

Nazra for Feminist Studies

Submission to the UN's Working Group on Discrimination against Women

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Sexual violence against women in the public space continues to remain a grave problem. A national strategy to combat violence against women has been announced and published on May 7, 2015, yet, we emphasize the importance of monitoring its implementation. Moreover, the lack of the differentiation between state and non-state actors in the concerned strategy, in addition to the lack of differentiation between violence against women in the private sphere and public one is one of the main issues that need to be addressed in the concerned strategy. Meanwhile, articles relating to crimes of rape, sexual assault and harassment in the Penal Code (Articles 267, 268, 269 and 289) are currently deficient in nature and do not address the epidemic of sexual assault as well as rape. It also fails to address the rights of the survivors and their protection when submitting reports. While the Penal Code recently defined and addressed sexual harassment in the new amendment to Article 306, the amendment is insufficient in its scope and the article is limited in nature and only considers a crime sexual harassment if the intent is proven to be related to obtaining sexual benefits. With the exception of the Tahrir mob-sexual assaults and gang rapes in June 2014 during the inauguration of President AbdelFattah ElSisi, no one has been held accountable for mob-sexual assaults and gang rapes committed since November 2012, and only a few individual cases of sexual harassment and sexual assault have had perpetrators held accountable in. Finally, in the recent feast in July 2015 mob-sexual assaults and sexual harassment were rampant in the streets and in particular in downtown areas, despite the fact that there was a presence from the security forces and the Administration to Combat Violence against Women in venues of crowds, and according to the Director of the concerned Administration, 86 perpetrators were arrested. Teachers are also subject to crimes of sexual violence, where incidents of sexual assault, rape and mob-sexual assaults have been documented by the media, including the rape of a teacher by a microbus driver and a friend of his on a desolate road in El'Amriya city, in addition to a teacher in a school in Giza governorate who was subjected to a mob-sexual assault by students whom she refused that they cheat on an exam. Teachers continue to suffer from sexual violence amid the lack of provision of safety measures for them, whether in places where they teach, or in transportation routes.

Subsequently, Nazra for Feminist Studies makes the following recommendations:

National Government:

1. Reform the penal code to punish all forms of violence against women and ensure its implementation to ensure women's access to justice, in addition to properly and comprehensively defining crimes of rape and sexual assault.

2. Ensure that survivors' personal information, including names and contact information is concealed from perpetrators, their families and lawyers to stop their intimidation and constant threatening by them.
3. Enact the implementation of the holistic and comprehensive national strategy to combat violence against women that was publicly announced on May 7, 2015, and legislation, which should contain provisions for its effective implementation through gender budgeting, evaluation and monitoring, in addition to ensuring the inclusion of feminist organizations and civil society in the concerned process. This needs to be made via a specialized committee that has a clear mandate of monitoring its implementation.
4. A Committee needs to be formed, including representatives from feminist organizations, to monitor the Unit to Monitor Violence against Women, which was established in May 2013, to assess its mandate, in addition to expanding it outside the jurisdiction of the Ministry of Interior, and assess its effectiveness in holding both state and non-state actors accountable for crimes of sexual violence committed.
5. Investigate sexual violence violations committed against women since November 2012 and prosecute those responsible (both state and non-state actors).
6. Enact legislation to mandate the regular collection of statistical data and research to ensure an adequate knowledge base for effective implementation and monitoring.
7. Enact and mandate a code of ethics for media representatives and mediums to highlight and cover crimes of sexual violence while protecting the information of survivors of these crimes.

UN's Working Group on Discrimination against Women:

1. Continue monitoring the recommendations made to the Egyptian government regarding crimes of sexual violence in the public space, and encourage their enactment.
2. Continue seeking input from local feminist organizations regarding the implementation of the national strategy referred to above and encourage receiving updates on the occurrence of these crimes.

International Organizations:

1. Shed light on the occurrence of these crimes in the Egyptian public space, and conduct advocacy activities that highlight these crimes and recommendations referred to above.
2. Share knowledge and tactics with local feminist organizations on implementation of accountability of perpetrators.

Civil Society:

1. Continue the documentation of crimes of sexual violence in the public space, in addition to making recommendations to the newly elected parliament as outlined above.
2. Mainstream culture of shaming of perpetrators of these crimes and those who are complicit, including both state and non-state actors.
3. Continue advocacy campaigns aiming at shedding light on these crimes and the role of state bodies in combating them.