



Joint Statement – 11 December 2016 – <http://nazra.org/en/node/531>

## **Closing Statement for “It Happens” Campaign**

Nazra for Feminist Studies, Elnadeem Center for the Treatment and Rehabilitation of Victims of Violence and Torture, the Center for Egyptian Women’s Legal Assistance (CEWLA), and New Woman Foundation (NWF) launched “It Happens” Campaign, within the context of the 16 Days of Activism International Campaign to Combat Violence against Women, during the period 25 November to 10 December 2016. “It Happens” Campaign tried to shed light on several aspects concerning the crime of rape in both private and public spheres, such as the psychological effects rape survivors suffer from, problems faced in the medical sector and services provided, and shortcomings of legal definitions. The campaign published video clips, info graphs, research papers, and conducted story telling performances and film screenings. The campaign also tried to work on breaking the societal and institutional complicity that shadows how this issue is dealt with and contribute in ending the normalization of this crime and the silence around it.

The launch of this campaign coincided with some developments that threaten the work of feminist groups and organizations which include travel bans, asset freezing, arrest warrants. On 7 December 2016, an arrest warrant was issued by the investigative judge in case 173 against Azza Soliman, Lawyer and Head of the Board of Trustees of CEWLA, and she was taken from home by a police force to Heliopolis police station, then to the New Cairo Court, in a worrying escalation against WHRDS, especially that Soliman was never summoned nor officially charged with any accusations. She has previously been banned from traveling on 19 November 2016, and her personal bank account and that of her law firm were frozen on 20 November 2016.



This was followed by the travel ban of Psychiatrist Dr. Aida Seif EIDawla on 23 November 2016, who is one of the founders of EINadeem Center for the Treatment and Rehabilitation of Victims of Violence and Torture, for which an administrative order was issued to close it on 18 February 2016 from the Ministry of Health. Moreover, Mozn Hassan, Founder and Executive Director of Nazra for Feminist Studies, was banned from traveling on 27 June 2016. All these developments take place within the context of parliament's approval of the NGO Law that restricts the work of civil society organizations in a vast manner. And despite these conditions, the concerned organizations launched the "It Happens" Campaign in conditions that work against them, stemming from their belief in combating violence against women and constantly tackling these issues for societal dialogue.

Subsequently, within the context of "It Happens" Campaign, we present a few recommendations related to combating the crime of rape:

#### **First: Legislative Reform and Policies**

- Amending articles related to rape in the Egyptian Penal Code, as Article 267 limits rape's definition to vaginal penetration by male genitals, which is a very limited definition and negates many forms of rape such as anal and oral rape, and that with fingers and sharp objects, which are usually classified as "indecent violation" (Hatk 'I'rid) according to Article 268, so that it includes rape's definition in all forms, and not specifying the gender of victims as women only.
- Amending the law to allow safe abortion for raped women
- Issuing a law that combats family violence and includes the criminalization of marital rape
- Unifying legal articles related to sexual violence in one chapter, specifically the fourth chapter of the 3<sup>rd</sup> section of the penal code entitled "Crimes of Sexual Violence" instead of "Indecent Violations"



- Limiting judges' mandate in using article 17 of the Egyptian penal code in crimes of rape, which allows rapists to escape punishment since it allows leniency to decrease issued sentences, and which is often used in crimes of rape and violence against women in general.
- Mainstreaming sexual health culture in the educational curricula of different stages
- Concluding an agreement to combat gender-based violence, including rape, in workplaces according to international agreements that guarantee women's rights.

### **Second: Services Provided to Survivors**

- Equipping public and private hospitals with rape kits, which include urgent methods of contraception and protection from Sexually Transmitted Infections (STIs)
- Training physicians to deal with victims/survivors of rape, which could be implemented through the continuation of the trainings organized by the Ministry of Health and UNFPA on the "Medical Protocol to deal with victims/survivors of violence", As well as monitoring and evaluating the performance of physicians who received the training, especially within the framework of the National Strategy to Combat Violence against Women
- Activating the unit of combating violence in the Department of Forensic Medicine, which should be working 24/7 to facilitate access of victims/survivors of rape and violence, and ensure preservation of evidence
- Activating an efficient referral system, so that rape victims/survivors could be referred to service providers according to their needs: shelters, hospital, Department of Forensic Medicine, psychological and legal support

### **Third: Preserving the Privacy of Rape Survivors**

- Preparing police departments, hospitals and the Department of Forensic Medicine with specific rooms for survivors of violence, to guarantee privacy



- Preserving the confidentiality of information and the privacy of survivors during all steps of the judicial procedure: police reports, prosecution investigations, trials, etc.
- Preventing the publishing of the details of secret investigations related to crimes of rape and violence

#### **Fourth: Civil Society Organizations**

- Stopping the targeting of activists in civil society and feminist organizations, and providing them with the needed spaces for their work, in accordance with the Egyptian Constitution, which includes the right to create associations and institutions by notification, and preserving the right of associations/institutions' general assembly to decide on policies, work regulations, and local, regional, and international activities without interference from administrative bodies as stipulated by Article 75 of the constitution, and Article 65, which guarantees freedom of thought and expression, and is reiterated in international agreements such as in Article 22 of the International Covenant on Civil and Political Rights
- Refraining from issuing the new NGO Law that was recently approved by the parliament, and which carries challenges and unprecedented constraints on the activity of civil society organisations, to allow a serious dialogue around the role of civil society and issue a law that allows them to practice this role instead of constraining it.