. The Act also stipulates the establishment of a fund to provide technical, financial and administrative support to civil society associations and institutions, in order to raise their overall level, and establish a comprehensive regulatory framework for voluntary work.

## **Part two**

### **Commentary on the articles of the Convention**

#### **I. Application of the articles of the Convention under national law, practical and substantive measures taken, and mechanisms put in place in order to achieve the objectives of the Convention and give effect to the rights contained therein**

##### **Article 1: Purpose of the Convention and definition of a person with disabilities**

25. The concern of Egypt for persons with disabilities goes back to the times of the pharaonic State, which respected their humanity, preserved their dignity and promoted their integration into society by taking into consideration their conditions and talents and giving them opportunities to take on tasks commensurate with their abilities. A mural from the eighteenth dynasty (fifteenth century B.C.) depicts a lyre player with visual disabilities. A limestone statue depicting a senior pharaonic priest with a physical disability (dwarfism) and his princess wife was discovered. This priest was responsible for funerary ceremonies and master of the royal wardrobe. Caring for persons with disabilities has continued into modern times through successive national laws. The concept of caring for disability has historically been a noble human and civilizational concern that is ingrained in the conscience of the Egyptian State. It is something that has evolved from human compassion into providing care for persons with disabilities in view of the health, psychological and social conditions that they experience, as well as removing the obstacles that they face in order to help them overcome their disabilities. Accordingly, the State strives to remove obstacles in the surrounding environment that prevent persons with disabilities from participating in and being integrated into their society, exercising of all their rights, enjoying their freedoms, securing a decent life for themselves and maintaining their dignity. The State believes that caring for, rehabilitating and empowering persons with disabilities and providing them with opportunities to take on roles and tasks that are commensurate with their abilities are important aspects of community development and achieving the Sustainable Development Goals.

26. Successive laws have stipulated that the rights of persons with disabilities must be respected, and that such persons must be given opportunities to fulfil their duty to participate in their communities. Act No. 14 (1959), which was promulgated in 1959, concerns the vocational rehabilitation of persons who are incapable of working and the provisions of services to such persons. The articles of that Act were incorporated into the Labour Act, No. 91 of 1959. The Government has devoted considerable attention to regulating the rights of persons with disabilities and rehabilitating them and providing various services that enable them to overcome the effects of disability by issuing. To that end, Egypt promulgated Act No. 39 (1975), amended by Act No. 49 (1982), entitled “The Rehabilitation of the Disabled Act”. The former act was promulgated not only before Egypt acceded to the Convention, but also before the Conventions had been adopted and before the adoption of the new Constitution in 2014. In affirmation of the desire of the State and its institutions to promote the rights of persons with disabilities, the Supreme Constitutional Court handed down a judgment in case No. 8 (sixteenth year) at its session of 5 August 1995 in which it invoked the Declaration on the Rights of Disabled Persons, which was proclaimed by the General Assembly of the United Nations in its resolution 3447 (XXX) of 9 December 1975. In giving the reasons for its ruling, the Court stated that measures aimed at regulating the status of persons with disabilities, whether at the national or international levels, have always been based on providing persons with disabilities with opportunities that enable them to overcome the obstacles and difficulties that they face. Given the lack of equal employment opportunities for persons with disabilities in respect of certain jobs, they must be enabled to have access to employment and given opportunities and assistance that is responsive to their situation. Moreover, they must be integrated into society by setting aside a proportion of job

opportunities for them. The foregoing demonstrates that the rights of persons with disabilities have always been of great interest to lawmakers and the judiciary.

27. Following the entry into force of the Convention in 2008, the Government took serious measures towards implementing its provisions on the ground. Efforts towards that end continued in 2009 and 2010, but then Egypt experienced the revolutions of January 2011 and June 2013. The Constitution that was adopted in 2014 represents a victory for the goals and principles of the revolution, and it marks a paradigm shift with regard to improving the human rights situation in Egypt and the rights of persons with disabilities in particular. Egypt, in keeping with its international undertakings, has directed its efforts towards promoting the rights of persons with disabilities. The most significant of those efforts has been the preparation by national institutions, in cooperation with civil society organizations, of a draft law on persons with disabilities that is in line with the Convention and responds to the needs of persons with disabilities. Act No. 10 (2018) on the rights of persons with disabilities and its implementing regulation were issued under Prime Ministerial Decree No. 2733 (2018). The Act, in its first article, set out the purpose for which it was enacted, while its second article defines a person with disabilities in accordance with the Convention. The criterion “long-term” is one of the elements that are included in the definition of a person with disabilities in the Convention. The laws of Egypt are in accordance with the Convention in that regard, as they stipulate that partial or complete disability must be of a long-lasting nature. “Removing various barriers” is another of the elements that are included in the definition of a person with disabilities in the Convention. Under the laws of Egypt, the expression “removal of various obstacles” is used to emphasize that there are no barriers, but rather only obstacles that can be overcome in order to enable persons with disabilities to participate.

28. Government efforts in that regard have continued through systematic coordination between State institutions and the relevant authorities aimed at developing measures and procedures and putting in place mechanisms and reasonable accommodation arrangements in order to integrate and directly apply each of the rights of persons with disabilities that are enumerated in the Convention and in the Constitution and relevant laws of Egypt. The Government, in keeping with its concern for persons with disabilities, declared 2018 as the Year of Persons with Disabilities. Egypt celebrates the International Day of Persons with Disabilities on 3 December of each year. The National Council for Persons with Disabilities engages with the relevant NGOs in order to call for nominations of persons with disabilities from all walks of life to participate in and be honoured on this occasion.

## **Article 2: Definitions of terms found in the law (Act No. 10 (2018))**

29. The definitions of communication, language, discrimination on the basis of disability and reasonable accommodation in article 3 of Act No. 10 (2018) correspond to the definitions in article 2 of the Convention. The definition of universal design found in article 2 of the Convention is subsumed under the definitions of accessibility and quality standards that are found in article 3 of the Act. In addition, the Act and its implementing regulations include definitions of other terms that are related to the articles of the Convention.

### **I. Definitions of terms found in the law that are in accordance with the Convention:**

“Communication” means sending, receiving and exchanging information, and suitable means of communication between persons with disabilities and between persons with disabilities and persons without disabilities, including certain augmentative means, modern technology and languages of various forms and types, as set out in the implementing regulations. It is clear from the above that the definitions of communication and language contained in article 2 of the Convention have been combined into a single, comprehensive definition in Egyptian law.

“Discrimination on the basis of disability” means any limitation, restriction, exclusion, nullification or denial of any of the human rights or fundamental freedoms established in the Constitution or in any other legislation on the basis of disability.

“Reasonable accommodation” means actions, measures or temporary adjustments aimed at providing accommodation where full accessibility cannot be achieved, with a view

to ensuring that persons with disabilities can enjoy and exercise all human rights and fundamental freedoms on an equal basis with others until accessibility has been achieved. For example, the Ministry of Civil Aviation has provided reasonable accommodation at airports, and the Ministry of Transportation has done likewise with regard to railways, road transport and metros. In addition, Braille was used in the voting on constitutional amendments in April 2019.

“Accessibility” means the equipment and measures needed to arrive at an inclusive environment that is adapted from the physical, social, information and material perspectives to persons with disabilities, and the provision of the equipment, tools and assistive devices needed to ensure that persons with disabilities are able to exercise their rights and freedoms on an equal basis with others.

“Quality standards” means the standard specifications that must be met in all services and means of accessibility based on the needs of a person with disabilities and the degree of his or her disability. The two preceding definitions demonstrate that, in Egyptian law, the definition of universal design found in article 2 of the Convention is subsumed under the definitions of accessibility and quality standards.

## **II. Definitions found in the law and its implementing regulations that are in addition to those found in the Convention:**

“Dwarfism” means that a person must not be more than 140 cm tall at maturity, regardless of the medical reason.

“Protection” means measures that are aimed the prevention, early detection and reduction of the negative effects defects, whether medical, psychological, social, educational, organizational, environmental, media or other.

“Empowerment” means removing barriers, facilitating access to and providing opportunities for persons with disabilities to develop their abilities, exercise their rights and fulfil their responsibilities, participate in planning their affairs and make decisions in that regard, and contribute to the development of society.

“Care” means necessary services provided to persons with disabilities that are in line with the nature, degree and duration of their disability, their economic and social conditions, and their needs, desires, choices and rights.

“Comprehensive inclusion” means enabling persons with disabilities to benefit from all services, activities, public facilities and means of education on an equal basis with others in society, without discrimination on the basis of disability in all aspects of life, through policies, plans, measures, programmes, awareness-raising and effective participation.

“Rehabilitation” means a multicomponent set of services that are designed to enable persons with disabilities and their first-degree relatives to restore, realize or develop their physical, mental, cognitive, professional, social, psychological or economic abilities, and to exploit and use those abilities to ensure their independence, engagement and full participation in all aspects of life on an equal basis with others.

“Community-based rehabilitation” mean a strategy that operates within the framework of community development and is founded on rehabilitating persons with disabilities and enabling them to exercise their rights and freedoms, and integrating them and providing them with equal opportunities in society through the concerted efforts of their families, community members and organizations, and by actuating and using all suitable services available in society.

“Engineering code” means the bases, standards, controls and special requirements for public buildings and facilities that must be complied with in order to facilitate their use by persons with disabilities.

“Access to information and communications technology (ICT)” means removing barriers in order to ensure that persons with disabilities have access to such technology, including the Internet, e-services and emergency services.

“Integrated services” means the various public or private services, facilities and benefits provided by Egyptian ministries and authorities to persons with disabilities.

“Access to technology” means access to information and communication technologies and systems through suitable measures, with a view to ensuring equality of access for persons with disabilities.

“Caregiver” means a relative or an acquaintance of a person with a disability who is personally caring for him/her or a person who has been designated as a caregiver by a court ruling or a decision of the Office of the Public Prosecutor.

### **Articles 3 and 4: General principles and general obligations**

30. Article 4 of Act No. 10 (2018) sets forth a set of general principles that are in line with articles 3 and 4 of the Convention, including the following:

- Ensure non-discrimination on the basis of disability, type of disability or gender of the person with a disability; de facto equality in all human rights and fundamental freedoms; and elimination of all obstacles to the exercise of those rights;
- Create conditions conducive to a decent life with respect for human dignity;
- Create conditions that respect differences with a view to acceptance of persons with disabilities as part of human diversity;
- Guarantee the rights of persons with disabilities as provided in the Convention and other relevant international instruments in force in Egypt, and refrain from any act or practice not in keeping with the provisions of such instruments;
- Respect the freedom of persons with disabilities to make their own choices of their own free will;
- Respect the evolving capacities of children with disabilities and their right to maintain their identities and express their views freely; and make available information and assistance for exercising that right commensurate with disability and age;
- Ensure the right of persons with disabilities to express their views freely in order to guarantee their full and active participation in society;
- Ensure the right of persons with disabilities and their families to obtain all information concerning them from all parties;
- Ensure the right of persons with disabilities to life and development to the maximum extent by providing the highest possible level of basic requirements, and enable them to exercise fundamental public and private rights and freedoms;
- Build and expand the capacities of staff of governmental and non-governmental agencies who work with persons with disabilities, raise community awareness of the rights of persons with disabilities, promote respect for those rights, and reinforce awareness of the capabilities and contributions of persons with disabilities themselves;
- Take measures to ensure that persons with disabilities have access to and use of the surrounding physical environment, transportation and information and communications to maximize their capacities, with a focus on affordable technologies;
- Enable persons with disabilities to take part in the conduct of public affairs on an equal basis with others, and encourage their participation in the formulation of policies and programmes, including children with disabilities either by themselves or through their parents or representative organizations;
- Provide a safe environment for persons with disabilities; prevent them from being exposed to any kind of exploitation, violence, torture, abuse, neglect, degrading treatment or restriction of their rights; provide security and protection commensurate with their capacities; and develop procedures to protect and secure them from dangers to which they might be exposed in the course of epidemics, disasters or other emergencies or hazardous situations;

- Provide habilitation, training, awareness, guidance and support to the families of persons with disabilities, and provide appropriate conditions for their care;
- Incorporate protection and promotion of the rights of persons with disabilities into all policies and programmes.

31. Provisions of the implementing regulations will set forth in detail the obligations of the Egyptian State with regard to the protection and promotion the rights of persons with disabilities and provide for suitable and appropriate legislative, administrative, social, economic and judicial remedies.

## **Article 5: Equality and non-discrimination**

32. Under the Constitution, the State is obligated to ensure equality of opportunity among all citizens, without discrimination. All persons are equal before the law without discrimination on any basis. That includes disability. The State is committed to protecting and promoting the health, economic and social rights of persons with disabilities and their empowerment, integration and habilitation. It takes measures to ensure reasonable accommodation for them by making public buildings and facilities and their surroundings accessible in every way (arts. 9, 53 and 81 of the Constitution).

33. Article 1 of Act No. 10 (2018) reaffirms this principle. It guarantees persons with disabilities enjoyment of all human rights and fundamental freedoms on an equal basis with others. Articles 4 and 20 of that same Act provide for non-discrimination on the basis of disability, type of disability or the gender of the person with a disability. Provision is made for de facto equality in the enjoyment of all human rights and fundamental freedoms in all fields, and prohibition of any discrimination or denial of benefits or rights on the basis of disability in hiring, type of work, promotions, wages and bonuses. The Act and its implementing regulations provide for affirmative action for deserving persons with disabilities, taking into account the principle of equal opportunity and with a view to achieving de facto equality (arts. 23, 25–27, 30 and 38 of the Act and arts. 68, 69, 76 and 78 of the implementing regulations).

### **Judicial enforcement**

34. An administrative court in Alexandria ruled to rescind an administrative decision that closed a marble workshop where persons with disabilities worked in application of the principle of equality. The court called on lawmakers to speedily adopt an act on persons with disabilities.<sup>3</sup>

35. An administrative court required the Minister of Social Solidarity to pay increased social security assistance to a woman with an intellectual disability. The Court also required the Minister to grant and increase the stipend of a girl with a disability on a fixed social security income.<sup>4</sup>

36. An administrative court ordered the head of the health insurance authority to dispense prescribed medication to a girl with an intellectual disability (autism).<sup>5</sup>

### **Policies, programmes and affirmative action measures taken by the State to achieve equality and non-discrimination on the basis of disability**

37. A person with motor disabilities represented the National Council for Disability Affairs on the committee that drafted the 2014 constitution.

38. Persons with disabilities are members of the House of Representatives. There were nine representatives with disabilities in the first parliament of 2015 and in the current one. Seven are women and two are men. Eight persons with motor disabilities were elected and one person with visual disabilities was appointed.

<sup>3</sup> Judgment issued in case No. 194, fifteenth judicial year, session of 23 February 2015.

<sup>4</sup> Judgment issued in case No. 4879, thirteenth judicial year, session of 18 April 2016.

<sup>5</sup> Judgment issued in Case No. 16025, fifteenth judicial year, session of 18 April 2016.

39. A committee on solidarity, family and persons with disabilities was created in the House of Representatives. A female parliamentary representative with motor disabilities was appointed undersecretary of that committee in the current House of Representatives.
40. Braille has been used to assist the visually impaired in expressing their opinions, empower them and allow them to exercise the right to vote and express their opinions on the 2019 constitutional amendments.
41. The Ministry of Housing has adopted the Egyptian code for the design of spaces and buildings for the use of persons with disabilities, issued in 2003 and updated in 2015, to provide the highest level of reasonable and appropriate accommodations for persons with disabilities.
42. A national strategy was drawn up for the legislative, social and health protection of children with disabilities by the National Council for Childhood and Motherhood for the periods 2015–2020 and 2018–2030. The National Council for Persons with Disabilities took part in developing the disability component to ensure the protection and enhancement of the rights of children with disabilities.
43. The Ministry of Social Solidarity engaged in systematic coordination with the Ministry of Planning to develop a strategy for the habilitation, care and protection of persons with disabilities as part of the Egypt Vision 2030 sustainable development plan.
44. The Ministry of Solidarity developed a strategy for the habilitation, care and protection of persons with disabilities for the year 2030. The Egypt Vision 2030 sustainable development strategy includes a social justice component based on building a just and united society that realizes equality in rights and opportunities, embodies the principle of non-discrimination on any grounds and protects the rights of the most vulnerable groups.
45. There is systematic coordination among State agencies to address disability issues and identify gaps in programmes and services offered by the Ministry. The Ministry held 16 consultative workshops that covered 27 governorates. There were four workshops in each geographical sector for persons with a diverse range of disabilities. There were some 525 participants and representatives of 90 civil society organizations involved in disability issues.
46. The Ministry of Justice has prepared a draft law on a commission on equality and the prevention of discrimination. It contains articles aimed at ending all forms of negative discrimination against any citizens, especially persons with disabilities. The legal procedures for its adoption are ongoing and community dialogues are being held.

## **Article 6: Women and girls with disabilities**

47. The Constitution guarantees the right of women to pass on their nationality to their children. It requires the State to ensure equality of opportunity for all citizens without discrimination. It commits the State to achieving equality between men and women in all their rights, including the right to hold public office, and ensuring they are adequately represented in the parliament. It requires the State to protect women against all forms of violence and empower them to reconcile family duties with work requirements. It requires the State to take all necessary measures to put an end to all forms of discrimination. The State is also required to guarantee the rights of persons with disabilities – which includes women and girls with health, economic and social disabilities – to exercise all their political rights, and integrate them with the rest of citizens in keeping with the principle of equality. It allocates a quarter of the seats on local bodies to women and provides for representation of persons with disabilities within the percentages allocated to workers and farmers (arts. 5, 9, 11, 53, 81 and 180).
48. Act No. 10 (2018) and its implementing regulations affirm the principles contained in the Constitution and the Convention. It provides for the rights of persons with disabilities without discrimination between men and women or girls and boys with disabilities. It sets forth rights and duties to ensure the exercise and enjoyment of fundamental rights and freedoms on the basis of equality.

49. There are numerous laws that affirm equality between women and girls with disabilities and men and boys with disabilities, as well as between women and girls with disabilities and women and girls without disabilities. They include the following:

- Act No. 1 (2000) regulating certain conditions and procedures for litigation in matters of personal status, as amended by Act No. (2004), covers matters relating to marriage, divorce, custody of minors and all types of child support and alimony, without discrimination between women and girls with disabilities and others. Act No. 79 (1975) on social insurance guarantees insurance entitlements for old age, disability, death, work injuries, sickness, unemployment and health care to pensioners without discrimination between women and men.
- Article 3 of the Education Act, No. 139 (1981), and its implementing regulations, No. 2840 (2007), provide that pre-university education is the right of all citizens in State schools without discrimination between girls with disabilities and girls without disabilities.
- Article 88 of the Labour Code, No. 12 (2003), provides that women workers shall be equal in all provisions regulating the employment of workers without discrimination, where their working conditions are identical.
- The Social Security Act, No. 137 (2010), and its implementing regulations, No. 451 (2010).
- The Civil Service Act, No. 81 (2016) and its implementing regulations 1216 (2017), article 1, provide that civil-service jobs are the right of all citizens. Gender discrimination in the application of the provisions of laws is prohibited. Article 46 reduces working hours by one hour for women with disabilities. Article 49 entitles women with disabilities to regular annual leave of 45 days, not tied to the number of years of service.
- Article 1 of the Universal Health Insurance System Act, No. 2 (2018), covers all citizens without discrimination. Articles 3 and 5 of the House of Representatives Act, No. 46 (2014), as amended by Act No. 92 (2015), provide for the election of 120 members of the House of Representatives by the list system. For the districts with 15 seats, 3 candidates on each list must be persons with disabilities and 7 must be women. For the districts with 45 seats, 3 candidates on each list must be persons with disabilities and at least 21 must be women.
- The Illegal Migration and Migrant Smuggling Act, No. 82 (2016), criminalizes smuggling, attempted smuggling or acting as intermediary for such. It increases the penalty if the smuggled migrants include women or persons with disabilities.

### **Judicial enforcement**

50. The Court of Cassation ruled to continue a mother's custody of her young children with disabilities in a lawsuit filed by a husband against his wife requesting a ruling that he should have custody of his two sons with disabilities and should be awarded the marital home after divorce. The original court had ruled to reject the lawsuit and the Court of Cassation upheld the ruling on the grounds that it was correct jurisprudence because the disability of these two children put them in need of their mother as they moved on in life, and their father could not serve them in any way because it is hard work of which men are not capable.<sup>6</sup>

51. An administrative court ruled to suspend enforcement of a decision by the Chair of the Board of Directors of the General Health Insurance Authority to refuse to dispense prescription medication for a girl with autism and to require the Authority to dispense the medication.<sup>7</sup>

52. An administrative court required the Minister of Social Solidarity to pay increased social security assistance to a woman with an intellectual disability. The Court also required

<sup>6</sup> Appeal No. 704, fourth judicial year, Personal Status, session of 18 May 2009.

<sup>7</sup> Judgment handed down in administrative court in Case No. 16025, fifteenth judicial year.



the Minister to grant and increase the stipend of girl with a disability on a fixed social security income.<sup>8</sup>

53. An administrative court overturned a decision by the Minister of Health to terminate a woman's service because of a visual disability. It ruled in favour of her petitions and allowed her to continue to work with fully paid sick leave.<sup>9</sup>

**Measures taken by the State to ensure the development, advancement and empowerment of women to exercise and enjoy their fundamental rights and freedoms and to eliminate all forms of discrimination against women and girls with disabilities**

54. Major contributions were made to the discussions on the National Strategy for the Empowerment of Egyptian Women 2030 – which includes girls and women with disabilities – in line with the principles of the Constitution and the Sustainable Development Goals adopted by the United Nations.

55. Adequate representation of women in parliaments is ensured. There are seven women with physical disabilities in the House of Representatives. Women are allocated a quarter of seats on local councils, which comes to some 13,000 seats.

56. The first council dedicated to persons with disabilities, called the National Council for Disability Affairs, was established in 2012 to handle the affairs of persons with disabilities and to integrate and empower persons with disabilities – including women and girls with disabilities. The Council's first Secretary-General was a mother of a person with intellectual disabilities. She was followed by a woman with motor disabilities. This was all part of the empowerment of women with disabilities and the State's recognition of their ability to take on leadership positions.

57. The National Council for Persons with Disabilities works to empower women with disabilities on several fronts. Its collaborations with civil society and the National Council for Women include the following:

(a) In January 2015, the Council held training workshops for staff with disabilities, including women with disabilities, in cooperation with the Ministry of Youth, the State Information Service and the Parliamentary House of Expertise in several governorates. A number of associations and their nominees with disabilities were invited.

(b) In November 2015, the Council held awareness-raising seminars on the importance of participating in parliamentary elections that were aimed at persons with disabilities, especially women with disabilities, in various governorates.

(c) In November 2016, the Council, together with the Social Fund for Development and in coordination with ILO, held a training course entitled "Women entrepreneurs and the desire to grow" to empower women with disabilities and integrate them into the labour market. Several associations were contacted, especially those operating in the field of hearing disability.

(d) There was cooperation with the National Council for Women on preparing a strategy to combat all forms of violence against women and protect and promote the rights of women and girls with disabilities.

58. The Ministry of Communications and Information Technology, in cooperation with South Sinai Governorate, has opened a number of community centres to serve persons with disabilities and empower women, including the inclusive community centre at the Sharm el-Sheikh youth centre, and the women's empowerment centre in the city of Tur.

59. A girl with intellectual disabilities and a woman with visual disabilities were enabled take part in presenting television programmes on the DMC channel.

<sup>8</sup> Judgment in case No. 4879, thirteenth judicial year, session of 18 April 2016.

<sup>9</sup> Judgment handed down in Case No. 15645, sixty-second judicial year, session of 25 June 2013.

## Article 7: Children with disabilities

60. Article 6 of the Constitution grants the right of Egyptian nationality to every child born to an Egyptian father or mother, and the right to legal recognition and official papers verifying personal data. Article 65 guarantees the right to freedom of thought and opinion. The Constitution also guarantees health and family care for children; protection of children from all forms of violence, abuse, ill-treatment and sexual and commercial exploitation; free compulsory vaccination; alternative care; basic nutrition; safe shelter; religious education; emotional and cognitive development; and early education in a centre for children through the age of six. The State is obligated to protect and promote the rights of children with disabilities, habilitate them and integrate them into society, equip public facilities and their surrounding environment, and pursue the best interests of children in all measures taken with respect to them (arts. 80 and 81).

61. Article 4 of Act No. 10 (2018) on the rights of persons with disabilities sets out the obligations and principles on the basis of which the Egyptian State is to pursue the best interests of children with disabilities. It must respect the evolving abilities of children with disabilities and their right to maintain their identity and express their opinions freely in all matters affecting them. Due regard must be given to their opinions commensurate with their age and maturity level, on an equal basis with other children. Information and assistance to exercise their rights must be provided commensurate with their disability. The Act turns its attention to the health and education of children with disabilities in chapter II, articles 5–8, and chapter III, articles 10–14. It provides for facilitating their participation in cultural, media, sports and recreational activities. Tourism services must be upgraded to ensure that they can easily visit and enjoy tourism sites. Artistic performances and tourist and artistic festivals must provide accommodation for them. This is all covered in chapter VII, articles 41–43.

62. The implementing regulations reinforce these rights in articles 20–39 on the obligation of governmental and non-governmental State educational institutions to provide for the integration of children with disabilities in pre-university education. Articles 82 and 83 provide that the State must take measures to facilitate the participation of persons with disabilities in athletic and archaeological programmes and activities.

63. There has been much legislation reinforcing the protection and promotion of the rights of children with disabilities and guaranteeing full enjoyment of all the fundamental rights and freedoms set forth in the Convention, including the following:

- Egyptian law guarantees care and rehabilitation for children with disabilities. They are covered in the Child Act, No. 12 (1996), as amended by Act No. 126 (2008), articles 75–86, and in Chapter VI of that Act's implementing regulations, No. 2075 (2010), articles 141–165.
- Act No. 1 (2000) regulating certain litigation conditions and procedures for personal status matters, as amended by Act No. 10 (2004), deals with matters relating to the custody of minors and child support without discrimination between boys and girls with disabilities.
- Act No. 64 (2010) on combating trafficking in persons criminalizes trafficking in persons and increases the penalty if the victim is a child or a person with a disability.
- The Illegal Migration and Migrant Smuggling Act, No. 82 (2016), criminalizes smuggling, attempted smuggling, or acting as intermediary for such. It increases the penalty if the perpetrator uses children to commit the crime, or if the smuggled migrants include children or persons with disabilities.

### **Measures put in place by the State to protect and promote the rights and freedoms of children with disabilities and their enjoyment of those rights and freedoms, and steps taken to realize their best interests**

64. A national strategy for children for the period 2018–2030 was drawn up in a collaboration between the National Council for Childhood and Motherhood and the National Council for Persons with Disabilities. It covers several themes, including health, education

and social and cultural protection. It is inclusive of children with disabilities in all activities and programmes.

65. The mandate of the National Council for Childhood and Motherhood is established in the amended Child Act, No. [12] (1996). A telephone number for the care and protection of children with disabilities has been set up as a national mechanism for communicating with children with disabilities, their families and those who work with them to supply them with information on services provided by the State. It helps them to access their health, educational and social rights without any financial burden, in cooperation with partners. A family counselling line has been set up as a national mechanism to raise awareness of reproductive health and family planning, combating child marriage, combating trafficking in persons and combating female genital mutilation. The Council also works through its complaints office and the committee on technical decisions on the treatment of children to facilitate the resolution of problems facing children and mothers, and to provide free service to children covered by health insurance and also to those who do not benefit from insurance service.

66. The Minister of Social Solidarity issued Decree No. 29 (2008), under which families with one or more children with intellectual disabilities receive a monthly cash allowance.

67. The Ministry of Health and Population has developed a national health and population strategy for the period 2015–2020 in cooperation with the World Health Organization (WHO). A disability component was developed with the participation of the National Council for Disability Affairs. A number of community-based rehabilitation projects have been implemented. There are maternal and childcare centres. Treatment services (pharmaceutical and surgical), rehabilitation sessions and prosthetic devices are provided for uninsured children. Programmes to detect cases of hypothyroidism in newborns have been implemented gradually in all governorates. There are campaigns for the prevention and treatment of childhood paralysis and vaccination campaigns to bolster immunity among children under five. Some hospitals, health insurance centres and social rehabilitation associations have been developed to carry out early detection, in cooperation with NGOs specializing in that field.

68. The General Authority for Health Insurance has started to cover children under six. Previously, the health insurance system had not covered children prior to enrolment in elementary education, which was a major obstacle to the access of children with disabilities to health care.

69. The Ministry of Culture holds exhibitions, private art salons and fine arts competitions in which persons with disabilities take part. Children with disabilities are integrated into summer programmes offered by public libraries. There are specialized libraries, such as the Taha Hussein Library for the Blind in Cairo and others at the Bibliotheca Alexandrina, that are equipped with the latest technologies.

70. The Minister of Education issued Decree No. 224 (2015) to provide accident insurance for students. Students in special education one-room schools and girl-friendly schools, persons who have overcome illiteracy and persons with disabilities are exempted from insurance premiums.

71. The Ministry of Education issued Circular No. 3 (2019) on application of the implementing regulations of the Rights of Persons with Disabilities Act. It required education departments to integrate students with mild disabilities into general and technical education schools, to integrate students with hearing disabilities into general and technical education schools after completing the basic education stage, and to enrol persons with intellectual disabilities in schools and classes [for such persons].

72. The Ministry of Communications handed out 130 tablet computers to students with hearing, visual and intellectual disabilities in the city of Ghardaqa to help persons with disabilities make educational progress using technology. It held training sessions for students with various disabilities to train them to use tablets and pre-loaded software to empower their users.

73. The Ministry of Communications and Information Technology provided language and speech skills development services to 245 children with hearing disabilities at the speech unit.

74. Prime Ministerial Decree No. 674 (1994) approved the lease of a 2,100 m<sup>2</sup> area on the west bank of the Nile in Imbabah in the North Gizah neighbourhood to be used as a club for children with disabilities.

75. The Ministry of Solidarity discussed a new strategy for childhood that includes the preventive, curative and protective aspects, in cooperation with the United Nations Children's Fund (UNICEF) and the National Council for Childhood and Motherhood, with the aim of improving conditions for children and mothers and developing a national plan for childhood that is inclusive of children with disabilities.

76. Minister of Justice Decree No. 11270 (2018) granted several staff at the Ministry of Social Solidarity in all governorates judicial police status to investigate violations against children in social care homes.

77. The Public Prosecutor issued a circular on improving the criminal justice system for children. A hotline has been set up between the Office of the Public Prosecutor and the National Council for Childhood and Motherhood to facilitate forwarding of reports received by the Council. Cases of violence against children have been referred to the human rights division of the Office of the Public Prosecutor, which investigates reports and supervises periodic inspections of care homes to assess their suitability.

## **Article 8: Raising awareness**

78. The Constitution guarantees freedom of thought and opinion. All individuals have the right to express their opinion through speech, writing, imagery or any other means of expression and publication (art. 65). The State is obligated to ensure the health, economic, social, cultural, entertainment, sporting and education rights of persons with dwarfism and persons with disabilities. It must provide work opportunities for such individuals, and allocate a percentage of these opportunities to them, in addition to equipping public utilities and their surrounding environment. The State guarantees the exercise of their political rights and their integration with other citizens, in realization of the principles of equality, justice and equal opportunity (art. 81).

79. Egypt is committed to proactive policies to promote positive images of persons with disabilities and raise awareness about protecting and promoting their rights. Article 4 of Act No. 10 (2018) commits the State to raising community awareness about the rights of persons with disabilities; promoting respect for those rights; and [raising awareness] about the capacities and contributions of persons with disabilities themselves. Articles 14 and 34 of the Act commit the Ministry of Education and Technical Education – in cooperation with the Ministry of Social Solidarity, the Ministry of Communications and Information Technology and civil society organizations – to enable persons with disabilities to learn life and social development skills to facilitate their full participation in education. The Ministry must provide access to peer support and guidance in the use of modern technology and other means in line with international quality standards and safety and security rules, accessible and adapted for all types of disabilities. All governmental and non-governmental media must be made available in languages and formats that enable persons with disabilities to participate, and all services provided by public and private bodies must be properly advertised. Media of whatever type must broadcast material that presents persons with disabilities in a positive manner and respects their inherent dignity.

80. The Government is also working to increase human rights awareness, stemming from our belief that freedom of the media is a cornerstone of a healthy democratic regime. The Media Syndicate act enshrines the independence of the Syndicate and protects the rights and freedoms of journalists in the exercise of their profession, within the framework of a media code of conduct drawn up by the Syndicate's general assembly, with a view to guaranteeing society's right to be served by a professional and responsible media. Three laws, Nos. 178 (2018), 179 (2018) and 180 (2018), have been adopted that together constitute the laws regulating the press and media. They guarantee freedom of the press, media, printing, printing and audio, visual and electronic publishing. They provide for the independence of the Supreme Council for Media Regulation and prohibit interference in its affairs.

**In implementation of these constitutional and legal principles, the Government has taken a series of measures to raise awareness among persons with disabilities; promote respect for their rights, dignity, abilities and contributions; and combat stereotypes and prejudices directed against them as part of its awareness-raising efforts. These include the following:**

81. At the World Youth Forum, the President of the Republic declared 2018 the Year of Persons with Disabilities. The Government has incorporated a disability component into its strategies to disseminate and circulate basic information related to persons with disabilities and coordinate among ministries to combat all forms of discrimination and violence against persons with disabilities.

82. In 2018, the Ministry of Solidarity provided training to 14 audiovisual and print media professionals in cooperation with the Coptic Evangelical Organization for Social Services on correct concepts of disability. It set up a communications centre to support persons with disabilities, make them aware of available services, and facilitate their access to them.

83. In 2017, the National Council for Persons with Disabilities signed a cooperation protocol with the Ministry of Interior on continuous training, education and awareness-raising for police officers on the rights of persons with disabilities; exchange of publications, pamphlets and manuals; and awareness-raising on the problems such persons face dealing with the Ministry of Interior and ways to solve them.

84. From 2015 to 2019, the National Council for Persons with Disabilities has taken part in activities at the Cairo International Book Fair in cooperation with the General Egyptian Book Organization. At the last exhibition in 2019, 11 magazines called “book mirrors” were published in Braille format for persons with visual disabilities. A section of the book fair was set aside to display products and works of persons with disabilities.

85. In 2018, the National Council for Persons with Disabilities concluded a cooperation protocol with the Ministry of Awqaf to develop awareness and disseminate religious culture for persons with disabilities, with a view to developing their capacities, empowering them, offering ways to raise awareness for persons with hearing disabilities, introducing disability concepts and issues, and joint media coverage to reinforce positive images of persons with disabilities.

86. Most channels of the Radio and Television Union have added sign language interpretation to news bulletins and some daily programmes. Most channels have also introduced special programmes on various aspects of life of persons with disabilities, and they strive to disseminate a culture of disability rights. They translate all presidential speeches and important national events into sign language.

87. Television campaigns on participating in the 2013 and 2018 presidential elections, the 2014 constitutional referendum and the 2015 parliamentary elections covered the right of persons with disabilities to participate in the electoral process and everything having to do with procedures to facilitate their voting.

88. The Ministry of Communications and Information Technology organizes and holds the “Tamkin” competition for software and mobile applications. The competition aims to raise community awareness to contribute to empowering persons with disabilities through the use of information technology to facilitate all aspects of life, and support modern technological innovations in software for people with disabilities.

89. Most official bodies and specialized national councils mark the International Day of Persons with Disabilities, World Autism Day and World Down Syndrome Day with national observances throughout the Republic. They make concerted efforts to spread awareness of the rights of persons with disabilities and a culture of respect for differences.

90. The relevant agencies have started to disseminate information on their services for persons with disabilities on their official websites, which persons with visual disabilities can now read using text-to-speech programmes. Those agencies also make information and materials on services available through videos with sign language interpretation.

91. The State Information Service held 40 activities, including seminars and workshops, during the 2014–2015 period in a number of governorates with the aim of raising community

awareness of disability issues, reinforcing the rights of disabled persons to political and social participation, and enabling such persons to take part in community development programmes.

92. The Information Decision Support Centre of the Cabinet has prepared studies on the situation of persons with disabilities in Egypt and the most important disability issues. It issued a report on “Persons with disabilities: the current situation and how to empower them”. It prepared a survey on the disability situation in Egypt in June 2016. The centre makes all information available on its official website.

93. The Ministry of Youth and Sports has set up a contact point for the affairs of persons with disabilities. It has outfitted a number of youth centres in different governorates spatially and technologically to enable persons with disabilities to engage in athletic and cultural activities. It has produced several television programmes on sports for persons with disabilities, as well as events. The “Bukra Ahla” national campaign to raise community awareness was held in October, November and December of 2016 to educate the public on how to interact properly with persons of disabilities of all kinds.

94. In 2012, the first conference of the General Union of Special Education Workers was held through a collaboration among the union, the Minister of Education, the Ministry of Social Solidarity and the psychological counselling centre at Helwan University, to raise the awareness of people who work with persons with disabilities.

95. The Ministry of Communications and Information Technology launched the integrated inclusive community centres project, which targeted remote and poor areas. The centres provide computer facilities and awareness-raising programmes for persons with disabilities, with programmes on using information technology geared towards children and women with disabilities.

## **Article 9: Accessibility**

96. The Government is working to enable persons with disabilities to live independently and make the most of their lives by facilitating their access to and contact with society in a manner commensurate with their needs, without discrimination or exclusion and without placing undue burdens on them. Articles 29–31 and 33 of Act 10 (2018) provide that the administrative authorities involved in planning and organization must equip existing facilities to ensure ease of use of public and private facilities and buildings for persons with disabilities. The State, the competent ministry and the relevant agencies must use available technology to install systems that enable and facilitate transportation for persons with disabilities. Educational and medical equipment and materials, assistive tools, prosthetic devices, assistive technology and spare parts are exempt from customs if the importer is a person with a disability and the items are for personal use, or the importer is an association, institution or body that provides such items under the provisions of Act No. 149 (2019) regulating civil society work. Automobiles and private means of transportation equipped for use by persons with disabilities are exempt from customs regardless of their type and usual value-added tax, provided they are for the use of a person with a disability, regardless of the disability and whether the person in question is a minor or an adult. One automobile is allowed every five years. Article 33 provides that all banks and banking entities must equip their buildings for use by persons with disabilities in a manner commensurate with their disabilities and install systems that facilitate banking transactions for them. The Act’s implementing regulations provide for enabling persons with disabilities to live independently and participate fully, and eliminating obstacles to access to their physical environment on an equal basis with others.

### **Judicial enforcement**

97. The Supreme Constitutional Court ruled to reject a lawsuit challenging the constitutionality of article 10 of Act No. 39 (1975) on the rehabilitation of the disabled, which required the State’s administrative apparatus to allocate 5 per cent of job vacancies to persons with disabilities with training certificates. The ruling was in line with the 1975 Declaration

on the Rights of Disabled Persons and with General Assembly resolution 48/96 adopting standard rules on the equalization of opportunities for persons with disabilities.<sup>10</sup>

98. An administrative court, ruling against the head of the Customs Authority, approved the acquisition of a special medically equipped automobile for personal use by a woman with dwarfism.<sup>11</sup>

99. An administrative justice court, ruling against the head of the Customs Authority, approved the acquisition by a person with a disability (visual impairment) of a special medically equipped vehicle for personal use, to be driven by a caregiver.<sup>12</sup>

**Measures taken by the State to enable persons with disabilities to live independently and participate fully in all aspects of life, and to ensure their access on an equal basis with others**

100. The Egyptian code for the design of spaces and buildings for the use of persons with disabilities contains guidelines with which the State's public buildings and facilities must comply. It provides for ground floor access of specified width and gradient, sidewalks, pedestrian crossings, ramps, parking spaces, entrances and doors, stairs, elevators, symbols and signs, public telephones, automatic teller machines, automatic service machines, furniture, sanitation facilities, electrical equipment and lighting. It specifies special requirements for certain buildings, including schools, libraries, administrative buildings, galleries and museums, commercial buildings, restaurants and cafes, athletic complexes, clubs, parks, hotels, hospitals and clinics, convalescent homes and buildings for the disabled and the elderly, places of worship and courts, police stations, prison and correctional buildings, residential buildings and public transportation facilities. It also includes guidelines for refurbishing existing public spaces and buildings, and archaeological, historical and memorial sites.<sup>13</sup>

101. The House of Representatives has been equipped for deputies with disabilities. Changes have been made to the main chamber to provide suitable entries and exits that allow independent access. Areas near the doors have been set aside for deputies with disabilities. A ramp and elevators have been installed for persons with disabilities. Four of them have been provided with screen readers and a fifth device has been equipped with an optical character recognition programme. Several staff of the House of Representatives have been trained to be aware, knowledgeable and skilled in dealing with persons with disabilities.

102. The Ministry of Communications and Information Technology, in cooperation with the Cairo and South Sinai Governorates, supports and develops marginalized and poor areas. It provides services to persons with disabilities and youth in informal settlements, and has set up integrated inclusive community centres to serve the residents of such areas. Thus far, support has been provided to 31 integrated inclusive community centres in Cairo Governorate, serving 112 informal settlements, and 3 community centres in South Sinai Governorate as a first phase. The Ministry also holds an annual conference and exhibition on information and communications technology for persons with disabilities.

103. The Ministry also launched an initiative to grant international computer driving licences and train persons with disabilities for better job opportunities by acquiring skills in public procurement regulations, telephone shopping, data entry and administrative work.

104. A cooperation protocol was signed between the Ministry of Interior and the Ministry of Communications and Information Technology to provide modern technology and information and communication systems to facilitate and ensure access for persons with disabilities to Ministry services using electronic applications, tablets and computers equipped with touch screens to facilitate their use for people with visual disabilities. Electronic

<sup>10</sup> Judgment issued in case No. 8 of year 16, Constitutional, session of 5 August 1995.

<sup>11</sup> Judgment issued in case No. 56894, judicial year 70, 27 January 2018.

<sup>12</sup> Judgment issued in case No. 62380, seventieth judicial year, session of 27 January 2018.

<sup>13</sup> Annex II reviews the Egyptian code for the design of spaces and buildings for the use of persons with disabilities issued by the national building research centre of the Ministry of Housing.

applications allow for the translation of sign language into written text without need for an interpreter.

105. The Ministry held the sixth annual international conference and exhibition on information and communications technology for persons with disabilities in 2017 as part of supporting and empowering persons with disabilities through information and communications technology tools in all areas of life and promoting the power of information and communications technology to facilitate their lives on an equal basis with others, under the slogan “Inclusion, empowerment and participation”.

106. Egyptair provides effective and suitable facilities for persons with disabilities. It sets aside special paths with ramps, signs on the ground and walls, and audio devices available from the moment they enter the airport until they board the plane.

107. A protocol was signed between the Ministry of Social Solidarity and Attijariwafa Bank Egypt to develop 70 service and empowerment offices for persons with disabilities in Cairo, Gizah, Qalyubiyah, Kafr al-Shaykh, Minya and Marsa Matruh, and to automate all offices so they can provide services remotely by engaging with people with disabilities automatically.

108. The President of the Republic launched an initiative to establish a National Academy of Information Technology for Persons with Disabilities in July 2018. It builds the capacities of persons with disabilities in the field of ICT and supports the development of assistive technology to facilitate access to and availability of services.

## **Article 10: The right to life**

109. The Constitution provides that the Egyptian State must provide a safe life for every human being, that the human body is inviolable, and that assaulting or mutilating it is a crime punishable by law. It prohibits trafficking in human organs. Medical or scientific experiments may not be conducted without the free and documented consent of the subject. A person has the right to donate tissues and organs as a gift of life, during their life or after death, by virtue of a documented consent or will. These provisions apply without discrimination, which means they apply to persons with disabilities (arts. 59–61 of the Constitution).

110. The Egyptian Criminal Code has provisions safeguarding the right to life, which certainly includes preserving the lives of persons with disabilities and others, as follows:

- Article 230 provides that anyone who intentionally kills a person with premeditation or by ambushing them shall be sentenced to death.
- Article 236 provides that anyone who deliberately injures, beats or gives a harmful substance to someone without intending to kill them, but with the act resulting in death, shall be sentenced to hard imprisonment or imprisonment [...]. If the act was preceded by premeditation or ambush, the penalty is hard imprisonment or imprisonment.
- Article 242 bis provides for a penalty of imprisonment for a term of not less than five and not more than seven years for anyone who mutilates a female by partially or completely removing any of her external genitalia or inflicting injuries on those organs without medical justification. The penalty is hard imprisonment if the act results in permanent disability or death.

111. Act No. 10 (2018) reinforced the State’s commitment to protecting the rights of persons with disabilities. It guarantees their right to life and development to the maximum extent. It provides for facilitation measures and the highest possible level of basic components needed for a safe environment. It protects them from being exposed to violence, attack, torture or abuse (art. 4). It provides for the protection of children with disabilities from any risk to their security, morals, health or life, and from being violated through beatings or therapies and medical experiments that have no basis (art. 46). It provides for the imprisonment of anyone who exposes the life of a person with a disability to any of the risks described in the aforementioned article (art. 47); hard imprisonment for anyone who castrates, sterilizes or illegally aborts a person with a disability or incites thereto (art. 48); and



imprisonment of anyone who is negligent in carrying out their duties towards a person with disabilities, with the penalty increased if such negligence results in injury or harm (art. 50).

112. The State guarantees the protection of children from any work that might lead to damage to their health or physical, mental, spiritual or social development. If a child suffers from a physical or psychological illness or mental impairment that affects their ability to discern or choose, they shall be considered to be vulnerable (arts. 75 and 96, para. 13, of the Child Act, No. 12 (1996), as amended by Act No. 126 (2008)).

113. Act No. 5 of 2010 regulating the transplant of human organs and tissue donation, article 2, permits the transfer an organ, organ part or tissue from the body of a living human being with the intention of transplanting it into the body of another human being only when necessary to preserve the life of the recipient or treat them for a serious disease; only if the transplant is the only means to fulfil that necessity; and only if the transplant does not expose the donor to a serious risk to their life or health. The donation must be made of free will, with no doubts about consent, attested to in writing (art. 5).

114. The Illegal Migration and Migrant Smuggling Act, No. 82 (2016), criminalizes smuggling, attempted smuggling, or acting as an intermediary for such. It increases the penalty if the smuggled migrants include women or persons with disabilities (art. 6, para. 5 (2)). If the smuggled migrants included persons with disabilities, the penalty is life imprisonment and a fine (art. 7, para. 1 (5)). This concludes our summary of compliance by the Egyptian State with the obligation to protect and promote the right to life for persons with disabilities on an equal basis with others and prohibit the arbitrary deprivation of life.

### **Article 11: Situations of risk and humanitarian emergencies**

115. The State is committed to providing security and tranquillity to its citizens and all those residing on its territory (the Constitution, art. 59).

116. The State is committed to setting forth procedures to protect persons with disabilities and secure them against dangers to which they may be exposed in epidemics, disasters and other emergency situations that pose risks (Act No. 10 (2018), art. 4, para. 14).

117. Article 7 bis (b) of the Child Act, No. 12 (1996), as amended by Act No. 126 (2008), provides that the State shall prioritize protecting the lives of children, and ensure that they are brought up safely away from armed conflicts and not involved in military action. The State must, in cases of emergency, disasters, wars, and armed conflicts, ensure that children's rights are respected and take all necessary measures to prosecute and punish anyone who commits war crimes, acts of genocide, or crimes against humanity involving children.

### **Measures taken to ensure the protection and safety of persons with disabilities in situations of risk, humanitarian emergencies and natural disasters**

118. The National Council for Disability Affairs was established by virtue of amended Prime Ministerial Decision No. 410 (2012) to be in charge of the affairs of persons with disabilities and protection and promotion of their rights. That was until the adoption of Act No. 11 (2019) establishing the National Council for Persons with Disabilities to promote, develop and protect the rights of persons with disabilities, raise awareness about said rights, and ensure their exercise.

119. The national crisis and disaster management committee of the Information Decision Support Centre of the Cabinet has adopted a package of measures and procedures to facilitate the protection and rescue of persons with disabilities in situations of risk and disasters, to ensure that they don't lose their lives or compound their disabilities. There are building evacuation plans in cases of danger. A component on persons with disabilities is included in crisis and disaster plans and strategies prepared by the centre. The centre also launches campaigns and initiatives on protecting persons with disabilities in risk situations and humanitarian emergencies, and includes them in field exercises held in the governorates.

120. The Ministry of Social Solidarity provides rehabilitation services, prosthetic devices and material assistance to the most deserving groups among those affected by natural

disasters. The Ministry also disburses financial assistance in cases of disaster and personal and public emergencies beyond the affected person's control. The Ministry provides training to a rapid intervention team for psychological support for affected persons in such situations.

121. There has been cooperation and coordination between the National Council for Women and the National Council for Persons with Disabilities in adopting protection systems for cases of natural disaster and humanitarian emergencies, largely on audiovisual accessibility.

### **Article 12: Equal recognition before the law**

122. Citizens are equal before the law. They are equal in rights, freedoms and public duties, without discrimination on the basis of disability (the Egyptian Constitution, art. 53).

123. Article 1 of Act 10 (2018) states that the Act's purpose is to protect the rights of persons with disabilities and ensure that they can enjoy human rights and fundamental freedoms to the fullest on an equal basis with others. Article 3[5] of the Act grants persons with disabilities – whether as defendant, victim or witness, at all stages of arrest, investigation, trial or enforcement – the right to special humanitarian treatment commensurate with their condition and needs. They have the right to protection, health and social assistance, and technical assistance during legal proceedings. They must have a lawyer to defend them at the investigation and trial stages. The Act guarantees them all means of access to enable them to present their defence, as provided for by the Act's implementing regulations.

124. Article 44 of the Civil Code stipulates that any person who has reached the age of majority, is in possession their mental faculties, and has not been declared legally incompetent has full legal capacity to exercise their civil rights. The age of majority is 21 calendar years. Article 45 states that anyone who is lacking the power of discernment due to youth, imbecility or insanity shall not be eligible to exercise their civil rights. Anyone under the age of seven shall be considered to lack the power of discernment. Article 46 of the Code provides that anyone who has reached the age of discernment but not yet reached the age of majority, and is mentally deficient or feeble-minded shall be considered to lack legal capacity under the provisions of this law. Article 47 provides that persons who lack capacity or are deficient in some way shall be subject to the rules of guardianship or curatorship under the conditions and in accordance with the rules prescribed by law.

### **Measures taken by the State to ensure that persons with disabilities enjoy legal capacity on an equal basis with others**

125. Egyptian law recognizes legal capacity for all persons with disabilities. That confers upon them the right to inherit, make wills and transfer wealth and property. We find persons with motor, visual and hearing disabilities, as well as those with mental and intellectual disabilities, owning and inheriting property. However, in special cases, the law mandates the appointment of a judicial assistant (Act No. 119 (1952) concerning provisions of conservatorship for wealth, art. 70). From this, it should be clear that disability is not in any way considered grounds for denying the right to transfer wealth, make wills or inherit under Egyptian law and personal status codes.

### **Article 13: Access to justice**

126. The right to litigate is inviolable and guaranteed to all. The State is committed to bringing parties to litigation closer and expediting the adjudication of cases (the Constitution, art. 97). A person with a disability may only be interrogated in the presence of his attorney. If he has no attorney, he will be assigned one, with appropriate assistance provided in accordance with procedures provided for by articles 54 and 97 of the Constitution.

127. The Code of Criminal Procedure requires a lawyer to be assigned to the accused at the interrogation stage, the trial stage, the evidence and investigation stage, and the court hearing stage in misdemeanour and felony courts. That applies to persons with disabilities on an equal basis with others (arts. 124, 237 and 375).

128. Act No. 10 (2018) exempts persons with disabilities – whether as plaintiff or defendant – from judicial fees for cases before courts of all types and degree brought in enforcement of the provisions of the Act or any other law protecting persons in connection with their disabilities (art. 31). Article 32 of the Act requires the Ministry of Justice and judicial agencies and their branches to equip their buildings for access by persons with disabilities in a manner commensurate with their disability. They must be provided with all services in accordance with the Code of Criminal Procedure, the Code of Civil Procedure and other legislation. Article 35 affirms the right of persons with disabilities – whether as defendant, victim or witness, at all stages of arrest, investigation, trial or enforcement – to special humanitarian treatment commensurate with their condition and needs. They have the right to protection, health and social assistance, and technical assistance during legal proceedings. They must have a lawyer to defend them at the investigation and trial stages. The Act guarantees them all means of access to enable them to present their defence.

129. Legislation concerning the right of recourse to the courts without discrimination includes the following:

- The Labour Code, No. 12 (2003), article 6, exempts workers, juvenile trainees and apprentices from judicial fees at all stages of litigation. That includes persons with disabilities on an equal basis with others.
- The Child Act, No. 12 (1996), as amended, provides for a general department for child assistance to be established within the National Council for Childhood and Motherhood. It is competent to receive complaints from children and adults and handle them in a manner that brings speedy assistance to children to spare them from violence, danger or neglect. It is authorized to forward reports on what it uncovers to the competent authorities. That covers children with disabilities (art. 97).

**Reasonable accommodation measures and arrangements taken by the Government to ensure effective access for all persons with disabilities to all stages of legal proceedings**

130. In 2017, the Ministry of Justice concluded a cooperation protocol with the Ministry of Social Solidarity and the Egyptian Federation of Associations of Persons with Disabilities to promote and raise awareness of the rights of persons with disabilities. There are 22 recently opened court buildings that have been newly built, rebuilt or renovated to comply with the Egyptian code for the design of spaces and buildings for the use of persons with disabilities. Everything possible has been done to facilitate the movement of persons with motor disabilities, such as providing ramps to go up and down and designated waiting areas and garages.

131. During investigations and case proceedings, the Office of the Public Prosecutor and the courts provide sign-language interpreters for persons with hearing disabilities, whether the person is the accused, a victim or a witness. An interpreter is dispatched by one of the associations for hearing disabilities or a teacher from one of the schools for the deaf and hard of hearing. There is also an expert in dealing with persons with intellectual disabilities, as provided for by Act No. 10 (2018) and its implementing regulations.

**Article 14: Liberty and security of person**

132. The Egyptian Constitution guarantees all citizens the right to personal freedom and security. They may not be deprived of their liberty illegally, arbitrarily or because of a disability. Personal freedom is a natural right that is protected and inviolable. No person may be arrested, searched, detained, or have their freedom restricted except pursuant to a reasoned judicial order required by an investigation. Private life is inviolable. Postal, telegraphic and electronic correspondence, telephone conversations and other forms of communication are inviolable and their confidentiality guaranteed. They may only be seized, inspected or monitored by reasoned court order, and only for a limited time under conditions specified by law. Freedom of belief is absolute. Freedom to practice religious rites and establish places of worship for adherents of the divinely revealed religions is a right regulated by law. Any assault against the personal freedom and private lives of citizens, as well as other rights and freedoms guaranteed under the Constitution, is an offence that is not subject to any statute of

limitations with respect to either criminal or civil proceedings. Injured parties may launch criminal proceedings directly. Penalties are imposed on individuals. There may be no offence and no penalty save prescribed by law, and no penalty may be imposed save by a court ruling. Penalties may only be imposed for actions perpetrated subsequent to the date on which a law enters into force. Persons are presumed innocent until proven guilty in a court of law where they have been guaranteed the right to a defence. Judgments must be handed down by the competent courts, and hearings must be public (artis 54, 55, 64, 95, 96, 97 and 99).

.133 In reinforcement of the above, Act No. 10 (2018) obligates the State to respect the freedoms of persons with disabilities and provide them with a safe environment, security and protection, commensurate with their capabilities (art. 4).

134. The following related laws affirm that all persons, without discrimination, enjoy the right to liberty and personal security and may not be deprived of it:

- Article 309 bis of the Criminal Code punishes with prison anyone who, except when authorized by law or done with the consent of the victim, violates the privacy of a citizen through the following acts:
  - (a) Eavesdropping on, recording, or transmitting, via a device of any type, conversations taking place in a private place or over the telephone;
  - (b) Taking or transmitting, via any kind of device, a picture of a person in a private place.
- A public official who exploits his or her office to commit any of the acts set forth in that article is punished with imprisonment.
- In all cases, equipment or other items used in that offence are confiscated, and the resulting recordings erased or destroyed.
- Article 309 bis (a) punishes with imprisonment anyone who publishes, facilitates publication or uses, even if not publicly, a recording or document obtained in one of the methods set forth in the preceding article or without the consent of the person concerned.
- Any person who threatens to disclose any matter ascertained through any of the aforementioned methods in order to induce a person to commit or to refrain from committing an act is punished by imprisonment for a term not exceeding five years.
- A public official who exploits his or her office to commit any of the acts set forth in that article is punished by imprisonment.
- In all cases, any equipment or other items that may have been used in or obtained from the crime are confiscated, and any resulting recordings erased or destroyed.
- Article 15 of the Code of Criminal Procedure stipulates that criminal proceedings for the offences set forth in articles 309 bis and 309 bis (a) are not subject to a statute of limitations.

**The Government, in implementation of the aforementioned constitutional principles and legal norms, has taken a number of measures to ensure that persons with disabilities enjoy the right to liberty and security and that they are not prevented from exercising said right on the grounds of their disability.**

135. Decree No. 3320 (2014) of the Minister of the Interior amends the internal prison regulations (Decree No. 79 (1961)), adding article 82 bis concerning the formation of a committee to categorize prisoners on the basis of health condition. To that end, special wards have been created and equipped at Wadi al-Natrun and Burj al-Arab prisons, where some 100 persons with motor disabilities are serving sentences. In line with the regulations, certain wards housing inmates with visual disabilities have been equipped with devices that help them to find their way. In addition, security services personnel help them to move around and escort them to areas where meals are provided.

136. The prison sector and civil society associations have worked together to provide prosthetic limbs to 16 inmates, whose disabilities range from leg or arm amputations to polio, at Abu Za'bal prison and to 41 inmates in Minya prison.

137. Egyptian laws and regulations guarantee that all persons, without discrimination, including persons with disabilities, are entitled to exercise their freedoms and enjoy personal security in respect of their persons, their assets and their personal property.

### **Article 15: Freedom from torture or cruel, inhuman or degrading treatment or punishment**

138. All forms of torture are prohibited under the Constitution and are crimes that are not subject to a statute of limitations. The Constitution stipulates that all persons, without discrimination, who are arrested or imprisoned or whose liberty is restricted must be treated in a dignified manner. They may not be tortured, intimidated, coerced or physically or morally harmed, nor may they be detained or imprisoned, except in places that are designated for that purpose and that comply with humanitarian and health standards. The State is obliged to provide appropriate facilities for persons with disabilities. Violation of any of the aforementioned provisions is a crime whose perpetrator is punishable by law. The Constitution also stipulates that judgments issued in felonies may be appealed and that the State shall provide protection to victims, witnesses, accused persons and informants, as necessary (arts. 52, 54, 55 and 96).

139. Egypt signed the International Covenant on Civil and Political Rights on 4 August 1967 and ratified it on 14 January 1982. It acceded to the Convention by means of Presidential Decree No. 536 (1981) and published the Convention in issue No. 15 of the *Official Gazette* on 15 April 1982. Egypt ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment under Presidential Decree No. 154 (1986) on 7 January 1986. It acceded to the International Convention on the Rights of the Child by Presidential Decree No. 260 (1990) dated 24 May 1990 and ratified the Convention on 6 July 1990, published in issue No. 7 of the *Official Gazette*, dated 14 February 1991. All international instruments acquired the force of law after being published in accordance with the conditions set out in article 93 of the Constitution, as amended.

140. Article 126 of the Criminal Code prohibits and criminalizes torture and punishes anyone who commits or orders torture.

- Article 129 criminalizes cruel, inhuman or degrading treatment of any person, including persons with disabilities.
- Article 280 punishes with imprisonment or a fine not exceeding 200 Egyptian pounds anyone who arrests, confines or detains any person without the order of a competent authority, unless authorized by law or regulation.
- Article 282 stipulates that if, in the case set forth in article 280, an arrest is made by a person who is unlawfully wearing the uniform of a government official, misrepresenting him or herself as such or producing a falsified government warrant, he or she shall be punished with imprisonment. In all cases, a person who wrongfully arrests a person and physically tortures or threatens to kill him or her is punished with maximum security imprisonment.

141. Article 35 of Act No. 10 (2018) stipulates that a person with disabilities, whether a defendant, a victim or a witness, is entitled to humane treatment in line with his or her condition and needs. Article 46 of the Act affirms the dignity of persons with disabilities, prohibits the torture or dehumanizing treatment of them and prohibits the use of any medical treatments or experiments that could injure them. Article 48 of the Act criminalizes anyone who unlawfully performs castration, sterilization or abortion on a person with disabilities or abets such act.

142. Act No. 12 (1996), as amended by Act No. 126 (2008), stipulates that a child is deemed to be at risk of danger if he or she suffers from a mental, physical or psychological

illness that affects his or her perception or decision-making abilities such that his or her safety or that of others is affected.

**In implementation of the foregoing, the Government has taken the following measures to protect and promote the right of persons with disabilities to be free from torture or cruel, inhuman or degrading treatment or punishment:**

143. The Prisons Department of the Ministry of the Interior has provided some prisons with accessibility aids, e.g., wheelchairs and prosthetics, for inmates with motor disabilities, with a view to providing humane conditions appropriate to their disability in line with articles 7, 14 and 15 of the International Covenant on Civil and Political Rights and article 37 of the Convention on the Rights of the Child regarding respect for minimum standards.

144. The Office of the Public Prosecutor and oversight authorities at the Ministry of the Interior monitor and control prisons and police stations and hold them accountable. They investigate allegations of excessive use of force, violations of citizens' rights, torture and harsh treatment by police officers. Perpetrators of individual incidents are referred for criminal and disciplinary proceedings according to the seriousness of the incident and in line with the facts of the case.

145. The Ministry of the Interior has taken the following measures:

- (a) Improved detention cells to ensure a healthy environment for detainees;
- (b) Provided preventive care and medical treatment to prisoners at all specialized wards at local hospitals, as well as at main hospitals in each geographical region, that offer operating rooms, medical devices and specialized wards;
- (c) Implemented national vaccination campaigns, which cover prisons, against epidemics and diseases; referred prisoners with life-threatening chronic diseases to forensic committees prior to medical release; installed new digital X-ray machines in prisons (in Bur Sa'id, Asyut, Wadi al-Natrun 1, New Minya and Liman Torah); installed ventilators for premature infants in nurseries at Qanatir prison; and conducted, in coordination with the Ministry of Health, a comprehensive survey on hepatitis C among prison inmates as part of the State's plan to detect infections and provide necessary treatment.

**Article 16: Freedom from exploitation, violence and abuse**

146. The Constitution obliges the State to protect women against all forms of violence; to provide care and protection for mothers, children, women heads of households, elderly women and women in poverty; and to prohibit all forms of slavery, servitude, oppression, forced exploitation of persons, sex trade and other forms of trafficking in persons (arts. 11 (3) and 89). It stipulates that any attack on the personal freedom or the sanctity of the private lives of citizens, or on any other public rights and freedoms guaranteed by the Constitution and the law, is a crime. A criminal or civil case arising from such attack is not subject to a statute of limitations. Injured parties may launch criminal proceedings directly, and the State guarantees they are justly compensated. The National Council for Human Rights may report any violation of rights to the Office of the Public Prosecutor or intervene in civil proceedings on behalf of the injured party (art. 99).

147. Article 267 of the Criminal Code criminalizes rape of a woman and punishes the perpetrator with death or life imprisonment. In cases where the perpetrator is an ascendant or guardian of the victim or has authority over her, or is a paid domestic servant of hers or of any of the aforementioned, the penalty is death.

148. Article 375 punishes with imprisonment and a fine anyone who uses force, violence, intimidation, threats or unlawful measures to attack or to attempt to attack any of the following rights: the right to work, the right to employ or to refrain from employing any person or the right to participate in an association. The provisions of that article also apply in cases where force, violence, intimidation or unlawful measures are used against the spouse or children of the person concerned. The following acts are considered unlawful measures, in particular when committed against the person concerned in an unremitting manner, or

when carried out in a threatening manner near the victim's home or any other place in which he or she lives or works: preventing a person from performing his or her job by concealing tools, clothes or any other necessary item, or in any other way. The same penalty applies to anyone who in any way incites another person to commit any of the offences set forth in that article. Article 306 bis (a) punishes with imprisonment or a fine anyone who, in a public or private setting, commits actions or makes suggestions or insinuations of a sexual or indecent nature, be it by gesture, word, deed or any means, including through wired or wireless communications. According to article 306 bis (b), the offence set forth in article 306 bis (a) of this Code is considered to be sexual harassment if it is done with the intention of obtaining from the victim a benefit of a sexual nature. Offenders are punished by imprisonment or a fine. The penalty is increased if the offender is among those listed in article 267 (2) of this Act; if the offender has authority over the victim in employment, family or education; or if the offender exerts any pressure on the victim afforded by circumstances, in which case the penalty is imprisonment and a fine. In article 375 bis, the Criminal Code punishes with imprisonment anyone who, personally or through a third party, makes a show of force, employs intimidation or makes threats of either force or violence; or uses violence against the victim, his or her spouse, or an ascendant or descendant of the victim with the intention of causing the victim to fear material or moral harm, damage to his or her property or theft of his or her money in order to obtain a benefit from him or her, to manipulate the victim to gain power over him or her, to force him or her to commit or refrain from committing an act, to obstruct law enforcement, to resist the authorities, to prevent the implementation of mandatory judgments, orders or judicial procedures, or to disturb peace and public security, when such act or threat would intimidate said victim, disturb his or her well-being and serenity, threaten his or her life or safety, damage any of his or her belongings or interests or prejudice his or her personal freedom, honour or reputation.

149. Article 46 of Act No. 10 (2018) criminalizes the assault of children with disabilities by beating or any other means in remand and rehabilitation facilities, child-care facilities or educational institutions. The Act also criminalizes sexual assault, abuse or exploitation of such children. Furthermore, failure to provide facilities, security and guidance arrangements for persons with disabilities at their workplaces, as well as exposure of persons with disabilities to violence, vilification or hate, or incitement thereto, is criminalized.

150. The Child Act, No. 12 (1996), guarantees protection of children from all forms of violence, including physical, mental or sexual abuse or any other form of abuse or exploitation (art. 3).

151. Act No. 64 (2010) on trafficking in persons guarantees protection of victims and the creation of conditions conducive to their assistance, care, rehabilitation and integration. According to the Act, victims have the right to physical, psychological and moral safety at all stages of investigation, evidence collection and prosecution of crimes of trafficking in persons. Children are the subject of special care, with harsher penalties imposed for the crime of trafficking in persons when the victim is a child or a person with disabilities (art. 22).

152. The Illegal Migration and Migrant Smuggling Act, No. 82 (2016), criminalizes smuggling, attempted smuggling, or acting as intermediary for such. It increases the penalty if the smuggled migrants include women or persons with disabilities.

153. The Human Organ Transplantation Act, No. 5 (2010), prohibits the transplantation through purchase and sale of organs or organ parts, tissues or reproductive cells, or trade in any human organ or organ part or tissue (art. 2). It is therefore clear that the Constitution and laws of Egypt contain the necessary legal protections for all citizens, including persons with disabilities, from all forms of exploitation, violence and abuse, inside and outside the home.

#### **Measures taken by the State to protect persons with disabilities from all forms of exploitation, violence and abuse**

154. A human rights section was established at each of the Ministry of the Interior, the Ministry of Justice and the Human Rights Office at the Office of the Public Prosecutor, which in 2017 became the General Directorate of Human Rights at the Office of the Public Prosecutor. In addition to protecting and promoting human rights, they are responsible for

protecting persons with disabilities, including children and women, from violations involving any form of exploitation, violence and abuse.

155. A sign language training courses was offered for employees of the Ministry of the Interior; 50 white canes were distributed to visually impaired persons; and a guide in Braille was drafted by the Ministry of the Interior for visually impaired persons regarding public services provided for persons with disabilities.

156. In 2009, a cooperation protocol was concluded between the Ministry of Justice and the Faculty of Law, Alexandria University, to establish a legal clinic to assist victims of domestic violence and trafficking in persons and children by providing free legal assistance from experts at the clinic and at legal aid offices at family courts under the Ministry of Justice.

157. In 2018, the National Council for Childhood and Motherhood, in partnership with the UNICEF Egypt and the Ministry of Education, launched a national anti-bullying and anti-violence campaign to end peer-on-peer violence and eradicate verbal and psychological abuse and physical injury.

### **Article 17: Protecting the integrity of the person**

158. The Constitution guarantees respect for a person's personal (physical) and mental integrity on an equal footing with others. It stipulates that a person's body is inviolable. Any assault, defilement or mutilation thereof is a crime punishable by law. No medical or scientific experiment may be performed thereon without documented voluntary consent (art. 60).

159. The Criminal Code criminalizes the beating and injuring of citizens (arts. 240–242 and 242 bis) and the act of forced abortion, including with respect to persons with disabilities. The penalty is increased in view of the position of the perpetrator of the abortion, without exception (arts. 260–263).

160. Act No. 10 (2018) criminalizes the act of endangering the life or health of a person with a disability through harmful medical treatments, forced sterilization or illegal abortion (arts. 46–48).

#### **Measures taken by the Government to protect persons with disabilities from harmful medical treatment and forced sterilization and to protect women and girls from forced abortion**

161. Monitoring by the Ministry of Health and by governors of government hospital performance; provision of high-quality, highly accessible and extremely low-cost treatment; protection of patients with disabilities from forced sterilization; ensuring of full and voluntary consent to treatment; and protection of girls and women from forced abortion.

162. The Free Treatment and Medical Licensing Department at the Ministry of Health has launched a campaign involving visits to private hospitals and clinics to ensure that they are compliant with licensing conditions, that treatment programmes are effective and that analyses and radiography examinations are accurate and do not expose patients, including persons with disabilities, to risk.

#### **Judicial enforcement**

163. The Court of Cassation has defined the crime of forced abortion as the premature termination of a pregnancy.<sup>14</sup>

164. The Court of Cassation sentenced the treating physician to imprisonment for performing an abortion that resulted in the death of a woman.<sup>15</sup>

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<sup>14</sup> Judgment issued in appeal No. 1127, fortieth judicial year, session of 27 February 1970.

<sup>15</sup> Judgment issued in appeal No. 543, fifty-seventh judicial year 57, session of 12 May 1987.



## **Article 18: Liberty of movement and nationality**

165. The Constitution guarantees freedom of movement, residence and immigration. No citizen may be expelled from State territory or banned from returning thereto. No citizen may be banned from leaving State territory, placed under house arrest or banned from residing in a certain area within State territory, except by a substantiated judicial order and for a specified period, and in accordance with the law. The Constitution also considers citizenship rights to be human rights and grants every individual born of an Egyptian father or mother the right to Egyptian citizenship. No one may be arbitrarily deprived of citizenship nor of the right to change it. The Egyptian Constitution guarantees men, and, specifically, women the right to confer nationality on their children (arts. 6 and 62).

166. Article 1 of the articles of promulgation of Act No. 10 (2018) stipulates that its provisions apply to Egyptians and resident foreign nationals in accordance with the principle of reciprocity. Similarly, its implementing regulations stipulate that the services granted to persons with disabilities under that Act are granted to resident foreign nationals in accordance with the principle of reciprocity.

167. Article 2 of the Egyptian Nationality Act, No. 26 (1975), as amended, grants individuals the right to acquire Egyptian nationality after the necessary legal procedures are taken. Act No. 12 (1996), as amended by Act No. 126 (2008), grants every child the right to have a name recorded in the birth registry that is not derogatory or insulting to him or her. In accordance with articles 5 and 6 of the Egyptian Nationality Act, a child has the right to a nationality.

168. The Government has established a set of administrative measures and procedures to guarantee that all nationals, including persons with disabilities, have the right to citizenship. They allow any Egyptian or foreign national to submit the applications necessary for the acquisition of said right to the General Department of Passports, Immigration and Nationality of the Ministry of the Interior to acquire foreign citizenship while retaining or relinquishing Egyptian nationality.

### **Judicial enforcement**

169. The Supreme Constitutional Court has ruled that article 6 (2) of the Egyptian Nationality Act is unconstitutional, as it limits the right of minor children to acquire Egyptian nationality to cases in which the foreign father – but not the foreign mother – of the child has such citizenship.<sup>16</sup>

## **Article 19: Living independently and being included in the community**

170. The State, in order to preserve human dignity and achieve social justice, guarantees citizens the right to appropriate, safe and healthy housing. The State is obliged to develop a comprehensive national plan to confront the problem of informal housing. The plan addresses replanning, provision of infrastructure and facilities, improvement of quality of life and public health and provision of the resources necessary for implementation within a specified time frame (art. 78 of the Constitution).

171. According to article 25 of Act No. 10 (2018), necessary measures and living arrangements are to be implemented to ensure the full integration and full participation of persons with disabilities in society, with consideration given to the type and degree of disability. Accordingly, persons with disabilities receive monthly assistance under the Social Security Act, No. 137 (2010). In addition, persons with disabilities are entitled to combine two pensions owed to them on behalf of themselves or on behalf of a spouse, a parent, a child or a sibling, with no maximum limit, as an exception to the Social Security Act, No. 79 (1975). They also have the right to combine the pension with earnings from work. Article 26

<sup>16</sup> Judgment issued in Appeal No. 131, thirty-ninth judicial year, Constitutional law, session of 6 April 2019.

stipulates that no less than 5 per cent of State-built or State-subsidized housing is to be allocated to persons with disabilities.

172. Articles 64–72 and 84–86 of the implementing regulations stipulate that caregivers be assigned to persons with disabilities. It specifies the method of their assignment, their qualifications and the transfer of said assignment to care for one or more persons with disabilities.

173. Article 48 of the Child Act, No. 12 (1996), as amended, defines “social welfare institution for children without family caregivers” as any facility for children between the ages of 6 and 18 who lack family caregivers because they are orphans or from broken homes, or because the family is unable to properly care for the child. A child enrolled in higher education may remain at said facility until he or she graduates, provided that the conditions that led to his or her admission still prevail and that he or she has successfully passed each grade. This provision applies to all children, including those with disabilities.

#### **Measures taken by the State to ensure independent living and services and to create adequate and appropriate living arrangements and communal facilities for persons with disabilities**

174. The Ministry of Housing allocates 5 per cent of social housing units for persons with disabilities in many of its social housing projects. It has been announced that the “1 million apartments” project will provide units upon submission of documentation of disability.

#### **Judicial enforcement**

175. An administrative court required the Minister of Social Solidarity to pay an increase social security assistance to a woman with an intellectual disability. The Court also required the Minister to grant and increase the stipend of girl with a disability on a fixed social security income.<sup>17</sup>

### **Article 20: Personal mobility**

176. Article 62 (1) of the Constitution recognizes freedom of movement.

177. Act No. 10 (2018) obliges the State, the Ministry of Transportation and planning authorities to configure facilities so that they may be used by persons with disabilities; to make transportation accessible to persons with disabilities; to reduce transportation fares by at least 50 per cent; and to promote the use of technology in transportation. It also waives licencing fees for the modification of existing buildings to make them accessible to persons with disabilities. When imported for the personal use of a person with a disability or when imported for an association that distributes them to persons with disabilities, disability-related equipment, aids, prosthetic devices and technological devices, as well as vehicles and personal modes of transportation, are exempt from duties and value-added tax (arts. 29–33). Violators of these provisions are punished with imprisonment and a fine (art. 54).

178. Under articles 73–76 of the Act’s implementing regulations, the competent administrative authorities must implement reasonable accommodations to ensure that facilities and buildings can be used by persons with disabilities. The authorities must also provide parking spaces and ground-level signage to accommodate all types of disabilities. Ministries responsible for transportation must improve the accessibility of roads, sidewalks and crosswalks and install traffic signs. Electronic services and technologies must be made available in order to allow persons with disabilities to manage the effects of their disability. Seating must be allocated to persons with disabilities in all modes and classes of transportation, and fares must be reduced by 50 per cent for them and their assistants. Vehicles and personal modes of transport intended for the use of persons with disabilities are exempt from duties and value-added tax.

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<sup>17</sup> Judgment issued in case No. 4879, thirteenth judicial year, session of 18 April 2016.

### **Judicial enforcement**

179. An administrative court, ruling against the head of the Customs Authority, approved the acquisition of a special medically equipped automobile for personal use by a woman with dwarfism.<sup>18</sup>

180. An administrative court, ruling against the head of the Customs Authority, approved the acquisition by a person with a disability (visual impairment) of a special medically equipped vehicle for personal use, to be driven by a caregiver.<sup>19</sup>

### **Measures taken by the State to promote maximum freedom of movement of persons with disabilities**

181. Decrees issued to facilitate and promote the use of various modes of transportation by persons with disabilities and to enhance their mobility:

- Decree No. 335 (2005) of the Minister of Transportation exempting from customs duties gifts made to persons with disabilities and vehicles intended for their personal use.
- Decree No. 287 (2011) of the Minister of Transportation regarding the provision of toilet facilities for persons with disabilities on every dining deck of a ship.

182. In 2017, a cooperation protocol was signed between the Ministry of Transportation and the Engineers Syndicate to implement the accessibility code in transportation, to facilitate the use of modes of transportation and to develop a comprehensive strategy to adapt modes of transportation and augmentative equipment, such as audio lighting and signage systems, to improve accessibility and facilitate travel, so that persons with disabilities can arrive at their destinations at the time of their choosing, by the desired method and for a reasonable cost.

183. On trains, ordinary fares are reduced by 75 per cent for persons with disabilities and blind persons, and transit pass fares are reduced by 50 per cent for the blind. Customer service representatives at stations provide persons with disabilities with the necessary assistance. Seating is allocated for older persons and persons with disabilities in all ordinary train cars, and most railway stations have wheelchairs available for persons with disabilities. In addition, in accordance with a 2018 decision of the Egyptian Railway Authority, persons with disabilities and their assistants enjoy reduced fares with a proof of disability card.

184. The Egyptian Company for Metro Management and Operation has discounted transit passes by 93 per cent and has simplified the transit pass procedure. Metro fares are half-price for persons with disabilities, and caregivers are entitled to the same fares and pass prices. Elevators and escalators have been installed and seating is allocated for persons with disabilities in each car. Steel gates have been installed for entering and exiting the car for persons with disabilities and alarms and lights are activated when a train arrives at the station platform.

### **Article 21: Freedom of expression and opinion, and access to information**

185. Freedom of thought and opinion is guaranteed. Every person has the right to express his or her opinion verbally, in writing, through images or by any other means of expression or dissemination (art. 65 of the Constitution). Access to information is also guaranteed, and the State is obliged to provide information and make it accessible to citizens in a transparent manner (art. 68).

186. According to article 4 of Act No. 10 (2018), the State is obliged to protect the right to access to information, freedom of expression and opinion and other fundamental private and public rights and freedoms. The State must facilitate the access by disability-related associations and organizations to information about services provided to persons with

<sup>18</sup> Judgment issued in case No. 56894, seventieth judicial year, session of 27 January 2018.

<sup>19</sup> Judgment issued in case No. 62380, seventieth judicial year, session of 27 January 2018.

disabilities. The State must protect the right of persons with disabilities to freely express their views and must take those views into consideration when making decisions on any matters affecting them, in order to ensure their full and effective participation in society. It must respect the evolving capacities of children with disabilities as well as their right to preserve their identity and to freely express their views on all matters affecting them, giving due consideration to such views on an equal basis with those of other children, in accordance with their age and maturity. It must provide information and help them to exercise that right in a manner appropriate to their disability and age.

187. Under article 34, all governmental and non-governmental media outlets must provide language services in order to empower persons with disabilities and facilitate their comprehension of and participation in media programming in an appropriate manner, and they must publicize all services provided by public and private agencies. In addition, the media must disseminate programming that depicts persons with disabilities in a positive light and respects their dignity.

188. Articles 7, 8 and 78 of the Act's implementing regulations reiterate these obligations.

**Measures taken by the State to ensure that persons with disabilities have access to public information, including through disability-appropriate means of receipt and transmission**

189. The fifth annual International Conference on Information and Communications Technology for Persons with Disabilities, held in 2016 at Smart Village; an initiative to integrate and empower persons with disabilities to enhance the provision of educational and health services and to make Egypt a regional centre for the Arabic-language assistive technology industry; use of assistive technology in education; provision of a telemedicine programme for persons with disabilities; enhancing the inclusivity of 200 youth centres through assistive technologies; and improvements to capacity-building initiatives to help persons with disabilities to enter the labour market.

190. Egyptian Radio and Television Union channels include sign language interpretation for news bulletins and some daily programmes to facilitate access to information by persons with hearing disabilities.

191. A protocol has been concluded between the Ministry of Awqaf and the National Council for Persons with Disabilities on the use of sign language to develop awareness and promote religious education among persons with hearing disabilities.

192. The Ministry of Communications and Information Technology has begun to sponsor a programme to issue the International Computer Driving Licence to persons with disabilities. The programme is aimed at training persons with disabilities in technological skills so that they can access information, use the appropriate programmes and keep pace with the labour market.

193. The Government publicizes its services for persons with disabilities on its official websites, which persons with visual disabilities can read with the use of text-to-speech programmes. The Government also makes information and materials on services available in simplified form or via videos with sign language interpretation.

194. The Ministry of Education, in cooperation with the Ministry of Communications and Information Technology, has produced the Unified Sign Language Dictionary, which is aimed at eliminating the problem of discrepancies among sign languages used by students with hearing disabilities. In the project's pilot phase, in 2015, 2,500 words were selected, while the second phase introduced 5,000 words, bringing the total to 7,500.

195. The Egyptian General Book Authority launched a website in early 2016 that makes many e-books available in text-to-speech format, facilitating access to information by persons with visual disabilities.

196. At the beginning of 2016, the National Council for Disability Affairs, in cooperation with the Egyptian Association of the Deaf, published a legal sign language dictionary containing 500 words.

197. The Ministry of Communications and Information Technology and Giza Governorate have entered into an agreement to develop 20 community centres to enhance the technological skills of persons with disabilities residing in Giza and to supply the Governorate with five telemedicine units to facilitate medical treatment for persons with disabilities.

198. Efforts are being made to raise awareness in society and among families of the culture and capabilities of deaf and hard-of-hearing persons and to recognize outstanding or talented individuals in education and professional life.

199. In 2019, the Prime Minister and the Minister of the Interior inaugurated the Rehabilitation Centre for Persons with Disabilities, founded by the Ministry of the Interior in Tenth of Ramadan City, which is one of the largest centres of its kind in the Arab world and Africa. Established to provide services to persons with disabilities and foster their integration in society, the Centre stands on a 24,000-square-metre plot and includes a clinic area, a hydrotherapy unit, a gymnasium, workshops for the development of manual skills, art and music studios, computer labs and areas for games specifically designed for persons with disabilities.

200. The Federation of Associations for the Deaf and Hard of Hearing organized the first Arab conference on the theme “Towards quality education for deaf and hard-of-hearing persons in the light of the 2030 Sustainable Development Goals”. The conference was held from 16 to 18 September 2019 in Sharm el-Sheikh under the auspices of the Minister of Social Solidarity and with participation from the Ministry of Defence and South Sinai Governorate. It concluded with a set of recommendations, including the following:

- Sign language interpretation and support services at universities, and educational institutions in general, should be funded for deaf and hard-of-hearing persons.
- A committee should be formed comprising deaf representatives from Arab countries to follow up on the recommendations made and to organize the second conference within three years.

## **Article 22: Respect for privacy**

201. Every person has the right to privacy and to live life independently, in peace and dignity, without interference from others. This right is essential to freedom. Article 57 of the Egyptian Constitution (2014) stipulates that private life is inviolable. Postal, telegraphic and electronic correspondence, telephone conversations and other forms of communication are inviolable and their confidentiality is guaranteed. They may be confiscated, viewed or monitored only pursuant by a substantiated judicial order covering a limited time period and under the circumstances set out in law. In addition, the State, by law, must protect the right of citizens to use any form of public communication and may not arbitrarily disrupt, halt or deprive them thereof.

202. The Code of Criminal Procedure allows courts to hold in camera hearings as an exception to the principle of public trials in order to preserve public morals and honour (art. 268).

203. Disseminating the proceedings of in camera sessions or confidential court deliberations or dishonestly or maliciously disseminating the proceedings of public court hearings is criminalized by article 189 (1) of the Criminal Code.

204. Furthermore, articles 191 and 193 of the Criminal Code criminalize dissemination of the details of active investigations.

205. The Criminal Code protects privacy by criminalizing the filming of citizens, including persons with disabilities, in private places without their knowledge or permission and punishes anyone who violates the privacy of a citizen by taking or transmitting by any kind of device an image of a person in a private place. The offence extends to anyone who facilitates, broadcasts or participates in the dissemination of the image in cases other than those authorized by law, or without the consent of the victim (arts. 309 bis and 309 bis (a) of the Criminal Code).

206. Article 310 of the Code criminalizes the disclosure of secrets and stipulates imprisonment for physicians, surgeons, pharmacists, midwives or others who disclose a secret entrusted to them by virtue of their professional field or job.

207. Act No. 10 (2018) protects and promotes respect for the privacy of persons with disabilities by criminalizing the display, publication or broadcast of any data, information or images of persons with disabilities by any means. It requires the entity responsible for such publication or display to give the victim, or his or her representative, the right to reply and the right to a correction (art. 53). Offenders are punished with a fine.

208. Related laws protecting the privacy of the personal information of citizens, including persons with disabilities:

- Article 65 of the Civil Status Act, No. 143 (1994), which stipulates that the civil registry is obliged to take the measures necessary to protect personal data collected and stored on computers or in their auxiliary storage media from any breach, tampering, access or disclosure not expressly permitted by law.
- Article 3 of Act No. 35 (1960) on statistics and censuses, which stipulates that personal data related to any survey or census must be kept confidential. No individual or public or private body may view or receive any part of it. Furthermore, personal data may not be used for non-statistical purposes nor may any of it be published, except with written permission from the concerned parties.
- Article 4 of Act No. 35 (1960), which punishes with imprisonment and a fine anyone who violates the confidentiality of statistical data or discloses personal data, an industry or trade secret or other work methods that he or she has learned by virtue of his or her work for surveys or the census. This includes the data of persons with disabilities.
- Article 18 of Act No. 96 (1996) on the press, which stipulates that journalists must observe the principles and values enshrined in the Constitution and law, adhering, in all their work, to the requirements of honour, honesty, truthfulness and professional ethics and practices with a view to preserving society's ideals and values and so as not to violate or infringe upon any of the rights or freedoms of citizens.
- Act No. 17 (1983) on public advocates, which obliges lawyers to refrain from testifying about facts or information learned through their work, if so requested by the person who conveyed such facts or information to them unless they were conveyed for the purpose of committing a felony or misdemeanour. Lawyers must refrain from discussing personal matters in a manner that would denigrate the client's adversary or from levelling accusations that would violate the adversary's honour and dignity, unless necessary to defend the client's interests (arts. 65 and 69).

It is clear from the foregoing that Egyptian law guarantees persons with disabilities and others the right to privacy to protect their privacy, honour, reputation and personal and health information. In addition, measures and procedures have been taken to ensure that persons with disabilities are not isolated on the pretext of protecting their privacy through the adoption of a law specifically for them and through the establishment of the National Council for Persons with Disabilities, which protects their rights. The National Council for Persons with Disabilities, at all forums and events, draws attention to the Egyptian State's concern with persons with disabilities.

### **Article 23: Respect for home and the family**

209. The right to marry and form a family is an inherent right of persons. Article 10 of the Constitution affirms that the family, the foundation of society, is upheld by religion, morals and patriotism, and that the State has an interest in its cohesion and stability and the inculcation of family values.

210. Article 4 of Act No. 10 (2018) stipulates that persons with disabilities are entitled to make their own decisions and to exercise their free choice with respect to their lives and the development of their full potential, through measures taken within a framework of respect

for human dignity. The highest possible standards should be met when it comes to basic necessities such as food, housing and medical, social, psychological and other care.

211. Article 7 of the Act obliges the Ministry of Health to offer public health services, reproductive health-care services and premarital examinations.

212. Article 48 of the Act criminalizes the performance of, or incitement to, castration, sterilization or illegal abortion on persons with disabilities, on penalty of imprisonment. Furthermore, a person with a disability has the categorical right to have as many children as desired, with no limits on number and for any reason whatsoever. No law stipulates otherwise, except as regards medical procedures to preserve the health of the mother.

213. Article 16 of the implementing regulations requires the Ministry of Health to provide preventive examinations, including premarital and pre- and post-natal examinations at university hospitals, and to provide health care and treatment to persons with disabilities with their voluntary consent and in a manner that preserves their dignity and autonomy. Counselling programmes are offered to help people to deal with family members with disabilities. In addition, there are appropriate intervention programmes so that family members do not conceal, abandon or isolate boys or girls with disabilities. In addition, in a case where a person suffers from a motor disability, his or her family members may receive tests and treatments as a preventive measure, to reduce their potential for disability.

214. Article 46 of Act No. 81 (2016) on the civil service fosters respect for the home and family conditions by reducing by one hour the working day of employees with disabilities. Article 52 of the same Act guarantees that women employees of the State's administrative apparatus have the right to take four months of special leave with full pay as maternity leave up to three times during their employment in civil service, provided that said leave begins on the day following delivery. The leave may begin one month before the expected date of delivery upon a request from the employee and a report from the competent medical board. This provision applies to women with disabilities.

215. Article 92 of the Labour Act, No. 12 (2003), contains an important guarantee for women taking maternity leave. That leave is meant to protect women and cannot be used as cause for termination. Employers are therefore prohibited from dismissing or terminating an employee during maternity leave, even if it is proven that she was working during that leave.

**Measures taken by the State to ensure equality of persons with disabilities with respect to marriage, establishing a family and retaining fertility**

216. In 2013, the National Council for Women took part in the activities of the third session of the Women Deliver Conference, which was aimed at improving the reproductive health of women and girls, including those with disabilities.

217. The Ministry of Health works with civil society organizations on campaigns to educate persons with disabilities about the significance and importance of reproductive health and its impact on maternal and child health. One such campaign took place in Suhaj Governorate, in cooperation with the association Tamkeen for the Rights of Persons with Disabilities, Community Development and Training in Suhaj.

218. In 2018, the Ministry of Health introduced free mobile medical units to perform medical examinations and promote reproductive health and family planning services for persons with disabilities.

219. In 2017, the Ministry of Health operated 31 mobile clinics to improve the quality of reproductive health services, offer gynaecological examinations and provide advice and information on reproductive health.

220. In accordance with Decision of the Minister of Health No. 338 (2008), premarital examinations have been performed to prevent or detect conditions that could lead to disability and to avert subsequent adverse consequences.

## Article 24: Education

221. The Constitution guarantees the right to education for all Egyptians. Education is aimed at building the Egyptian character, preserving national identity, promoting rational thought, developing talents, encouraging innovation, consolidating civilizational and spiritual values and establishing the concepts of citizenship, tolerance and non-discrimination. The State undertakes to ensure its objectives are reflected in school curricula and mechanisms of education, which is to be delivered in line with global quality standards. Education is compulsory through secondary school or its equivalent. Education at State institutions is free of charge at all levels, in accordance with the law. The State is obliged to encourage and develop technical education and vocational training. The Constitution requires the State to guarantee academic freedom and promote research institutions as a means of achieving national sovereignty; establish a knowledge economy; sponsor researchers and inventors; and to allocate at least 1 per cent of gross national product to education, to be gradually increased until that expenditure aligns with international rates. The State must also guarantee that the private and public sectors and Egyptians abroad contribute effectively to the advancement of scientific research. It also undertakes to guarantee the education rights of persons with disabilities in accordance with the principles of equality, justice and equality of opportunity (arts. 19, 20, 23 and 81).

222. Act No. 10 (2018) stipulates that persons with disabilities have the right to primary and university education, and to inclusive education in the same State-run and private schools and institutions as are available to others, close to their places of residence and appropriate to the degree and type of disability, provided that standards of quality, safety, security and protection are met. The Act also stipulates the eradication of illiteracy among adults through programmes, plans and methods appropriate to their circumstances and abilities, including through special education in cases where the nature and degree of disability is exceptional (arts. 10–17).

223. Act No. 10 (2018) requires that classrooms for children or adults with disabilities be located on the ground floor to ensure that they are properly adapted and accessible (art. 46).

224. Article 23 of the Act requires the relevant ministries and the General Authority for Literacy and Adult Education to harmonize their various literacy programmes for post-school-age persons with disabilities using advanced technological methods.

225. Articles 20–44 of the implementing regulations affirm that the right to education is guaranteed for persons with disabilities, including children and girls.

226. The Child Act No. 12 (1996), affirms the right of the child to education, the development of his or her character, talents and mental abilities, and the inculcation of the principle of equality of persons, without discrimination on the basis of disability (arts. 53–63).

### **Measures taken by the State to ensure equality of opportunity in education, an inclusive education system for persons with disabilities and access to lifelong learning**

227. Inclusive education is among the sustainable development goals included in Egypt Vision 2030. Its objectives include the right to education and the integration of students with minor disabilities in regular classes.

228. The following decrees have been issued: Decree No. 37 (1990) of the Minister of Education on the implementing regulations for special education schools and classes, as amended by Ministerial Decree No. 561 (2014); Decree No. 42 (2008) of the Minister of Education concerning a committee on the integration of children with disabilities in public schools; Decree No. 94 (2009) of the Minister of Education on the admission of students with minor disabilities to public education; the Ministry of Education strategic plan for pre-university education for 2007/2008 and 2011/2012; Decree No. 264 (2011) of the Minister of Education on the admission of students with minor disabilities in schools preparing to integrate students with disabilities; and Decree No. 229 (2016), on technical education opportunities for students with disabilities in the fields of industry, agriculture, commerce and hospitality.



229. Inclusive education for children with disabilities is a key element in the strategic plan for pre-university education 2014–2030. The Ministry of Education has established special committees on education for persons with disabilities (the central administration for special education affairs; the general administration of special education; the office of the director general of special education development; and the ministerial committee on inclusion).

230. Decree No. 42 (2015) of the Minister of Education concerns the formation of a committee on admission criteria for children with disabilities, which is tasked with identifying integrated schools in all education directorates and promoting awareness of the importance of inclusion.

231. Decree No. 2112 (2015) of the Minister of Higher Education and Scientific Research concerns the rules and system for acceptance of secondary school graduates with disabilities.

232. Ministerial Decree No. 252 (2017) concerns integration of persons with disabilities in education in line with modern developments.

233. Ministerial Decree No. 291 (2017) concerns the regulation of special education schools and classes (e.g., for deaf persons, blind persons, persons with intellectual disabilities).

234. Circular No. 60 (December 2016) concerns the assignment of integration students, students with physical disabilities and blind students to ground floor classrooms.

235. In cooperation with UNICEF, specifications have been developed for examination papers for special education students and integration students. Special education teachers have been sent abroad. Some 270 special education teacher trainers have been accredited in the academic field of special education and integration. During the 2015/2016 period, more than 12,943 teachers at special education and integration schools were trained in cooperation with the Professional Academy for Teachers, and, in 2016, 5,400 teachers were trained on the use of computers. Job training was provided to teachers with and without disabilities. In 2016, for the first time, five training packages were approved in the field of special education and integration. Appropriate education curricula were developed for special education schools that are similar to public education curricula; those curricula include theoretical material as well as practical subjects such as plumbing and sanitation, furniture-making and pottery. Educational programmes were developed on compact discs for students with intellectual disabilities. Most special education schools have been supplied with media laboratories, which include overhead projectors, computers, video equipment and televisions. All schools for the blind have been equipped with text-to-speech devices, and most schools for the deaf have been supplied with assistive hearing devices. An interactive classroom system (a tablet for each student and an interactive blackboard) has been introduced in the first and second secondary grades at Amal schools for deaf children in all governorates. Some 60 teachers for deaf students were accredited as certified sign language trainers for the purposes of training 1,500 teachers on the Unified Sign Language Dictionary. The accreditation process has begun for 945 special education teachers and integration teachers as trainers in specialized fields and, for the first time, in special education subjects such as movement, speech, family counselling, psychometrics, raised type (Braille) and technology for blind persons (e.g., speech programmes and mobile applications), with 135 trainers for each specialty.

236. The Ministry of Education has launched a project to digitize curricula to make it highly accessible for students with hearing and visual disabilities, from the first grade of primary school through the third grade of preparatory school, serving 18,000 students.

237. Since 2005, a disability code has been in force at all schools operated by the Ministry, which mandates that at least one classroom be located on the ground floor and that the ground floor have an accessible toilet and a ramp. In addition, 300 schools are targeted for accessibility modifications each year so that they can accept students with disabilities. From 2007/2008 to 2016, the Educational Buildings Authority implemented 35 projects, with a total of 440 special education classrooms, with the aim of improving the effectiveness of special education schools. Some 270 projects were implemented from 2007/2008 to 2016.

238. The Government has launched initiatives to raise awareness of the rights and treatment of persons with disabilities, such as the campaign “I am deaf, I have the right to be

understood”, which aims to teach key sign language vocabulary to citizen service staff at all Egyptian ministries and in areas surrounding all schools for the deaf nationwide.

239. The Supreme Council of Universities issued a decision in 2015 that persons with hearing disabilities would be accepted at Egyptian universities (4 at Cairo University, 25 at Ain Shams University, 1 at Zagazig University and 12 at Alexandria University).

240. At Banha University, for the 2017/2018 and 2018/2019 academic years, 35 students (19 women and 16 men) with visual disabilities, 14 students (5 women and 9 men) with hearing disabilities and 112 students (38 women and 74 men) with motor impairments were accepted. Six students (2 women and 4 men) with intellectual disabilities were integrated.

241. At Bani Suwayf University, from 2013 to 2018, 256 students (168 men and 88 women) were integrated, including 65 with motor impairments and 189 with visual disabilities.

242. The Ministry of Communications and Information Technology, in cooperation with the Ministry of Education and the Professional Academy for Teachers, has trained 5,400 teachers of persons with disabilities on the use of computer technology to assist and to improve communication with students with disabilities. In addition, 24 centres for persons with disabilities at public universities have received support. The Ministry has launched the One Thousand Schools initiative, which supports special education schools and schools for persons with intellectual disabilities nationwide through assistive technology, and the integrated inclusive community centres project.

243. Catholic Relief Services Egypt, in cooperation with Orman School for Special Education, sponsors 76 students (51 male and 25 female) with intellectual disabilities of various nationalities (e.g., the Sudan, Somalia, Eritrea, Syria, Iraq and Yemen). They attend lessons alongside Egyptian students with intellectual disabilities.

244. Every year, the National Council for Persons with Disabilities honours outstanding students with disabilities at all educational levels. In 2017, a student with a visual disability won first place for the western region in Azhar system education at the end of secondary school, and, in 2019, a student with an intellectual disability (autism) won first place in the western region in inclusive education.

## **Article 25: Health**

245. Article 18 of the Constitution guarantees every citizen the right to health and quality integrated health care. The State undertakes to maintain and support State-run health facilities providing services to the public and endeavours to increase the effectiveness and equitable geographical distribution of such facilities. The Constitution also obliges the State to establish a comprehensive health insurance system for all Egyptians that covers all illnesses. Under the law, citizens either contribute to said insurance or are exempt, in accordance with their income. It is a crime to withhold any sort of treatment from any person in an emergency or life-threatening situation. The State undertakes to improve the conditions of doctors, nursing staff and health sector workers. Article 81 of the Constitution obliges the State to guarantee the right to health of persons with disabilities.

246. Act No. 10 (2018) stipulates the maintenance of a health profile for every person with a disability, pursuant to an approved medical diagnosis. The Ministry of Health is obliged to establish a database of persons with disabilities for use in the planning and monitoring of various health services, while observing the confidentiality of data (arts. 5–9). The Ministry of Health and other relevant ministries and agencies undertake to:

- Develop and update early programmes for the prevention and early detection of all types of disorders and disabilities.
- Provide treatment and nutritional supplements to avoid complications that can lead to disorders.
- Provide medical rehabilitation services at all health-care centres.
- Concerned governmental agencies and non-governmental entities contracted by the Government are obliged to provide any specialized or supportive health treatments or

preventive care for persons with disabilities. They are also obliged to adapt their facilities to make them accessible to persons with disabilities.

- Provide, to all holders of a proof of disability and integrated services card, public health services, medical and psychological rehabilitation programmes, reproductive health-care services and premarital examinations.

247. According to articles 16–19 of the implementing regulations of Act No. 10 (2018), the Ministry of Health is obliged to provide services and examinations to ensure the protection and promotion of the right of persons with disabilities to health-care services and medical treatment.

248. The Child Act, No. 12 (1996), as amended, affirms the promotion and protection of the right to education of persons with disabilities (arts. 8–30) and affirms a child’s right to health, vaccination, immunization against infectious diseases and the issuance of a health card.

249. Act No. 86 (2012), on the health insurance system for children below school age, and Act No. 99 (1992), on the health insurance system for students, as amended by Prime Ministerial Decree No. 853 (2006), stipulate that female students at vocational training centres must be covered by the health insurance system.

#### **Measures taken by the State to ensure that persons with disabilities have access to health services in their communities**

250. The Ministry of Health launched a strategy for the period 2015–2020, which is based on four components: preventive programmes; early detection; an integrated system for health treatment and rehabilitation; and information, education and communication on health services for persons with disabilities.

251. Efforts are made to ensure that Ministry of Health buildings are accessible to persons with physical disabilities, older persons and persons with motor neuron diseases and arthritis. The General Health Insurance Authority also ensures that ramps are installed at its facilities.

252. Measures are taken to provide persons with disabilities with affordable health programmes that are as close as possible to their communities, including:

- Neonatal screening to detect hypothyroidism, which leads to intellectual disabilities. The programme covers over 94 per cent of births and detects 1,000 cases annually. Treatment and follow-up are covered by health insurance.
- Neonatal hearing screening.
- Early detection of vision problems and anaemia in school-age children.
- Comprehensive periodic screening programme and vaccination programme for school-age children.
- Neonatal screening for the detection of phenylketonuria, a metabolic disorder caused by a lack of phenylalanine. Early intervention is needed in order to prevent disability. Gradual implementation of the programme began in November 2015 and was extended to all governorates by November 2016.
- Therapeutic milk for children of appropriate age who have various metabolic diseases, including maple syrup urine disease. The Ministry of Health fully supports the programme at a cost of 37 million Egyptian pounds annually.
- At the beginning of 2013, the health insurance contribution ceiling for cochlear implants was raised to 90,000 Egyptian pounds per case. Some 1,158 cases have been treated, at a cost of 104,220,000 Egyptian pounds.
- The General Health Insurance Authority provides hearing aids, prescription eyeglasses, medical belts, assistive devices for paralysis, prostheses, spinal support devices, wheelchairs, dental prostheses and facial and nasal surgeries.

- Twelve medications for the treatment of mental illness have been added to the formulary of the General Health Insurance Authority in order to meet the needs of persons with disabilities suffering from psychiatric disorders.
- At health insurance hospitals, departments have been created for Ilizarov surgery and surgical interventions to correct physical disabilities.
- Radiological examinations and laboratory tests and surgical procedures, in particular limb lengthening, correction of birth defects and correction of abnormalities, have been introduced for persons with disabilities.
- A guide has been prepared for board-certified specialists on how to assess type and degree of disability. Physicians in 11 governorates have been trained in the assessment of advanced cases, as part of the Karama programme and medical testing of persons with disabilities has been performed in cooperation with specialized medical boards.
- In cooperation with the National Foundation for Family and Community Development, the first centre for autism spectrum disorder has been established to provide care and services.
- An annual training plan for health teams at primary care units was developed by the General Directorate for Disability Reduction of the Ministry of Health and the General Health Insurance Authority. It aims to train those teams on interacting with persons with disabilities and addressing their health problems. The plan included the following:
  - (a) Training for 69 physicians in Cairo, Giza and Alexandria Governorates and at the General Health Insurance Authority on the use of the international classification;
  - (b) 33 courses for care unit physicians on early detection of birth defects, genetic disorders and hearing impairments;
  - (c) 16 courses for hospital social workers on early detection of disability;
  - (d) 88 courses for care unit nurses on genetic counselling and monitoring of development of children with disabilities;
  - (e) Training for health teams in preventive services (e.g., comprehensive medical examinations, immunization and health education);
  - (f) Training for 107 speech pathologists at all branch hospitals of the General Health Insurance Authority on hearing impairment rehabilitation and cochlear implantation;
  - (g) Training for psychologists at hospitals of the General Health Insurance Authority on state-of-the-art early interventions to halt the progression of disorders and mitigate the adverse effects of disability. Training is continuous so that specialists (psychologists and speech pathologists) are competent to provide rehabilitation services in line with developments in the field;
  - (h) Training on treatments for patients with autism and attention-deficit/hyperactivity disorder, including sessions on skill development and behaviour modification, are offered to facilitate community integration;
  - (i) Seminars and lectures held by the General Health Insurance Authority, in cooperation with the National Population Council, to raise awareness of health insurance services for persons with disabilities.
- Study has been undertaken of ideas, trends and social practices in the field of disability.
- The Ministry of Communications and Information Technology has launched a telemedicine project, which is aimed at facilitating access by persons with disabilities to high-quality medical services by linking health-care units with major hospitals and university hospitals via electronic testing technology and videoconferencing features. Biometric measurements, X-rays and medical analyses are sent to major hospitals, where patients are diagnosed and treated without having to bear the inconvenience and cost of travel. The Ministry has linked 90 such units in various governorates.

- National campaign to eliminate hepatitis C.
- Detection of non-communicable diseases.
- In 2018, a Presidential initiative (“100 million healthy lives”) was launched to combat hepatitis C and test for non-communicable diseases, enhancing the health of Egyptians. The initiative involved a medical survey aimed at reducing complications for sufferers of those diseases. Some 56,837,857 individuals and 67,498 refugees and foreign residents were tested, and 700,000 patients received free treatment. In February 2019, a campaign was launched to identify and provide free treatment for obesity, stunting and severe anaemia among children under the age of 12.
- In 2019, the President’s initiative for women’s health was launched, which is aimed at early detection of breast tumours. The initiative was started in nine governorates, namely South Sinai, Dumyat, Bur Sa’id, Alexandria, Matruh, Buhayrah, Fayyum, Asyut and Qalyubiyah. Services are provided to women free of charge at health units throughout those governorates. The campaign is also aimed at providing treatment and spreading awareness of the causes of the disease and of how to perform self-examinations.
- The Government has taken the following disease-prevention measures, including for persons with disabilities:
  - (a) Mandatory routine vaccination of some 2.6 million children (more than 96 per cent of children) annually;
  - (b) Vaccinations and serums for all target groups (children, travellers);
  - (c) Provision of 40 million vaccinations annually against polio, rubella and mumps.

### **Judicial enforcement**

253. An administrative court ordered the head of the General Health Insurance Authority to cover medication prescribed to treat a girl with autism and to refer her case to a competent doctor for regular treatment.<sup>20</sup>

254. An administrative court ordered the Minister of Health to dispense medication prescribed to a child with an intellectual disability and metabolic disorders three times a week, for life.<sup>21</sup>

255. An administrative court ordered the head of the General Health Insurance Authority to dispense medication prescribed to treat a child with intellectual disabilities for life or until full recovery.<sup>22</sup>

### **Article 26: Habilitation and rehabilitation**

256. The State is obligated to encourage, develop and expand technical and vocational education and training in accordance with international quality standards and in keeping with the needs of the labour market (art. 20 of the Constitution).

257. Article 4 of Act No. 10 (2018) obliges the State to provide rehabilitation, training, education and counselling for families of persons with disabilities; to create conditions conducive for the care of persons with disabilities within the family; and to offer training and capacity-building for staff of government agencies who interact with persons with disabilities, so that they are able to communicate with them regarding all matters.

258. Articles 18 and 19 of the Act require the Ministry of Social Solidarity to provide persons with disabilities with rehabilitation and training and assistive tools and products, either free of charge or for a nominal fee. The Ministry must also provide training

<sup>20</sup> Judgment issued in case No. 16025, fifteenth judicial year, session of 18 April 2016.

<sup>21</sup> Judgment issued in case No. 14109, fifteenth judicial year, session of 31 August 2015.

<sup>22</sup> Judgment issued in case No. 17317, fifteenth judicial year, session of 30 November 2015.

programmes and specialized staff in that connection. Rehabilitation and training centres are required to grant a certificate of qualification, approved by the Ministry of Social Solidarity, to persons with disabilities who have completed training.

259. Articles 45–51 of the implementing regulations guarantee rehabilitation for persons with disabilities by requiring that the State ensure that they are able to attain maximum [independence] in habilitation and rehabilitation programmes; reach their physical, mental and social potential in the areas of health and education; and access vocational and job training opportunities so that they can find appropriate employment. The State is also required to promote initial and continuing training programmes and to ensure the participation of persons with disabilities. The State must also promote access to modern assistive devices and technologies designed for persons with disabilities.

260. The Child Act, No. 12 (1996), devotes the entirety of articles 75 to 86 to the care and rehabilitation of children with disabilities.

### **Measures taken by the State for the habilitation and rehabilitation of persons with disabilities**

261. The Ministry of Social Solidarity has actively adopted the approach and strategy of community-based rehabilitation when it comes to the social integration of persons with disabilities, the prevention of disability and the provision of training and vocational services to persons with disabilities and their families in their local communities or even their homes. To that end, the following measures have been taken:

- Cooperation and coordination with civil society organizations such as the Orman Association, the Egyptian Cure Bank and the Egyptian Food Bank, for the benefit of persons with disabilities. In addition, workshops offered by the Ministry's comprehensive training centres train and qualify persons with disabilities for marketable occupations, such as printing, carpentry and bamboo crafts, in line with their abilities.
- Creating mechanisms to provide training services through the Ministry's investment plan, expanding the scope of services provided to persons with disabilities; monitoring the directorates to ensure that they are implementing and providing the required level of services; and developing a database of training centres throughout the country that can be utilized in decision-making.
- Continuous preparation and implementation of specialized training programmes and courses. In 2015, 46 specialists were trained to work at various Ministry-supervised training centres in an effort to enhance the quality of the services and activities offered by them to persons with disabilities, and to improve performance in delivering those services.
- Practical training and courses related to disability are offered by various faculties (education and social work, arts, psychology) at Egyptian universities throughout the year.
- The Ministry of Social Solidarity, in partnership with relevant civil society organizations, has launched campaigns and initiatives to teach specialists and persons with disabilities about assistive devices and technologies. Such initiatives include:
  - (a) Import of wheelchairs and distribution to users at reduced prices according to need; training of persons with disabilities on their use; sending of teams abroad for training on wheelchair maintenance; opening of a local repair shop with trained staff; psychological and social rehabilitation and employment of persons with motor disabilities;
  - (b) Training for persons with visual impairments in soft skills and the use of technology for employment purposes.

262. Each year, the Ministry of Communications and Information Technology holds the CairoICT conference, where leading telecommunications companies give demonstrations on mobile applications for visual and hearing disabilities and offer promotions.

263. The Ministry has launched grants for obtaining the International Computer Driving License and for training and qualifications so that persons with disabilities can access job opportunities and telemarketing training.

### **Article 27: Work and employment**

264. Work is a right, a duty and an honour guaranteed by the State. No citizen may be forced to work, except in accordance with the law and for the purpose of performing a public service for a specified time period in return for a fair wage, without prejudice to his or her fundamental rights. The State is obliged to preserve the rights of workers and to promote balanced working relations between workers and employers. It must guarantee collective bargaining, protect workers from occupational hazards and ensure occupational health and safety. Entitlement of citizens to public sector jobs is on the basis of merit, without favouritism or nepotism, and such employees are enjoined to serve the people. The State guarantees their rights and protection, and their duties must be performed with a view to serving the public interest (arts. 12–14 of the Constitution).

265. According to article 20 of Act No. 10 (2018), the State must guarantee the right of persons with disabilities to equal work opportunities commensurate with their academic and professional qualifications and training. The State must not subject persons with disabilities to any kind of forced labour and must protect their right to fair working conditions on an equal basis with others. It must make efforts to create job opportunities for them within the country and abroad and encourage self-employment through comprehensive development activities and projects within the framework of the State's social policies. The State is also obliged to provide adequate safety and security and accommodation for persons with disabilities in the workplace. It must ensure that persons with disabilities are able to exercise their labour and trade union rights and enable their effective access to technical and vocational counselling programmes, employment services and continuing vocational training. The State prohibits any discrimination or denial of any benefits or rights on the basis of disability in hiring, type of work, promotions or wages and bonuses.

266. Article 22 of the Act stipulates that 5 per cent of positions must be set aside for persons with disabilities at governmental and non-governmental entities and at all businesses with 20 or more employees.

267. According to the Act's implementing regulations, the relevant State authorities must ensure occupational safety and security and reasonable workplace accommodation for persons with disabilities. Employers must ensure equal pay for persons with disabilities and provide flexible arrangements with respect to working hours to accommodate persons with disabilities (arts. 53-63).

268. Article 46 of the Civil Service Act, No. 81 (2016), reduces the workday of employees with disabilities by one hour.

269. Women with disabilities and children with disabilities who are permitted to work enjoy all the benefits set forth in the Child Act, No. 12 (1996), as amended, and the Labour Act, No. 12 (2003), concerning working hours, childcare and maternity leave.

### **Measures taken by the State to protect and promote the right of persons with disabilities to participate in the labour market and earn a livelihood**

270. Circular No. 11 (2011) of the Central Agency for Organization and Administration regulates priority in hiring with respect to persons with disabilities, giving preference according to graduation seniority. By the middle of 2016, nearly 40,000 persons with disabilities had been hired in governorate public sector positions. Education was the sector that was most inclusive of persons with disabilities, and more jobs are being added. In May 2015, through a competition held by the Agency, some 5,000 persons with various disabilities were hired all at once for jobs with the governorates. Nearly 10,000 persons with disabilities were hired in the private sector, mostly in specialized technical jobs.

271. The Government is creating job training and certification opportunities for persons with disabilities. The Social Fund for Development facilitates loans for small enterprises,

enabling entrepreneurship and self-sufficiency. National non-profit organizations have also made efforts in this regard.

272. The Ministry of Communications and Information Technology, in cooperation with the Ministry of Defence, has trained 400 persons with disabilities in administrative work, data entry and telemarketing. The Ministry has collaborated with the Chamber of the Software Industry and the Misr El Kheir Foundation to create job opportunities for persons with disabilities at information and communication technology companies, with the Misr El Kheir Foundation underwriting salaries, at various proportions, for a full year.

273. A cooperation protocol has been concluded between the Ministry of Manpower and the Training Finance Fund to implement the “Egypt is more beautiful with you” initiative, which is aimed at educating persons with disabilities about the importance of work; training persons with disabilities to participate effectively in development and to overcome occupational challenges; raising awareness of the Labour Act and related laws; and providing training on how to set up small businesses and microenterprises.

274. In coordination with the Ministry of Social Solidarity and relevant agencies and institutions, a national microenterprise initiative has been launched with participation from women and persons with disabilities in order to ensure equal rights and opportunities, social integration and equal work opportunities.

275. Training offices under the supervision of the Ministry have awarded certificates to persons with disabilities in occupations appropriate to their disability so that they can be hired as part of the 5 per cent quota for government administration and affiliated entities.

276. In 2017, Egypt won the Zero Project global award, which is awarded to the 20 most innovative programmes for employment of persons with disabilities. The award honours projects that utilize innovative solutions in removing social barriers faced by persons with disabilities.

### **Judicial enforcement**

277. The Supreme Constitutional Court rejected a lawsuit challenging the constitutionality of article 10 of Act No. 39 (1975) on the rehabilitation of persons with disabilities, which requires that the State’s administrative apparatus allocate 5 per cent of job openings to persons with disabilities who hold training certificates. In its decision, the Court argued that the regulation of disability-related matters, both in Egypt and abroad, has always involved guaranteeing opportunities for persons with disabilities so that they can overcome their obstacles and challenges. As it is impossible to guarantee equal employment opportunities to persons with disabilities with respect to certain jobs, they must be given assistance and opportunities appropriate to their circumstances, which means that they must be integrated into society through mandatory hiring quotas.<sup>23</sup>

278. An administrative court in Alexandria ruled to overturn an administrative decision to close a marble workshop where persons with disabilities were employed, in application of the principle of equality. The court called on Egyptian lawmakers to speedily adopt an act on persons with disabilities.<sup>24</sup>

279. An administrative court issued a ruling to overturn a decision of the Minister of Health to terminate the employment of a woman with visual disabilities and compel her to retire. The court granted her sick leave with full pay until retirement.<sup>25</sup>

### **Article 28: Adequate standard of living and social protection**

280. The Constitution guarantees many aspects of social protection. Article 8 affirms that society is founded on solidarity and requires the State to promote social justice and solidarity to ensure a decent life for all citizens. Article 17 grants Egyptian citizens the right to social

<sup>23</sup> Judgment issued in case No. 8, sixteenth judicial year, Constitutional court, session of 5 August 1995.

<sup>24</sup> Judgment issued in case No. 194, fifteenth judicial year, session of 23 February 2015.

<sup>25</sup> Judgment in case No. 15645, sixty-second judicial year, session of 25 June 2013.



insurance or social security in the event of disability, old age or unemployment, and obliges the State to guarantee funds for insurance and pension funds. Under article 78, the State must guarantee citizens the right to adequate, safe and healthy housing, in a manner that preserves human dignity and achieves social justice. It is required to develop a national housing plan that takes into account environmental particularities. It must also regulate the use of State land and to provide basic facilities on it, as part of a comprehensive urban planning framework for cities and villages and a population distribution strategy. That is to be done in order to serve the public interest, improve quality of life for citizens and protect the rights of future generations. The State must also develop a comprehensive national plan to address the problem of informal housing, which is to include replanning, the development of infrastructure and facilities and the improvement of quality of life and public health. The Constitution guarantees necessary resources for implementation within a specific time frame. Article 79 stipulates that citizens are entitled to healthy and adequate food and clean water, and requires the State to secure food resources for all citizens.

281. Pursuant to article 4 of Act No. 10 (2018), the State must create conditions conducive to all aspects of a decent life, protect the right to life and development and provide the highest possible standard of food, housing, and health, social and psychological care.

282. Under article 25, persons with disabilities are to be granted monthly assistance, in accordance with the provisions of the Social Security Act, promulgated by Act No. 137 (2010). As an exception to the provisions of the Social Insurance Act, No. 79 (1975), persons with disabilities are entitled to combine two pensions received on their own behalf or on behalf of a spouse, a parent, a child or a sibling, with no maximum limit. They also have the right to combine a pension of any kind with employment earnings and the State treasury is responsible for the difference. The implementing regulations, which set out the rules and conditions for the application of that text, stipulate in articles 64–67 that the right of persons with disabilities to an adequate standard of living must be protected; that the State is required to ensure that persons with disabilities have access to social protection programmes; and that persons with disabilities must be allowed to collect two pensions, for the purposes of poverty alleviation. The Ministry of Social Solidarity is required to work with the Central Agency for Public Mobilization and Statistics to reassess the poverty line.

#### **Measures taken by the State to promote the right of persons with disabilities to an adequate standard of living and social protection**

283. Persons with disabilities may obtain employer-guaranteed bank loans. The Ministry of Social Solidarity has developed a long-term social protection scheme to promote the basic rights of poor families to health and education and access to food and job opportunities. The Ministry has launched a conditional cash support programme, “Takaful wa karama” (Solidarity and Dignity), as a response to political and economic reforms that are relevant to the protection and development of Egyptian citizens. The purpose of the programme is to provide assistance, through individual entitlements, to persons with disabilities who are unable to work or completely incapacitated, as well as older persons.

284. The Ministry of the Environment purchases durable goods and makes them available at a discount and on an instalment plan, in the framework of initiatives and campaigns to provide a decent standard of living for persons with disabilities and their families.

285. The Social Fund for Development, in coordination with the Ministry of Social Solidarity, sponsors trade fairs for goods produced by productive families, which include persons with disabilities and their families, so that they can increase their income and raise their standard of living.

286. Laws and decisions have been promulgated to ensure that persons with disabilities, especially women, girls and older persons, benefit from poverty reduction programmes and social protection programmes, including:

- Prime Ministerial Decree No. 4248 (1998) on simplifying the procedures for obtaining services, including social security pensions;
- Presidential Decree No. 15 (2015), amending some provisions of the Social Security Act, No. 137 (2010), which approves the Prime Minister’s introduction of new

programmes under the umbrella of the Social Protection and Social Security Programme;

- Decree of the Minister of Solidarity No. 29 (2008), which grants a monthly allowance to the family of a child with an intellectual disability.

287. Since 15 January 2017, the Ministry of Social Solidarity and the Ministry of Finance have worked in coordination to disburse monthly assistance under the “Takaful wa karama” social protection programme. The payments are continuing and are disbursed at post offices nationwide. As at January 2017, 1,270,000 families had benefited from the programme, and, up to December 2016, a total of 4.4 billion Egyptian pounds had been disbursed. The programme ensures that persons with disabilities, especially women, girls and older persons, benefit from poverty reduction programmes and social protection programmes.

288. Campaigns and initiatives have been implemented to raise awareness among persons with disabilities, especially women, girls and older persons, about poverty reduction programmes and social protection programmes. Ministry of Social Solidarity programmes provide training to women and girls with disabilities in handicrafts. The status of women and girls with disabilities has been regulated in order to facilitate access to relevant social security services and government services. The Department of Civil Associations of the Ministry of the Environment, in cooperation with organizations concerned with persons with disabilities, has provided persons with disabilities with financial assistance and temporary care.

289. In 2014, the Cabinet approved the allocation of 5 per cent of social housing units for persons with disabilities and persons with special needs, subject to the applicable conditions with respect to social housing and provided that applicants submit a document indicating the degree of disability. The Ministry of Housing has taken measures to ensure that persons with disabilities benefit from public housing programmes. Social housing applications for persons with disabilities have been streamlined. Some 3,281 persons with disabilities have met the conditions; 1,952 housing units have been allocated so far, and allocation procedures are underway for the remainder.

290. The National Council for Persons with Disabilities has implemented campaigns and initiatives to provide information on public housing programmes to persons with disabilities and to facilitate access to those programmes.

### **Judicial enforcement**

291. An administrative court ordered the Minister of Social Solidarity to reverse a decision to suspend a pension received by a girl with an intellectual disability and to increase and pay the amount of monthly assistance.<sup>26</sup>

### **Article 29: Participation in political and public life**

292. According to article 87 of the Constitution, civic participation is a national duty. The law directly regulates the rights of every citizen to vote, run for office and participate in referendums. The Constitution guarantees appropriate representation of persons with disabilities in elections for local councils (art. 180). The State has been working to ensure adequate representation for persons with disabilities in the first House of Representatives elected after the adoption of the constitutional amendments in April 2019. Under the constitutional amendments introduced in April 2019, representation of persons with disabilities in accordance with the text of article 244 of the Constitution is now a permanent obligation and not limited to the first House of Representatives. The Senate, which has been established as the second legislative chamber, is responsible for studying and proposing measures it deems appropriate for consolidating democracy and for supporting social peace, the basic components and highest values of society, and public rights, freedoms and duties. Senators are elected and appointed in the manner prescribed by law (arts. 248-250 (added)).

293. The State is required to ensure that the competent authorities implement the nomination and voting procedures for all elections and referendums. The State must allow

<sup>26</sup> Judgment issued in case No. 4879, thirteenth judicial year, session of 18 April 2016.

and facilitate the participation of persons with disabilities, and must preserve their right to seek the assistance, when necessary, of persons of their choice (Act No. 10 (2018), art. 39). The State guarantees the freedom of persons with disabilities to establish and to join disability-specific or regional organizations related to any disability, in accordance with the provisions of the law, so that they may be represented at the local and international levels. Political parties, civil society organizations and labour unions and federations must allow, facilitate and encourage the participation of persons with disabilities in all types of activity, with appropriate representation (art. 40).

294. Related laws reinforce the protection and promotion of the right of persons with disabilities to political participation. Article 2 of Act No. 46 (2014) on the House of Representatives grants citizens with disabilities the right to exercise their civil and political rights pursuant to a medical report issued in accordance with conditions and controls set by the Supreme Elections Committee in consultation with the National Council for Persons with Disabilities. Article 5 requires that candidacies be allocated for persons with disabilities in electoral lists. The Act requires that at least one candidate with disabilities be included in electoral shortlists and at least three in long lists. Article 44 grants voters with disabilities the right to vote with or without the assistance of the subcommittee Chair.

#### **Measures taken by the State to guarantee and ensure the exercise of the political rights of persons with disabilities**

295. At the beginning of 2014, the National Council for Disability Affairs sent a request to the Supreme Elections Committee asking that the referendum on the Egyptian Constitution incorporate inclusive measures and facilities to enable persons with disabilities to vote independently and to encourage their participation. The Committee agreed to distribute posters explaining the voting process in sign language in most polling stations nationwide. In the 2019 referendum on the constitutional amendments, the National Elections Authority decided to issue ballots in Braille for persons with visual impairments.

296. Since 2011, numerous government agencies have worked with the National Council for Disability Affairs and civil society organizations on initiatives and awareness campaigns to promote the right of persons with disabilities to political participation in all political events, including the 2012 constitutional referendum, the 2012, 2014 and 2018 presidential elections, the 2014 and 2019 referendums on the constitutional amendments and the 2015 House of Representatives elections. In the latter, candidates with disabilities ran independently and as part of electoral lists; eight persons with disabilities were elected to the House and one was appointed by decision of the President. The creation of the Solidarity, Family and Persons with Disabilities Committee in the House of Representatives, which in 2015 led to the election of eight persons with disabilities to the House of Representatives and the appointment by the President of one person with disabilities.

297. The National Council for Persons with Disabilities in Cairo has established a central operations room at its headquarters to monitor electoral processes in cooperation with the relevant authorities. In the 2014 and 2018 presidential elections, the 2014 constitutional amendment referendum and the 2015 House of Representatives elections, observers in all governorates monitored the participation of persons with disabilities and the obstacles they faced in voting.

298. The State Information Service, in cooperation with the National Council for Persons with Disabilities, organized 26 concurrent public seminars in 26 governorates in the period 2013–2014 to educate persons with disabilities about the constitutional amendments, and, in 2015, about the House of Representatives and political participation laws.

299. Preparations in the governorates for the 2014 and 2018 presidential elections were monitored by 116 members of the National Council for Persons with Disabilities, all of whom were persons with disabilities, after obtaining the necessary permits. That was the first time that persons with disabilities had been allowed to monitor the electoral process in Egypt and has had a positive impact on equality and equal opportunities.

300. An initiative, “Your voice is important, get involved”, was launched to encourage political participation by persons with disabilities in the 2015 House of Representatives elections. It was launched by the Ministry of Youth and Sports in cooperation with the

National Council for Persons with Disabilities, and included 13 public meetings in 13 governorates.

301. A community dialogue was held on the draft implementing regulations of Act No. 10 (2018) on the rights of persons with disabilities through the official Facebook page of the National Council for Persons with Disabilities.

### **Article 30: Participation in cultural life, recreation, leisure and sport**

302. According to article 48 of the Constitution, culture is a right of every citizen. The State guarantees and supports that right and makes cultural materials of all kinds available to various groups in society, without discrimination on the basis of financial capacity, geographical location or any other basis. Article 81 obliges the State to guarantee the rights of persons with disabilities in all areas, including culture, sports and entertainment. Article 84 stipulates that the right to play sports is guaranteed to all and that State and social institutions should identify and nurture athletic talent and take the necessary measures to encourage participation in sports.

303. Act No. 10 (2018) obliges the State to allow and facilitate the participation of persons with disabilities in cultural, recreational, media and sports activities; to facilitate their access to places for the display or practice of those activities; and to provide cultural products, using languages and methods appropriate to each disability, for a nominal fee. The State must also create sufficient opportunities to develop and encourage the creative, artistic and intellectual abilities of persons with disabilities; develop plans and programmes to identify talented individuals; help them to discover their own cultural and linguistic identities; support their artistic and cultural activities and exhibitions; and publicize the works of outstanding creators. Cultural and sports bodies must set aside 5 per cent of the membership of their general assemblies for persons with disabilities. The Ministry of Tourism is obliged to promote tourism for persons with disabilities by making tourist sites accessible, organizing tourist and artistic performances and sound and light shows, and supporting festivals (arts. 41–44 of the Act). Moreover, articles 82 and 83 of the Act's implementing regulations affirm these obligations, stipulating that cultural, recreational, tourist and sports facilities be provided for persons with disabilities.

#### **Measures taken by the State to promote the right of persons with disabilities to participate along with others in cultural life, recreation, leisure and sports**

304. Associations under the Ministry of Social Affairs have long taken an interest in sports for persons with disabilities. That interest took a more professional turn in 1982 with the founding by the National Sports Council of the Egyptian Sports Federation for the Disabled as the first and only organization concerned with sports for persons with disabilities, covering all disabilities and all sports. In 2006, the Egyptian Paralympic Committee was established pursuant to the decision of the Minister of Youth and Sports and in accordance with a decision of the General Assembly of the International Paralympic Committee requiring countries to form national paralympic committees. Women with disabilities comprise approximately 40 per cent of participants in sports and sports tournaments for persons with disabilities.

305. Decree No. 265 (2014) of the Minister of Youth and Sports approves the bylaws of the Egyptian Paralympic Committee.

306. Athletes with disabilities have taken part in the Paralympic Games, most recently in Rio de Janeiro in 2016, winning many gold, silver and bronze medals.

307. The Ministry of Youth and Sports supports sports for persons with disabilities, and has developed the Gezira Youth Centre in downtown Cairo in line with the appropriate accessibility-related building codes. Various departments of the Ministry support cultural and artistic activities in addition to sports.

308. To promote participation in cultural life, the Ministry of Culture has developed and implemented specialized and inclusive cultural and artistic programmes and activities to expand the participation of persons with various disabilities in cultural and artistic life. Such programmes also foster public awareness of the rights of persons with disabilities.

309. The General Administration for the Cultural Empowerment of Persons with Disabilities was created in 2012 within the General Authority for Culture Palaces, under the Egyptian Ministry of Culture, to empower persons with disabilities culturally and artistically. In five governorates, five artistic troupes for persons with disabilities have been sponsored: Salam Arabic Music Band, Mufattihin Band, Samitin Band, Shakmagiyah Band and Folklore Band).

310. Since 2014, the General Egyptian Book Organization, a department of the Ministry of Culture, has worked with the National Council for Persons with Disabilities to incorporate disability-related cultural and artistic events into the annual Cairo International Book Fair. The Authority also offers persons with disabilities a standing 50 per cent discount on its publications.

311. The Ministry of Culture supports artistic troupes for persons with disabilities by providing accessible theatres for theatrical and musical performances. Such troupes include the Mufattihin Theatre Troupe, the Samitin Theatre Troupe and the Mumkin Troupe. One of the most significant groups is the Nur wal-Amal Orchestra, which consists of 41 blind musicians affiliated with the Nur wal-Amal Association for the Care of the Blind and which has given numerous performances at opera houses in Egypt, Vienna and Berlin.

312. Fine art made by persons with disabilities has been promoted through competitions, workshops and local exhibitions. One regular event is the Special Art Salon at the Saad Zaghloul Cultural Centre in Cairo, which has held 35 workshops to develop the skills of persons with disabilities and holds an annual national competition that brings together more than 300 artists with various disabilities. The Centre also supports artists by organizing individual exhibitions. It has held nine exhibitions of individual artists with disabilities and five group exhibitions for organizations of persons with disabilities.

313. Throughout the year, the Ministry of Culture's multiple departments support various inclusive activities for persons with disabilities, including educational seminars, artistic and literary competitions, meetings and workshops. The National Library and Archives in Cairo has a special reading room for persons with visual disabilities.

314. The National Centre for Child Culture supports all children, including children with disabilities, and holds an annual meeting with associations working with persons with disabilities in order to raise awareness of and resolve the problems facing those association with various parties. The Centre hosts cultural and recreational activities for children with disabilities at the Cultural Park for Children three days a week.

315. In recent years, public libraries have been established in Egypt, providing information and cultural services to the wider public in various regions and governorates. They have been architecturally designed to accommodate persons with disabilities, so that they are able to enter the building, move within it and use library facilities and halls. Library buildings meet the building code for accessibility. The Egyptian Public Library has branches in the governorates of Cairo (Zaytun, Duqqi, Zawiyah al-Hamra'), Minya, Bur Sa'id, Mansurah, Isma'iliyah, Zagazig, Banha, Damanhur, Luxor, Dumyat and Ghardaqaq, covering much of the Arab Republic of Egypt.

316. The Ministry of Tourism and its various departments have taken measures to facilitate tourism for Egyptian and foreign persons with disabilities within the framework of supporting accessible tourism. In 2015, it held five levels of sign language training for tour guides. In 2016, a memorandum of understanding was signed with the Smile Foundation, ILO and the Governor of Bahr al-Ahmar Governorate to implement a pioneering programme to train and certify persons with intellectual disabilities in certain tourism jobs.

317. In 2015, an international conference was held in cooperation with other organizations on the theme "Tourism for persons with disabilities: a vision for revitalizing Egyptian tourism", with the aim of putting Egypt on the tourism map when it comes to persons with disabilities. A competition on accessible tourism for persons with disabilities was launched in Bahr al-Ahmar in cooperation with the governorate, the Ministry of Communications, ILO and the United Nations Development Programme (UNDP).

318. In 2004, an archaeology school for students with visual disabilities was created at the Supreme Council of Antiquities. It is the first private archaeological school for children and

teaches about pharaonic culture at the Egyptian Museum. The school offers many activities to develop children's archaeological and aesthetic knowledge, thereby contributing to the development of personality and shaping mind and conscience.

319. During the past several years, the State Information Service has carried out disability-related cultural activities in all governorates. These include seminars for students with disabilities on education, the social rights of women with disabilities, the right of persons with disabilities to political life and participation in elections and accessibility issues. In 2015, the Service solicited artworks by persons with disabilities in the "Egypt is Beautiful" photography competition, awarding six prizes.

320. In 2017, in coordination with the Sports Federation for Persons with Disabilities and relevant institutions, the International Art Forum for Persons with Disabilities was held on the theme "Our children", at which the situation and rights of persons with disabilities were discussed.

321. To promote cultural exchange, an exhibition of fine artworks and handicrafts by persons with disabilities was held at the Civic Education Centre under the auspices of the Ministry of Immigration and Egyptian Expatriate Affairs.

322. Since 1991 – that is, for more than 20 years – the Egyptian film industry has depicted the problems faced by persons with disabilities.

### **Article 31: Statistics and data collection**

323. Information, data, statistics and official documents are the property of the people, and the States guarantees the right of citizens to obtain information from various sources. The State is required to make information available to citizens with transparency (art. 68 of the Constitution).

324. Under Act No. 10 (2018), it is an offence punishable by imprisonment for anyone to conceal data or information from statistic or census authorities about the existence of a person with a disability (art. 52).

#### **Measures taken by the State to collect research data and statistics on persons with disabilities**

325. A national project was launched as part of the 2017 national census to determine the percentage of persons with disabilities. The National Council for Disability Affairs has held numerous meetings with the Central Agency for Public Mobilization and Statistics to design, in line with the recommendations of the Washington Group on Disability Statistics, a questionnaire that includes questions on difficulties. In 2016, the Council, in cooperation with the Agency, trained 500 of its statistics researchers to explain and interpret the difficulties-related questions contained in the 2017 long-form census.

326. In 2016, the Information Decision Support Centre of the Cabinet conducted a study on disability in Egypt in order to ascertain the approximate number of persons with disabilities in the country and the percentage of disability for each disability category. The study followed the methodology of using a representative sample to cover various governorates and urban and rural areas. The survey included data from 11,592 households, comprising 49,431 individuals.

327. The most recent official estimates, issued by the Central Agency for Public Mobilization and Statistics in 2017, indicate that persons with disabilities make up 10.64 per cent of the total population of Egypt (94,798,827, or 94.8 million, persons). Of them, 6.3 per cent experience difficulty with moving; 4.72 per cent with seeing; 3.59 per cent with hearing; 3.65 per cent with memory and concentration; 2.94 per cent with caring for themselves; and 2.78 per cent with understanding and communicating.

## Article 32: International cooperation

### Efforts to support the purposes and objectives of the Convention through international cooperation

328. In order to enhance the protection and realization of the rights set out in the Convention, the Government has undertaken the following national efforts in the framework of international cooperation:

- Many grants have been awarded by civil society organizations working in the field of disability to projects related to persons with disabilities. Those organizations include Handicap International, the Japan International Cooperation Agency, the Canadian International Cooperation Agency, the Swedish International Development Cooperation Agency, the Local Cooperation Fund of the Finnish Embassy, the British Embassy and the Kuwaiti Embassy.
- Some grants have been targeted at a specific right. For example, grants have been made by the United Nations Partnership on the Rights of Persons with Disabilities, in partnership with ILO, UNDP, the Egyptian Fund for Science and Technology of the Ministry of Communications and Information Technology, the Ministry of Tourism and the General Authority for Tourism Promotion, for an accessible tourism project for persons with disabilities that was launched in 2015. The project aims to make Egypt a disability-friendly tourist destination and to make various tourist attractions accessible.

329. The National Council for Persons with Disabilities has taken many measures to foster international cooperation, including the following:

- From 26 to 30 November 2017, the North Africa regional workshop was held in Cairo, in collaboration with the Africa Disability Alliance. The Alliance is a technical agency that embraces disability issues and derives its mandate from the African continental human rights movement of organizations of persons with disabilities, of which it is a member. The Alliance develops and implements a wide range of public policy instruments in the area of disability-related programmes. It provides technical assistance on disability mainstreaming to the African Union Commission and the African Commission on Human and Peoples' Rights.
- Since 2015, it has participated in the annual Conference of States Parties to the Convention on the Rights of Persons with Disabilities at United Nations Headquarters in New York.
- It has signed an initial cooperation agreement with the European Union to implement projects for a five-year period starting in 2020 on capacity-building for associations of persons with disabilities.
- It has signed a two-year cooperation agreement beginning in 2019 with the Italian Agency for Development Cooperation on the promotion of the rights of persons with disabilities, which is aimed at improving the institutional efficiency of the Council and its employees and to raise community awareness of disability issues.
- The draft Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa, which was adopted at the nineteenth extraordinary session of the African Commission on Human and Peoples' Rights, held from 16 to 25 February 2016, has been translated into Arabic.

330. The Social Fund for Development is carrying out projects in several governorates within a labour-intensive employment programme funded by the European Union. Several associations have been established as an umbrella for the project; under those associations are several smaller associations with staff trained in all aspects of community-based training, including health, education, social life and the training and empowerment of persons with disabilities and their families.

331. In coordination with the Central Agency for Public Mobilization and Statistics, the Japan International Cooperation Agency, through its Cairo branch, provided funding for the 2017 national census, including a count of persons with disabilities.

332. In 2014, the Public Transport Authority received a grant from the United Arab Emirates for 10 buses that allow unassisted boarding and disembarkation by persons with motor disabilities.

333. In April 2019, Egypt joined the group of signatories to the Valletta political declaration on European-Arab cooperation in affirming disability rights during the Arab-European high-level meeting on disability rights, held at the Maltese Parliament, which was attended by delegations from 22 Arab and European countries, the Economic and Social Commission for Western Asia, the European Commission and the League of Arab States. The meeting served as a platform for exchanging experiences and strengthening bilateral and regional European-Arab cooperation in supporting the rights of persons with disabilities and ensuring decent lives for them in their communities.

334. The Arab Strategy for the Protection of Refugee Children was developed in 2016 by the Women, Family and Children Department of the League of Arab States and the Office of the United Nations High Commissioner for Refugees, Cairo branch, in cooperation with the relevant entities. Its disability component was developed by the National Council for Persons with Disabilities.

335. A Presidential initiative was launched to treat 1 million Africans suffering from hepatitis C. WHO provides technical support to the initiative and assists in its implementation by fostering links between WHO representatives at its offices for the Eastern Mediterranean and the African region to ensure that the planned activities are carried out quickly and carefully and that the necessary support is provided for coordination meetings during implementation. Four new countries (Burkina Faso, Cameroon, Nigeria and the Niger) have joined the initiative, bringing the total number of targeted African countries from 14 to 18. Centres in these countries are being developed to provide treatment under the slogan “Long live Egypt, Africa”. Preparations are underway for visits to three African countries, namely, Chad, Ethiopia and South Sudan, in preparation for the launch of the initiative. Other countries visited included the Sudan, Eswatini, Uganda, Djibouti and the Niger.

336. Egypt acceded to the Arab Charter on Human Rights pursuant to Presidential Decree No. 429 (2018) of 15 September 2018, published in issue No. 24 of the *Official Gazette* on 13 June 2019.

- Under article 40, States parties undertake to ensure to persons with mental or physical disabilities a decent life that guarantees their dignity, and to enhance their self-reliance and facilitate their active participation in society.
- Under the same article, States parties are obliged to take all necessary measures to curtail the incidence of disabilities by all possible means, including preventive health programmes, awareness-raising and education.
- Under article 3, each State party is required to ensure to all individuals subject to its jurisdiction the right to enjoy the rights and freedoms set forth in the Charter, without distinction on grounds of race, colour, sex, language, religious belief, opinion, thought, national or social origin, wealth, birth or physical or mental disability.

### **Article 33: National implementation and monitoring**

337. Article 214 of the Constitution provides that independent national councils, including the National Council for Persons with Disabilities, are governed by law. The law sets out how the Council is formed and its powers, and guarantees the independence and impartiality of its members. The Council has the right to inform the public authorities of any violation related to its field of work. The Council enjoys legal personality and technical, financial and administrative independence, and is to be consulted with respect to draft laws and regulations relating to it and its area of work.



**Measures taken by the State to promote, protect and monitor the implementation of the Convention and to involve persons with disabilities and their representative organizations in the monitoring process at the national level**

338. In accordance with paragraphs 1 and 2 of article 33 of the Convention, on the establishment of an independent mechanism and a framework for monitoring the implementation of the Convention, the National Council for Disability Affairs was established in April 2012 pursuant to Prime Ministerial Decree No. 410, as amended. In compliance with the Constitution of 2014, Act No. 11 (2019) was promulgated, which replaced the National Council for Disability Affairs with the National Council for Persons with Disabilities. Pursuant to the Act, the Council has advisory and coordination roles and undertakes the following actions:

- Proposes policies, strategies, programmes and projects necessary for community and health awareness in order to prevent the causes of disabilities and promote early detection;
- Participates in the development of national policies and strategic plans for the inclusion of persons with disabilities;
- Proposes State policy regarding the development, rehabilitation, integration and empowerment of persons with disabilities and follows up on its implementation; develops a draft national strategy for the advancement of persons with disabilities and follows up on its implementation;
- Coordinates with all relevant ministries and authorities to address the obstacles and difficulties faced by persons with disabilities, in implementation of the Convention and any other agreements related to persons with disabilities; and prepares annual reports in that regard for the President, the House of Representatives and the Prime Minister;
- Proposes and expresses opinions on draft laws and decisions related to persons with disabilities prior to submission to the competent authority; and expresses opinions on all international instruments related to persons with disabilities;
- Oversees the activities of NGOs and organizations of persons with disabilities and submits reports on the results of that oversight to the Ministry of Social Solidarity;
- Represents persons with disabilities at all relevant forums within the country and abroad; holds conferences, seminars, panel discussions and training courses; and raises awareness of the role of persons with disabilities in society and of their social and political rights and duties;
- Establishes a documentation centre for information, data, statistics, studies and research related to disability affairs, and issues bulletins, journals and publications related to the Council's objectives and mandate;
- Receives and reviews complaints related to disability and proposes appropriate solutions; and informs the competent authorities of any violation of the rights of persons with disabilities and persons with dwarfism;
- Monitors the implementation of laws and decisions regarding the integration of persons with disabilities into educational institutions and the community;
- Drafts reports on sign language and certifies sign language interpreters.

339. The National Council for Persons with Disabilities has a board of directors chaired by the Prime Minister. Its membership comprises ministers (from the Ministries of Health, Education, Social Solidarity, Population, Planning, Administrative Reform and Manpower), representatives of associations of persons with disabilities, the Chair of the federation of associations operating in the field of disabilities, experts and public figures. It is preferred that its Secretary-General be a person with a disability.

## II. Government efforts to optimally implement the Convention, the law and implementing regulations

340. The Egyptian Government submits the present report to the Committee on the Rights of Persons with Disabilities not only out of an obligation to submit initial and periodic reports, but also because the Committee is both a monitoring body and one that supports efforts to promote the advancement of persons with disabilities. We genuinely look forward to receiving the opinion of the Committee and its experts regarding the development and improvement of future plans for the advancement of persons with disabilities in order to achieve the fundamental objectives of the Convention, namely, the full equality, empowerment and inclusion of persons with disabilities in all sectors of society; securing a decent life for them; enhancing their dignity; meeting their needs; and creating a conducive environment so that they can live their lives as normal people, in accordance with their abilities and degree of disability. The following are the key priorities of the Government in implementing the Convention and Act No. 10 (2018) and its implementing regulations:

- The State is committed to eradicating illiteracy. According to article 25 of the Constitution, the State is required to develop a comprehensive plan to eliminate illiteracy and innumeracy among citizens of all ages, and to develop implementation mechanisms with input from civil society institutions and within a specific time frame. While the Government has intensified its engagement with civil society to eradicate illiteracy among those over 15 years of age, and reduced the illiteracy rate from 25.8 per cent in 2017, eradicating illiteracy remains a Government priority for raising awareness of the rights of persons with disabilities. Illiteracy leads to another challenge: school attrition. Efforts have decreased the school dropout rate to less than 7 per cent through support provided to the families of at-risk students on the condition that an 80 per cent school attendance rate is maintained. Nevertheless, it remains a Government priority to raise awareness of the rights of persons with disabilities.
- A current Government priority is to tackle informal settlements. A comprehensive plan has been developed to address the problem, which includes replanning, the development of infrastructure and facilities and improvements to quality of life and public health. It has set up 102,000 alternative units for residents of hazardous areas. Some 90 informal settlements in various governorates are being developed with a total of 92,355 units. Residents are given the option of moving to another neighbourhood, receiving financial compensation, receiving temporary alternative housing or receiving a sum with which to find their own housing pending completion of the development and allocation of a unit in the original area. Informal settlements are a major obstacle to the promotion and integration of persons with disabilities in those communities.
- According to the 2017 census, the country has an annual population growth of 2.56 per cent. The Government is therefore intensifying its efforts to provide decent, safe and healthy housing for citizens, including persons with disabilities. It is making efforts to provide units at different income levels and to improve the homes of families most in need of care to provide all reasonable accommodation so that persons with disabilities are able to exercise all of their human rights and fundamental freedoms on an equal footing with others until full accessibility is achieved, without bearing any disproportionate or unnecessary burdens. Since 2015, 333,000 new units have been offered to low-income individuals for a down payment and nominal monthly rent, benefiting about 3 million citizens. Some 74,651 units have been made available to middle-class individuals. The Government had been aiming to create an additional 395,000 units for low-income individuals by 2020. Between 2014 and 2018, the social housing programme provided 210,806 soft loans to low- and medium-income individuals, 19.11 per cent of them women, to facilitate home ownership. In marginalized areas in Sinai, Bahr al-Ahmar and Wadi al-Jadid Governorates, a total of 19,700 housing units and Bedouin housing units have been created, and 2,024 units have been created in Nasr al-Nuba. However, steady population growth threatens economic reform programmes as it is a burden on national resources. The Government

is taking measures to reduce the population growth rate so that it is commensurate with economic capacity and national resources.

The Government is working to make progress on significant and effective steps to create an environment conducive to the development of the capabilities of persons with disabilities, to integrate them into society and to provide them with accessibility measures and communal living arrangements so that they can access the community services that are available to the general public.

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