

**Universal Periodic Review (34th session, October-November 2019)
Contribution of UNESCO**

**Egypt
(Right to Education)**

I. Background and framework

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
<i>Convention against Discrimination in Education 1960</i>	State Party (28/03/1962)	Reservation to this Convention shall not be permitted		Right to education
<i>Convention concerning the Protection of the World Cultural and Natural Heritage (1972)</i>	07/02/1974 Ratification			Right to take part in cultural life
<i>Convention for the Safeguarding of the Intangible Cultural Heritage (2003)</i>	03/08/2005 Ratification			Right to take part in cultural life
<i>Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)</i>	23/08/2007 Ratification			Right to take part in cultural life

II. Promotion and protection of human rights on the ground

A. Education

1. The **Constitution of Egypt of 2014**¹ enshrines the right to education under **Article 19**. This latter also provides that “Education is **compulsory** until the end of the secondary stage or its equivalent. The State shall provide **free education** in the various stages in the State’s educational institutions according to the Law” and that “the State shall allocate a percentage of government spending to education equivalent to at least 4% of the Gross National Product (GNP), which shall gradually increase to comply with international standards.” **Articles 9 and 53** enshrine the principles of **equality** and **non-discrimination**. **Article 80** defines who should be considered a child and provides for the rights of children with disabilities. **Article 20** provides for the encouragement and development of quality technical and technological education and vocational training. **Article 25** provides that “The State shall develop a comprehensive plan to eradicate alphabetical and digital illiteracy among citizens of all ages.”

2. The **Law No. 139/1981, modified by Law No. 233/1988, Law No. 2/1994 and Law No. 23/1999 regarding pre-university education** provides Egypt’s main education law. Article 3 of the Law No. 23 stipulates that pre-university education is a right to all citizens and is provided free of charge in the state schools. Article 4 indicates that pre-university education includes nine years of compulsory basic education, divided into a six-year primary stage and a three-year preparatory stage, and three years of secondary education.²

B. Freedom of opinion and expression

Constitutional and Legislative Framework:

3. Freedoms of expression and the press are protected under Article 65 of the Egyptian Constitution (2014).³

4. Blasphemy is a criminal offence under Article 98(f) of the Penal Code (1937), which can be punished by confinement for a period of not less than six months and not exceeding five years, or a monetary fine for using “religion in propagating extreme ideas”.

5. Under Articles 184-186 of the Penal Code, insult to the People's Assembly, the Shura Council, the Army, the tribunals, the authorities, public departments, public representatives and judges is punishable with a maximum detention of one year and/or a maximum fine of 10,000 EGP.

6. Furthermore, Article 303 imposes a punishment of a maximum detention of two years for slander offences and Article 307 states that the penalties of any insult and slander shall be raised twofold if the offence is committed in printed publications.⁴

¹ <http://www.unesco.org/education/edurights/media/docs/4335a405cbf479cc46e28aa1944a37e6b07c44d2.pdf>

² IBE, World Data on Education, 7th ed., 2010-2011, Egypt, p. 2.

³ <https://wipolex.wipo.int/en/legislation/details/15307>

⁴⁴ <https://wipolex.wipo.int/en/legislation/details/13573>

7. Law No. 92 on the Institutional Regulation of the Egyptian Media of 2016 and the Anti-Cyber and Information Technology Crimes Law of 2018 grants the government new powers to regulate digital rights and freedoms online. Social media accounts and blogs with more than 5,000 followers are treated as media outlets, which makes them subject to prosecution for publishing what authorities deem as false news. Since 2017, the number of blocked websites totals more than 500.⁵

8. The Supreme Council of Media, headed by an official appointed by President, supervises Law No. 92 and is mandated to take action against violations. The law prohibits the establishment of websites without obtaining a license from the Council and allows it to suspend or block existing websites, or impose fines on editors.⁶

9. The Terrorist Entities Law of 2016 criminalizes a wide range of acts, including publishing or promoting news about terrorism if it contradicts official statements and allows the courts to temporarily ban journalists from practicing their profession for doing so. The law imposes a steep fine for publishing "false news" that contradicts official government reports on terrorism.⁷

10. A freedom of information law does not currently exist in the country.

Implementation of legislation:

11. [Law No. 92 of 2016⁸ on the](#) Institutional Regulation of Egyptian Media establishes the Supreme Council of Media. The role of the Council is to regulate and supervise media outlets in all of their forms: print, broadcast, and electronic.

12. The Council is a regulatory body with the tasks of licensing media, ensuring that media outlets abide by the rules and ethics of the profession, establishing the professional rules and standards for media reporting, receiving complaints of libel or invasion of privacy, imposing sanctions, etc.⁹

13. The thirteen members of the Council are appointed by a decision of the President of the Republic. They are nominated by such institutions as the Parliament, the State Council, the Administrative Court, the Supreme Council of Universities, etc. Four members of the Council should represent journalists' and communities of media professionals.¹⁰

⁵ <https://www.article19.org/resources/egypt-ngos-call-for-full-repeal-of-cybercrime-law-and-reform-of-dangerous-law-regulating-media/>

⁶ <http://www.cc.gov.eg/Images/L/373858.pdf>

⁷ <https://www.refworld.org/docid/5981e442a.html>

⁸ <http://scm.gov.eg/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D9%85%D8%AC%D9%84%D8%B3/>

⁹ <http://www.loc.gov/law/foreign-news/article/egypt-new-council-to-regulate-and-supervise-media-outlets/>

¹⁰ <http://scm.gov.eg/%D8%A7%D9%84%D9%82%D8%B1%D8%A7%D8%B1-%D8%A7%D9%84%D8%AC%D9%85%D9%87%D9%88%D8%B1%D9%8A-%D8%A8%D8%AA%D8%B4%D9%83%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D8%A3%D8%B9%D9%84%D9%89/>

Safety of Journalists:

14. Since 2008, UNESCO has condemned the killing of eight journalists in Egypt. The Government has not responded to UNESCO's requests, with no cases resolved according to UNESCO records.¹¹

15. In 2018, an independent jury choose to award the UNESCO/Guillermo Cano World Press Freedom Prize to Egyptian journalist, Mahmoud Abu Zeid, known online as Shawkan, who was not able to receive the Prize, since he was in jail. He has released from prison in March 2019.

III. Review and specific recommendations

A. Education

16. During the last UPR cycle, Egypt was recommended to ensure universal access to quality education, including through sufficient budget allocation, to continue the efforts to ensure equal access of girls and women to all levels of education and to eradicate illiteracy.

Free and compulsory education

- Pursuant to **Articles 19 and 238** of the 2014 Constitution, the secondary level was added to basic education (i.e. primary and preparatory) with effect from school year 2016/2017. **Secondary education thus became compulsory** at the start of school year 2016/2017, in accordance with the Constitution.
- Though the Constitution recognizes children's entitlement to preschool education (**Art. 80**), no legal guarantees provides for preschool education that is compulsory and free of charge.

Policy framework

- The plan currently in force is the **Strategic Plan for Pre-University Education in Egypt (2014-2030)**¹², on the basis of which three policies have been adopted:
 - Providing equal opportunities for the entire school-age population to enrol in and complete education, targeting poor areas as top priority;
 - Improving the quality and effectiveness of educational services;
 - Strengthening the institutional infrastructure and building the capacities of all staff to implement decentralization in such a way as to ensure good governance.

Access to quality education

¹¹ <https://en.unesco.org/themes/safety-journalists/observatory/country/223700>

¹² <http://www.unesco.org/education/edurights/media/docs/c33b72f4c03c58424c5ff258cc6aeae0eb58de4.pdf>

- Increases in **net enrolment rates** at primary level and preparatory stage indicate expanding access to education.¹³
- **School dropout rates** however remain high. According to Egypt, main reasons for this include:¹⁴
 - a) most schools lack a place to engage in activities
 - b) pupils who drop out feel hungry during school day
 - c) most families cannot afford the indirect costs of education
 - d) overcrowded classrooms facilitate the spread of disease among students
 - e) girls in remote and desert regions are at risk when going to school
- With regard to **higher education**, despite significant progress and expansion in all types of higher education, there continues to be a pressing need for **structural reform** to increase the capacity of the higher education system to provide access to a wider range of students.¹⁵
- Education quality faces a number of **key issues** including: overcrowded classrooms, failure, dropout, teacher qualification, curricula, learning resources, systems of assessment and teaching technology.¹⁶ Poor student performance at all levels is also alarming with more than half of students failing to meet the low benchmark in international learning assessments.¹⁷

Illiteracy

- A number of measures was formulated to **eliminate illiteracy, one of the biggest development problems facing the country:**¹⁸
 - Expanding the provision of educational opportunities at village level;
 - Improving the quality of literacy programmes;
 - Providing a range of non-formal education opportunities;
 - Providing literacy programmes for those with special needs;
 - Improving vocational and life-skills training;
 - Improving teachers training;
 - Launching media campaigns and foster awareness.
- The General Authority for Literacy and Adult Education (GALAE) has formulated the **Strategic Plan for Literacy and Adult Education 2014-2030.**¹⁹

Gender equality

- A number of measures was taken to **narrow the education gap between boys and girls:**²⁰
 - Removing family, educational and societal obstacles to girls' enrolment

¹³ Report submitted by Egypt for the ninth consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2012-2016), *unofficial translation*.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Egypt - Education challenges, <https://www.unicef.org/egypt/education>

¹⁸ Report submitted by Egypt for the ninth consultation, op cit.

¹⁹ Ibid.

²⁰ Ibid.

- Expanding the establishment of community education schools
- Encouraging girls and their families to enrol in education by offering economic and social incentives and through media campaigns
- Increasing the number of female teachers
- **Many obstacles however persist:**²¹
 - Family obstacles: girls needed to work at home, social stigma, early marriage, fear of daughters mixing with males, priority given to boys' education, unwillingness to allow girls to work hence to be educated, widespread poverty/low incomes
 - Educational obstacles: lack of suitable transport, poor monitoring of female dropouts, poor communication and cooperation between school and communities
 - Society obstacles: lack of awareness especially in rural and remote areas of the benefit of girls' education, disparity in the educational levels of girls and boys, unemployment after graduation, large populations living far from schools, high student/teacher ratio, lack of female teachers and of incentives to raise awareness on the importance of girls' education.
- As regards the **age of marriage**, the **Personal Status Act, no. 1 (2000), amended by Act no. 91 (2000)** states that females may marry upon reaching the age of 16, while the husband must not be under 18.

Discrimination

- Persons belonging to minority groups such as the Bedouin/nomad, Nubians and Berbers, as well as migrants refugees and asylum seekers, face difficulties in accessing education.²²

Harmful practices

- **Child labour remains widespread** in the countryside. Whilst the **Labour Act no. 12 (2003) promulgated by Decision no. 118 (2003)** identifies jobs and professions in which children may not be employed until they have completed primary and preparatory education (i.e. age 14), employers employing children under 16 are required to give them a card confirming their employment. This goes against the new constitutional guarantee providing for compulsory secondary education.

Specific recommendations:

17. Egypt should be encouraged to:
 1. Report on the effective implementation of Article 19 of its Constitution, which introduced compulsory education until the end of the secondary stage or its equivalent starting from the school year 2016/7.
 2. Progressively introduce at least one year of pre-primary education, in accordance with international standards laid out in the Education 2030 Framework for Action.
 3. Increase efforts to eliminate illiteracy among its population.
 4. Adopt comprehensive measures to ensure the delivery of quality education for all.

²¹ Ibid.

²² Concluding observations on the combined seventeenth to twenty-second periodic reports of Egypt, Committee on the Elimination of Racial Discrimination, 6 January 2016, paras 17 and 25.

5. Further promote gender equality and increase access to education for women and girls by addressing the wide range of barriers; be them familial, educational or societal, that prevent women and girls from fully enjoying their right to education.
6. Guarantee the alignment of laws by reviewing its legislation to raise the minimum age of marriage for girls to 18, in accordance with international standards.
7. Adopt adequate measures to eliminate discrimination and foster access to education to vulnerable groups, especially minorities, migrants, refugees and asylum seekers facing difficulties in accessing education.
8. Take further measures to eliminate child labour and guarantee the alignment of laws by reviewing legislation on minimum working age so that it corresponds to the new constitutional guarantee providing for compulsory secondary education.
9. Submit regularly national reports for the periodic consultations on UNESCO's education-related standard-setting instruments.
10. Share with UNESCO any relevant information to update its country profile on UNESCO's Observatory on the Right to Education.²³

B. Freedom of opinion and expression

18. The Government is encouraged to enforce the constitutional principles of access to information and official documents (Article 68), etc. (press, publication, independence)
19. The Government is encouraged to introduce freedom of information legislation, if not covered by the Constitution.
20. The Government is recommended to decriminalize defamation and insult, and place it within the civil code that is in accordance with international standards.
21. The Government is encouraged to assess if laws regulating digital rights and freedoms online are in line with the provisions of necessity and proportionality under the International Covenant on Civil and Political Rights.
22. The Government is encouraged to strengthen judicial oversight in cases related to the blocking of online content.
23. The Government is encouraged to reform the appointment system for the Supreme Council of Media to ensure that this body is independent.
24. The Government is encouraged to ensure that legitimate enforcement of anti-terrorist and anti-extremist legislation does not infringe on the ability of ordinary citizens including

²³ <http://www.unesco.org/education/edurights/index.php?action=home&lng=en>

journalists to exercise the right to freedom of opinion and expression and does not compromise the ability of users to communicate securely.

25. The Government is encouraged to investigate the cases of killed journalists, and continue to voluntarily report on the status of judicial follow-up to UNESCO. The Government may wish to consider taking advantage of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity as a means to strengthen protection of journalists.

C. Cultural rights

26. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972)²⁴, the Convention for the Safeguarding of the Intangible Cultural Heritage (2003)²⁵ and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)²⁶, Egypt is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Egypt is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

D. Freedom of scientific research and the right to benefit from scientific progress and its applications

27. **Egypt** submitted its National Report on the implementation of the Recommendation on the Status of Scientific Researchers (1974) for the Second Consultation covering the period from 2013 to 2016 (<http://unesdoc.unesco.org/images/0025/002592/259256e.pdf>). **Egypt** reported that the guiding principles of the 1974 Recommendation, including the principles of respect for autonomy, freedom of research, non-discrimination, and respect for the human rights of researchers, are guaranteed by the Constitution of Egypt and legal acts based on the Constitution. Egypt reported that the current practices in undertaking scientific research and policies aimed at its support and organization for the benefit of society are in line with the provisions of the 1974 Recommendation. In future, **Egypt** is encouraged to report to UNESCO on the implementation of the newly adopted Recommendation on Science and Scientific Researchers (2017), which supersedes the 1974 Recommendation, on any legislative or other steps undertaken by it to ensure the application of this international standard-setting instrument, paying particular attention to the legal provisions and regulatory frameworks which ensure the implementation of human rights of scientific researchers, as well as human rights obligations related to science, the principle of non-discrimination, including urging active promotion of women and girls entering scientific careers, as well as the scientists' rights of autonomy, freedom of research, expression and publication.

²⁴ Periodic Report available at: <http://whc.unesco.org/archive/2010/whc10-34com-10Ae.pdf>

²⁵ Periodic Report available at: <https://ich.unesco.org/en/state/egypt-EG?info=periodic-reporting>

²⁶ Periodic Report available at: <https://en.unesco.org/creativity/governance/periodic-reports/2013/egypt>

