



This action is funded by the European Union

ANNEX 1

of the Commission implementing Decision on the Annual Action Programme 2016 (Part I) in favour of Egypt to be financed from the general budget of the European Union

Action Document for “Advancing Women’s Rights in Egypt”

INFORMATION FOR POTENTIAL GRANT APPLICANTS

WORK PROGRAMME FOR GRANTS

This document constitutes the work programme for grants in the sense of Article 128(1) of the Financial Regulation (Regulation (EU, Euratom) No 966/2012) in the following sections concerning calls for proposals: Section 5.3.1.

1. Title/basic act/ CRIS number	Advancing Women’s Rights in Egypt CRIS number: ENI/2016/039 542 financed under the European Neighbourhood Instrument (ENI)			
2. Zone benefiting from the action/location	Neighbourhood South, Egypt			
3. Programming document	Single Support Framework for European Union (EU) support to Egypt (2014-2016)			
4. Sector of concentration/ thematic area	Human Rights, Women’s Rights			
5. Amounts concerned	Total estimated cost: EUR 10.24 million Total amount of EU budget contribution: EUR 10 million This action is co-financed by potential grant beneficiaries for an indicative amount of EUR 240,000.			
6. Aid modality(ies) and implementation modality(ies)	Project Modality Direct management: grants – call for proposals Indirect management with United Nations Development Programme (UNDP) Indirect management with Egypt			
7. DAC code(s)	15160; 15170; 15130			
8. Markers (from	General policy objective	Not	Significant	Main objective

CRIS DAC form)		targeted	objective	
	Participation development/good governance	<input type="checkbox"/>	X	<input type="checkbox"/>
	Aid to environment	X	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality (including Women In Development)	<input type="checkbox"/>	<input type="checkbox"/>	X
	Trade Development	X	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	X	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers	Not targeted	Significant objective	Main objective
	Biological diversity	X	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	X	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	X	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	X	<input type="checkbox"/>	<input type="checkbox"/>
9. Global Public Goods and Challenges (GPGC) thematic flagships				

SUMMARY

The Egyptian 2014 Constitution provides for the respect of human rights, social justice and gender equality. In this framework, the overall objective of the proposed project is to contribute to the improvement of the situation of women in Egypt by advancing women's rights. The specific objective of the project is to support the Government's efforts towards abandoning Female Genital Mutilation/Cutting (FGM/C) and to strengthen women's access to justice and enforcement of laws. It is articulated around two components: 1) Support to the implementation of the National Action Plan for FGM/C abandonment and family empowerment (2015-2020); and 2) Support women's access to justice and legal empowerment through the expansion of legal aid offices in Family Courts and women support offices in Primary Courts.

The project responds to priority area 2 of the Single Support Framework (SSF) 2014-2016, which covers co-operation to facilitate access of citizens to public services, particularly women and girls in light of these constitutional provisions. For the achievement of the second component of the programme the involvement of EU Member States will be sought in order to transfer EU best practices through peer-to-peer co-operation with national beneficiaries. The proposed action has been identified and formulated in conjunction with all relevant stakeholders.

1 CONTEXT

1.1 Sector/Country/Regional context/Thematic area

Even though the Egyptian Constitution guarantees the rights of all its citizens, men and women, gender discrimination remains a reality. Moreover, violence against

women and girls is prevalent in the home, the public sphere and in detention. The Government of Egypt (GoE) has adopted various initiatives and implemented policies to address this issue and through the National Council for Childhood and Motherhood (NCCM) and the National Council for Women (NCW), created in 1988 and 2000 respectively, has provided an institutional framework to address gender issues and support women's participation in the development process. It is difficult to assess the exact extent and nature of the gender gap and the different forms of violence against women and girls in Egypt, given the absence of accurate, official and up-to-date statistical information. Little information is publicly available on the number of complaints lodged with the police, or the rate of prosecutions and convictions for violence against women and girls. However, the piecemeal statistical information that is available points to extensive violence against women and girls in both the family and the community¹. The mob attacks against women in Tahrir Square, which were widely reported during the 2011 revolution, have put the spotlight on the GoE and on the need for a better criminal justice response to all types of VAW. However, Egyptian law does not provide women adequate protection against violence and the Penal Code does not expressly criminalize domestic violence. Since the law does not differentiate between violence in the public and private spheres, the provisions of the Penal Code relating to assault also regulate instances of physical domestic violence against women and girls. However, no reference is made to sexual assault' but rather indecent assault', which is not defined.

Other discriminatory legal provisions exist which undermine women's status in the country. For example, under the Personal Status Law (which is based on Islamic shari'a and governs marriage, divorce, custody, and inheritance), women are not treated as individuals with their own separate or equal rights but rather as legal minors under the guardianship of male family members. Civil society organisations and the NCW have advocated for a reform of the personal status law, however, no progress has been made so far and it is not one of the legislative priorities of the current Government.

On the other hand, social indicators show slow progress in closing the gender gap, especially on the education and health fronts. The economic indicators show slower progress in terms of the representation of women in the labour markets and current unemployment levels are particularly high for women. Political and even judicial institutions also show slow progress. According to the latest Global Gender Gap report 2015, Egypt ranks 136th out of 145 countries in gender equality in the world after Saudi Arabia, Kuwait and the United Arab Emirates (UAE). This highlights a decline in the status of women in the country as Egypt ranked 129th out of 142 countries according to the Global Gender Gap index in 2014, and 125th out of 136 countries in 2013.

Female Genital Mutilation (FGM)

¹ 99%: Women and girls who reported experiencing some form of sexual harassment in a 2013 survey by UN Women (*Study on ways and methods to eliminate sexual harassment in Egypt*). 47.4%: Married, divorced, separated or widowed women who reported some form of physical domestic violence (EDHS, *Egypt Demographic and Health Survey 2005*, Ministry of Health and Population, National Population Council).

The culture of impunity and pervasiveness of gender-based violence against women and girls is demonstrated in the widespread practice of female genital mutilation (FGM). In 2000, the Demographic and Health Survey in Egypt (EDHS) showed that 97% of married women included in the survey had experienced female genital cutting. Another study by the Egyptian Ministry of Health and Population in 2003 reported that over 94% of married women had been exposed to genital cutting and 69% of those women agreed to the procedure being carried out on their daughters. The 2008 EDHS states that 91% of women (ages 15-49) had been subjected to FGM. The ‘*medicalisation*’ of FGM continues to be a challenge to the eradication of this practice. According to available data, midwives or traditional birth attendants conducted 34.1% of operations compared to 57.3% of the cases that were conducted by trained medical specialists, such as either doctors, nurses or other health care specialists.

Despite these worrying numbers, improvements have been made in recent years, especially with regards to the attitudes of young people towards this harmful practice. According to the 2010’s Survey of Young People in Egypt, female genital mutilation prevalence decreased from 97.3% in 2000 to 84.6% in 2010 for women of the 15-49 ages, and 75.5% for girls of 10-29 ages. The referral notion of female genital mutilation to religious beliefs rapidly dropped from 72.6% in 2000 to 60.8% in 2005, and 49.1% in 2008. Lastly, the last EDHS, published in May 2015, showed that compared to the data of 2008, the FGM prevalence rates among young girls (aged 15-17) has dropped from 74,4 to 61,1%. Even though FGM practice was criminalised in 2008 (article 242 bis of the Penal Code), it was only in 2015 that a court sentenced a doctor practicing FGM and ultimately causing the death of a 13-year old girl to two years in prison. This is considered a landmark ruling and a very important step forward in eliminating this practice and creating social change.

The above demonstrates that there is a wide gap in the country between the provisions of the law and the enforcement through the courts of the said laws. Many international and national civil society organisations, as well as UN bodies, have repeatedly criticised the inadequate and discriminatory legal and policy framework in Egypt that hinders improvement of women’s rights in the country.

Access to Justice within the Egyptian Legal Framework

Access to justice is a crucial element not only to strengthen the rule of law, but also for the Egyptian Government to deliver on its duty to respect, protect, and fulfil human rights. Access to justice is enshrined in the 2014 Constitution and provides for the right to litigation and to a fair trial, including the right to defence and access to counsel².

Egyptian civil procedures law does not stipulate that lawyers represent the cases of the citizens before the court, except in certain matter such as appearing before the court of Cassation. The position of Egyptian law, at least from the theoretical

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Art. 54: *Investigation may not start with the person unless his/her lawyer is present. A lawyer shall be seconded for persons who do not have one. Necessary assistance shall be rendered to people with disability according to procedures prescribed by Law*". Art. 97 "*Litigation is a right that is safeguarded and an inalienable right for all. The State shall guarantee the accessibility of judicature for litigants and rapid adjudication on cases*". Art. 98: "*The right of defence either in person or by proxy is guaranteed. The independence of the legal profession and the protection of its rights is a guarantee for the right of defence. The law shall provide all means by which those who are financially unable can resort to justice and defend their rights*".

perspective, is to facilitate access to justice through allowing the citizens to appear before the court directly to represent their cases, without lawyers representing them. Egyptian criminal procedure laws stipulate that “If the accused is ... in a misdemeanor punishable by imprisonment, the court must assign him a lawyer to defend him.”³ Such provision is compatible with international standards. However, in practice, many lawyers do not show up when they are assigned by the court as they do not receive any financial or other benefit from this duty.

Although legal assistance is incorporated within the various legal sources and different legislations, as described above, there is no available comprehensive law to regulate legal assistance for citizens, especially those who suffer from economic hardship. Marginalized groups, especially women, are still unable to access justice due to the relatively high litigation fees and their inability to pay lawyers’ fees. A comprehensive legal aid scheme or at least an institutionalised framework that provides a reliable legal aid delivery mechanism is yet to be implemented.

1.1.1 Public Policy Assessment and EU Policy Framework

The proposed action is fully aligned to the Communication on the Review of European Neighbourhood Policy of November 2015. It contributes to promoting the rule of law and human rights, and particularly aims at achieving equal access to justice and gender equality. It also clearly recognises the role of civil society actors.

The action is also fully in line with the objectives of the EU Action Plan on Human Rights and Democracy, adopted by the Council in July 2015, in which the fair and impartial administration of justice is viewed as essential to safeguard human rights. In this regard, the project is expected to contribute to the following objectives: 4) “Targeted support to justice systems”; 8) “Empowering CSOs defending the rights of women and girls”; 14 b) “Prioritising actions targeting, inter alia, the protection of physical and psychological integrity of women and girls through activities which help protect women's human rights and freedom from violence with special attention to ending Female Genital Mutilation (FGM), Child Early and Forced Marriage, gender based and sexual violence in conflict; their economic, social and cultural rights,...”; and finally 27) “Pursue a rights based approach to development co-operation”. Moreover, equal access to justice has been recognized as a fundamental element to tackle poverty and, as part of the post-2015 development agenda, it has been put forward as part of Sustainable Development Goal Nr. 16.

Furthermore, the proposed action will contribute to the implementation of the new EU Gender Action Plan (GAP) for 2016-2020, in particular with regards to objectives 7) “Girls and women free from all forms of violence against them (VAWG) both in the public and in the private sphere” and 19) “Challenged and changed discriminatory social norms and gender stereotypes”.

The project will contribute to supporting several of the commitments made by the Government of Egypt, namely the National Action Plan for FGM Abandonment as well as implement various Constitutional provisions, such as the right to a free and fair trial, which have important repercussions towards strengthening women’s rights and the rule of law in the country. The proposed action will also contribute to the

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Art. 237 of the Egyptian criminal procedures - law number 95/2003.

country's sustainable development strategy – "Egypt's vision 2030", and more specially Goal 5c which states that "Egypt will adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels". Most importantly, the action will aim at providing a platform to strengthen partnerships among different stakeholders (governmental and non-governmental) in order to strengthen and encourage a more streamlined concept of access to justice and provision of effective legal aid. The project will also build on existing efforts from civil society organisations, especially women's organisations, to support actions in favour of women's rights in the country.

1.1.2 Stakeholder analysis

The lead stakeholder for implementation of the National Action Plan on FGM is the National Population Council (NPC), now subsumed under the State Ministry for Population, which is in turn under the leadership of the Ministry of Health. The NPC coordinates with the other Ministries and Government agencies involved, such as the Ministry of Education, Office of the General Prosecutor, Ministry of Justice, Ministry of Interior, Higher Council for Media, National Council for Women, Ministry of Awkaf, Dar el-Ifta, Coptic Church, Universities (Cairo University and Regional Universities), as well as civil society organisations, including the Non-Governmental Organisation (NGO) Federation, Doctors and Lawyers Syndicates and other non-state actors. The lead stakeholders in the field of women's legal empowerment and access to justice are the Ministry of Justice, the judiciary, the Office of the Public Prosecutor and the National Center for Judicial Studies (NCJS).

A specific avenue towards strengthening access to justice provides the Family Court for civil matter and the Primary Courts for criminal matters.

Family Courts generally are mandated to deal with issues pertaining to personal status law, as well as adjudicating all family disputes. The Ministry of Justice has relied on family courts because of the growing numbers of litigants and the increased volume of cases, as well as their complexity. Family courts play a very important role for women's legal empowerment.⁴ The Family Courts are assisted by Dispute Settlement Offices (DSOs), composed of a legal specialist, a psychologist and a social worker. DSO are responsible for the mediation process and help the judges in Family Courts with the preparation of litigant's file but do not provide legal advice. In addition, a limited number of 35 Legal Aid Offices (LAOs) exists, established through a Ministerial Decree and partly financed through a UNDP-led project.⁵ LAOs were introduced in selected Family Courts as the majority of litigants facing family conflicts are women who are from disadvantaged groups and cannot afford to pay the lawyer's fee. They provide legal advice but they don't provide free representation in court for litigants.

The Ministry of Justice is working to reduce violence against women through the establishment of offices at the level of Primary Courts that provide legal advice and legal aid to women and girls who are subject to violence, starting from filing a police report and assisting in collecting evidence throughout pre-trial and trial stage. There

⁴ Almost one million cases are examined by these courts each judicial year, with 80% of these filed by women

⁵ UNDP contribution is mainly directed towards the renovation/rehabilitation of office space.

currently 4 working offices located in 4 Primary Courts (North Cairo, Tanta, Alexandria and Aswan). The establishment of 4 additional offices is planned for 2016 in Beni Suef, Assiut, Mansoura and one location yet to be identified.⁶ Additional support is needed to expand the establishment of these offices across the country.

As part of the Government's efforts to tackle VAW, the Ministry of Interior created in 2013 a specialised VAW unit within its human rights department. The unit's mandate was not to combat crimes but to follow-up with women who report violent crimes against them. One year later, the Minister of Interior (MoI) expanded the unit's operations by establishing specialised police stations in several governorates.

Also, the Council for Women (NCW) plays an important role with regard to policy and advocacy for women's rights. More practically, through its Ombudsman Office, the NCW provides legal advice through a telephone hotline, assists female complainants to approach specialised attorneys, as well as those volunteer attorneys working with the Ombudsman office and researches viable options for solving employment discrimination claims.

The proposed action, especially regarding the access to justice component, will also aim at including other important actors, such as the Egyptian Bar Association and those non-governmental entities that provide legal assistance to women. The Egyptian Bar Association “maintains a roster of lawyers eligible to serve as public defenders.” The Bar Association Law explicitly states that one of its objectives is to ensure the right to defence for all citizens, and lawyers have an obligation to provide legal aid to those who cannot afford legal expenses. As per Art. 93 of the Egyptian Bar Association Law, legal aid covers a wide range of services, including legal representation, legal consultation and the drafting of contracts. Despite the provisions of the law, the Egyptian Bar Association does not have a pro-bono programme. Several non-state actors also provide some level of legal aid services (mostly legal advice and counselling) on a wide array of issues. These report a rather low number of cases per year (around 500) due to understaffing, with often only 1 to 2 full-time lawyers permanently working.

1.1.3 Priority areas for support/problem analysis

The judgement on the FGM case has been hailed as a success for women's rights in Egypt because, for the first time, the law will be enforced and the perpetrator punished. It has set a clear sign that certain attitudes and actions will not be tolerated by society. This example demonstrates that the advancement and realisation of women's rights not only depends on the existence and content of certain laws but that it is necessary for these laws to be enforced by the State. Thus, the design of this project tries to address the challenges for the advancement of women's rights in Egypt from a rights based perspective, meaning to support actions that further the realisation of their rights.

The provision of legal aid has been promoted as an effective means to ensure equality before the law, the right to legal counsel and the right to a fair trial. Ensuring access to affordable legal representation and adequate legal aid is often a determinant

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This will be done through the "My Rights" project financed by the British Embassy and implemented by the British Council.

in women's access to justice, and has proven particularly useful in helping women, especially poor women, to overcome practical and economic barriers. Access to justice is a human right in itself (Article 8 of the Universal Declaration of Human Rights) and essential for the realization of a range of other civil, cultural, economic, political and social rights.

The proposed action will address this issue by supporting the Government of Egypt, the judiciary, civil society and other actors to implement activities and policies that will lead to a realisation of women's rights. This will be done at two levels:

Firstly, this project will address violence against women, and in particular FGM, through the implementation of the National Action Plan for FGM abandonment. The EU has been supporting the "*Abandonment of Female Genital Mutilation (FGM) and Empowerment of Families' Joint Programme*" since December 2011 with a contribution of 3.8 m EUR. A main achievement under this project, which is expected to end June 2017, is the development of the National Action Plan for FGM Abandonment, which was launched by the Minister of State of Population in June 2015. The project also achieved an important outreach to all actors, including hospitals and doctors, communities and others, which resulted in a high level of awareness on the risks of FGM. Decreasing rates of FGM practices confirmed by the EDHS 2015 and the sentencing to prison in 2015 of a doctor practicing FGM, the first time ever practicing FGM was penalised in Egypt, are also direct achievements of the project. The duration of the FGM National Action Plan has been set to 5 years, that is, until 2020. The proposed action is designed as a follow-up project in order to support the implementation of the National Action Plan until its end, and possibly beyond its currently set timeframe. Given the recent positive changes in people's attitudes towards FGM and the strong national commitment to eradicate this practice, it is important not to lose momentum by capitalising on the previous EU's engagement in this area and the achievements made. As demonstrated by recent data from the 2015 EDHS, the Government's FGM abandonment policy is showing results (see page 4). Further to the currently ongoing project, the EU also supported the Government's efforts towards the abandonment of FGM under its project 'Children at Risk', which ended in 2008, indicating an important EU presence and commitment in this area.

Secondly, in order for women to claim and realise their rights, focus will be directed to supporting actions that increase women's access to justice. This would include creating an effective legal defence and expanding services to include legal aid by way of supporting the expansion of LAOs and DSOs in Family Courts and women support offices in Primary Courts. The process would include a variety of stakeholders such the Ministry of Justice, the judiciary, the National Center for Judicial Studies but also specialised civil society organisations, the Bar Association and possibly also academics. The NCW will also be closely associated with the action given its mandate to promote the advancement of women's rights.

In light of the Foreign Affairs Council conclusions of 21st August 2013, which reviewed EU Co-operation with Egypt, and the latest European Parliament resolution on Egypt (10th March 2016), confirming those conclusions, it won't be possible to include stakeholders such as the MoI into the proposed action.

The two proposed areas of intervention are currently the only entry points for further collaboration with the Government of Egypt on human rights issues given the current political environment and the state of EU-GoE bilateral co-operation. The activities envisaged under both components are complementary and reinforce each other so as to support the advancement of women’s rights in the country.

2 RISKS AND ASSUMPTIONS

Risks	Risk level (H/M/L)	Mitigating measures and assumptions
Increased instability at country and/or regional level impacting negatively the political, social and economic conditions in which the project is implemented	High	Instability is partly rooted in the lack of social and economic development prospects. The situation should improve thanks to the commitment of the Government and the alignment of stakeholders around the Sustainable Development Strategy/Vision 2030. The situation will be closely monitored by the EUD.
Discontinuation of political support to the FGM Abandonment Action Plan and the expansion/creation of DSO and LAO in Family Courts.	Medium	The project is designed under the assumption that the state will continue supporting the implementation of its national policies. The pace of implementation depends from the government resources. A firm policy dialogue will be carried out by the EUD.
Government commitment to address gender equality and protect women discontinues	Medium	The Government of Egypt has created a momentum to improve the situation of women in the country by committing to implement the relevant provisions under the Constitution. The assumption is that this support will prevail given that the Government does not seem to consider women empowerment as a threat to national security. To mitigate the remaining risk the proposed action intends to work with several actors (governmental and non-governmental stakeholders) so as to create a broader base for support.

3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES

3.1 Lessons learnt

One of the clear lessons learnt from the implementation of the FGM abandonment project is that more effort needs to be invested in making the FGM criminalisation law effective. This will be done through the training of prosecutors, judges, etc. The achievements made towards combatting FGM in the recent past confirm the relevance and effectiveness of the methodology used by ongoing EU-support, which is why it is recommended to expand its action to other areas of Egypt. Lessons learnt regarding the currently used implementation modality show that UNDP has an established role as coordinator of actions related to combatting FGM with national stakeholders and other UN agencies, which is of clear value to NPC and other

contributing partners. UNDP has encouraged ownership and leadership of the FGM abandonment agenda by the NPC and has also been successful in managing and supporting the role of the Project Management Unit (PMU) within the NPC. In addition, NGOs and CSOs have been able to participate very substantively in the implementation of this project because the NPC (through the PMU) has been directly responsible for the contracting and management of these organisations and therefore there was no "political" impediment to their engagement. The coordinating role of the PMU has also been fundamental in ensuring a synchronisation of activities between those implemented via state institutions and those implemented through NGOs. An area of improvement concerns the EU visibility which, however, has improved during the course of the implementation of the current project.

An external evaluation of the ongoing project was planned for the beginning of January 2016 but has been put on-hold due to the necessity to obtain the security clearance for the assignment. The detailed design of the new action will take into consideration the recommendations and lessons learned from the external evaluation, once it has been concluded. Furthermore, the results of the UNDP (external) verification, which is expected to take place in June 2016, will also be taken into consideration.

The EU Delegation is currently implementing the "*Support to the modernisation of the administration of justice*" project. While the project has not been designed to address the role of lawyers in the justice sector, this proposed new action provides an opportunity to reach out also to the lawyers by involving the Egyptian Bar Association through European counterparts and as such complement the ongoing support to justice administration reform.

3.2 Complementarity, synergy and donor coordination

The proposed intervention is clearly complementary to the funded actions under the on-going "*Promotion and Protection of Human Rights*" programme and has been designed based on reflections, lessons learned and experiences from implementing this project. The proposed action particularly follows up on the on-going support to the NPC for the implementation of the FGM Abandonment policy which ends in July 2017. The new programme will also complement activities to be implemented under the "*Citizen Rights Project*", particularly with regards to component one, namely the support to the National Council for Human Rights (NCHR). Further, the future programme will complement those activities implemented through the "*Support to the modernisation of the administration of Justice*" project by expanding support to other actors and sections of the Egyptian justice system. In addition, the programme will seek synergies with those civil society organisations currently benefitting from EU funding through the various thematic programmes and EIDHR.

Important partners for Egypt in the field of women's rights, violence against women and gender equality are some EU Member States (Sweden, United Kingdom, Germany and Spain), as well as various United Nations agencies (UNDP, UN Women, United Nations Office on Drugs and Crime (UNODC)). The EU Delegation is in frequent dialogue with these organisations and MS in order to avoid any possible duplication of activities and ensure synergies with ongoing support. The Delegation participates regularly in sectorial development partner coordination meetings in the fields of Justice and Gender.

3.3 Cross-cutting issues

The promotion and realisation of women's rights is at the centre of the proposed action. While violence against women is particularly addressed under specific objective 1, legal empowerment of women and access to justice is specifically covered under specific objective 2. The project addresses in all its components institutional development and accountability measures and as such mainstreams governance. It is expected that both objectives will contribute to Egypt's agenda of realising gender equality and implementation of the Constitutional provisions guaranteeing the right to litigation and to a fair trial. Further, the proposed action envisages the engagement of civil society actors in the implementation of the programme objectives.

4 DESCRIPTION OF THE ACTION

4.1 Objectives and results

The overall objective of the project is to contribute to the improvement of the situation of women in Egypt by advancing women's rights.

The specific objective of the project is to support the Government's efforts towards abandoning FGM/C and to strengthen women's access to justice and enforcements of laws.

In order to achieve the mentioned objective, the project will be articulated around two components:

Component 1: Support to the implementation of the National Action Plan for FGM/C abandonment and family empowerment (2015 – 2020)

This component will support the GoE in the implementation of all 3 outcomes of the national action plan adopted in 2015. The envisaged results of this action are the following:

- (1) National policies, legislations and international conventions compelling the abandonment of FGM/C are being enforced and perpetrators who are directly or indirectly involved in practicing FGM/C are effectively convicted for committing a criminal act;
- (2) Public opinion is positive towards comprehensive set of girls' rights and their protection against FGM/C and all harmful practices, and
- (3) Institutionalization of M&E system at the Central, Governorate and community levels.

Component 2: Support women's access to justice and legal empowerment through the expansion of LAOs and DSOs in Family Courts and women support offices in Primary Courts

This component will support the achievement of the following outcomes/results:

- (1) Access to legal aid, assistance and advice for women is increased.

(2) Capacity of the LAOs/DSOs in Family Courts and women support offices in Primary Courts to provide affordable and quality access to justice for women is enhanced.

(3) Public awareness and understanding of women's rights under the law and their rights of access to justice is increased.

4.2 Main activities

The envisaged main activities under component 1 are the following:

- 1) Training of prosecutors and judges in order to support the enforcement of the law criminalizing the practice of FGM.
- 2) Modification of school and university curricula to enhance knowledge and attitudes against FGM.
- 3) Monitoring of communities by NPC with regards to the prevalence and attitudes towards FGM/C in order to act as champions of change.
- 4) Continuation and expansion of the media platform against FGM practices.
- 5) Continuation and expansion of the civil society network throughout the country for NGOs to coordinate anti-FGM efforts.
- 6) Continuation and expansion of the community and village campaigns against FGM.

The envisaged main activities under component 2 are the following:

- 1) Improving and expanding specialized training for judges in both Family and Primary Courts, DSO and LAO staff, including exchanges of international experiences and best practices.
- 2) Raising the legal awareness of litigants in family courts and primary courts.
- 3) Develop a communications network between the DSOs, LAOs, women support offices and Ministry of Justice.
- 4) Raise the capacities of specialised non-governmental entities and the Bar Association to provide legal aid to women in both civil and criminal matters.
- 5) Establish a pro bono programme with the Egyptian Bar Association.

4.3 Intervention logic

Gender equality and women empowerment is at the core of European values. Complimented with supporting economic and political empowerment of women, areas in which projects are already in place with EU support, the Delegation will further contribute to gender equality and women empowerment in Egypt by addressing specific aspects of women's rights and enhancing these. The specific aspects identified, where the EU's intervention can demonstrate value-added and have an impact are continued support to the FGM Abandonment strategy and access to justice.

While FGM is deeply rooted in the Egyptian tradition and culture, the decline in FGM prevalence rates among the younger generations of women indicates that a turning point in eradicating these practices can indeed be reached, particularly if the role of civil society in this process is further strengthened, as is envisaged - it however requires further commitment and persistent efforts. The EUD, having supported the national FGM abandonment programme for many years, sees the National Action Plan as the only effective way to address FGM in a comprehensive

and holistic manner. This plan reflects not only a political priority at the central level of the Government of Egypt, but it is also owned at all levels of Government, from the Ministries in Cairo to the various Governorates across the country, and across a great variety of actors, including religious and non-State actors. Such widespread commitment and political will is considered an indispensable factor for a successful eradication of FGM in the country. This commitment is reflected in the emphasis of the National Action Plan to enforce the law criminalising FGM and to step up activities with all relevant actors (Ministry of Justice, judges, Ministry of Health, etc.) that will allow prosecuting perpetrators of this crime.

Furthermore, ensuring access to affordable legal representation and adequate legal aid is often a determinant in women's access to justice, and has proven particularly useful in helping women, especially poor women, to overcome practical and economic barriers. Access to justice is also a human right in itself⁷ and essential for the realization of a range of other civil, cultural, economic, political and social rights. Moreover, equal access to justice has been recognized as a fundamental element to tackle poverty.⁸

The approach of addressing women's legal empowerment and access to justice by supporting the expansion of LAOs/DSOs in Family Courts and women support offices in Primary Courts is considered a good entry point given the high amount of cases brought before these courts. These offices have been established based on a national policy so that ownership can be expected by the various stakeholders addressing access to justice. The expansion of these offices will be supported not only in terms of quantity, i.e. increased numbers of offices available across the country, but also in terms of quality, that is, how and what type of legal aid services are provided. This is a particularly important aspect because, as mentioned previously, no reliable legal aid delivery mechanism has been established in the country. The implementation of this component through a peer-to-peer approach with EU MS specialised administrations is in this respect very beneficial in order to transfer know-how, best practices and, above all, promote the adoption of international standards. Furthermore, by including other stakeholders, such as specialised NGOs and civil society organisations and the Egyptian Bar Association into the work of the LAOs/women support offices, the level of services provided to the citizens can be increased. This two-track approach will allow the project to reach and empower a high number of women, and especially the poorer among them. Thus, the potential for the action to have a wide impact is seen as very high. The political buy-in and ownership as well as the potential impact will further contribute to the sustainability of the proposed action.

5 IMPLEMENTATION

5.1 Financing agreement

In order to implement this action, it is foreseen to conclude a financing agreement with the partner country, referred to in Article 184(2)(b) of Regulation (EU, Euratom) No 966/2012.

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Article 8 of the Universal Declaration of Human Rights.

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Equal access to justice has been included as part of Sustainable Development Goal nr. 16.

5.2 Indicative implementation period

The indicative operational implementation period of this action, during which the activities described in section 4.1 will be carried out and the corresponding contracts and agreements implemented, is **60 months** from the date of the entry into force of the Financing Agreement.

Extensions of the implementation period may be agreed by the Commission's authorising officer responsible by amending this Decision and the relevant contracts and agreements; such amendments to this Decision constitute technical amendments in the sense of point (i) of Article 2(3)(c) of Regulation (EU) No 236/2014.

5.3 Implementation modalities

5.3.1 Grants: Call for proposals "Support to women's access to justice" (direct management)

(a) Objectives of the grants, fields of intervention, priorities of the year and expected results

For component 2 a grant will be concluded with specialised EU Member States governmental or public administration bodies in the area of justice/legal affairs, preferably with a consortium involving different MS. According to the interest and willingness of MS to be involved in the implementation of this component, a direct award or a Call for Proposals could be envisaged. The objectives, expected results and main activities envisaged are described under sections 4.1 and 4.2. Further details will be defined jointly with the Egyptian institutions with a mandate to provide access to justice.

(b) Eligibility conditions

Applicants will be eligible for funding if they are governmental or public administration bodies in the area of justice/legal affairs. They must be established in a Member State of the European Union and be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary.

Subject to information to be published in the call for proposals, the indicative amount of the EU contribution per grant is EUR 4,500,000 and the grant may be awarded to sole beneficiaries and to consortia of beneficiaries (coordinator and co-beneficiaries). The indicative duration of the grant (its implementation period) is 48 months.

(c) Essential selection and award criteria

The essential selection criteria are financial and operational capacity of the applicant.

The essential award criteria are relevance of the proposed action to the objectives of the call; design, effectiveness, feasibility, sustainability and cost-effectiveness of the action.

(d) Maximum rate of co-financing

The maximum possible rate of co-financing for the grant under this call is 95% of the eligible costs of the action.

In accordance with Articles 192 of Regulation (EU, Euratom) No 966/2012, if full funding is essential for the action to be carried out, the maximum possible rate of co-financing may be increased up to 100 %. The essentiality of full funding will be justified by the Commission's authorising officer responsible in the award decision, in respect of the principles of equal treatment and sound financial management.

(e) Indicative timing to launch the call

The call is envisaged to be launched in the first trimester of 2018.

5.3.2 Indirect management with an international organisation

A part of this action may be implemented in indirect management with UNDP in accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012. This implementation entails the achievement of all the results for component 1 (support to the FGM Abandonment National Action Plan), and in particular activities (1) to (4). This implementation is justified because of the need to continue implementing the activities under the National Action Plan and to ensure the continued functioning of the Programme Management Unit (PMU) at NPC. The involvement of UNDP is also justified because it builds on a long-standing relationship between UNDP and NPC in the sector.

The agreement with UNDP will contemplate two types of budget-implementation tasks: the first one will be to finance the implementation of the activities that are part of the National Action Plan (for example, family services and the community initiatives provided in the target villages through the state institutions – mainly health and education departments, media campaigns, communication and training activities, monitoring and evaluation activities, etc.). These activities are coordinated and managed by the NPC, through the Project Management Unit (PMU). The second budget-implementation task is for the support to the PMU as such, which is located at the National Population Council.

5.3.3 Indirect management with the partner country

A part of this action (component 1, activities 5 and 6), with the objective of launching a Call for Proposals for local NGOs to implement activities at village level under the National Action Plan for FGM Abandonment, may be implemented in indirect management with Egypt in accordance with Article 58(1)(c) of the Regulation (EU, Euratom) No 966/2012, according to the following modalities:

The partner country will act as the contracting authority for the grant procedures. The Commission will control ex ante all the grant procedures.

Payments are executed by the Commission.

It is envisaged that the management and implementation of this part of the action shall be carried out by the following national body governed by public law: the National Population Council.

In accordance with Article 190(2)(b) of Regulation (EU, Euratom) No 966/2012 and Article 262(3) of Delegated Regulation (EU) No 1268/2012 shall apply procurement rules of Chapter 3 of Title IV of Part Two of Regulation (EU, Euratom) No 966/2012. These rules, as well as rules on grant procedures in accordance with Article 193 of Regulation (EU, Euratom) No 966/2012 will be laid down in the financing agreement concluded with the Arab Republic of Egypt.

5.4 Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provisions.

The Commission's authorising officer responsible may extend the geographical eligibility in accordance with Article 9(2)(b) of Regulation (EU) No 236/2014] on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

5.5 Indicative budget

	EU contribution (EUR)	Indicative third party contribution (EUR)
Component 1 – Support to the implementation of the National Action Plan for FGM abandonment and family empowerment		
– Indirect management with UNDP	3,000,000	
– Indirect management with Egypt	1,600,000	
Component 2 – Support women's access to justice and legal empowerment		
– Grant with EU MS governmental or public administration bodies in the area of justice/legal affairs	4,500,000	240,000
Evaluation and Audit	300,000	
Communication and visibility	100,000	
Contingencies	500,000	
Totals	10,000,000	240,000

5.6 Organisational set-up and responsibilities

Organisational arrangements under each contract will be designed to ensure a clear share of responsibilities and tasks. For each component a national counterpart will act as a main focal point. For the first component it will be the NPC, whilst for the second it will be the Ministry of Justice. The National Council for Women (NCW) will be closely associated to the implementation of both components wherever relevant.

The programme will be governed by a Steering Committee, which will oversee and guide the overall direction and policy of the programme. It shall meet twice a year as a general principle and can be convened whenever the project's implementation requires strategic decision or changes. The project steering committee shall be

chaired by the Ministry of International Co-operation (MOIC) and made up of representatives of the following entities:

- The National Population Council (NPC);
- The Ministry of Justice (MoJ);
- A representative of the EU Delegation (observer).

The Steering Committee has the right to invite further members of any of the stakeholders whenever deemed appropriate, including representatives of the national administrations and governorates benefitting from the project, the implementing bodies as well as civil society organisations.

The EU Delegation will maintain a constant policy dialogue with national stakeholders to ensure the highest possible support and political commitment needed for successful implementation.

5.7 Performance monitoring and reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of the implementing partner's responsibilities. To this aim, each implementing partner shall establish a permanent internal, technical and financial monitoring system for its part of the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the logframe matrix (for project modality) or the list of result indicators (for budget support). The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

5.8 Evaluation

Having regard to the importance and nature of the action, a mid-term and a final evaluation will be carried out for this action or its components via independent consultants contracted by the Commission.

The mid-term evaluation will be carried out for problem solving and learning purposes, in particular with respect to those activities implemented at Governorate level.

The final evaluation will be carried out for accountability and learning purposes at various levels.

The Commission shall inform the implementing partner at least 2 months in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

Indicatively, two contracts for evaluation services shall be concluded under a framework contract in 2019 and in 2023.

5.9 Audit

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

Indicatively, 2 contracts for audit services shall be concluded under a framework contract in 2023.

5.10 Communication and visibility

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation and supported with the budget indicated in section 5.5 above.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Manual for European Union External Action shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.

Indicatively, 1 contract for visibility and communication shall be concluded under a framework contract by the Delegation in the beginning of project implementation (indicatively third quarter 2017) to ensure visibility and communication aspects of the EU engagement on women rights are covered at programme level.

APPENDIX - INDICATIVE LOGFRAME MATRIX

The activities, the expected outputs and all the indicators, targets and baselines included in the logframe matrix are indicative and may be updated during the implementation of the action without an amendment to the financing Decision. The indicative logframe matrix will evolve during the lifetime of the action: new lines will be added for listing the activities as well as new columns for intermediary targets (milestones) when it is relevant and for reporting purpose on the achievement of results as measured by indicators.

	Intervention logic	Indicators	Baselines (incl. reference year)	Targets (incl. reference year)	Sources and means of verification	Assumptions
Overall objective	The situation of women in Egypt is improved by advancing their rights.	Provisions of the 2014 Constitution and existing laws related to the rights of women are explicitly operationalised and enforced	Existing Penal Code, Personal Status Law, and Executive Regulations of the Child Law	Amendments to Penal Code, including on VAW; Amendments to the Personal Status Law, Executive Regulations of Child Law adopted;	Legislative analysis	National commitment to operationalise the Constitution's provision related to women's rights; Parliament adopts new legislation
Specific objective	Support the Government's efforts towards abandoning FGM/C and to strengthen women's access to justice and enforcement of laws.	<ul style="list-style-type: none"> • Prevalence of FGM/C among of women and girls (15-17 years) • Total number of women and girls benefitting from improved justice services per year 	61,1 % (2015) MoJ records on number of cases successfully handled in Family and Primary Courts in 2016	10% in girls/women aged group 15-17 (2021) tbd	Results of the 2020 EDHS MoJ records/statistics	National budget allocations for these two policy areas are maintained at the current level or increased

Outputs component 1	<p>(1) National policies, legislations and international conventions compelling the abandonment of FGM/C are being enforced and perpetrators who are directly or indirectly involved in practicing FGM/C are effectively convicted for committing a criminal act</p>	<ul style="list-style-type: none"> - Task Force for following up on FGM Criminalization Law established - Number of judiciary sessions related to FGM-criminalization held per year 	<p>Not existent</p> <p>As per Court reports 2016</p>	<p>Task force established and functioning</p> <p>tbd</p>	<p>Reports on task force activities</p> <p>MoJ reports/statistics</p>	<p>Priorities under the National Strategy and Action Plan for combating FGM/C remain unchanged</p>
	<p>(2) Public opinion is positive towards comprehensive set of girls' rights and their protection against FGM/C and all harmful practices</p>	<ul style="list-style-type: none"> - Continuous Anti-FGM Media Campaigns on TV, radio and social media are implemented - Opinion on girls' rights and their protection is increasingly positive 	<p>1 comprehensive media campaign in the past years</p> <p>Tbd through perception survey 2017</p>	<p>At least 2 media campaigns broadcasted per year (from 2018)</p> <p>Tbd determined based on perception survey (for 2020)</p>	<p>Media coverage, reports on media campaigns</p> <p>Regular perception surveys carried out by NPC and other stakeholders on women rights</p>	<p>Priorities under the National Strategy and Action Plan for combating FGM/C remain unchanged</p>
	<p>(3) Institutionalization of M&E system at the Central, Governorate and community levels</p>	<ul style="list-style-type: none"> - Establishment of a central database and documentation system to track FGM-related initiatives and research - Number of NPC branches appropriately using a functioning M&E system to monitor Action Plan implementation at Governorate and community levels 	<p>Not existent</p> <p>0 (2015)</p>	<p>Central database established and functioning (2020)</p> <p>15 (2020)</p>	<p>NPC reports; including data analysis</p> <p>NPC reports M&E reports of NPC branches</p>	<p>Priorities under the National Strategy and Action Plan for combating FGM/C remain unchanged</p>

Outputs Component 2	(4) Access to legal aid, assistance and advice for women is increased	<ul style="list-style-type: none"> - Proportion of cases satisfactorily resolved of all cases brought forward by disadvantaged and vulnerable women to Family and Primary courts - Number of LAOs/DSOs in Family Courts 	<p>Court statistics 2016</p> <p>35 LAO/DSO (2016)</p>	<p>80% (2022)</p> <p>70 LAO/DSO (2022)</p>	<p>Court statistics MoJ reports</p> <p>National reports LAO/DSO reports</p>	<p>MoJ strategic plan and corresponding budget is in place to improve and expand LAOs/DSOs and women support offices</p>
	(5) Capacity of the LAOs/DSOs in Family Courts and women support offices in Primary Courts to provide affordable and quality access to justice for women is enhanced	<ul style="list-style-type: none"> - Percentage of judges, lawyers and social workers assigned to LAO/DSO specifically trained to provide legal advise and legal aid services to women and girls 	<p>10% (2015)</p>	<p>70% (2022)</p>	<p>Staff and training reports</p>	<p>MoJ strategic plan and corresponding budget is in place to improve and expand LAOs/DSOs and women support offices</p>
	(6) Public awareness and understanding of women's rights under the law and their rights of access to justice is increased	<ul style="list-style-type: none"> - Increase in knowledge and understanding of women's right to access justice among men and women 	<p>Tbd by perception survey (2017)</p>	<p>Tbd based findings of the perception survey (for 2022)</p>	<p>Survey report</p>	<p>MoJ strategic plan and corresponding budget is in place to improve and expand LAOs/DSOs and women support offices</p>