



EGYPT

Laws Regarding Gender, Reproductive Health and Family Planning

The following report is based on publicly available information and does not provide a definitive summary of current national laws.

Maternity Leave

A woman who has worked for 10 months for her employer is entitled to a maternity leave of 90 days, and the employer may not require her to work during the 45 days after childbirth. (Labor Law No. 12 of 2003, Art. 91) While on leave, she shall receive her usual compensation. She may only take this maternity leave twice during her service to the employer. (Labor Law No. 12 of 2003, Art. 91)

In addition to maternity leave, a woman who works in a facility that employs more than 50 people has the right to take leave without pay to care for her child, for up to 2 years. (Labor Law No. 12 of 2003, Art. 94) She may take such leave no more than twice during her time of service to the employer. Id.

Paternity Leave

Found no relevant law.

Menstrual Leave or Breaks

Found no relevant law.

Breastfeeding Leave

For 24 months after childbirth, a woman has the right to take two periods of rest daily, for at least 30 minutes each, to breast-feed her child. (Labor Law No. 12 of 2003, Art. 93) She may choose to combine both rest periods in one break. Id. These breaks supplement the fixed rest period for all employees. Id.

Family Planning and Reproductive Health Leave

Found no relevant law.

Other Leave Related to Family Responsibility

Found no relevant law.

Family Planning Services Offered in Workplace

Found no relevant law.

Child Care in the Workplace

In a facility that employs at least 100 women in the same location, the employer must establish a nursery school or utilize an outside nursery school to care for the women's children. (Labor Law No. 12 of 2003, Art. 96)

In a facility with fewer than 100 female workers, the employer shall implement the same obligations, according to the terms required by the appropriate minister. Id.

Limitations on Women’s Work – Generally

The appropriate minister may determine the types of work in which women may not be employed, and which works are “unwholesome and morally harmful to women.” (Labor Law No. 12 of 2003, Art. 90). The minister shall also define the conditions under which women may be permitted to work at night (7pm – 7am). (Labor Law No. 12 of 2003, Art. 89)

Limitations on Women’s Work – While Pregnant

Found no relevant law.

Nondiscrimination Law Based on Pregnancy Status (Implied)

Implied: An employer may not dismiss a worker unless the worker has committed a serious error. (Labor Law No. 12 of 2003, Art. 69) The law provides a list of errors that qualify as “serious;” it does not include dismissal related to marital status, pregnancy or maternity.

Pregnancy Testing – Law against Testing as a Condition of Employment

Found no relevant law.

Nondiscrimination Law Based on Marital Status (Implied)

Implied: An employer may not dismiss a worker unless the worker has committed a serious error. (Labor Law No. 12 of 2003, Art. 69) The law provides a list of errors that qualify as “serious;” it does not include dismissal related to marital status, pregnancy or maternity.

Violence against Women and Sexual Harassment – In the Workplace

Found no relevant law.

Violence against Women and Sexual Harassment – Generally

The Egyptian Penal Code prescribes penalties for all forms of violence against women. (Egyptian Penal Code, Law No. 58 of 1937; CEDAW)

In cases of sexual assault on women, the Code provides for a penalty of short-term hard labor, to be increased to life imprisonment with hard labor in some cases. Id. If the perpetrator abducts the woman through deception or by force, and sexually assaults her, the death penalty may apply. (Penal Code Art. 290, as amended by Law No. 214 of 1980; CEDAW)

For rape, either by force or intimidation, the law provides a penalty of 3 – 7 years hard labor. (Penal Code)

The law punishes abortion that results from beating or abuse, or is induced by drugs or other means. Id. This punishment applies to a woman if she willingly participates or places herself in the hands of another. Id. If a doctor or midwife performs the abortion, the penalty increases to life imprisonment with hard labor. Id.

A person who commits an indecent act with a woman, even in private, or does or says anything that offends her modesty, is considered a criminal and may be penalized with imprisonment or a fine. Id.

Separate Washrooms Required for Male and Female Workers

Found no relevant law.

First Aid Available in the Workplace (Gender Neutral) and Health Care in the Facility

Establishments must provide first aid for their workers. (Labor Law No. 12 of 2003, Art. 220)

In establishments with at least 50 employees, the employer must appoint a nurse on site and a doctor on call, who will visit the employees when necessary and give them the medications necessary for treatment free of charge. (Labor Law No. 12, Art. 220)

Labor Law Applies to Agricultural Workers

Found no relevant law.

The labor law **does not** apply to women who work in agricultural labor. Women do not receive protection from the provisions of the Labor Law, Chapter 2: Employment of Women Workers. (Labor Law No. 12 of 2003, Art. 97)

Separate Law Applies to Agricultural Workers

Found no relevant law.

Emergency Contraception Accessible – In the Country

The company DKT Egypt produces a progestin-only pill called Contraplan II that is available over-the-counter. (Princeton Report)

Abortion Policy in the Country

Abortions are only permitted to save the life of the mother. The Penal Code does not express this allowance, but criminal legislation generally allows abortions for this reason on condition of necessity. In Egypt, necessity may include cases in which pregnancy causes serious risks to the pregnant woman's health as well as cases of fetal impairment.

Three physicians must certify that a woman has accepted grounds for an abortion, and the husband must consent unless the physician believes the operation is necessary. (UN Abortion Policies Global Review)

Law against Female Genital Cutting – In the Country

The law prescribes penalties for those who perform female circumcision. (Center for Reproductive Rights Report) This law was enacted in 2008. Id.

Ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

Egypt ratified CEDAW on September 18, 1981 with the following **reservations** (Gender Law Library):

- Article 9, paragraph 2: Re: equal rights as to nationality of children.
- Article 16: Re: Equality of men and women in marriage and family relations.
- Article 29: Re: submitting to arbitration in dispute as to CEDAW.

- **General reservation on Article 2**
 - **Egypt is willing to comply with the content of this article, provided that such compliance does not run counter to the Islamic Sharia.**
 - CEDAW Committee has requested Egypt withdraw this reservation, as it does not further the purpose of the Convention. (HeRWAI)

RESOURCES

Constitution

1971: <http://www.egypt.gov.eg/english/laws/constitution/default.aspx>

CEDAW

<http://www.un.org/womenwatch/daw/cedaw/cedaw24/cedawcegy3.pdf>

Gender Law Library: <http://www.doingbusiness.org/elibrarydata/elibrary.aspx?libID=1>

Penal Code, Art. 375

HeRWAI: Health Rights of Women Assessment Instrument

<http://www.humanrightsimpact.org/uploads/media/HeRWAI.pdf>

Labor Law no. 12 of 2003: <http://www.masr.gov.eg/english/laws/labour/pdf/Book2.pdf>

Princeton Report (emergency contraceptives):

<http://ec.princeton.edu/questions/dedicated.html>

The Egyptian Penal Code (Law No. 58 of 1937) – cited in CEDAW

Center for Reproductive Rights Report

<http://reproductiverights.org/en/document/female-genital-mutilation-fgm-legal-prohibitions-worldwide>

UN Abortion Policies Global Review

<http://www.un.org/esa/population/publications/abortion/profiles.htm>