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Written statement* submitted by the Arab NGO Network for Development, a non-governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[17 May 2010]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Conditions of Economic and Social Rights in Egypt within the context of the related Universal Periodic Review session

The Arab NGO Network for Development (ANND) welcomes the results of the examination of the human rights situation in Egypt, which took place in the context of the Universal Periodic Review (UPR) on 17 February 2010 (referred to as review session hereafter). Many of the reviewing countries commended Egypt for its active participation in and commitment to the UPR, while the Egyptian Government noted the high priority of economic, social and cultural rights. ANND hopes this indicates the willingness on the part of the Egyptian Government to take active and effective measures towards addressing the gaps and violations that were highlighted during the review session.

While many of the interventions during the review session highlighted specific progress in areas of economic and social rights (ESR) in Egypt, ANND would like to take this opportunity to bring forward specific concerns related to continuous violations and deprivation of ESR in among various communities in Egypt. ANND would like to put forward as well a set of recommendations for remedial actions.

The highly restrictive political environment put in place by the Egyptian government, due to the state of emergency, casts overshadow on the Government's claim of respect for ESR and impedes implementation of constitutional guarantees for ESR. Actually, the latest renewal of the emergency law casts doubts over the Government's voluntary pledge and sincerity to lift the emergency law, as mentioned during the Working Group session. ANND believes that constructing a truly democratic political system is vital for sustainable social and economic development and progress on human rights. Hence, we welcome the recommendations made by several of the states participating in the review session to end the state of emergency and lift the Emergency Law, and to abstain from legislation that introduces measures of Emergency Law into the Constitution.

Although the progress achieved in poverty reduction has been highlighted during the review session, we note that Egypt's anti-poverty policies have actually failed to reduce the number of people living on less than \$2 per day, which have actually risen during the past twenty years. In addition as the quality of information on poverty remains controversial due to limited reliability of data, inconsistencies in measurements and over-centralization and control of data, poverty calculations often disguise poverty among the lower and middle classes and do not address the structural causes of poverty. Moreover, the governmental poverty eradication policies do not reach all regions, whereby eleven of Egypt's governorates are not expected to achieve MDG Goal 1¹ and eight of these governorates are expected to continue suffering from a high level of poverty through 2015.²

During the review session, Egypt announced the development of plans and policies notably relating to adequate housing. Nevertheless during the past few years, under the pretext of urban development and beautification, and for the purpose of building new highways and roads, the Government has made multiple attempts to displace marginalized and poor residents throughout Cairo's slum areas³, and to move them to the outskirts of Greater Cairo. While the Government pledges that these communities would be offered alternative housing in other residential areas, these pledges have not always been honoured. Even when alternative housing is made available, it is offered in far off areas, making it difficult

¹ The first Millennium Development Goal (MDG) address eradication of extreme poverty and hunger by halving the proportion of people living on less than \$1 a day by the year 2015.

² UNDP Egypt National Human Development Report 2008.

³ Mainly from Duwaiqa, Istabl Antar, Gazireat el-Dhahab and areas surrounding Imbaba Airport.

for people to commute to work, or it is offered in areas without basic services. In this respect, we stress the importance of taking these concerns into consideration in developing and implementing the new national plan that has been announced by the Government during the review session, and which envisaged the construction of half a million housing units for persons of low income.

Concerning unemployment, ANND supports the recommendations raised during the review session; especially given that the government's economic policies over the last 10 years have not progressively and consistently addressed Egypt's serious unemployment problems. It is worth stressing that a significant gender gap persists in this regard, which need to be addressed through targeted policies. Indeed, while the Government stated that the Labour Code guaranteed full equality between men and women with regard to employment and wages and any discrimination in this regard is to be sanctioned by the courts, we would like to bring to the attention of the Council that only 16% of women in Egypt work, women's salaries are far lower than men's for comparable work, and women are far more likely to be unemployed.

With regards to education, despite the declared education policy aimed to increase school enrolment, fewer children are going to school between 2002 and 2006.⁴ The Government had underlined during the review session that efforts undertaken over the past 20 years had greatly reduced the rate of illiteracy, noting the adoption of a national plan with special attention to literacy programmes for women. Yet the right to education is still not enjoyed equally by males and females. Almost one-fifth (18.2%) of young Egyptian women (aged 15-24) are illiterate.⁵

Social security has not been raised; few recommendations have touched upon this matter during the review session. It is important to note here that although the Government have announced the plan to introduce amendments to Law 79/1975 on social security, it has so far refrained from sharing the draft amendments with concerned parties and other stakeholders and from holding consultations with them. Consequently, great concerns are raised by civil society groups about several Governmental attempts to undermine the independence of the social insurance and pensions funds, and to include them as part of the state budget.

Regarding the right to health, Egypt declared that public spending on health has been doubled and a draft law for health insurance for all was under preparation. Despite that, Egypt continues to spend less on health care compared to other countries of the same socio-economic level, while public spending on health has decreased over the years. In addition, almost half of Egyptians do not have health insurance. Moreover, Egyptians working in the informal sector, in addition to the self-employed, farmers or rural residents largely make up the 46% of Egyptians without health insurance coverage.

Last but not least, although the effects of the trade liberalization on human rights have not been mentioned by UN Member States participating in the review session, ANND would like to highlight that Egypt continues to neglect its obligations under international and national law when negotiating agreements with international financial institutions and when undertaking multilateral and bilateral commitments of trade liberalization. No ex-ante or ex-post assessment is undertaken of the expected impact resulting from such commitments on ESR.

⁴ UNDP Egypt National Human Development Report 2008. Gross enrolment at primary (from 110.6% to 91.6%), preparatory (from 95% to 92.5%) and secondary (from 78.4% to 71.1%) school levels decreased during this same time.

⁵ This is the second highest illiteracy rate for young women among lower-middle-income countries in the Middle East and North Africa.

ANND welcomes the Egyptian government's decision to accept most of the recommendations submitted by Member States participating in the review session. However, ANND regrets that much of the regress and persistent violations in ESR in Egypt have not been addressed during the session. In light of this context, we urge the Council to reiterate that the Egyptian government:

- Give due consideration to the geographic dimension of poverty in programs addressing poverty reduction.
- Reform the scope of subsidy programs and integrate empowerment programs that target poor communities beyond the ones calculated at US\$1 per day, thereby to include vulnerable communities falling below the upper and lower poverty lines.
- Expand the unemployment definition to give a more accurate picture of the level of unemployment in Egypt.
- Activate the emergency and unemployment funds stipulated by the labor law and the social insurance law.
- Enforce mandatory schooling and introduce new legislation to allow for school children and graduates in special programs to be mainstreamed into the formal education system.
- Focus reform efforts at increasing and maintaining enrolment rates, reducing dropouts, building new schools in poor and highly dense areas, giving incentive premiums for teachers to serve in poor areas and expanding maintenance of the existing education infrastructure.
- Maintain the independence of the social security system⁶, and expand it to include all employees and other categories of workers currently uninsured, including those working under short-term contracts, employees in the informal sector and women working in small and medium enterprises.
- Ensure that all regions of the country and people of all income levels have equitable share of access to the health system, and benefit from basic health care by allocating and mobilizing health care resources, based on population needs and cost-effectiveness.
- Take measures to ensure that Government officials responsible for economic and trade policy know about Egypt's obligations under the Covenant on Economic, Social and Cultural Rights and that various Government ministries coordinate to ensure that trade policies do not undermine those obligations.

The Egyptian government's decision to accept the majority of the recommendations presented during the UPR review session must translate into comprehensive, concrete and effective action. To ensure full compliance with these recommendations arising from the review session, as well as those put forward by the UN High Commissioner for Human Rights, we invite the Egyptian Government, in cooperation with the Human Rights Council, to establish a comprehensive monitoring and follow-up mechanism, that provides effective space for participation by civil society.

⁶ As dictated by Law 79/1975 on social security