EGYPT

Constitution

The 2014 Constitution includes more than 20 articles addressing the rights of women so as to ensure equal opportunities and prevent discrimination, protection against all forms of violence, and to ensure women’s empowerment and commitment to care at various stages of their lives.

NATIONALITY LAW

NATIONALITY
The Nationality Law of 1975 was amended in 2004 to grant Egyptian women married to foreign men the right to pass their nationality to their children. The Nationality Law still restricts Egyptian women from conferring their nationality to their foreign-born spouses.

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

Egypt ratified CEDAW in 1981 and maintains reservations to Article 2 (policy measures), Article 16 (equality in marriage and family life), and Article 29(2) (administration of the convention and arbitration of disputes). Egypt withdrew its reservation to Article 9(2) in 2004.

Gender Justice & The Law

Does the law ensure gender equality and protection from violence?

Yes
The law provides for gender equality and/or protection from gender-based violence and is substantially compliant with international standards. A green category does not indicate that the law is perfect or that gender justice in the relevant topic area has been fully achieved.

No
The law does not provide for gender equality and/or there is no or minimal protection from gender-based violence.

Partly
Some gender justice aspects of the law have been addressed, but important gender inequalities remain.

No available data or inadequate information.

The colour codes indicate whether the laws comply with international human rights standards, the recommendations of the UN Committee on the Elimination of Violence against Women, and recommendations of the country’s Universal Periodic Review.

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CRIMINAL LAWS

Domestic violence
There is no law on domestic violence. Some
domestic violence offences may be punishable
under the Penal Code and Law No. 6 of 1998, but
only if the battery exceeds the accepted limits of
discipline decided by the judge and if the injuries
are apparent when filing the complaint at the
police station. A draft law to address all forms of
violence against women has been prepared.

Marital rape
Marital rape is not criminalised. Marital rape is not considered a
crime under the constitutional principle that there is no crime
and no punishment except as authorized by a legal text.

Rape
(Other than of a spouse)
Article 207 of the Penal Code Law No.
58 of 1937 criminalizes rape
(sexual intercourse with a female
without her consent). Articles 268 and
269 criminalize indecent assaults.

Exoneration by marriage
Article 291 of the Penal Code was removed in
1999. Article 291 stipulated that there
was no penalty for male rapists who married a
female victim.

Abortion for rape survivors
Abortion is prohibited by Articles 260–264 of the
Penal Code. A 1998 fatwa on abortion declared that
women who have been raped should have access
to an abortion in the first months of pregnancy. Abortion
des are legal in cases of necessity, e.g. to
save a woman’s life. As a practical matter, abortion
services may be made available by hospitals to
women and girls who have been raped.

Sexual harassment
Law No. 50 of 2014 amended the
Penal Code (Articles 306 bis(a)
and 306 bis(b)) to introduce
penalties for sexual harassment, including imprisonment and
d时空。

Femicide: Mitigation of penalty
(so called ‘honour crimes’)
Penal Code Article 237 provides that a
man who surprises his wife
committing adultery and who kills her
(and the person committing adultery
with her) benefits from a reduced
penalty not to exceed three years
prison.

Abduction
Abduction is an offence
under Articles 237, 273,
274–277 of the Penal
Code.

Human trafficking
Law No. 64 of 2010 on Combating
Trafficking in Humans provides
comprehensive measures to
address human trafficking.

Sex work and
anti-prostitution laws
Prostitution is criminalized by the Law
on Combating Prostitution, No. 10 of
1961.

PERSONAL STATUS LAWS

Minimum age of marriage
The Child Law No. 126 of
2008 established the
minimum age of marriage
as 18.

Guardianship of children
Fathers are guardians of children even if the mother
has custody, with the
exception of decisions about education, which are
the responsibility of the
parent with custody.

Male guardianship
over women
For Muslim marriages, judges are
required to have regard to the Hanafi
fiqh, under which the consent of the
guardian is not a strict requirement if
the woman is a rational adult,
although the guardian may object to
the marriage on limited grounds.

Custody of children
After divorce, women retain
custody of children until the age
of 15. This can be extended until
they are 21 or until the child
completes education or marries.

Marriage and divorce
Women do not enjoy equal rights in marriage and divorce.
The Personal Status Law for Muslims provides that men
have a right to divorce by repudiation without resorting to
the court. Women have access to limited types of divorce
that can only be obtained from a court.

Inheritance
According to the Inheritance Law No. 77 of 1943, all citizens
are subject to Islamic inheritance law, under which women
have a right to inheritance but in many cases receive less
than men. Daughters receive half the share that sons
receive. Based on Article 3 of the Constitution, non-Muslims
can request a court order that implements the inheritance
rules of their own religion. There are many court decisions
providing equal inheritance rights for Christian men and
women. However, such cases are assessed on a case-by-
case basis.

Labour laws

Right to equal pay for
the same work as men
The Labour Code Law No.12 of
2003 prohibits discrimination on
the basis of sex in payment of
wages.

Dismissal for pregnancy
The Labour Code prohibits
employers from dismissing a
woman because of her
pregnancy.

Paid maternity leave
Women are entitled to 90 days of
paid maternity leave in the
private sector and 120 days of
paid maternity leave in the
public sector. The private sector
entitlement is less than the ILO
standard of 14 weeks.

Legal restrictions on
women’s work
Ministerial decrees restrict
women from working in certain
occupations, including
construction and mining, some
types of night work, and roles
deemed morally inappropriate.