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Promotion and protection of all human rights, civil,
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including the right to development

Report of the Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo*

Addendum

Preliminary note on the mission to Egypt
(11–21 April 2010)

* Late submission.

I. Objectives and plan of the visit

1. The Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo, visited Egypt from 11 to 21 April 2010 at the invitation of the Government. The main objective of the mission was to examine all forms of trafficking in persons as may be prevalent in the country and to make recommendations to the Government in countering this growing phenomenon.
2. To that end, the Special Rapporteur visited Cairo, Hawamdia, Alexandria and Sharm el-Sheikh. The Special Rapporteur met with the Minister for Manpower and Migration and the Minister for Family and Population, as well as high-level officials of the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of the Interior and the Ministry of Social Solidarity. She also met with members of the Public Prosecutor's Office and the People's Assembly, as well as a number of national institutions, including the National Centre for Social and Criminological Research, the National Council for Human Rights, the National Council for Childhood and Motherhood and the National Council for Women. She also actively engaged with members of the National Coordinating Committee for Combating and Preventing Trafficking in Persons. The Special Rapporteur also met with the United Nations and specialized agencies, non-governmental organizations and academic institutions, including the Suzanne Mubarak Women's International Peace Movement working in the field of human trafficking. The Special Rapporteur visited shelters for battered women and for street children, managed by the Government and/or non-governmental organizations.
3. The Special Rapporteur wishes to thank the Government of Egypt for its invitation and cooperation during the visit, as well as the logistical assistance provided by the Resident Coordinator's office. The Special Rapporteur would also like to thank international organizations, non-governmental organizations and academic institutions for their valuable input and contributions.

II. Observations and preliminary conclusions

4. The Special Rapporteur acknowledged the commitment and political will of the Government of Egypt to combat trafficking in persons, as reflected by the ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Palermo Protocol) and other relevant human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, and the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The establishment of the National Coordinating Committee for Combating and Preventing Trafficking in Persons in 2007 reflected the strong political commitment of the Government to tackle the issue of trafficking in persons. The Special Rapporteur also commended the effective cooperation between the Government and the United Nations system at the national level, as evidenced by the research project to study trafficking patterns in Egyptian society, a national survey that is currently being conducted by the National Centre for Social and Criminological Research with the support of international organizations. The Special Rapporteur also noted some training programme initiatives being carried out by international organizations in partnership with the Government, such as training programmes for parliamentarians by the United Nations Office on Drugs and Crimes and a two-week training course by the International Organization for Migration for law enforcement agencies on protecting victims of trafficking and prosecuting traffickers. Furthermore, the Special Rapporteur praised the cooperation between the Government and IOM, which culminated in the

establishment of a pilot trafficking victim support unit within the National Bank Hospital. The unit is dedicated to providing care and treatment to victims of trafficking.

5. The Special Rapporteur welcomed a number of important legislative developments, such as the adoption of the Law on Combating Trafficking in Persons, on 20 April 2010; the adoption of the Organ Harvesting and Transplant Act, which prohibits organ trading and regulates organ transplantation; amendments to the Penal Code to criminalize child trafficking; and amendments to the Civil Status Law, to raise the minimum age of marriage for girls to 18 years.

6. In addition, the Special Rapporteur recognized the leadership of the President's wife, Suzanne Mubarak, in raising public awareness and mobilizing the Government, corporate sector and civil society organizations nationally and internationally in the fight against trafficking in persons. The Special Rapporteur learned of an encouraging and innovative programme at the Faculty of Law of the University of Alexandria designed to provide legal aid services to trafficked victims. Moreover, the Suzanne Mubarak Regional Centre for Women, Health and Development has established a health and well-being clinic for women, which provides specific responses to victims of gender-based violence who may be vulnerable to trafficking.

7. Despite the above-mentioned positive developments and the notable progress made in the fight against human trafficking, the Special Rapporteur was deeply concerned that the trend, forms and manifestation of trafficking in persons are not well understood and that there is a general lack of awareness and knowledge about trafficking in persons.

8. The Special Rapporteur noted that the absence of accurate data on trafficking in persons, especially women and children, has made it difficult to measure the magnitude of human trafficking in Egypt. While the Special Rapporteur realizes that quality data may be scarce, the fact that most stakeholders describe Egypt as a transit country, without any supporting statistics, raises concern. In this regard, the Special Rapporteur welcomed the national study currently conducted by the National Centre for Social and Criminological Research, which is expected to bridge gaps in statistical information and provide indications of prevalent forms of human trafficking in Egypt.

9. Based on information available, the Special Rapporteur found that common forms of trafficking in persons in Egypt include trafficking for the purposes of sexual exploitation of underaged girls through "seasonal" or "temporary" marriage, child labour, domestic servitude and other forms of sexual exploitation and prostitution. In particular, the Special Rapporteur is concerned about the growing phenomenon of "seasonal" or "temporary" marriage of young Egyptian girls with foreign men, which is sometimes used as a smokescreen for providing sexual services to foreign men. There are also indications that trafficking for forced marriages and forced labour, and trafficking in human organs and body tissues may be more prevalent than current estimates. Furthermore, the incidence of internal trafficking appears to be much higher than transnational trafficking, and the prevalence of street children increases their vulnerability to child trafficking domestically.

10. The Special Rapporteur is also concerned about the lack of infrastructure and services specifically designed to assist and rehabilitate victims of trafficking, such as shelters and hotlines. While noting the commendable achievements of the National Council for Childhood and Motherhood in establishing a hotline for children and a day-care centre for street children, these infrastructures and services are not specifically designed for victims of trafficking, who may have different needs from street children or children at risk of abuse.

11. The Special Rapporteur noted with concern the lack of labour law protection for domestic workers, particularly in the light of information suggesting that there is a large number of domestic workers who are trafficked to Egypt for labour exploitation. While the

Ministry of Manpower and Migration has a labour inspection system in place to monitor the condition of workplaces, it is underutilized for the purpose of detecting victims of trafficking. The authorities also conceded that labour inspections cannot be conducted in private homes where domestic workers are employed. The Special Rapporteur is concerned that this leaves domestic workers who are trafficked for labour exploitation completely outside the protection of the law.

12. The Special Rapporteur was informed about the fact that civil society was not fully consulted in formulating anti-trafficking policies and programmes. In this regard, the Special Rapporteur noted the Government's efforts to ensure effective participation of civil society, as shown by the meeting in September 2009 with more than 40 non-governmental organizations to brief them about the draft law on combating trafficking in persons, and the two meetings organized by the Suzanne Mubarak Women's International Peace Movement in April 2010, which mobilized representatives of the business community, civil society organizations and the media. The Special Rapporteur encouraged the Government to engage in further dialogue with civil society organizations and to take their views fully into consideration when developing anti-trafficking policies and programmes, including the monitoring and evaluation.

III. Preliminary recommendations

13. On the basis of the above preliminary observations, the Special Rapporteur urged the Government to provide comprehensive training programmes to increase knowledge and awareness of human trafficking for all stakeholders, including police, immigration and border guards, prosecutors and judiciary and civil society organizations, including the media, on effective reporting and messages on trafficking in persons. Furthermore, labour inspectors should be trained on the identification of trafficked victims.

14. In the light of the new law on combating trafficking in persons, the Special Rapporteur recommended that the Government should develop a comprehensive, holistic and integrated national plan of action on combating trafficking in persons that clearly sets out strategic objectives, the responsibilities of all stakeholders, measurable indicators and monitoring and evaluation tools.

15. The Special Rapporteur also recommended that the Government should consider adopting and amending relevant legislation that would facilitate the prevention of human trafficking, such as the introduction of legislation that criminalizes domestic violence, given the correlation between trafficking and gender-based violence; and amendments to the Labour Code and the Child Law, to prohibit child domestic help and other exploitative domestic work similar to slavery or servitude.

16. Furthermore, the Special Rapporteur stressed that the assistance provided to trafficked victims, especially shelter facilities, needs to be improved, and service providers should be adequately trained to respond effectively to the needs of victims. The existing shelters are intended for domestic violence victims or street children, and may therefore be inappropriate for victims of trafficking. In this regard, the Special Rapporteur refers to article 6 of the Palermo Protocol, which obliges State parties to protect and provide assistance to victims of trafficking in persons. In a similar vein, the national hotlines for children should be extended to respond to victims of trafficking, or a separate hotline dedicated to victims of trafficking should be established.

17. While acknowledging the need to preserve the independence of civil society and its freedom of operation as human rights defenders, the Special Rapporteur called on the Government to strengthen partnerships with civil society, particularly in view of its

experience and expertise in working on related issues, such as violence against women and children.

18. Lastly, the Special Rapporteur highlighted the importance of prevention efforts. To that end, the Special Rapporteur urged the Government to address the root causes of trafficking, such as poverty, unemployment, education, gender discrimination and inequalities, including gender-based violence.

19. The Special Rapporteur will submit her final report and recommendations on her visit to Egypt to the Human Rights Council at its seventeenth session.
