

UN expert on trafficking in persons urges Egypt to intensify its efforts at combating human trafficking

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Ms. Joy Ngozi Ezeilo, the United Nations Special Rapporteur on Trafficking in Persons, especially women and children, commended the Government of Egypt for accelerating its efforts in the fight against trafficking in persons, while noting some of the challenges that remain to be addressed in order to protect and respect the human rights of victims of trafficking in persons.

Ms. Ezeilo was speaking at the end of her 11-day fact-finding mission to Egypt from 11th to 21st of April 2010, which was conducted at the invitation of the Government.

The Special Rapporteur identified common forms of trafficking in persons in Egypt to include trafficking for the purposes of sexual exploitation of under aged girls through “seasonal / temporary” marriage, child labour, domestic servitude, other forms of sexual exploitation and prostitution. There are also indications that trafficking for forced marriages, forced labour, transplantation of human organs and body tissues may be much more than current estimates. Furthermore, the incidence of internal trafficking is much higher than transnational trafficking and the prevalence of street children increases their vulnerability to child trafficking. Thus, although Egypt has been variously described as a transit country, it may also be a source and a destination country. In this context, the Special Rapporteur reminded the Government of the dynamic nature of human trafficking: Trafficking in persons “knows no borders and every country is affected either as a source, transit and/or destination country”.

The Special Rapporteur appreciated the high level of political will to combat trafficking in persons, as reflected by the ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children (“Palermo Protocol”) and other relevant human rights instruments including the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); the Convention on the Rights of the Child and Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The Special Rapporteur also noted the effective cooperation between the Government and the United Nations system at the national level, as evidenced by some training programmes and the national study on human trafficking which is currently being conducted by the National Centre for Social and Criminological Research (“NCSCR”) with support of the United Nations and specialized agencies. The establishment of the National Coordinating Committee for Combating and Preventing Trafficking in Persons in 2007 also manifests the strong political commitment of the Government to tackle this issue. Further, the Special Rapporteur welcomed a number of important legislative developments, such as the adoption of the Law on Combating Trafficking in Persons on 20 April 2010, the adoption of the Organ Harvesting and Transplant Act which prohibits organ trafficking, the criminalization of child trafficking and the amendments to the Child Law which raised the minimum age of marriage for girls to 18 years old.

The Special Rapporteur also noted the visionary leadership of the First Lady, H.E. Mrs. Suzanne Mubarak, in raising public awareness and mobilizing the government, corporate sector and civil society organizations nationally and internationally in the fight against trafficking in persons. Furthermore, the Special Rapporteur praised the cooperation between the Government and the International Organization for Migration, which culminated in the establishment of a pilot medical unit dedicated to treat trafficked victims at the National Bank Hospital. The Special Rapporteur also learnt of an encouraging and innovative programme at the Faculty of Law at the University of Alexandria, which is designed to provide legal aid services to trafficked victims. Moreover, the Suzanne Mubarak Regional Centre for Women, Health and Development has established a health and well being clinic for women including specific responses to treat victims of gender-based violence.

Nevertheless, the Special Rapporteur observed a number of challenges that the Government must address in order to effectively combat trafficking in persons and to protect the human rights of trafficked victims. The Special Rapporteur identified the following as issues of immediate concern:

- The trend, forms and manifestation of trafficking in persons are not well-understood and there is a general lack of awareness and knowledge about trafficking in persons. In this regard, the Special Rapporteur welcomed the national study, which should bridge gaps in statistical information and provide indications of prevalent forms of human trafficking in Egypt.
- Absence of accurate data on trafficking in persons, especially in women and children, which has made it impossible to measure the magnitude of human trafficking in Egypt. While acknowledging that quality data may be scarce, it raises concerns as most stakeholders describe Egypt as a transit country without any supporting statistics.
- There is a growing trend of sexual and economic exploitation of young Egyptian girls by their families and brokers, who execute marriages that are also popularly known as “seasonal or temporary” marriage. These types of marriages sometimes provide a smokescreen for providing sexual services to foreign men.
- Victims of trafficking in a mixed migration context are often tagged as “illegal immigrants” and thus mis-identified and/or even criminalized. The Special Rapporteur recalls paragraph 7 of the Recommended Principles on Human Rights and Human Trafficking, which provides for the non-criminalization of trafficked persons.
- Lack of infrastructure and services specifically designed for assistance and rehabilitation of victims of trafficking, such as shelters and hotlines;
- Limited participation of and consultation with civil society organizations in formulating the anti-trafficking policies and programmes;
- Lack of labour law protection for domestic workers and limited utilization of the labour inspection system to effectively identify victims of trafficking in persons.

Some preliminary recommendations to the Government of Egypt include:

- Provide comprehensive training programmes to enhance knowledge and awareness of human trafficking for all stakeholders, including police, immigration/border guards,

prosecutors and judiciary and civil society organizations, including the media on effective reporting and messages on trafficking in persons. Furthermore, labour inspectors should be trained on identification of trafficking victims to enhance their skills to distinguish cases of trafficked victims from irregular migrants;

- Develop a comprehensive, holistic and integrative national plan of action on combating trafficking in persons, which clearly set out strategic objectives, responsibilities of all stakeholders, measurable indicators as well monitoring and evaluation tools;
- Root causes of trafficking such as poverty, unemployment, education, gender discrimination and inequalities including gender-based violence which increases vulnerability of women and girls must be tackled.
- Assistance provided to trafficked victims, especially shelter facilities, needs to be improved and service providers should be adequately trained to respond effectively to the needs of the victims. The existing shelters are intended for domestic violence victims and may therefore be inappropriate for victims of trafficking. In this regard, the Special Rapporteur refers to Article 6 of the Palermo Protocol, which obliges State Parties to protect and provide assistance to victims of trafficking in persons. In a similar vein, the national hotlines for children should be extended to respond to victims of trafficking, or a separate hotline dedicated to victims of trafficking should be established.
- Introduce legislation which criminalizes domestic violence, given the correlation between trafficking and gender-based violence.
- Introduce amendments in the Labour Code and the Child Law to prohibit child domestic help and other exploitative domestic work similar to slavery or servitude.
- Strengthen partnerships with NGOs while guaranteeing their independence and freedom of operations as human rights defenders.

The Special Rapporteur reiterated that comprehensive, collective and holistic efforts are crucial in combating trafficking in persons. Therefore, the strategies for combating trafficking should rest on the following 5 P's (Protection, Prosecution, Punishment, Prevention, and Promotion), 3'R's (Redress, Rehabilitation and Reintegration of victims) and 3'C's (Capacity, Cooperation and Coordination). Finally, the Special Rapporteur congratulated the Government on the adoption of the Law on Combating Trafficking in Persons and called for the full implementation of the new law, especially through awareness raising and public sensitization. The Special Rapporteur expressed her hope that the law will contribute in particular to the eradication of trafficking in persons for the purposes of temporary or seasonal marriages.

A preliminary and full report of this mission will be submitted to the United Nations Human Rights Council in June 2010 and in 2011 respectively.

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