



# **Now *is* the Time: Research on Gender Justice, Conflict and Fragility in the Middle East and North Africa**

## **Country synthesis note: Egypt**

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## Background

This country synthesis note accompanies the research report "Gender Justice, Conflict and Fragility in MENA" that was commissioned by Oxfam Great Britain to International Alert to examine the impact of fragility and conflict on gender justice and women's rights in the Middle East and North Africa (MENA).

Egypt has a history of women's activism dating back to the 19<sup>th</sup> century.<sup>1</sup> The women's movement has been both subsumed and led by political imperatives and various iterations of Egyptian state feminism, a force that has at times arguably wrested women's issues from civil society and women's movements. Gendered activism gained momentum in Egypt in the years leading up to the January 25 revolution of 2011, particularly around violence against women and girls and sexual harassment in public spaces. Importantly, the revolution was characterised by the participation of both women and men, this positive development was marred by highly publicised attacks on female protesters.<sup>2</sup>

The January 25 revolution and the subsequent backlash against women's participation and the rise in sexual violence against women in public spaces galvanised a number of civil society organisations (CSOs) and grassroots initiatives throughout Egypt against sexual harassment, in turn bringing the issue onto the global media stage.<sup>3</sup> The aim of these organisations was to counter permissive attitudes towards harassment and provide protection and services to survivors. Post-revolution Egypt, however, continued to slip into greater fragility. Many activists feared that the government led by elected

<sup>1</sup> United Nations Development Programme (UNDP) Regional Bureau for Arab States (RBAS), The Arab women's movement: Struggles and experiences, in UNDP RBAS, Arab human development report 2005: Towards the rise of women in the Arab world, New York: UNDP, 2006, pp.123–140, [http://hdr.undp.org/sites/default/files/rbas\\_ahdr2005\\_en.pdf](http://hdr.undp.org/sites/default/files/rbas_ahdr2005_en.pdf)

<sup>2</sup> See, for example, Egypt: Epidemic of Sexual Violence, Human Rights Watch, 3 July 2013, <https://www.hrw.org/news/2013/07/03/egypt-epidemic-sexual-violence>

<sup>3</sup> For further reading on the challenges to women's meaningful political participation in the transition period and the increase in sexual violence in post-Revolutionary Egypt, see Circles of Hell: Domestic, Public and State Violence Against Women in Egypt, Amnesty International, 2015, <https://www.amnesty.org/en/documents/mde12/004/2015/en/#>; Tough year for women's rights in Egypt, Kvinna till Kvinna, 28 June 2013, <http://kvinnaillkvinna.se/en/2013/06/26/tough-year-for-womens-rights-in-egypt>

president Mohammed Morsi and the Islamist Freedom and Justice Party in 2012 would push back on gender inequality. Yet the ouster of Morsi in 2013 and the subsequent violent crackdown on the Muslim Brotherhood (MB) and other Islamist activism led by General Abdel Fattah el-Sisi only resulted in greater vulnerability and systemic inequality.

Egypt's tradition of state feminism continued into the Sisi era, as the president has passed progressive if imperfect legislation while simultaneously limiting CSOs.<sup>4</sup> For example, in 2014, legislation was passed to criminalise sexual harassment, although it has been criticised for its narrow definition of 'sexual harassment', the needless severity of punishments, which some felt would deter survivors from reporting violence, and unclear enforcement mechanisms.<sup>5</sup> Sisi has declared 2017 the 'Year of the Woman',<sup>6</sup> an act that takes on a bitter irony as his regime continues to constrict the space for civil society to unprecedented levels of oppression, forcing many CSOs to cease functioning.<sup>7</sup> Simultaneously, the state has failed to hold perpetrators of violence – including those of mass sexual assaults and so-called virginity tests that occurred in 2011 – accountable for their acts, perpetuating a cycle of impunity.<sup>8</sup> **Furthermore, Egypt is undergoing a worsening economic crisis that exerts gendered harms on everyone.** It affects women and girls as it pushes them to work in the informal sector where they are more vulnerable to exploitation or to resorting to negative coping strategies such as undocumented marriage. Meanwhile, men and adolescent boys are more likely to resort to immigration (legal and illegal) to cope with the economic crisis. It is difficult to address gender equality issues when women and men are consumed by economic worries.

<sup>4</sup> See, for example, A. Khalifa, Sisi's war on Egyptian NGOs, Middle East Eye, 20 February 2017, <http://www.middleeasteye.net/columns/sisi-s-war-egyptian-ngos-1474564096>

<sup>5</sup> For an overview of the shortcomings of the sexual harassment law, see Yasmin El-Rifae, "Egypt's Sexual Harassment Law: An Insufficient Measure to End Sexual Violence, Middle East Institute, 17 July 2014, <http://www.mei.edu/content/at/egypts-sexual-harassment-law-insufficient-measure-end-sexual-violence>

<sup>6</sup> G.M. al-Sharif, Maya Mursi: Ar-ra'is as-sisi a'lana 2017 am al-mar'a al-misriyya, Almasry Alyoum, 14 February 2017, <http://www.almasryalyoum.com/news/details/1089336> (in Arabic)

<sup>7</sup> See, for example, S.A. Rahim and E. Fracoli, Egypt's National Council for Women: A substitute for civil society?, The Tahrir Institute for Middle East Policy, 15 July 2016, <https://timep.org/commentary/egypts-national-council-for-women-a-substitute-for-civil-society/>; and G. Waly, State shutterers 57 NGOs, a total of 500 closed this year, Mada Masr, 8 September 2015, <http://www.madamasr.com/en/2015/09/08/news/u/state-shutters-57-ngos-a-total-of-500-closed-this-year>

<sup>8</sup> See, for example, X. Rice, Egyptians protest over 'virginity tests' on Tahrir Square women, The Guardian, 31 May 2011, <https://www.theguardian.com/world/2011/may/31/egypt-online-protest-virginity-tests>

## Methods and challenges

This case study is based on interviews carried out with seven national women's rights organisations (WROs) as well as one member of a United Nations (UN) body and two activist key informants.<sup>9</sup> Three focus group discussions (FGDs) with Egyptian women were carried out: one with seven women in the city of Al Minya, one in a village in rural Suhag, both in Upper Egypt with eight women, and one in Cairo with seven respondents. All FGDs were carried out with women aged 16–40.

It proved difficult to engage the participation of WROs due the constraints placed on civil society and the risks associated with collaborating with an international non-governmental organisation (INGO). The research team maintained low visibility of Oxfam in Egypt and refrained from using Oxfam's name in any written communication. Prospective respondents understandably requested more detailed information about the study and how the findings will be shared and used to inform their decision to participate. When specifically prompted, Alert's researchers verbally provided WRO and activist participants with details. Organisations with an explicit Islamist frame of reference are not well represented in the study as it is difficult to engage with them and those affiliated with the Muslim Brotherhood are now outlawed, or operate clandestinely from abroad. The Delta and Sinai regions are also underrepresented due in part to the dearth of organisations there, although three of the organisations interviewed have partners or volunteers in the Delta.

## Findings

***1. Who is filling the gaps left by the state in the four project counties? What positions, discourses and actions do these actors and the state adopt towards gender justice and women's rights? In what ways have the positions, discourses and actions of these actors changed over time?***

<sup>9</sup> Details of the WROs activities and stance has not been included in order to protect their anonymity.

The Egyptian government led by Sisi is the predominant governance actor, however, the main religious institutions such as Al-Azhar and the Coptic Church (which both complement and less frequently contradict the state) have a strong influence on peoples' lives and way of thinking, including about gender roles. Continuing a long tradition in Egyptian regimes, **the state has co-opted the cause of women's rights as it cracks down on civil society.** Sisi's regime implements its own version of state feminism, often working through its own apparatuses – including the Ministry of the Interior and the Ministry of Justice, which are implicated in violations against women – and through semi-state bodies such as the National Council for Women (NCW). Participants noted that Sisi has adopted a conciliatory discourse towards women's issues and modestly progressive legislation throughout his presidency. Advancements include creating the Unit on Monitoring Crimes of Violence Against Women in 2013 and establishing departments for combatting violence against women at security directorates. In May 2015, the National Strategy for Combating Violence Against Women (NSVAW) was adopted. Drafted by the NCW, the NSVAW spans the period of 2015–2020 and incorporates roles of 12 ministries and government authorities. Although not an insignificant step forward, the NSVAW has considerable gaps, including the conspicuous absence of CSOs as implementing partners, and it lacks a mechanism for holding state actors accountable. WROs also pointed out that the NCW is not a substitute for WROs, without whose technical expertise, support and experience the NSVAW cannot be realised.

Interviewees mentioned the state's lack of transparency – for example, the NSVAW has no website in Arabic and there are no real efforts to communicate this strategy to the Egyptian public. Furthermore, the NCW has been reluctant to express strong criticism against the state for its crackdown on civil society and has refused to condemn violence perpetrated against women by state forces. Despite these shortcomings, **the state plays a moderately positive role in 'mainstreaming' certain gendered issues in Egyptian society** (for example, when Sisi visited a survivor of a mass assault and spoke out against sexual harassment, it was widely reported in the

media).<sup>10</sup> Participants were, however, largely sceptical of the state's sincerity and believe that its form of feminism only perpetuates a cycle of domination and repression, enabling the state to 'check boxes' regarding gender equality on the one hand, while strangling its civil society on the other. Nonetheless, there has been progress in gender-sensitive legislation passed under the Sisi regime, such as the adoption of anti-sexual harassment legislation in the Penal Code<sup>11</sup> in 2014, even if its framework is largely inadequate in addressing the underlying social drivers of gender inequality within Egyptian society. Just as importantly, the state excludes civil society in the drafting, implementation and monitoring of any legislation.

***2. What are the consequences of the above on the ability of CSOs and WROs to drive a gender justice agenda? That is, how is the women's rights and gender justice agenda being prioritised by state actors and/or other governance actors, compared to [national] security agendas and other competing agendas (e.g. humanitarian response imperatives, donor pledges and priorities), and the need to contend with ongoing economic crises?***

The space for activism and **the work of WROs and other CSOs becomes ever more constricted to the point of endangerment** due to the legal environment, state-media stigmatisation, and surveillance and suspicion at the community level. To cope, some WROs have had to suspend or alter activities, particularly those requiring permits, or have opted to not publicise activities. In more extreme cases, WROs have had assets frozen, been subject to travel bans, have temporarily suspended functioning or have ceased functioning altogether. Although this impacts all independent CSOs, several participants stated that the state reserves a special discrimination for WROs and activists for reasons that are unclear. Some WROs that have survived this crackdown subsist in increasingly draconian ways – for example, working

<sup>10</sup> This issue was covered in national Arabic-language media (including video footage of the apology) and internationally. See, for example, Sisi visits sexually assaulted survivor, apologizes to Egyptian women, Aswat Masriya, 11 June 2014, <http://en.aswatmasriya.com/news/details/9578>; Shahid al-fidiyu: al-Sisi yazur dahiyat al-ightisab al-jama'I bi-al-Tahir wa ya'tadhir laha, Sama News, 11 June 2014, <http://samanews.ps/ar/post/203224>

<sup>11</sup> Laws against sexual harassment in Egypt, HarassMap, <http://harassmap.org/en/resource-center/laws-against-sexual-harassment-in-egypt> accessed 21 April 2017

without salaries after assets have been frozen – and in general operate with a considerable amount of uncertainty. Participants were unanimous that the constriction of independent civil society and WROs **hinders the realisation of gender equality and gender justice in the legislative, social and discursive spheres in Egypt**. In other words, gender equality cannot be realised fully if the current crackdown continues.

*3. What are the strategies developed by national and regional WROs and CSOs to counter this reduction in space and push the women's rights agenda forward? What are they striving for and what are the commonalities? What gendered role and influence, if any, do women's Islamic or other faith-based civil society actors exert, and do such groups complement or compete with non-religious WROs and CSOs in advocating for women's rights and participation? Have any CSOs or WROs operating in regions that are controlled by non-state actors found it easier to push forward their agenda in comparison to those operating exclusively in government-controlled areas?*

WROs may pursue different agendas and activities according to their location and the resources available to them. Many WROs that continue to operate are striving to rectify the inequalities reflected in Egypt's legislation, such as the personal status laws, and to expand the public's understanding of gendered issues. WROs coordinate with each other and with human rights organisations, although a WRO participant noted that the latter are generally gender blind. Participants affirm that there is more latitude in Egyptian society to discuss gender issues that were previously shuttered by silence, particularly sexual harassment and female genital mutilation. **In particular, increased activism around sexual harassment at the local level and the amplified state discourse regarding this issue has opened up discursive space and increased awareness.** FGD participants noted that while the behaviour of harassers has not noticeably improved, women and girls are less likely to remain silent and more likely to file complaints. As only a few years ago women who spoke out against sexual harassment were stigmatised, this represents a step forward.

It is interesting that women and girls and WROs have noted progress in an area that both the state and civil society have given attention to, even if not in coordination. While the state cannot take credit for facilitating the hard work of WROs in raising awareness about sexual harassment, its progressive discourse against sexual harassment and legislation is helpful in shoring up the messaging and activities of WROs working in this regard. This may be an indication of the progress that could be made if the state were to reverse its opposition towards civil society and sincerely join efforts with WROs in realising gender justice issues.

*4. What role do international development actors (donors, INGOs) have to play in countering the negative effects of conflict and fragility on the realisation of women and girls' rights? What can be done at the national, regional and international level? How does the role and scope that international development actors could play differ, depending on the area in which they are trying to operate (state/non-state governed areas)? How can INGOs support WROs/CSOs and gender-sensitive programming, while mitigating for political, security and reputational risks to national partners and to beneficiaries?*

The role of the international community (encompassing international political and economic unions, governments, donors and INGOs) is **complicated in Egypt, and has negative and positive implications on WROs and gender equality**. A common theme raised was that the **international community can be inconsistent or even non-constructive in its efforts to support gender equality and gender justice** in Egypt: At the local level, participants praised the support of donors and INGOs in supporting education and civil society projects for women and girls. While WROs are grateful for international support, the WROs interviewed affirmed that **INGOs and donors are often out of touch with local realities and the risks that WROs face in conducting their work**. INGOs and donors often provide funds to Egyptian organisations but do not necessarily provide them with the tools to cope with the constrictive environment or are not sensitive to the very real risks that WROs and their staff face. Some international actors also refrain from supporting WROs that have been targeted by the

state for not wishing to compromise their own standing or to irk the state, a position viewed as unsupportive and even offensive by some WROs. A greater problem lies at the broader level, where there is a perception that the international community (particularly donor governments and policy-makers) largely overlooks state violations of civil rights and does not hold it accountable for the enormous sum of international funds it receives. For example, one participant noted that the state has received millions for the NSVAW, but there is no transparency for the Egyptian public on how the funds are being used. While providing funds for the NSVAW is positive, little can be accomplished if the strategy is not implemented and monitored, and if civil society is not deeply integrated in this. INGOs should thus adopt a more assertive and consistent stance in their advocacy for civil society and gender equality in Egypt. Importantly, any international donor funds provided to the Egyptian state should be subject to explicit and rigorous monitoring criteria to ensure that benchmarks are reached and that the Egyptian public is aware of how its government is using the money.





