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## Egypt's national efforts to eradicate the FGM Crime By: The National Committee to eradicate FGM in Egypt

FGM is one of the worst crimes & violations affecting women psychologically and physically. Therefore, combating FGM is one of the major constitutional and legal commitments of the Egyptian Government.

Egyptian efforts against female genital mutilation extend from the early beginnings of the last century.

**IN EGYPT**, Percentage of FGM has decreased as follows:

- Percentage of FGM girls in age group 0-19 has **decreased from 21% to in 2014 to 14% in 2021**
- Percentage of FGM for ever married women in age group 15-49 has decreased from 92.3% in 2014 to 87.2% in 2015
- Percentage of FGM for girls in age group 15-17 has decreased from 74.4% in 2008 to 61.1% in 2014<sup>1</sup>.

### Constitutional & Legislative framework

#### EGYPT CONSTITUTION 2014

Article (80) The State shall provide children with care and protection from all forms of violence, abuse, mistreatment and commercial and sexual exploitation

Article (11) The State shall protect women against all forms of violence and ensure enabling women to strike a balance between family duties and work requirements.

<sup>1</sup>DHS



## CRIMINALIZATION OF FGM IN THE EGYPTIAN PENAL CODE

FGM was prohibited in 1997 by a decision of the Minister of Health, but the practice was not fully prohibited as in some cases it was permitted with a medical practitioner's approval. In 2007, the Ministry of Health issued a Ministerial Decree banning all health professionals from performing FGM in governmental or non-governmental hospitals and clinics.

In 2008, the 1<sup>st</sup> Criminal protection provisions against FGM were issued as the Penal Code was amended to provide for penalties criminalizing FGM, Article 242 bis stipulated that anyone performing female circumcision shall be punished by a term of imprisonment of no less than three months and no more than two years or a fine of no less than EGP 1,000 and no more than EGP 5,000. Nevertheless, Legislators have judged that such penalty is not proportional to the committed offence, therefore, in 2016, they amended Article 242 bis by aggravating the penalties of the Penal Code, and introducing a new Article 242 bis A all under the Law 78/2016.

The amendments of 2016 redefined FGM as a felony rather than a misdemeanour and increased the penalty for performing FGM from five to seven years of imprisonment and up to 15 years' imprisonment if the act of FGM leads to the death of the victim or a permanent disability, Also the articles provided punishment between one to three years' imprisonment of any individual who requests and abets the performance of FGM.

## Strategic & institutional background

### STRATEGIES

- Adoption of The National Strategy to combat Violence against women (2015)
- Adoption of the National Strategy to Combat Female Genital Mutilation (2016)
- Adoption of the National Strategy for Women Empowerment 2030 (2017)

### MECHANISMS

- Child protection committees were established according to Article No. (97) of the Child Law No. 12 of 1996 amended by Law No. 126 of 2008 as a mechanism for monitoring children at risk and studying their cases, and implementing interventions to remove any kind of risk on a child.
- The National Council for Childhood & Motherhood's Child helpline 16000
- The National Council for Women's hotline 15115
- The Public Prosecutor issued periodicals in 2016 and 2018 to all members of the Public Prosecution regarding the punishment of FGM crimes and for activating the child protection system. These periodicals have become an important reference for prosecutors to complete investigations on FGM crimes.
- The Establishment of the **First National committee to eradicate FGM** in Egypt in 2019.



## National Committee to eradicate FGM in Egypt

**INTSITUTIONAL MECHANISM:** In May 2019, for the first time ever The National Council for Women (NCW) & the National Council for Childhood & motherhood (NCCM) established a national FGM committee to eradicate FGM in Egypt that included governmental & non-governmental concerned stakeholders as well as important executive, judicial and religious authorities.

**ALL CONCERENED ENTITIES** are members such as: *Ministry of Social Solidarity; Ministry of Health & Population, Ministry of Education & technical education, Ministry of Youth, Ministry of Culture, Ministry of Religious endowment; Ministry of Justice; Ministry of Interior; Ministry of foreign Affairs. It also includes Public Prosecution; Al Azhar Al Sharif; Egyptian Churches; CAPMAS; National Population Council; National Council for Human Rights; National council for People with disabilities; Supreme Media council.*

### Committee Mandate

- View & discuss legislation, public policies, & relevant international conventions & work on the implementation of the law
- Exchange information, assessing the exerted efforts & challenges facing different stakeholders, & proposing solutions.
- Revising relevant national strategies & directives, in addition to the national, regional & international framework & working papers & extracting goals to be submitted to the committee's Chairs.
- Agreeing on the general framework, pillars and directives of the activities, tools for implementation & monitoring.
- Proposing & developing national action plans that gathers activities from concerned stakeholders & civil society.
- Proposing resources for funding of the plan's activities.
- Endorsing the National plan, and supervising & monitoring its implementation with the concerned stakeholders.

**ENDORSEMENT:** It is the first time that the Government coordinates & compiles its efforts into one solid hub to be able to reflect the progress of this agenda in Egypt. H.E. the Prime Minister of Egypt has recognized this committee among other efforts of women empowerment in Egypt.

### National Committee's Scope of Work

**BUILDING ON EXISTING BASELINES,** the committee chairs (NCW & NCCM), announced building up the upcoming work on the past efforts that's been done; and documenting what Egypt achieved in the FGM agenda. A recognition award "Marie Assad & Aziza Hussien yearly award" was also launched to convey the message that this committee recognizes and builds its efforts upon previous achievements.

**COORDINATION OF EFFORTS,** The NCW & NCCM were able to coordinate the efforts of all committee governmental & non-governmental committee members, as well as international partners; and reflect on those efforts nationally and internationally.



**ACTIONABLE**



The National Committee for the Eradication of FGM

**FRAMEWORK,** In February



2022, The National committee has launched its actionable framework for the coming years that was done in consultation with national governmental and non-governmental partners as well as international partners.

**AWARENESS RAISING**, in a matter of one year and precisely from May 2019 until June 2020, the committee was able to reach out to 22 million beneficiaries of women, men and children through different forms of activities and awareness raising means; knocking doors, awareness raising & medial convoys, media awareness campaigns, capacity building, receiving & dealing with complaints & inquiries; under the slogan #protectherfromfgm

**LEGISLATIVE AMENDMENTS**, led by the Legislative committee in the National Council for Women and participation of concerned entities; legislative suggested amendments were proposed to assure that legislative gaps are covered. Even though there is a law to criminalize FGM with strict penalties, a coherent review is now taking place to make sure any legal loophole is being tackled and solved. Accordingly, Law No. 10 of 2021 was issued amending some provisions of the Penal Code (articles of the crime of FGM). The amendments included omitting any reference to the use of medical justification and Article 61, increasing the penalties by raising the minimum and maximum penalties, introducing independent penalties for doctors and nursing professionals, and other penalties on the facility where the crime is committed. Introducing penalties to incriminate anyone who promoted, advocated, encouraged or incited to commit the crime

**IMMEDIATE INTERVENTION**, the committee with its ongoing/around the clock communication between all its members at large, and particularly the helplines & Ministry of Interior & Public Prosecution authority, were able to initiate and follow up on immediate interventions to help out potential victims of this practice or assure justice took place against all who have practiced it given the very close coordination with authorised agencies within the committee.

**INTERNATIONAL EFFORTS**, National Committee to eradicate FGM along with UNICEF & UNFPA hosted the **FGM global consultation meeting** held in Egypt for the first time on the 11th of June 2019.

Moreover, on the 20th of June of 2019, the committee has contributed to **the African regional conference on eliminating child marriage and FGM** that was also hosted in Egypt & a **Cairo call for action** was the outcome of this conference.

Later in February 2020, the Cairo call for action was included in the report of the **Social affairs sector within the African Union Commission**.

**INTERNATIONAL RECOGNITION**, While Egypt was discussing its National report on the **universal periodic review (UPR)** in the Human Rights Council Geneva in November 2019, the majority of Egypt's commending were addressed to the women agenda and especially the work on FGM & the establishment of a national coordination mechanism to end this practice in Egypt.



The National Committee for the Eradication of FGM



On another note, the following agencies have also commended Egypt's National committee's effort during its year of work:

## The National Committee for the Eradication of FGM



## #Protect Her From FGM

1,934 Activities since the start of the Campaign

# 81,387,788

### Outreach

Media Awareness Campaign

(Including Social Media)

Capacity Building

Receiving & dealing with Complaints

Different Awareness Activities

Awareness raising and medical Convoys

Knocking doors campaign



Women



Men



Children

## Partners

Gov. Entities

Concerned Law Enforcement Entities

Al Azhar Al sharif

The three Churches in Egypt

Development Partners

Civil Society