

Speech by Ambassador Moushira Khattab
To ICMEC honorary Board
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the process and content of legislative reform in Egypt's child's law of 1996 is a success story. It started in 2003 with H.E. Mrs. Mubarak launching the strategy for the protection; rehabilitation and reintegration of children in street situations. The process unleashed back then; created a space for a wide range of stakeholders; over five years of advocacy around children as subjects of rights. It culminated in June 2008, with the adoption by Parliament of a most comprehensive and visionary human rights legislation safeguarding the rights of most vulnerable children.

It provides a comprehensive strategy to prevention of child exclusion and marginalization. It protects children from violence; abuse and exploitation dealing head on with root causes.

The legislative reform included over 100 articles out of 140.

It ensures as a minimum, the rights provided for by the Convention on the Rights of the Child CRC; its optional protocols and other international treaties enforced in Egypt. It asserts the status of children as right holders with the State as the duty bearer.

It echoed the four general Principles of the CRC; ensures every child the right, to **identity, to education; family care; & special protection.**

For the first time in Egypt, the child has a right to know and to carry the name of the legitimate parent. Children born out of wedlock; of known mothers and contested paternity are now for the first time registered at birth by their mother.

The civil code is amended with the **minimum age of marriage** for girls raised to 18 years, equal to that of boys.

Education is now a legal right; a child deprived of education is treated by law as a child at risk in need of further protection. Depriving the child of education is an offence punishable by law. The State is now committed to providing **financial assistance** to poor children to allow them to access and continue their education. In another giant leap; education guardianship is granted to the custodian of the child, in most cases the mother. This provision was also faced with strong resistance but was passed without strings attached.

The rights of **children with disabilities** are assured include to quality education, rehabilitation; reintegration and responsibility of the media to educate the society about their rights.

The right to **protection from violence or exploitation** is a cross cutting theme. The following offences have been clearly defined and criminalized with hefty penalties:

- **FGM** is criminalized by fine and imprisonment; crowning our 5 years bottom up advocacy efforts to eradicate the practice.

- **Trafficking; commercial or sexual exploitation; sale of children; or their organs; forced labor;** are criminalized even if the crime is committed abroad.
- **Use of Computers; internet; intranet or Cartoon to commit or instigate exploitation of children in prostitution or pornography even if the crime doesn't actually take place.**
- **Worst forms of child labor** as defined by ILO Convention 182
- Violations of the right of the child to privacy.

The rights of **children of imprisoned mothers** are assured through the establishment of a nursery in every female prison; the child can accompany his/her mother till he/she reaches four years of age and cannot be separated until the child turns one year old.

A completely transformed new decentralized protection system is established including at the local level; enhancing the role and ownership of local community. Along with protection Committees; NCCM child helpline network is legally acknowledged as protection mechanisms.

A new **reformed restorative juvenile justice system** recognizes the rights of three categories of children; those **at risk; victims and witnesses to crime;** and children in **conflict with the law.** The focus is on preventing child delinquency and reintegration of delinquents. Another great achievement is **raising the minimum age of criminal responsibility** from 7 to 12 years, which went beyond our dreams. Additionally, **corrective measures have been put in place for children less than 15 years.** The **deprivation of liberty is now a last resort and for the shortest possible duration with periodical review.** No imprisonment during investigation nor life imprisonment or death penalty for children under 18 years of age. **Specialized child courts and child sensitive court procedures** with qualified judges and social workers (including at least one female worker) to be put in place. (As we speak and since adoption of the Law; capacity building is going without interruption for all professionals according to a specific work plan)
Ladies and Gentlemen:

Our achievement doesn't only rest with getting most of the introduced legal amendments; but rather for our ability to bring about a change in the perception of children as right holders. Gender inequality is crucial to achieve children's rights. Women's unequal access to citizenship rights affects children's access to rights. It has been a very long journey adjusting to realities on the ground and new emerging challenges such as the Internet and mobile technology. What shocked some people at first; have turned into a societal movement. Thanks to the engagement of religious and community leaders, government; academics, parliamentarians; the Media the civil society and children themselves.

But Challenges still lie ahead:

The adoption of this legal reform is only the beginning of even harder work. It needs to be supported by consistent advocacy to create awareness about its provisions, enforcement and monitoring mechanisms; to be complemented by an educational reform;

appropriate financial resources and coordinated efforts of entities working for and with children. An impact assessment of legislation on children, before and after law enactment is crucial. In the area of protection from sexual or commercial exploitation; trafficking; monitoring law enforcement is essential to consolidate data; encourage reporting and improve prosecution. It is essential to assess impact; identify gaps and enable potential users to encourage further change. In a globalizing world, there must be; as well; a complimentary collaboration of legislation across borders.

Finally without the commitment; vision; guidance and relentless support of H.E. First Lady of Egypt; Mrs. Suzanne Mubarak none of this would have been possible. On behalf of the children of Egypt we deeply thank you Mrs. Mubarak.

Statement by Ambassador Moushira Khattab
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