



**International Convention  
on the Protection of the  
Rights of All Migrant  
Workers and Members  
of Their Families**

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COMMITTEE ON MIGRANT WORKERS  
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**WRITTEN REPLIES BY THE GOVERNMENT OF EGYPT CONCERNING  
THE LIST OF ISSUES (CMW/C/EGY/Q/1) RECEIVED BY THE  
COMMITTEE ON MIGRANT WORKERS RELATING TO THE  
CONSIDERATION OF THE INITIAL PERIODIC REPORT OF EGYPT  
(CMW/C/EGY/1)\***

[Revised on 5 February 2007]

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

### **Introduction**

Pursuant to the distinguished Committee's request for a response to some of the issues raised with regard to Egypt's initial report to the Committee, Egypt should like to point out that the Egyptian report is an initial report submitted under article 73, paragraph 1, of the Convention. In it, Egypt endeavours to describe the legislative architecture of the Egyptian legal system (the Constitution and legislative enactments), the domestic means of redress which protect all the rights and freedoms of individuals, whether they be nationals or non-nationals, and the domestic human rights mechanisms which seek to strengthen compliance with domestic and international norms on the protection of rights and freedoms and to raise awareness of human rights treaties, including the Convention of concern to the distinguished Committee.

Egypt welcomes the continuation of the constructive dialogue which it has established with the distinguished Committee in order to provide all the information requested of it, in recognition of the Committee's noble task and in conformity with the Convention. Egypt supports international efforts to bring all States into the Convention and thus to confirm the universality of human rights and involve the entire international community in the realization of the aims envisaged.

Egypt shall present its reply to the list of issues in accordance with the layout devised by the distinguished Committee.

## I. INFORMATION OF A GENERAL NATURE

1. Please provide statistical data and information on the size, characteristics and nature of migration flows (immigrants, migrants in transit and emigrants). If no precise data are available, please provide estimates and information on the dynamics of migration flows. Please also provide the Committee with information on any measures taken to generate statistics.

The figures produced by the Central Bureau for Public Mobilization and Statistics on migration flows from and to Egypt are set out hereunder.

### (a) Migration from Egypt

#### Total number of temporary migrants as at 1 January 2006

Groups of States	Workers abroad	Persons accompanying them <sup>1</sup>	Total	Percentage of total
Arab States	748 849	1 179 311	1 928 160	95.41
European States	29 675	46 723	76 398	3.78
Australia	4 660	7 293	11 953	0.59
African States <sup>2</sup>	912	1 483	2 395	0.12
Asian States <sup>3</sup>	480	742	1 222	0.06
American States	336	494	830	0.04
Total	784 912	123 646	2 020 958	100
Percentage of total	38.84	61.6		

### (b) Migration to Egypt

#### Total number of foreign workers with work permits

Year	First time	Renewal	Total
2005	5 367	11 866	17 233
2006	7 337	12 225	19 562

These figures show the increase in the number of migrants coming to Egypt for work as a result of the steady rise in foreign investment in Egypt designed to realize the State's ambitious economic development plans.

<sup>1</sup> Families who accompany individuals working abroad.

<sup>2</sup> Group of non-Arab African States.

<sup>3</sup> Group of non-Arab Asian States.

2. *Please provide the Committee with precise information on the application of legislative, administrative and other measures pertinent to implement the Convention.*

As far as legislative measures are concerned, according to article 151 of the Constitution, a convention enters into force as soon as it is published in the Official Gazette, since it is an Egyptian law that is valid with regard to all the authorities in Egypt. All judicial bodies must apply and abide by its provisions in any dispute referred to them and issue binding decisions in that regard. Likewise, all the administrative authorities are required to comply with, and to refrain from breaching the Convention. Should an administrative official or service breach the Convention, the aggrieved party may have recourse to the domestic mechanisms enumerated in the reply to question 10.

With regard to administrative measures, Egypt, via its network of Egyptian consulates abroad, caters fully for Egyptian migrants through consular services that have won international recognition and through the preparation and distribution, via the Internet and the media, of regular publications targeted at Egyptian workers abroad. These services are delivered in ongoing coordination with the local authorities of the States concerned, in order to ensure that all kinds of protection and advice are available as and when required and that assistance is on hand in the event of expulsion or death.

3. *Please explain how the continued state of emergency affects the application of the Constitution, specific laws, international treaties and migrant workers' enjoyment of their rights.*

Egypt is a State which has adopted a system of pre-emptive legislation to deal with circumstances in which exceptional measures are required. The Egyptian Emergency Act No. 162 of 1958 is in conformity with article 4 of the International Covenant on Civil and Political Rights, concerning the international rules and norms for dealing with exceptional situations which endanger society.

In accordance with the above-mentioned Act, the declaration of a state of emergency in the country does not give rise to the suspension of the Egyptian Constitution or of the State's domestic institutions. By law, the legislature (the People's Assembly) must approve a declaration, and any extension, of a state of emergency.

The application of the Emergency Act does not invalidate any criminal or other legislation or laws. Egypt implements the exceptional measures envisaged in the Act only in order to combat terrorist crimes and drugs offences and in accordance with the legal safeguards set forth in the Act. Migrant and foreign workers in Egypt are not subject to exceptional measures, unless an individual becomes involved in terrorism or drugs offences.

Egypt is in the process of drafting a separate counter-terrorism law which will spare it from having to apply the Emergency Act to these situations.

4. *Please describe the role, if any, of non-governmental organizations in the implementation of the Convention and in the preparation of the State party's report.*

The report is prepared by a designated committee set up by the Ministry of Justice. The members include all the relevant institutions, including representatives of domestic human rights mechanisms (the National Council for Women, the National Council for Motherhood and Childhood and the National Council for Human Rights). These councils include representatives of civil society organizations and play an important part in supporting the Government's efforts to disseminate and promote human rights treaties and ensure compliance with, and protection of, all the human rights principles that have constitutional status in Egypt and are binding on all the State authorities.

Civil society organizations, especially friendship associations, play an important role vis-à-vis foreign workers in Egypt. They provide numerous facilities in order to educate foreign workers about family residence and fulfilment of their needs.

As far as fuller civil society participation in the preparation of Egypt's State party reports is concerned, appropriate ways of involving civil society in this task are being considered, given the important role that civil society plays in the National Council for Human Rights.

5. *Please explain whether the national legislation provides for the application of the Convention to refugees and stateless persons (article 3 (d) of the Convention).*

The Convention is applied in accordance with the definitions set out in its article 2 and with which the definitions in Egyptian law are consistent. In accordance with article 3 of the Convention, national laws do not apply to refugees and stateless persons. Accordingly, the Convention applies to foreign workers in Egypt, while the situation of refugees is regulated by the Convention relating to the Status of Refugees of 1951 and the 1969 Organization of Africa Unity Convention Governing the Specific Aspects of Refugee Problems in Africa, to which Egypt is a party.

6. *Please clarify the status of Sudanese migrants in Egypt and indicate how many of them are considered refugees and how many migrant workers.*

Historically, the Sudanese in Egypt have always enjoyed a special status. Before Sudanese independence, they and the Egyptians were members of the one State. These historical ties between the two peoples continued after independence. The special relationship between the two countries has given rise to a number of treaties, the most recent being the treaty which Egypt and the Sudan signed on 4 April 2004, concerning the right of nationals of both States to freedom of movement, work, residence and property. Under the treaty, Sudanese nationals are entitled to enter Egypt with any type of identity card and without restrictions as to their reasons for entry or length of stay. It follows that Sudanese nationals in Egypt are not regarded as refugees in the legal and international sense of the term, although some Sudanese do use the opportunity of being present in Egypt to apply to the Office of the High Commissioner for Refugees (UNHCR) for asylum in another State. These matters are dealt with by the UNHCR office, which evaluates applications in accordance with its own procedures. Some Sudanese

carry blue cards and others have yellow cards from the Office. Persons in possession of such cards enjoy the treatment extended to each category of refugee under the United Nations Convention Relating to the Status of Refugees, to which Egypt is a party.

The total number of Sudanese in Egypt is estimated at between 2 and 5 million. These persons enjoy the freedoms which the treaties between the two countries accord.

7. *Please specify the scope of the reservations entered by Egypt to article 4 and article 18, paragraph 6, of the Convention (paragraphs 2 and 136 of the initial report, CMW/C/EGY/1).*

Egypt entered reservations to article 4 of the Convention, concerning the term “family members”, in accordance with Egyptian marriage laws which, in accordance with the sharia, do not recognize the legitimacy of extramarital relationships. This reservation is consistent with the relevant articles of the Constitution. As for the second reservation, concerning compensation for a miscarriage of justice, the Egyptian legal system makes no such provision. There are legal procedures in place to guarantee the dispensation of justice and allow for proceedings to be brought against a judge for making a professional error and for recusal of a judge. This system recognizes the right to claim compensation from a person guilty of making a professional error. In addition, the Egyptian legal system criminalizes forgery and false testimony that may result in an injustice being done to others.

8. *Please specify what measures have been taken to promote and publicize the Convention (CMW/C/EGY/1, para. 169).*

The Convention was published, in Arabic, in the Official Gazette, which is sold to citizens and others at a nominal price. This is the method prescribed by the Constitution for disseminating laws applicable in the country. Efforts are being made to disseminate information about the Convention in publications produced by trade union, workers’ and administrative organizations and through civil society organizations that deal with migrants and human rights in general. Other measures include governmental and non-governmental training programmes aimed at disseminating human rights culture and promoting compliance with relevant treaties in all domains.

9. *Please supply a list of bilateral and multilateral agreements concluded in the field of migration, in particular temporary labour programmes and other agreements concerning employment, protection, double taxation, social security, return, etc. (CMW/C/EGY/1, paras. 182, 188 and 203).*

**(a) Bilateral agreements**

Between 1966 and 1988, Egypt concluded five bilateral agreements on the subject of migration, respectively with Qatar, the United Arab Emirates, Kuwait, Iraq and Yemen.

Between 1976 and 2006, Egypt signed a number of bilateral agreements and memorandums of understanding on social insurance with Greece, Cyprus, Tunisia, Morocco, the Sudan and the Netherlands.

**(b) Multilateral agreements**

Egypt has signed several multilateral labour agreements, such as:

- The Arab Labour Mobility Convention, approved by the Council of the League of Arab States on 7 March 1968 and signed at Cairo on 19 February 1969;
- The Arab Minimum Social Security Standards Convention, approved by the Arab Labour Conference at its fifth session held in Cairo in March 1976;
- Egypt has acceded to the ILO Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19), the Migration for Employment Convention (Revised), 1949 (No. 97), and the Equality of Treatment (Social Security) Convention, 1962 (No. 118).

**II. INFORMATION IN RELATION TO EACH OF THE ARTICLES OF THE CONVENTION**

10. *Please provide more information on the judicial, administrative and legislative mechanisms that are competent to examine and decide on complaints by migrant workers in case of violation of their rights.*

**(a) Administrative mechanisms**

**The National Council for Human Rights**

The National Council for Human Rights was established under Act No. 94 of 2003 as an independent national mechanism. The Act grants the Council the internationally-recognized powers that should be attributed to bodies of this kind according to the 1990 Paris Principles. The Act also defines the Council's role in dealing with the complaints which it receives and requires government bodies to answer to the Council and provide it with whatever information it may request. The Council must produce an annual report on the human rights situation in Egypt and submit it to the President of the Republic, the People's Assembly and the Advisory Council. (A copy of the Act is annexed to the report.)

The National Council for Human Rights is headed by Dr. Boutros Boutros-Ghali, a prominent international figure and a former Secretary-General of the United Nations. The Council issued its first report on the human rights situation in Egypt in March 2005. The Government published a reply, in which it undertook to consider all the legislative recommendations set forth in the report.

The Council continues to discharge its mandated functions through the subcommittees established pursuant to the Act and through activities shaped by its future plans for expanding its role in the domestic, regional and international arenas.

The Council has also set up an ombudsman's office to help deal with, and follow up on, the complaints which it receives.

### **The National Council for Women**

The National Council for Women was established by Republican Decree No. 90 of 2000 to support Egypt's efforts on behalf of women's advancement and to help to overcome the obstacles to the fulfilment of women's proper role in society. The Council's duties are to:

- Recommend, to society and democratic institutions, public policy on developing women's issues, empowering women to fulfil their socio-economic role, and integrating their efforts into comprehensive development plans;
- Formulate a draft national plan for the advancement of women and the resolution of the problems that women face;
- Monitor and assess the implementation of public policy on the advancement of women, and submit related proposals and comments to the competent bodies.

The Council has set up a complaints office to help deal with and follow up on the complaints that it receives.

The efforts, studies and research that the Council has undertaken have yielded a number of results and culminated in programmes that are currently being implemented. Lawmakers have responded to many of the Council's initiatives by repealing legislative articles that were incompatible with the principle of equality or by enacting new legislation to make it easier for women to bring actions at law.

### **The National Council for Motherhood and Childhood**

The National Council for Motherhood and Childhood was established by Republican Decree No. 54 of 1988, in which it is described as the highest authority with responsibility for recommending public policy in its area of concern. The Council may take whatever decisions it deems necessary to achieve the purpose for which it was established. More particularly, its duties are to:

- Recommend public policy on childhood and motherhood;
- Prepare a comprehensive draft national plan on childhood and motherhood in the framework of the State's general plan for protecting children and mothers in various domains, especially social and family welfare, health, education, culture, the media, and social protection;
- Monitor and assess the implementation of public policy and the national plan on childhood and motherhood, in light of reports which it receives from ministries, organizations and other entities, and to issue guidelines on the elimination of obstacles thereto.



### **The Department of Human Rights and Social and International Humanitarian Affairs (Ministry of Foreign Affairs)**

The Ministry is an official channel of communication tasked with briefing regional and international actors on Egypt's national achievements. It is well aware of the importance of the interrelated aspects of human rights issues and their direct impact on Egypt's image abroad. Accordingly, in the early 1990s, the Ministry decided to establish a special department specifically to follow up on human rights issues. The department's terms of reference include international social and humanitarian issues, in addition to its primary task of following up on all human rights questions discussed in different regional and international forums and given concrete expression in declarations, resolutions, conventions, protocols, and the like.

### **The General Department for Human Rights of the Ministry of Justice**

The Department for Human Rights was established pursuant to Decree No. 3081 of 2002, issued by the Minister of Justice; its duties are summarized below:

- To prepare a database that brings together all international and regional documents, resolutions, recommendations, etc. on human rights, together with relevant Egyptian laws, decrees and court decisions;
- To represent the Ministry in human rights committees established by government bodies and academic and scientific institutions.

### **The Higher Committee for Human Rights (Ministry of the Interior)**

The Higher Committee for Human Rights was established by Ministerial Decree No. 22562 of 2001, as part of the Ministry of the Interior and its members include senior managers of all security and police departments at the Ministry. Its duties are to:

- Explore ways of safeguarding human rights in dealings and contact between the Ministry's different departments and the public;
- Monitor compliance by all the Ministry's personnel with the obligation to respect human rights and fundamental freedoms;
- Study any obstacles that may prevent individuals from exercising all their rights and fundamental freedoms and to devise the best solutions for eliminating them.

### **The Human Rights Committee (Ministry of Social Affairs)**

The Human Rights Committee was established at the Ministry of Social Affairs, pursuant to Ministerial Decree No. 41 of 1 March 2004. The Committee is made up of senior Ministry officials and is tasked with preparing periodic reports on the Ministry's efforts in the field of human rights and taking up complaints which the Ministry receives from members of the public about the human rights of specific groups, such as children, women, persons with disabilities and older persons.

## **The Human Rights Committee of the People's Assembly**

In light of the continuing trend towards the development and consolidation of national human rights mechanisms, the People's Assembly decided to establish the Human Rights Committee to work in parallel with these mechanisms, in the framework of the powers vested in the People's Assembly. In particular, the Committee represents a new mechanism for monitoring the Government's human rights record.

## **Civil society organizations**

Civil society organizations are one of the mainstays of the human rights scenario in Egypt. The Civic Associations Act No. 84 of 2002 authorizes the establishment of civil human rights organizations and allows international organizations to open branches in Egypt. The number of registered human rights associations working currently stands at 81.

These organizations play an important role in disseminating a culture of human rights and improving awareness of international human rights instruments through various activities, such as seminars and conferences, as well as the material that they publish on the subject. Several leaders of civil society organizations took part in the establishment of the National Council for Human Rights.

## **The Press Authority**

The press is an important human rights mechanism. According to article 207 of the Constitution, the press is a free authority which pursues its vocation independently, in the service of society, using all means of expression and contributing to and reflecting public opinion in the framework of the basic components of society, in order to safeguard freedoms, rights and public duties and respect for the inviolability of citizens' privacy, in accordance with the Constitution and the law.

Egypt boasts a host of newspapers, including national and party newspapers and other organs published by public and private corporations.

The press, by virtue of its wide circulation, is an important mechanism for disseminating a culture of human rights, raising awareness of international human rights instruments and monitoring all human rights violations and important domestic, regional and international events.

The expansion in [text missing] is a reflection of ambitious plans to disseminate a human rights culture and integrate it into citizens' daily lives as a modus operandi, a way of life and a future vision for all mankind. This integrated system is also a national monitoring network operating in the governmental, public, parliamentary, judicial and media domains and allowing these mechanisms, within their respective own areas of concern, to keep the human rights situation under constant review. This also reflects the State's commitment to benefiting from their input and recommendations and to demonstrating the necessary support and develop all national efforts aimed at promoting respect for human rights and thereby attaining the lofty goals which the human community has embraced.

**(b) Judicial mechanisms**

The Egyptian legal system is founded on the rule of law and the independence of the judiciary. The Constitution provides for a judicial authority comprising different types of courts and for the establishment of the Supreme Constitutional Court to rule on the constitutionality of laws. Egypt's judicial system, as regulated by the Constitution, is described in some detail hereunder.

**The Supreme Constitutional Court**

Articles 174-178 of the Constitution provide for the establishment of the Supreme Constitutional Court, an independent court with exclusive jurisdiction to decide on the constitutionality of laws and regulations and the interpretation of legislation. The members of the Supreme Constitutional Court enjoy judicial immunity and cannot be dismissed; they are answerable only to the Court itself. The Court's decisions on constitutional questions and interpretation of the law are published in the Official Gazette and are final and binding on all State authorities.

In reviewing the constitutionality of laws, the Supreme Constitutional Court has handed down various rulings in which it found particular legal articles to be unconstitutional on the grounds, because they breached the Constitution.

The fact that constitutional rulings are binding on all State authorities is evidence that the Constitution is applied and that the Supreme Constitutional Court (a domestic means of redress) performs its function of adjudicating constitutional disputes referred to it by individuals or other judicial bodies. This reflects the State's continuing commitment to the principle of the rule of law and the independence of the judiciary and ensures consistency among all court rulings from a constitutional standpoint. This also reflects the determination of Egyptian legislators to abide by the decisions of the Supreme Constitutional Court on legislative articles that are found to be unconstitutional.

The Constitutional Court, in its ruling in case No. 8, judicial year No. 8, issued at the session held on 7 March 1992, affirmed the important principle that the State must guarantee the right to legal redress in accordance with article 68 of the Constitution. It must guarantee this right to everyone, be they a national or a non-national, since it represents a means for protecting the legal rights of every individual and for countering any violation of those rights.

**The judiciary**

The subject of the judiciary is addressed in chapter V, section 4, of the Constitution, articles 165 to 173 of which provide that the judiciary is independent, that judges are independent and are subject to no authority other than the law, that there can be no interference in their work, and that they cannot be dismissed. The Judicial Authority Act No. 46 of 1972 regulates all questions pertaining to the appointment of judges and their professional standing.

Article 172 of the Constitution provides that the Council of State is an independent judicial body competent to adjudicate in administrative disputes and disciplinary cases.

The judicial authority in Egypt is divided into different levels of civil and criminal courts, administrative courts, and the Council of State, each of which will be considered separately hereunder.

### **The courts**

The civil and criminal divisions of the courts hear all kinds of civil disputes and the criminal divisions try legally designated offences in accordance with the law, on the basis of the disputes before them, in light of established constitutional principles and in conformity with the rules and procedures laid down in the Code of Criminal Procedures, as applied by all civil courts, and the Code of Criminal Procedures, as applied by the criminal courts. Both codes regulate the levels and types of courts, their jurisdiction, levels of appeal against court judgements, judicial remedies, the procedures for conducting proceedings and the safeguards that must be provided for plaintiffs and defendants. By law, anyone who is a victim of a criminal offence has the right to bring a civil action for damages before the court trying the criminal case. Needless to say, these criminal offences include violations of public rights and freedoms. The Egyptian judicial system is based on two levels of jurisdiction, and the courts are divided into courts of first instance, appeal courts and the Court of Cassation.

The law determines the jurisdictions of the different levels and types of court on the basis of two fundamental criteria: the importance of the case, and the nature of the case. Courthouses in Egypt are located in the seats of governorates and provinces in order to bring judicial institutions closer to people seeking legal redress. The courts have both civil and criminal divisions. Courts of first instance are located in the seats of governorates and there may be more than one in densely populated governorates. Cases are heard by a panel of three judges.

There are eight courts of appeal for the entire country covering all the governorates of Egypt and consisting of panels of three judges appointed from among presidents, vice-presidents and justices of appeal courts. These courts have both civil and criminal divisions.

The Court of Cassation is a single court headquartered at Cairo. It consists of panels of five judges, selected from among vice-presidents and justices. The Court of Cassation hears appeals against judgements delivered by appellate courts or by courts of first instance sitting as courts of appeal in cases in which they are competent to hear appeals. The law specifies the grounds on which an appeal may be brought before the Court of Cassation.

### **Department of Public Prosecutions**

The Department of Public Prosecutions is an integral part of the Egyptian judicial system. It consists of the Prosecutor-General, who is assisted by assistant prosecutors, senior attorneys and ordinary public chief prosecutors, deputy prosecutors, assistants and junior officers. Posts in the Department are classified according to a system of equivalence with judicial positions, beginning with the post of senior prosecutor, which corresponds to the rank of judge. The Department has prosecution and other offices attached to courts of appeal, courts of first instance and summary courts. Members of the Department, from the rank of assistant upwards, cannot be dismissed and have judicial immunity. The Department has investigation and prosecution functions. It can launch an initial investigation in a public prosecution case and can discontinue a case on legal grounds. It also has the right to refer whatever cases it sees fit to the competent

criminal courts. (It is worth mentioning that the members of the Department of Public Prosecutions were granted judicial immunity pursuant to an amendment to the Judicial Authority Act made in 1984 following the adoption of international resolutions on separation of investigation and prosecution functions and the independence of members of prosecution services.) The Department has authority to investigate complaints referred by the police or lodged with it directly. It can issue arrest, confiscation and search warrants, and detention orders that are valid for up to four days, which period may be extended by order of a magistrate of a competent summary court.

The Department is represented in particular civil cases, such as personal status and bankruptcy cases. It also conducts regular and surprise inspections of prisons and other lawful places of detention.

On 27 July 2005, the Prosecutor-General issued Decision No. 1221 of 2005, establishing a special human rights protection section to investigate, follow up on, and identify any human rights violations or complaints.

### **Administrative courts and the Council of State**

In exercising its powers and functions and adopting decisions or regulations which affect the interests of individuals or groups, whether with regard to services or the measures that it must take vis-à-vis citizens, the executive authority is necessarily bound by all the constitutional principles and legal rules in force in the country and, within the limits of its executive power, it must serve the public interest, comply with purely objective criteria and protect the interests of citizens on the basis of those criteria, and in accordance with applicable legal principles.

The Council of State and the administrative courts offer legal redress which is open to anyone wishing to challenge a decision of the executive authority, regardless of whether the decision is a positive decision or act or an omission. Anyone who applies to an administrative court can request the annulment of a decision which is defective because of an error of law, want of jurisdiction, or a procedural defect or which is vitiated by an error of application or interpretation or an abuse of authority, and can claim damages in that regard.

The Council of State is an independent judicial body (article 172 of the Constitution), and the Council of State Act No. 47 of 1972 establishes the jurisdiction of its courts to hear appeals against final decisions and applications for the annulment of administrative decisions and compensation on the grounds mentioned above. An omission is taken as an administrative decision. The Court is also competent to hear appeals against disciplinary decisions. The Act regulates the methods, procedures and levels of appeal against judgements. It states that judgements which overturn court judgements are binding on all and a refusal to enforce them constitutes an offence punishable under the Egyptian Penal Code (art. 123).

As stipulated in the Council of State Act, the Council of State comprises three divisions: judicial affairs, legal opinions, and legislation. The Judicial Division is made up of the Supreme Administrative Court, the Administrative Court of Justice, the administrative and disciplinary courts, and the Board of State Commissioners.

**(a) The Judicial Division**

Cases brought before the administrative and disciplinary courts are heard by a panel of three judges, chaired by an assistant justice and with two assistant judges as members. These courts operate in the governorates and function as courts of first instance. Their decisions can be appealed before the Administrative Court of Justice, by the parties or by the Board of State Commissioners.

The Administrative Court of Justice consists of panels of three justices. It is competent to rule on administrative disputes, appeals against administrative decisions and compensation claims. It is also competent to hear appeals against rulings of the administrative and disciplinary courts (art. 10).

The Supreme Administrative Court consists of panels of five judges. It hears appeals against rulings handed down by the Administrative Court of Justice or administrative and disciplinary courts on the legal grounds specified in the Act.

The Board of State Commissioners oversees all levels of justice dispensed by the Council of State. It prepares opinions and examines administrative cases.

**(b) Legal Opinions Division**

This Division is competent to issue opinions on questions referred to it by the relevant departments of different ministries, and to investigate complaints (art. 58).

**(c) Legislation Division**

The Legislation Division reviews laws and republican legislative decrees. It convenes general assemblies to discuss questions of State and disputes between government agencies (art. 66).

The constitutional, civil, criminal and administrative courts, which make up this judicial structure represent Egypt's domestic means of redress. They protect people's rights and freedoms, punish any violation of human rights that constitutes a criminal offence, and award compensation to victims. The administrative courts are also a means of redress with regard to the Government's performance in the area of rights and freedoms. They have competence to overturn administrative decisions that are unconstitutional, illegal or arbitrary and to award compensation to the persons that they have harmed.

The main laws on the Egyptian judiciary are:

- The Constitutional Court Act No. 48 of 1979;
- The Judicial Authority Act No. 46 of 1972;
- The Council of State Act No. 47 of 1972.

Full international safeguards and norms that guarantee the independence and immunity of judges and ensure that justice is dispensed impartially and fairly are provided.

11. *Please comment on reports according to which women still need in practice permission, from their guardian or husband to obtain a passport, despite the amendment to the Passports Act (No. 97 of 1959).*

In accordance with Supreme Constitutional Court ruling No. 243/21, issued on 4 November 2000, articles 8 and 11 of the Passports Act No. 97 of 1959, granting the Minister for Internal Affairs the power to decide on the conditions for issuing passports, were declared to be unconstitutional. Since then, everyone has had the right to a passport.

12. *Please indicate whether an inquiry has been, or is due to be, held into the events of 30 December 2005 that led to the deaths of 27 Sudanese migrants.*

The Department of Public Prosecutions conducted an investigation into the incident, registered as El-Duqqi administrative case No. 9975/2005 and El-Duqqi investigation case No. 117/2006, on the basis of a police report on the break-up of a demonstration by Sudanese nationals in a garden in the Buhairah area close to the regional office of UNHCR.

The Department of Public Prosecutions questioned the police officers and police constables who broke up the demonstration and the people who had been injured by the demonstrators. Several civilian witnesses were questioned and the bodies of the 27 persons who died were sent for a post-mortem examination by order of the Department.

According to the post-mortem carried out by the forensic pathologist, death was caused by asphyxiation, resulting from pushing by the demonstrators; who were under the influence of alcohol and drugs. No deaths were caused by the use of police equipment to break up the crowd; the police only used water cannons. The investigation relating to manslaughter of the deceased and unlawful wounding of those who were injured by the police or because they resisted the authorities and failed to obey orders was discontinued, because the identity of the perpetrators had not been ascertained.

The Department of Public Prosecutions is a branch of the judicial authority and its members enjoy judicial immunity under Egyptian law.

13. *Please indicate how many migrant workers have been in administrative or judicial detention since 2000 and why they were being held. In practice, do migrant workers enjoy the same protection as Egyptian citizens in cases of detention and before the courts?*

There are no migrants in [administrative] detention in Egypt. All the rules and guarantees which the Egyptian legal system has established for persons subject to criminal proceedings apply to everyone without any discrimination between Egyptians and foreigners and whatever the reason for their presence in the country. As far as migrants in judicial detention since 2000 are concerned, they are there because they have committed a legally designated offence. We shall prepare a statement on this subject and submit it to the Committee as soon as it is ready.

With regard to places of detention, these are defined in detail in, and regulated by, the Prisons Act No. 396 of 1956, which classifies accused persons and places of confinement depending on the nature of the penalty. These places are inspected regularly by members of the Department of Public Prosecutions and the judiciary. It is an offence under Egyptian law to detain a person in a place other than one of these facilities.

In light of the recommendations which the National Council for Human Rights had made in its regular annual reports, the Code of Criminal Procedures was amended in 2005 to place legal and judicial restrictions on the use of preventive detention and establish absolute time limits for the measure.

14. *Please provide statistics and, if available, examples of case law or sanctions taken against employers who breach the provisions of the Convention with regard to ill-treatment of migrant workers and the seizure of their identity papers or other documents (CMW/C/EGY/1, para. 140).*

More time is needed to prepare these statistics and to enable the branches of the Criminal Justice Department and judicial bodies to discover whether or not such measures have been taken. We shall provide the distinguished Committee with the information as soon as it is ready.

15. *Please indicate whether any measures of collective expulsion have been taken, including against Sudanese migrant workers. Please also describe the procedures for expulsion.*

No measures of collective expulsion of migrant workers have been taken in Egypt.

16. *Please give more details on the measures taken to inform migrant workers of their right to have recourse to the protection and assistance of the consular and diplomatic authorities (CMW/C/EGY/1, paras. 141-142). Indicate what measures have been taken to facilitate consular services' response to the need for protection of migrant workers and members of their families, and, in particular, to provide assistance to those of them in detention.*

Consular services are provided in accordance with established international treaties. Consulates are notified if any judicial proceedings are brought against a foreigner in Egypt so that they can render the necessary assistance.

17. *Please explain why, under article 27 of the Labour Code, the protection afforded to migrant workers by the Code is subject to a reciprocal agreement (CMW/C/EGY/1, para. 144). How is this requirement applied in practice? Please give details on the measures taken to ensure equal treatment for migrant workers in an irregular situation with regard to, in particular, remuneration, hours of work, weekly rest, holidays with pay, safety, health and other conditions of work.*

The principle of reciprocity, which is recognized by many international agreements, grants exemptions to the nationals of the particular States concerned with regard to the legal process for obtaining work or residence permits. These benefits are provided by agreements



between States in order to improve the situation of migrant workers in those same States. This condition is applied in the framework of international labour agreements in order to achieve balance and to benefit from improvements in the situation of Egyptians abroad.

According to Egyptian law, this condition applies to foreigners in Egypt who are subject to the Labour Code. Foreigners employed by the Government, public institutions and the civil service are given the same social security status as Egyptians, without any extra conditions.

Guarantees of equal treatment for migrant workers in an irregular situation with regard, in particular to, remuneration, hours of work, weekly rest, holidays with pay, safety, health and other conditions of work, are implemented by means of inspections of enterprises by the Ministry of Labour, and legal action is taken against employers who breach the law. This matter is regulated by articles 224 to 226 of the Labour Code. Employers are subject to the penalty prescribed in article 256 of the Labour Code for breaching the regulations on occupational safety and health and working conditions, and to the other penalties set out in article 249 for breaching the regulations on night work and rest. The aforementioned articles apply regardless whether or not the migrants involved have a regular status.

18. *What is the State party's position on social security for migrant workers whose employment contract is for more than one year (CMW/C/EGY/1, paras. 156 and 158)? Please explain why social protection for migrant workers is subject to a reciprocal agreement.*

Egypt seeks to conclude bilateral agreements on reciprocal social security benefits in accordance with article 27 of the Convention. It has made various arrangements to facilitate the preservation of social security benefits and maintain workers' social insurance entitlements, as explained above in the reply to question 9.

19. *Please specify how the right of each child of migrant workers, including undocumented workers, to have a name, to be registered at birth and to have a nationality is implemented in practice.*

Under Egyptian law, if a migrant worker wishes to obtain official permission to bring his family into the country, his children must be documented in accordance with the laws of their country and must have a name and a nationality in accordance with the 1991 Convention on the Rights of a Child. Where a child is born to a migrant worker, his or her papers must be authenticated by the relevant consulate in accordance with Egyptian law.

According to the Children's Act and the Code of Civil Status, births must be reported by the medical authorities. The legal guardian (the father or mother) must register the birth, obtain the necessary certification and have it authenticated by the consular service, if he or she is not an Egyptian. The Nationality Act recognizes the fact of being born in Egypt as grounds for acquiring Egyptian nationality. The same applies to foundlings, children with an Egyptian mother and children of stateless parents.

20. *Please explain how, in the light of the administrative procedures that have to be followed to gain access to and enrol in Egyptian State schools, the basic right of access to education is guaranteed in practice to each child of a migrant worker. Is this right guaranteed to each child of a migrant worker residing unlawfully in Egypt, or whose parents are in an irregular situation? And if so, how? In this regard, please clarify if Decree No. 24 of 1992 of the Ministry of Education applies to children residing unlawfully in Egypt (CMW/C/EGY/1, para. 163).*

All the procedures and rules regarding enrolment in government and private schools are the same for foreigners as they are for Egyptians. This right does not apply to persons in an irregular situation.

21. *Please indicate which administrative bodies are responsible for providing the information required by article 33 of the Convention to Egyptians who emigrate and foreign migrant workers in transit or residing in Egypt. Please specify what information is supplied to Egyptians who migrate abroad, irrespective of their status, including those who migrate to the countries in the Persian Gulf, particularly with regard to the conditions for admission and their rights and obligations under the law and practice of the State of employment, as well as the judicial remedies available to them in the event of a violation of their rights (CMW/C/EGY/1, paras. 195-209).*

Egypt provides internationally recognized consular services to foreigners living in Egypt. As for Egyptians working abroad, the Ministry of Foreign Affairs and its diplomatic and consular missions abroad provide numerous services for their protection, including, inter alia, the following:

- Consular services for nationals abroad (in coordination with the Ministry of the Interior and relevant State institutions), such as the issuance of birth and death certificates; passports; a newspaper on the crime situation; registration of births; marriage and divorce contracts; endorsement of educational certificates; renewal of driving licences, etc.;
- Encouraging citizens to register their names and details with our diplomatic missions so that they can provide them with assistance and contact them more easily if need be;
- Reducing, in coordination with the Ministry of Defence, the military conscription problems which affect the ability of Egyptian youth to continue their professional activities and studies abroad;
- Receiving and replying to citizens' requests for information about their relatives in States throughout the world;
- Dealing on a daily basis with tens of court notices on the rights of Egyptians abroad and helping them to obtain their entitlements;

- In the event of death, the Ministry contacts the relatives of the deceased in the home country and obtains the necessary approvals to ship the body to Egypt, if that is what they want. The State pays for the preparation and shipment of the body in case of impoverishment on the part of the national or the relatives;
- The Ministry of Foreign Affairs conducts consular tours to meet Egyptian expatriates in different countries. The delegations making these tours include senior officials from every State institution involved in citizens' affairs. Meetings with nationals are held in the locations where these persons gather or at the offices of diplomatic or consular missions, in order to discuss problems directly;
- The consular offices intervene on behalf of nationals arrested in connection with criminal wrongdoing;
- The offices help Egyptians living in an irregular situation to resolve their status in accordance with the laws of the country in which they live or return them safely to their country of origin and intervene with the State authorities to protect them;
- They encourage the establishment of legal entities such as associations, leagues and clubs that register formally in the countries of residence of Egyptian expatriate communities, in order to unite their endeavours and boost their role in their local communities;
- They organize conferences and seminars to inform expatriates about employment and investment opportunities in Egypt and encourage them to invest their money in their home country;
- Over one year ago, the Ministry of Foreign Affairs set up operations and monitoring rooms and a round-the-clock hotline in the consular section, largely with a view to providing the best possible protection to nationals and to giving them a chance to call directly to resolve any problem that they may have or to ask for information of interest to them;
- The Ministry of Foreign Affairs has created a mechanism to carry out regular inspections of its missions abroad, to address any shortcomings in their performance and to identify the problems which missions encounter and develop and devise ways of addressing them.

It must be recalled that a consulate is an official entity bound by the laws, administrative regulations and financial rules of the State, as well as the applicable international laws. There are some issues outside its purview which it is not able to address, such as:

- The provision of monetary guarantees or loans or the payment of debts or other claims to hotels, hospitals or banks, on behalf of any party. These are matters of personal liability and the law essentially attributes responsibility for them to the national concerned;

- Payment of a national's return travel ticket, except in the event of forcible expulsion, in which case the individual will be asked to repay the cost after returning to the home country;
- Issuance of a permit, employment contract or entry visa; these matters must be arranged by nationals themselves before travelling;
- Intervening officially on behalf of Egyptians who have dual nationality with the foreign authorities of States that do not recognize dual nationality;
- Intervening with the judicial authorities on behalf of any national under investigation, representing a national in court, or paying a national's defence costs.

Knowledge of the laws of the home country and the country of residence, of one's rights and obligations, and of the procedures for settling one's affairs is indispensable and is the only way for a national to avoid many problems. Such knowledge helps nationals to settle their affairs in the best and most appropriate way. The Ministry of Foreign Affairs offers many channels for this purpose, through its electronic website, the website and hotline of the consular section's travel advisory unit, and the websites of Egyptian embassies and consulates in whose jurisdiction Egyptians live.

The Ministry of Manpower and Migration has established a post of labour attaché in some places to bring Egyptian expatriates together in order to resolve all the problems concerning their presence abroad and to make it easier to provide services to them.

The National Council for Human Rights is conducting a study on Egyptians abroad and includes information in its regular reports on the problems that they face and the steps taken by the Government to resolve them.

Action on migration issues and the welfare of Egyptians abroad has two main focuses:

**Focus 1:**

The focus here is on regulating permanent or temporary emigration, primarily with a view to guaranteeing the unrestricted right to migrate in accordance with the conditions set forth in the Constitution and to linking migration policy to the State's economic development goals and the national interest. Training of workers in various areas is being stepped up to compensate for the shortage of trained workers in the production and basic services sector resulting from emigration. More training centres are being created and educational and other kinds of programmes are being put in place to make up for the fact that there are no impediments to, or restrictions on, emigration.

**Focus 2:**

More attention is being paid to the welfare of Egyptian communities abroad, with an emphasis on future generations of Egyptians abroad, in cooperation with ministries and organizations concerned with migration. Efforts are also being made:

- To make it easier for Egyptian expatriate communities to contribute to Egypt’s general development plans and to build capacities at home and abroad;
- To support the formation of Egyptian federations, clubs and leagues in destination countries and their efforts to establish Egyptian communities;
- To preserve the Arabic language, Arab culture, the national and folk heritage and spiritual ties among migrants, and to strive to pass on this heritage to future generations;
- To sensitize Egyptian youth to the dangers of irregular migration in order to prevent and reduce the dangers associated with it;
- To influence positively the choices that Egyptians make with regard to migration opportunities, providing them with information and improving their understanding of the facts about migration;
- To focus on providing information about the risks of irregular migration.

22. *Please provide more information on the restrictions on the freedom of movement mentioned in paragraph 170 of the report (CMW/C/EGY/1). Specify in which circumstances they can be imposed on migrant workers, and the nature of these restrictions.*

There are no restrictions on the movement of migrant workers.

23. *While the report mentions that migrant workers are free to join trade unions and any other lawfully established associations and to participate in their administration (CMW/C/EGY/1, para. 155), it goes on to say that foreign members of such associations do not always have the right to participate in their administration depending on the by-laws of the organization concerned (para. 177). Please clarify the position of migrant workers in such associations. Please explain why they are sometimes not allowed to participate in the administration of a trade union or association, and how migrant workers can in practice exercise their right to form a trade union.*

The Trade Unions Act No. 35 of 1976 applies to all workers. Under article 3 of the Act: “Workers are free to join or to withdraw from a trade union. The statutes of a trade union shall stipulate the rules and procedures for joining and refusing to join, and the rules and procedures for withdrawing.” According to article 7: “The trade union structure shall take the form of a pyramid and shall be based on the unity of the trade union movement. The layers of the structure shall consist of the following trade union organizations:

- The trade union committee in an enterprise or a trades and crafts committee;
- The general union;
- The General Federation of Trade Unions;

- The General Federation of Trade Unions decides on the rules and procedures for the establishment of the trade union organizations referred to in the preceding paragraph and any branches thereof.”

Article 19 of the Act lays down the following conditions for membership of a trade union organization:

- The applicant must not be below 15 years of age on the date of submission of his membership application;
- The applicant must not be subject to an attachment order;
- The applicant must not be an employer in any kind of commercial industrial, agricultural or services enterprise. With regard to membership of an agricultural trade union, an employer shall be taken to mean an individual who owns or possesses more than three feddans of land;
- The applicant must never have been convicted of a criminal offence or sentenced to imprisonment for an offence against honour or security, unless he has been officially rehabilitated;
- The applicant must work in an occupation or activity in a category represented by the general trade union;
- The applicant must not belong to any other union, even if he exercises more than one profession.

The structure of the trade union movement in Egypt is based on enterprise units or occupations. Consequently, the participation of non-Egyptians depends on the labour relations in an enterprise or occupation with its own trade union.

Act No. 84 of 2002 sets out the rules and procedures regulating civil associations, their activities and the privileges afforded them by law. The Act imposes restrictions on the exercise of these rights: it is forbidden for associations to establish militias and to pursue political activities, and they must avoid engaging in discrimination, acts incompatible with the preservation of public order and public morals, and profit-making activities. These conditions do not breach the terms of article 2 of the Convention. Foreign nationals may join these associations and work for communities of expatriates, who work in Egypt.

Article 32 of Act No. 84 of 2002 stipulates that in associations with foreign members the percentage of members of the governing board who are nationals of the Arab Republic of Egypt must be at least the same as the percentage who are members of the association.

In Egypt, there are many friendship associations, charitable associations and associations that cater for foreign students and groups. These associations provide family, childcare, senior care, educational, cultural and health services, and organize sporting activities, religious education, social services, festivals, seminars, and cultural exhibitions.

There are 35 registered associations of this kind in Egypt.

24. *Please provide information on measures envisaged by the State party to facilitate the exercise by Egyptian migrant workers living abroad of the right to vote and be elected in elections held in the country (CMW/C/EGY/1, para. 175).*

In light of the preparations being made to amend the Constitution, consideration is being given to ways of involving Egyptians abroad in parliamentary and presidential elections.

25. *Please indicate whether there are any plans to establish a procedure or institution to take into account the special needs, aspirations and obligations of Egyptian migrant workers and members of their families. Please explain the role of the High-Level Committee for Emigration mentioned in article 4 of the Emigration Act (No. 111 of 1983).*

In reality, emigration is how a migrant endeavours to obtain the means for a decent life and to raise his own and his family's living standards; it is essentially linked to the human right to a decent life. Emigration, in its present form, is an important means for resolving the problems that some countries face, including, inter alia, of economic and social problems.

Egypt is a labour-sending country and a developing country with economic problems that prompt citizens to go abroad for work, in the hope of achieving a higher standard of living. In that light, the Egyptian legislature, in the Labour Code No. 12 of 2003, lays down the procedures regulating employment of Egyptians in the country and abroad and establishes safeguards to protect all their rights and to guarantee them the necessary protection to preserve those rights. Egyptian law identifies the institutions that are authorized to send Egyptian workers abroad, including enterprises licensed to recruit Egyptian workers abroad. Presidential Decree Law No. 119 of 1982, as amended by Act No. 10 of 1991, regulates the working practices of these enterprises, imposing numerous conditions in order to protect Egyptian workers and safeguard their rights. In addition, the law makes it an offence to send or to employ Egyptian workers abroad without having a licence to do so.

The Egyptian legislature adopted Act No. 111 of 1983, which affirms the constitutional right of Egyptians, separately and severally, to emigrate permanently or on a temporary basis. Under the Act, the Egyptian State has an obligation to look after Egyptians abroad, to support their ties with Egypt by organizing conferences and creating Egyptian federations and clubs in destination States and to provide the necessary information media to help them to keep in touch with their home country and preserve their Arab Egyptian identity. Pursuant to the Act, the Higher Committee for Migration was set up under the chairmanship of the Minister of Emigration to look after migrants, provide them with employment opportunities, and protect their rights.

According to article 5 of Act No. 111 of 1983, the Higher Committee for Migration established by article 4 of the Act is tasked with the following:

- Studying proposals for the establishment of vocational training centres for prospective migrants, especially in the industrial and agricultural sectors. Ministries and relevant institutions shall adopt decisions on the establishment of the centres, the regulation of their work and the rules for enrolling in them, without prejudice to the right of the private sector to offer training in industrial, professional and production units and to receive incentives for training in these areas;
- Studying proposals on the delivery of specialized courses to provide prospective migrants with qualifications. The Minister of Emigration shall issue a decision on the organization of these courses and programme content;
- Providing Egyptians abroad with cultural, media and folk material that helps them to keep in touch with their home country; providing resources to teach Arabic to the children of migrants; and supporting the efforts of Egyptian religious institutions to transmit the spiritual heritage to Egyptians abroad;
- Proposing facilities that may be provided to migrants before they depart, during their residence abroad, or after they come back home, temporarily or permanently.

The Labour Code No. 12 of 2003 regulates foreign labour in Egypt and access to work permits.

In the international arena, Egypt has kept pace with international efforts to address the issue of migration, having ratified the International Convention on the Protection of the Rights of Migrant Workers and Members of Their Families on 18 December 1990.

26. *Please provide information on the guarantees afforded to seasonal workers, especially in the agricultural sector, and to workers in mines and quarries.*

The Labour Code covers seasonal and temporary employment. Seasonal workers are afforded guarantees in the areas of occupational safety and health and employment insurance (fifth Labour Code law). The Code provides for the establishment of a higher council to safeguard occupational safety and grants labour inspectors the power to investigate violations and prosecute those responsible for them.

27. *Please indicate what measures have been taken to enable consular services to respond effectively to the need for protection of Egyptian migrant workers and members of their families, and, in particular, to provide assistance to those of them in detention. Please also specify what assistance is offered to Egyptian migrant workers who are the victims of a system of “sponsorship” designed to give the sponsor control over them for the duration of their stay in the State of employment, and sometimes even to prevent them from returning to Egypt.*

The Egyptian legal system makes no provision for a “sponsorship” scheme. The problems of Egyptians working in States that operate such schemes are addressed through the



consular services and the dispatch of special committees from Cairo which visit Egyptian expatriate communities in order to resolve these kinds of problems and endeavour to perpetuate their ties with the motherland.

28. *Please provide information on the phenomenon of trafficking and smuggling of human beings, especially from Sub-Saharan Africa and Eastern Europe through Egypt to Europe, countries in the Persian Gulf or Israel. Provide also additional information on the measures adopted to prevent and eliminate illegal movements of migrant workers.*

Egypt is a country of transit for nationals of sub-Saharan Africa, South-East Asia, the republics of the former Soviet Union, and Eastern Europe (mostly women), who either cross the Sinai desert, with the assistance of the Bedouin, on their way to Israel, where they hope to engage in prostitution, or are bound for Europe: the Suez Canal is the main crossing for criminal gangs which engage in human trafficking and smuggle migrants on board ships that pass through the Canal.

Incidents of human trafficking and smuggling of foreigners across the Sinai desert are few and far between and are not a major phenomenon. Adult women and men enter the country legally, using valid documents, for the legitimate purpose of tourism. They then make deals on their own initiative, with individual Bedouins in the Sinai desert, who help them to slip into Israel, where they hope to find work, either legal or illegal.

The security services have not received any reports or complaints from Egyptian nationals, foreigners or any international or regional organizations in this regard. The security services have not observed any human trafficking organizations operating or engaging in criminal activity in the country. Most of the cases that have been identified are individual cases and do not bear the hallmarks of an organization or an organized structure. Those involved in these activities do not use modern facilities or technology.

Egypt attaches considerable importance to the phenomenon of human trafficking, in the context of its multilateral activities and the positive contribution that it makes to the creation of international norms to tackle new issues which the international community is confronted, including transnational organized crime in its many forms and human trafficking in particular. Egypt, in fulfilment of its commitment to international cooperation on combating transnational organized crime, has ratified all the relevant international treaties and instruments, in particular, the Convention on Transnational Organized Crime and the supplementary protocols against the smuggling of migrants by land, sea and air and on the prevention, suppression and punishment of trafficking in persons, especially women and children.

All these international instruments are treated as domestic law, have the force of law under Egyptian law and must be applied by the relevant State authorities in accordance with article 151 of the Egyptian Constitution.

Our domestic laws prescribe harsh penalties for offences involving the most abhorrent aspects of human trafficking (prostitution; slavery and forced labour; exploitation of children in immoral activities; child labour; and trafficking in human organs), as defined in article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and

Children. Moreover, the Egyptian legislature, in the Money-Laundering Act No. 80 of 2002, prohibits laundering of the proceeds of transnational organized crime, especially trafficking in persons and illegal migration.

The Egyptian Government, through all its agencies, makes concrete endeavours to combat the phenomenon, identifying all the legal and illegal ports of entry to, and departure from, Egypt, establishing security controls, and preventing attempted illegal entry, bearing in mind the need not to affect tourism flows into Egypt, especially Sinai.

In addition to the foregoing, the Egyptian legislature addresses the subject of irregular migration in Act No. 89 of 1960, as amended by Act No. 99 of 1996, which, with regard to modes of entry to and departure from Egypt, defines the ports exclusively authorized for entry and departure, as stipulated by the Minister for Internal Affairs (and prescribing penalties for breaching the Act that are designed to serve as a deterrent). This Act was passed in the context of efforts to combat irregular entry to, or departure from, Egypt. The Egyptian authorities make major endeavours to prevent irregular Egyptian migration, focusing on the following areas:

- Raising awareness of the risks of illegal travel, providing information about labour market realities, and arranging for Egyptians to travel abroad for this purpose;
- Stepping up controls at the country's borders and places used to smuggle irregular migrants abroad, and establishing security cooperation with other countries in order to combat this crime.

As a result of these efforts, numerous attempts have been thwarted and are being dealt with in accordance with Egyptian law.

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