



British Embassy
Cairo

Child Abduction - Egypt

Disclaimer: Any information contained in these pages relating to the legal system in Egypt is provided for general information only. Independent legal advice should be sought in Egypt for specific information relating to individual cases.

Parental Child Abduction

There is a high incidence of parental child abduction cases from the UK to Egypt. There is no agreed international system in place to return children from Egypt to the UK.

Egypt has not signed the 1980 Hague Convention on the Civil Aspects of International Child Abduction. The Hague Convention seeks to return children abducted or retained overseas by a parent to their country of habitual residence, for the courts of that country to decide on matters of residence and contact.

The abduction of a child from the UK or another country to Egypt is not a crime in Egypt unless there is an Egyptian court order regarding custody of the child or travel restrictions. Parental child abduction is, however, a criminal offence in Egypt if a parent or grandparent who removes a child from the person who is entitled to custody according to an Egyptian judicial decision. Neither the British government nor the British Embassy can force the abducting parent or the Egyptian government to return a child to the UK.

There is no extradition treaty in force between the UK and Egypt.



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Custody Issues

Egyptian Personal Status laws will apply if one or both spouses are Muslim, and custody issues will be decided in the Family Court. Under Egyptian Personal Status law, although the father is considered to be the guardian of his children, the mother has the right to custody of both male and female children until the age of fifteen. After this age, a judge will give them the choice of who they want to live with. If a mother is proven untrustworthy or unfit to look after her children, she will lose custody through the Egyptian courts. If a woman remarries she is likely to lose custody of the children under Egyptian law if the father proves in a court case that she has become unable to take care of them because of her new marriage.

If the mother loses custody, the order of preference of alternative custodians passes first down the line of closest female relatives rather than directly to the father. It typically takes from one year to eighteen months for custody to be decided through the Egyptian courts. Appeals are possible and usually take approximately six to nine months.

If the father is Muslim, the children will be considered as Muslims even if the mother is of a different religion. This will not preclude the mother from having custody, providing she is a “person of the book” (i.e. Jewish, Christian or Muslim). If neither parent is Muslim, non-Muslim Personal Status Rules apply and the General Denomination Council decides on issues of custody.

The parent who does not have custody is entitled to contact with the child if they have a court order.

UK or other foreign custody orders can only be executed in Egypt if they do not contravene domestic Egyptian law. A court order ruling the return of a child to the UK when the father resides in Egypt would be contrary to Egyptian laws governing paternal rights of contact so could be unlikely to be recognised.



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N.B. This section constitutes general information on the Egyptian system. For detailed information and advice on how the law may apply to the circumstances of individual cases, independent legal advice should be sought in Egypt.

Travel

Although not part of Egyptian law, it is normal practice that the father's approval is required for a child to be able to apply for an Egyptian passport or residency status. It is possible for either parent to apply to the Egyptian courts to have a travel ban put on the child leaving the country i.e. if there is an ongoing custody dispute or if they fear that the other parent intends to abduct the child overseas. If there is a travel ban in place, a parent will be stopped at the airport and prevented from leaving the country with the child.

Egypt recognises dual nationality, and a child of an Egyptian father will automatically be an Egyptian national from birth. A dual national child entering Egypt on a foreign passport is able to leave the country on their Egyptian passport. No exit visa is required. A UK Emergency Travel Document (ETD) may be used for travel in cases of emergency if the British passport has been lost or stolen, subject to the applicant meeting the rules and conditions applicable for an ETD. To exit Egypt on an ETD approval will be needed from the Egyptian Immigration authorities.

Mediation

Mediation is an option when parents are not able to reach an amicable agreement between themselves about their children's futures, but do not wish to take court action. A neutral party, or mediator, can assist in enabling parents to form a mutually acceptable decision on custody and contact with their children.

Reunite, the international child abduction organisation based in Leicester, has received funding from the British Embassy in Cairo and the FCDO since 2008 to train members of a local Egyptian



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organisation, The Association for the Development and Enhancement of Women (ADEW), to take forward a mediation partnership. For more information on this service, access [Reunite's website](https://www.reunite.org/) <https://www.reunite.org/> or contact Reunite on 0116 2556 234

Non-Governmental Organisations

The British Embassy in Cairo has been working since 2008 with a local charitable organisation, ADEW. Some of the services they offer include: general and legal advice and help in obtaining legal documentation, a refuge for women and children who are victims of domestic violence, help in locating children through their work with local communities and mediation. There may be a charge for the services offered.

For more information, visit [ADEW's website](http://www.adew.org/) <http://www.adew.org/>. The Consular section at the British Embassy in Cairo can also help you to liaise with ADEW