Immigration and Refugee Board of Canada

Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's Refworld website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment, please email the Knowledge and Information Management Unit.

EGY104706.FE

Egypt: State protection available to victims of spousal and family violence (2010-December 2013)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

General situation

Sources indicate that, in 2013, spousal violence was common in Egypt (US 19 Apr. 2013, 2; Ahram Online 28 Nov. 2013). The United Nations report entitled Concluding observations of the Committee on the Elimination of Discrimination against Women, published in 2010, observes that there is a lack of data and information on the incidence of various forms of violence against women (5 Feb. 2010, para. 23). A psychiatrist who is a member of the Psychological Health and Awareness Society in Egypt (PHASE), a non-governmental organization (NGO) that offers psychological support to people who are victims of violence (PHASE n.d.), stated that in-laws are a major source of violence against women (quoted by Ahram Online 28 Nov. 2013).

According to the report entitled Women's Rights in the Middle East and North Africa: Progress Amid Resistance, published in 2010 by Freedom House, very few mechanisms are in place to protect women or to offer adequate support to meet the needs of women who are victims of violence (2010, 11). The United Nations report notes that violence against women has increased in [UN English version] "the private [...] sphere[...]" and that there is no [UN English version] "holistic approach" to preventing and eliminating violence against women (5 Feb. 2010, para. 23).

The Personal Status Laws in Egypt report, completed in March 2010 by the Institute of Research for Development (Institut de recherche pour le développement, IRD), a French research organization created in 1937 whose objectives include understanding how societies evolve (n.d.), notes that most cases of violence in Egypt go unreported because women are reluctant to seek help outside the family (Mar. 2010, 19). The United Nations report states that violence against women seems to be socially legitimized and surrounded by a [UN English version] "culture of silence" (5 Feb. 2010, para. 23).

1. State protection
1.1 Law

There is no specific law concerning spousal violence in Egypt (US 19 Apr. 2013, 24; Freedom House 2010, 11). Family violence is covered by the provisions of the penal code that prohibit bodily injury (ibid.; IRD 2010, 19). According to the IRD, a husband who has been convicted of violence may be condemned to spend from 24 hours to three years in jail (Mar. 2010, 19.). According to the Freedom House report, this provision has "largely been ineffective," in particular because Article 60 of the penal code excuses acts that have been committed in "good faith," in accordance with Sharia law (2010, 11). The United Nations report states that...
Article 60 condones acts of violence against women by exempting their perpetrators from punishment or reducing the sentences imposed (5 Feb. 2010, para. 23).

1.2 Law enforcement

According to Country Reports on Human Rights Practices for 2012, published by the United States Department of State, the law requires that an assault victim produce "multiple eyewitnesses," a difficult condition for victims of spousal violence (US 19 Apr. 2013, 24), making prosecutions "extremely rare" (ibid.). According to the IRD report, some women try to "drag" their husband into the street so that neighbours can witness the violence (Mar. 2010, 19). Amnesty International's (AI) Egypt researcher reports in a 2013 article on the AI blog that neighbours are usually the only witnesses of spousal violence but that they are reluctant to get involved in judicial proceedings (6 June 2013).

The IRD report also notes that violence suffered is very difficult to prove (Mar. 2010, 19). In order to prove that their husband has used violence against them, wives must report to a police station and file a police report (IRD Mar. 2010, 19). Obtaining a police report on the ground of spousal violence can be complicated, as some police officers may accuse a woman taking such action of doing so in order to get her husband in trouble (ibid.).

Sources report that violence against women goes unpunished (AI 6 June 2013; UN 5 Feb. 2010, para. 23). According to AI, violence against women remains virtually unpunished, in particular because of family pressure to remain silent (6 June 2013). According to the United Nations, impunity surrounding violence against women has the effect that "cases of violence are thus underreported" (5 Feb. 2010, para. 23). The Freedom House report notes that Egyptian cultural norms often dissuade women from filing complaints, as this implies a public exposure of personal problems (2010, 4). Freedom House further states that these types of problems should be dealt with in private, through mediation within the family (ibid.).

The AI article notes that, even when women who are victims of violence turn to state institutions for "protection, justice and reparation," they are most often confronted with "dismissive or abusive" officials who fail to take legal action (6 June 2013). The Freedom House report also notes that "the patriarchal attitudes" of certain lawyers and judges cast doubt on women's ability to give credible, coherent and accurate testimony (2010, 4).

More recent information on law enforcement could not be found among the sources consulted by the Research Directorate within the times constraints of this Response.

1.3 Police service

Country Reports on Human Rights Practices for 2012 states that several NGOs reported that the police often treat spousal violence as a "social rather than criminal matter" (19 Apr. 2013, 24). The AI article refers to the case of a woman who, beaten by her husband, never considered approaching the police because, in her opinion, they "don't care" about this type of situation and do not consider it a "problem" if a husband beats his wife (6 June 2013). She adds that the police send women back home to their husband (ibid.). Country Reports on Human Rights Practices for 2012 reports that the police are among the factors that "actively" discourage women from going to police stations to report crimes perpetrated against them (US 19 Apr. 2013, 23), resulting in a very small number of cases being investigated or prosecuted (ibid.).

2. Support services

The 2010 United Nations report notes that the social services aimed at fighting violence against women "suffer from inadequacy, insufficiency and lack of coordination" (5 Feb. 2010, para. 23).

2.1 Shelters

According to the 2010 Freedom House and United Nations reports, the state runs seven shelters for women who are victims of violence (Freedom House 2010, 11; UN Oct. 2011, 3). The National Council for Women (NCW), a government organization created in 2000 by presidential decree with the mandate to propose public policy on the development and empowerment of women (Egypt 29 Mar. 2012), states in its report entitled Egypt Violence Against Women Study: Overview of Services on Violence Against Women, published in April 2009, that these shelters were established by the Ministry of Social Solidarity (MoSS) (ibid. Apr. 2009, 6). The NCW report also states that one of these shelters is under direct MoSS operation and the six others operate under NGOs designated by the MoSS; another shelter, Beit Hawaa, operates independently of the MoSS (Apr. 2006, 6, 7). The AI article states that there are nine "official" shelters for women who are victims of violence that are under-resourced and in need of "capacity-building and training" (6 June 2013).
The NCW report states that the eight shelters in question provide a limited number of beds, namely, a total of 214 beds, and that many densely populated areas do not have close access to a shelter (Apr. 2009, 7). According to the NCW report, shelter managers noted that the officials who play a direct role in "helping" women who are victims of violence, such as police officers and courts' staff, do not know that the shelters exist (Apr. 2009, 9). Despite the limited number of beds, shelters are very often empty (Ahram Online 28 Nov. 2013; Egypt Apr. 2009, 7). The AI article states that most women who are survivors of spousal violence do not know that these shelters exist (AI 6 June 2013). The AI article further states that the idea of shelters is not widely accepted because of the stigma attached to women living outside their family or marital homes (ibid.).

According to the NCW report, the eight shelters meet the same admission standards set by the MoSS (Apr. 2009, 8). The admission standards are as follows:

- An application form with two photos
- Identification card
- Recent police record (Applicants with a criminal background not accepted)
- Completion of a social case study (to be conducted by social worker in the shelter and during the first week of her stay)
- Copy of formal documents of her marital status
- Detailed salary sheet if the woman is employed
- A pregnancy test and medical examination to ensure that the applicant is free of any infectious diseases (to be examined by the medical centre associated to the shelter during her first week of stay (Egypt Apr. 2009, 8).

The United Nations report entitled *Concluding observations of the Committee on the Elimination of Discrimination against Women* notes that the shelters for victims of spousal violence are accessible only to women under 50 years of age (5 Feb. 2010, para. 23).

Freedom House notes that these shelters are viewed more as centers for "rehabilitation and mediation" than as "true" sanctuaries, and that husbands and family members have access to them (2010, 11). The NCW reports that most shelter staff, including managers, believe that women should return to their homes once "family differences are resolved" (Egypt Apr. 2009, 9). The AI article reports the case of a woman who fled her home after being sexually assaulted by her brother and who found temporary protection in an official shelter (AI 6 June 2013). This woman then fled the shelter after "the administration insisted" that she give them her brother's contact information to try to set up a "reconciliation meeting" (ibid.). According to the NCW report, shelter staff regularly call upon the husband (who in most cases is the perpetrator of the violence) to "come and take his wife back to the home" (Apr. 2009, 9).

### 2.2 Health services

The April 2009 NCW report states that there are no health clinics for victims of gender-based violence or specific services at hospitals for this type of violence (Egypt Apr. 2009, 12). The report further states that most women go to the hospital only to have their injuries treated and are reluctant to speak about spousal violence (ibid., 13).

A woman who wishes to file a complaint of physical violence with the police is required to obtain a medical certificate stating that she has injuries that will last "at least 21 days" (Egypt Apr. 2009, 13). There is no other medical certificate for filing a complaint of physical violence where a doctor deems that the injuries will last "fewer than 21 days" (ibid.).

More recent information on health services could not be found among the sources consulted by the Research Directorate within the times constraints of this Response.

### 2.3 Telephone helplines

Sources indicate that there are telephone helplines for victims of violence (UN Oct. 2011, 3; Egypt Apr. 2009, 14); however, only two of these are available across the country (ibid.). According to the NCW report, one hotline is available 24 hours a day, and four helplines provide telephone assistance during regular business hours (ibid.). According to the NCW report, these helplines focus primarily on offering legal advice on the Personal Status Law (Egypt Apr. 2009, 14). Only three of these helplines provide counselling to women who are victims of violence (ibid.). More recent information on counselling services could not be found among the sources consulted by the Research Directorate within the times constraints of this Response.

### 2.4 Legal services

According to *Country Reports on Human Rights Practices for 2011*, the NCW offers training sessions to women on how to report spousal violence to lawyers and law enforcement personnel (US 8 Apr. 2011, 28).
addition, the NCW established an "ombudsman office" in 2002 to receive in particular complaints from women who are victims of discrimination and spousal violence (Egypt Apr. 2009, 17). According to Country Reports on Human Rights Practices for 2011, the National Council for Women has ombudsman officials in each of its 27 offices (8 Apr. 2011, 28). The NCW report notes that ombudsman office co-operates with the Ministry of Insurance and Social Affairs to refer victims of family violence to government shelters (Egypt Apr. 2009, 17).

More recent information on legal services could not be found among the sources consulted by the Research Directorate within the times constraints of this Response.

2.5 Counselling services

According to Country Reports on Human Rights Practices of 2012, the Ministry of Insurance and Social Affairs operates more than 150 family counselling offices nationwide (US 19 Apr. 2013, 27) that provide legal advice and medical services to unemployed women who are unmarried or who do not reside with their husband or family (ibid.).

According to the 2009 NCW report, the Ministry of Social Solidarity has 183 family counselling offices that are operated by local NGOs (Egypt Apr. 2009, 17). The staff of these offices meet with families to help them solve domestic disputes using an amicable, informal approach aimed at "avoiding conflict" (ibid.).

Further information on counselling services could not be found among the sources consulted by the Research Directorate within the times constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References


**Additional Sources Consulted**

**Oral sources:** Attempts to contact representatives of the following organizations were unsuccessful: Center of Egyptian Women’s Legal Assistance; International Islamic Committee of Woman and Child. Representatives of the following organizations did not respond within the time constraints of this Response: Association of Women and Development; Association of Women and Society; CARE Egypt; Center of Women’s Rights; Egyptian Center of Women’s Rights; Egyptian Organization of Human Rights; Institut de recherche pour le développement; Institute of Development Studies; National Council for Women; New Women Research Center; University of Sussex. The Associate Professor of Religious Studies at the University of California, Santa Barbara, and the Professor of Islamic Studies at Emory University, Atlanta, did not respond to requests for information within the time constraints.

**Internet sites, including:** AllAfrica; ecoi.net; Egypt – Ministry of Social Solidarity (not functional), National Council for Women, Ombudsman Office (in Arabic only), State Information Services; Factiva; Fédération internationale des ligues des droits de l’homme; Human Rights Watch; International Crisis Group; *Jeune Afrique*; United Nations – Integrated Regional Information Networks, UN Women, United Nations Development Programme, Refworld; United States – Overseas Security Advisory Council; Women Living Under Muslim Laws.

Tips on how to use this search engine.