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## **Egypt detains men for alleged sexual orientation, alongside alleged rapists**

***Men purportedly subject to abuse in custody, forced anal exams.***

By Rasha Younes

HRW (02.11.2020) - <https://bit.ly/3IBYa6U> - When Seif Bedour, 21, returned to Egypt this year to visit his family after years studying abroad, he did not expect to end up behind bars. His "crime"? "Suspicion" about his sexual orientation.

Bedour was looking forward to his graduation. Now, he looks forward to seeing his family only when prison authorities allow.

Police arrested Bedour in late August, when he accompanied a friend who had been arrested by the police as part of their investigation into a party in 2014 at Cairo's Fairmont Hotel. A woman at that party recently reported she was drugged and raped by several men in a hotel room on the same night.

Bedour, who was only 14 and not present when the Fairmont incident took place, had voluntarily accompanied a witness, a woman friend, to the police station after police arrested her from her home at dawn. "He didn't want her to be alone in a difficult situation," according to his family.

Also at the police station was Ahmed al-Ganzoury, 40, who was initially summoned by police because he was an organizer of the Fairmont party.

At the station, police unlawfully searched Bedour's and al-Ganzoury's phones and, based on private photos they found, detained them for allegedly engaging in same-sex conduct.

They remain in jail more than two months later, after judges renewed their pretrial detention three times in hearings they were not allowed to attend.

Authorities kept them for several weeks in a police station in east Cairo, permitting only one family visit. On October 14, they were transferred to al-Nahda prison, where they are currently detained in the same cell as the suspected Fairmont rapists.

According to the men's families, prison guards forcibly shaved their heads, and prosecutors ordered them to undergo drug testing and forced anal exams, a form of torture and sexual assault under international human rights law, which Egyptian authorities routinely carry out to seek "proof" of same-sex conduct.

Government-affiliated media appear to have reframed the alleged gang rape as a "group sex party" and claimed that security forces had broken up "the biggest homosexual network."

Egyptian authorities are sending a disturbing message that persons who voluntarily go to a police station to assist others may be arrested for their alleged sexual orientation. Prosecutors should immediately drop all charges and investigations concerning the sexual orientation and private life of Bedour and al-Ganzoury and release them.

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## **Egypt: Security forces abuse, torture LGBT people**

### ***Arbitrary arrests, discrimination, entrapment, privacy violations.***

HRW (01.10.2020) - <https://bit.ly/30N5vsd> - Egyptian police and National Security Agency officers arbitrarily arrest lesbian, gay, bisexual, and transgender (LGBT) people and detain them in inhuman conditions, systematically subject them to ill-treatment including torture, and often incite fellow inmates to abuse them, Human Rights Watch said today. Security forces routinely pick people off the streets based solely on their gender expression, entrap them through social networking sites and dating applications, and unlawfully search their phones. Prosecutors use this content to justify prolonged detentions as they rubber-stamp police reports and bring unjustified prosecutions against them.

Human Rights Watch documented cases of torture, including severe and repeated beatings and sexual violence, in police custody, often under the guise of forced anal exams or "virginity tests." Police and prosecutors also inflicted verbal abuse, extracted forced confessions, and denied detainees access to legal counsel and medical care. These detailed accounts, including from a 17-year-old girl, unavailable elsewhere, were provided against the backdrop of increased prosecutions for alleged same-sex conduct during the anti-LGBT crackdown that started after a 2017 Mashrou' Leila concert in Cairo.

Sarah Hegazy, who was detained in 2017 after she raised a rainbow flag at the concert, said police tortured her and incited fellow detainees to beat and sexually harass her. She took her own life in June 2020, in exile in Canada. The cases documented in this report, as recent as August 2020, demonstrate that her mistreatment is part of a larger and systematic pattern of abuse against LGBT people in Egypt.

"Egyptian authorities seem to be competing for the worst record on rights violations against LGBT people in the region, while the international silence is appalling," said Rasha Younes, LGBT rights researcher at Human Rights Watch. "Sarah Hegazy's tragic death may have ignited waves of shock and solidarity worldwide, but Egypt has unabashedly continued to target and abuse LGBT people simply for who they are."

In late August, Egyptian security forces, likely from the National Security Agency, arrested two men who witnessed a high-profile gang rape in Cairo's Fairmont Nile City Hotel in 2014 and were to give evidence about the case. Officers unlawfully searched the men's phones

while holding them incommunicado at al-Tagamoa First Police Station, east of Cairo, for several days, and used photos they found to allege that they had engaged in same-sex conduct, to keep them in custody. Judges renewed their detention several times, and prosecutors subjected them to forced anal examinations, a practice which Egyptian authorities routinely carry out to seek “proof” of same-sex conduct, despite it being denounced as abusive and in violation of international law. The two men could face charges under Egypt’s “debauchery” laws.

Under President Abdel Fattah al-Sisi’s government, authorities have long waged a campaign of arrests and prosecutions against those whose perceived or actual sexual orientation and gender identity does not conform to heteronormative values and the gender binary. Human rights groups have documented wide-scale abuses in the wake of a September 2017 concert by the Lebanese band Mashrou’ Leila, whose lead singer is openly gay and which performs songs that support sexual and gender diversity. At the concert, activists, including Hegazy and Ahmed Alaa, raised a rainbow flag, a symbol of LGBT pride. Several LGBT Egyptians said that after the August arrests in the Fairmont case, they feared the crackdown would only intensify, and several had fled the country.

Human Rights Watch, assisted by a Cairo-based LGBT rights organization whose name is withheld for security reasons, interviewed 15 people, including LGBT people prosecuted between 2017 and 2020 under vague and discriminatory “debauchery” and “prostitution” laws, as well as two lawyers who represented the victims in these cases and two LGBT rights activists. The victims include a 17-year-old girl.

All of those interviewed said police verbally harassed and subjected them to physical abuse ranging from slapping to being water-hosed and tied up for days, and nine said police officers incited other detainees to abuse them. Eight were victims of sexual violence, and four said they were denied medical care. Eight said that police forced them to sign confessions. All victims were held in pretrial detention for prolonged periods, in one case up to four months, often without access to legal counsel.

One man said that upon his arrest in Ramses, Cairo in 2019, police officers beat him senseless, then made him stand for three days in a dark and unventilated room with his hands and feet tied with a rope: “They didn’t let me go to the bathroom. I had to wet my clothes and even shit in them. I still had no idea why I was arrested.”

A woman said that after being arbitrarily detained at a protest in Cairo in 2018, police officers subjected her to three “virginity” tests at different times in detention: “A woman officer grabbed and squeezed my breasts, grabbed my vagina and looked inside it, opened my anus and inserted her hand inside so deep that I felt she pulled something out of me. I bled for three days and could not walk for weeks. I couldn’t go to the bathroom, and I developed medical conditions that I still suffer from today.”

Police forced three men, a transgender girl, and a transgender woman to undergo anal examinations. In one case, after a man presented his disability card to the police, officers inserted the card up his anus.

One activist remarked on the impunity with which security forces perpetuate abuses against LGBT people: “Police are individuals. Each of them has an idea of torture that he carries out with impunity. The only difference in torture and assault techniques are due to their personal preferences.”

Malak el-Kashif, 20, a transgender woman and human rights activist, was arbitrarily detained for four months, sexually harassed, and abused in a male prison in 2019. An administrative court in May 2020 dismissed the appeal her lawyer filed requesting the

Interior Ministry to provide separate detention facilities for transgender detainees in accordance with their gender identity.

The conditions of detention for transgender people can be detrimental to their physical and mental health. Human Rights Watch has previously documented that trans women detainees are likely to face sexual assault and other forms of ill-treatment when placed in men's cells.

Egypt has repeatedly rejected recommendations by several countries to end arrests and discrimination based on sexual orientation and gender identity. Most recently, at the United Nations Human Rights Council in March, Egypt refused to recognize the existence of LGBT people, flouting its obligation to protect the rights of all within its jurisdiction without discrimination.

Egyptian security forces should end arrests and prosecutions for adult, consensual sexual relations, including same-sex conduct, or based on gender expression, and immediately release LGBT people who remain arbitrarily detained, Human Rights Watch said. President Abdel Fattah al-Sisi should order his government to put an end to security forces' practices of torture and other ill-treatment, including by banning the use of "virginity tests" and forced anal exams.

Egypt should extend an open invitation to UN human rights experts to scrutinize its protections against torture and other forms of abuse, and fully cooperate with their missions.

Wherever transgender people are detained, authorities should ensure that they can choose to be housed in a facility in accordance with their gender identity or in a segregated housing unit reserved exclusively for transgender people. Under no circumstances should transgender people be held in solitary confinement for lack of alternatives, Human Rights Watch said.

"Morality and public order are hijacked, not preserved, when security forces arbitrarily arrest people and subject them to life-altering abuse in detention," Younes said. "Egypt's partners should halt support to its abusive security forces until the country takes effective steps to end this cycle of abuse, so that LGBT people can live freely in their country."

### ***Abuse, torture, sexual violence in police custody***

The nature of the arrests and prosecutions documented by Human Rights Watch, and Egypt's official statements denying LGBT rights, suggest a coordinated policy – at the very least acquiesced to, if not directed by senior government officials – to persecute LGBT people. As a police officer told a man arrested in early 2019, his arrest was part of an operation to "clean the streets of faggots." These accounts of torture and abuse present further evidence of the deeply rooted, pervasive use of torture by the Interior Ministry and the level of impunity afforded to its officers. In a 2017 report, Human Rights Watch found that widespread and systematic torture crimes in Egypt probably amount to crimes against humanity.

In reviewing judicial files for 13 cases of people prosecuted under "debauchery" and "prostitution" laws between 2017 and 2020, Human Rights Watch found that Egyptian authorities had arbitrarily arrested seven men by entrapping them on dating apps (Grindr) and social media (Facebook and WhatsApp). Police randomly picked up five men because of what the authorities described as "feminine and gay gestures" and one transgender woman due to her "abnormal appearance."

Authorities held 11 men in pretrial detention pending investigation, in some cases for months, then sentenced them to prison terms ranging from three months to six years. Appellate courts dismissed charges against eight of the men and reversed their convictions and upheld the convictions of two men but reduced their sentences. In one case, a man spent a year in prison, having been convicted of “debauchery” because he was unable to afford legal counsel to appeal his conviction.

One woman was subjected to three “virginity tests” during her detention and the authorities forced three men, a transgender girl, and a transgender woman to undergo anal examinations. “Virginity” and anal tests constitute cruel, degrading, and inhuman treatment that can rise to the level of torture and sexual assault under international human rights law. They violate medical ethics, are internationally discredited, and lack scientific validity to “prove” same-sex conduct or “virginity.” The Egyptian Medical Syndicate has taken no steps to prevent doctors from conducting these degrading and abusive exams.

In the following accounts, some of the victims are identified with pseudonyms for their protection, indicated by use of quotation marks around the name in the case headings.

Click [here](#) to read the cases from the report. Trigger warning.

### **Egypt’s legal obligations**

The abuses by Egyptian authorities against LGBT people documented here violate multiple fundamental rights, including their rights to privacy, bodily integrity and protection against inhuman and degrading treatment and torture, free movement, free expression, assembly and association, as well as their right to nondiscrimination and protection under the law.

The abuses violate not only Egypt’s obligations under international treaties to which it is a party, but the rights guaranteed in Egypt’s own constitution.

Egypt’s constitution sets out a number of fundamental due process rights. It prohibits warrantless arrests unless the person is caught in the act of a crime, requires a lawyer to be present during interrogations, and guarantees suspects the rights to remain silent, to be informed in writing of the reason for their arrest within 12 hours, to be brought before a prosecutor within 24 hours, and to contact a lawyer and family member.

The constitution prohibits torture, intimidation, coercion, and “physical or moral harming” of detainees and specifies that there is no statute of limitations on the crime of torture. It provides that a court should disregard any statement made under torture or threat of torture.

Egypt is a party to several international human rights treaties including the International Covenant on Civil and Political Rights (ICCPR), the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT), and the African Charter on Human and People’s Rights. All these treaties strictly and absolutely prohibit torture, which includes a prohibition on the use of evidence obtained under torture. The ICCPR and the African Charter also set out fundamental due process rights for any person detained or facing criminal charges, similar to those in the constitution.

Under international human rights law, Egyptian authorities are required to protect women against all forms of violence, and have specific treaty obligations in this regard as a party to the Convention on the Elimination of All Forms of Discrimination against Women. Egypt’s constitution also requires protecting women from violence.

The Yogyakarta Principles on the application of international human rights law in relation to sexual orientation and gender identity include the obligation that all states:

take all necessary legislative, administrative and other measures to prevent and provide protection from torture and cruel, inhuman or degrading treatment or punishment, perpetrated for reasons relating to the sexual orientation or gender identity of the victim, as well as the incitement of such acts.

Prosecutions for consensual sex in private between adults violate the rights to privacy and nondiscrimination guaranteed under international law, including in the ICCPR. The UN Human Rights Committee, which monitors compliance with the ICCPR, has made clear that it is prohibited to discriminate based on sexual orientation in upholding any of the rights protected by the treaty. The UN Working Group on Arbitrary Detention has found that arrests for same-sex conduct between consenting adults are, by definition, arbitrary. The African Commission on Human and People's Rights explicitly calls on member states, including Egypt, to protect sexual and gender minorities in accordance with the African Charter.

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## **Egypt: Gang rape witnesses arrested, smeared**

### ***Personal data used in abusive prosecutions.***

HRW (11.09.2020) - <https://bit.ly/2H9AF65> - Egyptian security agencies in late August 2020 arbitrarily arrested a man and three women who were witnesses to a high-profile gang rape case from 2014 that recently came to light, Human Rights Watch said today. Security also arrested two of the witnesses' acquaintances.

The prosecutor general ordered the release of three of the six on August 31 but is pressing charges against all of them for violating laws on "morality" and "debauchery" that are vague, discriminatory, and open to abuse. Pro-government media have subjected them to a coordinated smear campaign, and one of the women has described being abused in detention.

"It is horrifying that Egyptian authorities have arrested the witnesses to a gang rape after encouraging them to come forward instead of protecting them and prosecuting the attackers," said Rothna Begum, senior women's rights researcher at Human Rights Watch. "The case against the witnesses and the smear campaign against them and the rape survivor send a chilling message to survivors of sexual violence and witnesses that they can go to prison if they report sexual violence."

The authorities should immediately drop the charges against the six, offer protection to those who have come forward as witnesses, and prosecute those who are found to have committed the gang rape, Human Rights Watch said.

The case involves a woman who said that several men drugged her, took turns raping her, wrote their initials on her back, and recorded a video of their actions in Cairo's Fairmont Nile City Hotel in April 2014. The attackers shared the video among their friends, said women's rights activists, who first raised the case on social media in July 2020. After activists campaigned for weeks, the Office of the Prosecutor General said on August 24 that it had ordered the arrest of a number of suspects, seven of whom the office later said had fled the country. Two more were later arrested.

The authorities had encouraged witnesses of the rape to come forward, which they did in early August. They now stand accused of consensual same-sex sexual conduct, "inciting debauchery," personal drug use, and "misuse of social media," a charge frequently used against peaceful government critics.

Human Rights Watch interviewed 4 activists involved in online campaigning against sexual violence, 3 of whom have been in contact with the rape survivor and 2 of whom have been in contact with families of the witnesses and their acquaintances. Human Rights Watch also interviewed a person with knowledge of the case who asked to remain anonymous; a close friend of one of the detained men; a journalist, Basma Mostafa, who has been covering the case for al-Manassa, an independent news website; and two lesbian, gay, bisexual, and transgender (LGBT) rights activists.

"These men think they're so powerful that they filmed multiple rapes with their faces on video because they knew they could get away with it," one activist said. "The video was circulated among 70 or 80 people."

The Interior Ministry's National Security Agency arrested and then pressured the witnesses to alter their accounts while holding them incommunicado from August 28 to 31, three activists said after speaking with the witnesses who were released. Videos and photos showing events in the witnesses' private lives were leaked online shortly after security forces confiscated the witnesses' mobile phones and laptops.

"They went into their personal belongings, laptops, and phones, and extracted private things and the next day personal pictures and videos were circulating on social media," the friend of one of the witnesses' acquaintances said.

The friend and the journalist, who spoke with lawyers and relatives of the two men and one woman who remain in pretrial detention, said that the authorities subjected two of the detained men to forced anal examinations and one woman a "virginity test" – internationally discredited practices with no scientific validity to "prove" same-sex conduct or "virginity." These tests violate medical ethics and constitute cruel, degrading, and inhumane treatment that can rise to the level of torture and gender-based violence, Human Rights Watch said.

The woman witness who remains in detention said that security officers called her names, provided insufficient food and water, and "constantly humiliated" her, an activist who spoke with her family said. Activists believe she is most likely being held in Cairo's al-Qanater Women's Prison.

The accusations relating to private consensual sexual conduct violate the rights to privacy and nondiscrimination on the basis of sex, sexual orientation, and gender. International human rights standards require providing protection and security to complainants and witnesses to gender-based violence before, during, and after legal proceedings.

Activists connected to feminist and LGBT communities in Egypt said they fear a wider crackdown as security forces use content that they obtain from the confiscated devices to identify others. They said they believe that security forces have summoned additional witnesses and victims' friends for questioning. The 2014 gang rape at the Fairmont Hotel was first reported in July 2020 by "Assault Police," an Instagram account that has played a leading role in campaigning against sexual violence. The account did not name the suspects but claimed they were from wealthy, influential families. The account administrator deactivated the account for two weeks between late July and mid-August and later stopped posting about the case after receiving "serious threats," two activists close to the campaign said.

Activists told Human Rights Watch that several other survivors sent them accounts of sexual assault involving the same men as the Fairmont Hotel rape but were too afraid to file complaints. "They sent these videos to their friends like trophies," a July 26 post on Assault Police said.

"The Egyptian authorities have reinforced a 'victim blaming' culture and signaled where they stand on Egypt's #MeToo movement by silencing those brave enough to speak out," Begum said. "Egypt should be holding people to account for sexual violence and not persecuting women and men who report and fight such abuse."

### **More information**

Two activists said they had several screenshots from the video showing the survivor in a "paralyzed" state and the initials of the suspects that the suspects had written on her back. Activists said that the survivor of the Fairmont assault was 18 at the time. Following the incident, she left Egypt to study abroad and to seek psychological support. A person with knowledge of the case said that the survivor became impregnated as a result of her rape and that she terminated the pregnancy.

When the Assault Police Instagram account was deactivated, the National Council for Women, a governmental body overseen by the presidency, issued a public call on July 29 for victims and witnesses of sexual violence to contact the authorities, saying that the council was following the "threats" against online activists, including on Instagram.

Prosecutor General Hamada al-Sawy said on August 26, 2020 that the Fairmont survivor had filed an official complaint with the council on August 4, and that 7 suspects had left the country between July 27 and 29.

The authorities arrested two suspects in the case, A. and O., on August 27 and August 30, respectively, the prosecution said. A later statement said that the suspect arrested on August 27 was charged in a separate gang rape incident. Activists said this arrest was based on another video submitted to the prosecution, showing this suspect and another man raping another woman in Egypt's North Coast in 2015. It is not clear why the prosecutors added him to the Fairmont case, but prosecutors in Egypt frequently add suspects from different cases together, which can be in violation of safeguards against mass unfair trials.

Media reports said, and the Lebanese Interior Ministry confirmed, that Lebanese authorities arrested three other suspects between August 27 and 29 in Lebanon, based on Interpol requests. Activists said that to their knowledge, those three suspects had not been extradited to Egypt.

### **Arrests of witnesses, acquaintances**

Four witnesses to the Fairmont gang rape, three woman and a man, were arrested after they gave their accounts to the National Council for Women, two activists who have closely followed the case said. The two activists said the rape survivor and witnesses initially did not agree to meet with the council, fearing reprisals and intimidation by the families of the suspects, but that council officials assured them that their identities would be protected.

On August 28 and 29, the National Security Agency arrested the three women witnesses, including an Egyptian-American woman arrested at her home in Cairo at 4 a.m. Officers told her they "wanted her for a chat," an activist with knowledge of the arrest said. Security forces arrested another witness at her summer house in the Red Sea resort el-Gouna, southeast of Cairo. The authorities held all three women incommunicado and interrogated them until August 31, when they were eventually allowed access to lawyers, three activists said. They said that the officers pressured the women to alter their accounts.

"One witness was made to stand [during interrogations] for hours to make her tired, uncomfortable, and break her down," one activist who spoke with the released witnesses

said. "They kept telling her, "You made this up. Better for you to admit it now. You don't want what's going to happen to you.'" The witness refused to change her testimony, the activist said.

After security forces arrested the witnesses, activists tried to contact National Council for Women officials but received no response. One activist said a council staff member told her to "calm down" when she expressed concern about the detained witnesses. Human Rights Watch emailed questions about the case to the council on September 3 and September 8 but has received no response.

The United Nations Committee on the Elimination of Discrimination Against Women, which oversees the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, to which Egypt is a state party, has called on state parties to "Adopt and implement effective measures to protect and assist women complainants of and witnesses to gender-based violence before, during and after legal proceedings, including by: (i) Protecting their privacy and safety."

Four activists said that the authorities arbitrarily arrested at least two other people, who are acquaintances of the witnesses. One was allegedly a man who was visiting one of the American-Egyptian woman witnesses when security officials came to arrest her. Security forces unlawfully searched the man's phone and used photos they found to allege that he has engaged in same-sex conduct as a basis to keep him in custody. Prosecutors renewed his detention, and he could face charges under Egypt's "debauchery" laws.

While Egyptian law does not explicitly criminalize consensual same-sex conduct, authorities routinely resort to vague "debauchery" and "morality" laws to prosecute people suspected of same-sex conduct or for being gay or transgender. Under President Abdel Fattah al-Sisi's government, since 2014 authorities have waged a campaign of arrests and prosecution against hundreds of people for their perceived or actual sexual orientation and gender identity.

Security forces also arrested a well-known party organizer who was involved in organizing the 2014 party at the Fairmont Hotel during which the gang rape occurred, although the person with knowledge of the case said the rape survivor did not accuse him of any wrongdoing. Pro-government websites said he was arrested on August 28 in a North Coast resort village. Several websites published his name and private information in the smear campaign based on his perceived sexual orientation.

Security forces have been holding the two men in al-Tagamoia First Police Station, east of Cairo. Authorities have not allowed any family visits for the two since their arrest, a person with knowledge of the case said. Lawyers were reportedly able to attend the prosecution interrogations with the two men, but not see them privately.

The Fairmont Nile City Hotel released a statement on July 31, saying that it is "committed to assisting the relevant authorities should an initial investigation be opened."

An August 31 statement by Prosecutor General Hamada al-Sawy said that he had ordered 3 people detained pending investigation and ordered the release of 4 others, 3 of them on bail of 100,000 Egyptian pounds (US\$6,300) each. It is not clear which people he is referring to in the statement. As of September 2, at least three of those arbitrarily detained remain in custody, including a woman witness, the party organizer, and the man whom the authorities are alleging has engaged in same-sex conduct.

The statement said that prosecutors ordered the detainees to be tested by the forensic labs for drugs and two of them to undergo physical examinations.

Two activists said that authorities subjected the two detained men to forced anal examinations, a practice denounced by African and international human rights bodies, which Egyptian authorities routinely carry out to seek “proof” of same-sex conduct.

Al-Manassa also reported on September 3, citing the lawyer of one of the witnesses, that the authorities subjected at least one of the detained women to the abusive “virginity test.” “Virginity testing” is likewise recognized internationally as a form of cruel, inhumane, and degrading treatment, gender-based violence, and discrimination. The World Health Organization has said that “virginity tests” have no scientific validity and that healthcare workers should never conduct them. The UN Committee on the Elimination of Discrimination against Women has also called on states parties to repeal “discriminatory evidentiary rules and procedures, including ... practices focused on ‘virginity.’”

Prosecutions for consensual sex in private between adults violate the rights to privacy and nondiscrimination guaranteed by the International Covenant on Civil and Political Rights, to which Egypt is a party. The UN Human Rights Committee, which interprets the covenant, has made clear that discrimination based on sexual orientation is prohibited in upholding any of the rights protected by the treaty, including the right to free expression.

The UN Working Group on Arbitrary Detention has found that arrests for same-sex conduct between consenting adults are, by definition, arbitrary. The African Commission on Human and Peoples’ Rights explicitly calls on member states, including Egypt, to protect sexual and gender minorities in accordance with the African Charter.

The arbitrarily detained individuals could also face prosecution related to personal drug use. Governments should decriminalize the personal use of drugs, Human Rights Watch has said. Criminalizing personal drug use has failed to eliminate drug abuse, and has had devastating human rights consequences, including undermining the rights to health, access to necessary medications, and privacy; serving as an excuse for grossly disproportionate punishment and abuses in detention; and fueling the operations of organized criminal groups that commit abuses, corrupt authorities, and undermine the rule of law.

### **Smear campaign**

After their arrest, videos and photos showing scenes of some of the detained witnesses’ private lives have been leaked online. One video shows several women and a man who appear to be drunk, and other videos show intimate behavior. Activists said they believe that security forces leaked the photos and videos to smear and intimidate the witnesses.

The Office of the Prosecutor General said in its August 31 statement that all mobile phones of the people detained were sent to the “Technical Support Administration” in the Interior Ministry to “retrieve all its contents and recover any deleted content and retrieve all conversations made on the communications apps.” One activist, who spoke with some of the released witnesses, said that the National Security Agency had searched the phones and laptops of the witnesses at the time of arrest and “took whatever they could find.”

Since August 31, pro-government websites and journalists have published reports that stigmatize the rape survivor, witnesses, and activists involved in the case. Some government-affiliated media websites are reframing the gang rape as a “group sex party” and alleging that security investigations revealed “the biggest network of homosexuality.” One pro-government journalist, who is also a lawyer, said in a now-removed Facebook post that she submitted a complaint to the prosecutor general about several activists whom she accused of fabricating the rape allegations to “tarnish Egypt’s image” and to “spread homosexuality.”

One activist said that an audio recording, taped secretly, of a private conversation between the rape survivor and her lawyer was leaked over WhatsApp and on social media “after being taken out of context” to make the survivor appear as if she was contradicting her official complaint.

The mother of one detained witness wrote on her Facebook page on September 2 that many Egyptian journalists received WhatsApp messages from an international number with contents violating her daughter’s privacy. She said her daughter was married to one of the suspects in the rape, who is believed to be in London. Blurred screenshots of the messages the mother posted showed the phone number which sent the messages.

### **Online campaigns combating sexual violence**

The Egyptian #MeToo movement has become re-energized since late June as many victims and survivors of sexual violence have posted accounts of sexual violence on Facebook, Twitter, and other social media platforms. The Assault Police Instagram account emerged in early July and has since published dozens of accounts of assaults, particularly of people from wealthy families. Some of the assault accounts that the page received involved Ahmed Bassam Zaki, 21, who Assault Police said was involved in over 100 sexual assaults, some dating back to 2016.

The campaigning led the authorities to detain Zaki in early July and prosecutors referred him on September 1 to criminal trial on charges of sexual assault of three girls, as well as other complaints about sexual harassment and blackmailing. “We did all the police work for them from scratch,” an activist supporting the campaign said. “We got evidence for them. We got a police report from Spain and testimonies from different countries.... And we got him in jail.”

The campaign against Zaki and his subsequent arrest reignited the #MeToo movement. The National Council for Women said on July 7 that it had received 400 complaints and inquiries, mainly about violence against women, in the first 5 days of July.

Assault Police was also the first to publish an account of the Fairmont case in late July, without naming any suspects. The account called on those with the video recording of the assault to send it to the account administrator. The administrator, Nadeen Ashraf, deactivated the account for about two weeks after the page received “serious threats,” two activists said. Ashraf had remained anonymous until August 20, when she posted a video statement acknowledging her role in the campaign. Assault Police did not publish anything more about the Fairmont case on the account, but other online campaigns began to report on it. “Gang Rapists of Cairo,” another anonymous Instagram account, published the names and photos of several of the alleged rapists.

This is not the first time that the authorities have prosecuted people who report rape. Human Rights Watch reported on the arrest on May 28 of Aya, 17, who is a social media influencer known as “Menna Abdelaziz.” She had posted a video online on May 22, in which her face appeared bruised, saying she was beaten by a group of young men and women, and that the men also raped her, filmed the acts, and blackmailed her with the footage. The prosecution stated that she had been detained pending investigation as a victim of sexual assault but also as a suspect in morality-related offenses for her videos.

Serious gaps remain in Egypt’s laws and practices relating to sexual violence and treatment of survivors. On August 16, the Egyptian Parliament approved government-sponsored amendments to the Criminal Procedural Code, following reports about the Zaki case, to ensure anonymity and protect the identities of victims and witnesses in sexual violence cases and to punish those who leak such information. President al-Sisi has not yet signed the amendments into law.

If enacted, this would come after amendments to the penal code passed in 2014 that defined sexual harassment for the first time and strengthened its punishment. But the law falls short of international standards for the definition of rape as it should include all forms of penetration without consent or in coercive circumstances that negate consent, including vaginal, anal, and oral penetration by any body part or by other instruments, Human Rights Watch said.

Calls by Egyptian women's rights organizations and activists over the years for a comprehensive law on violence against women and a national strategy to enforce the new approved laws have largely not led to action by the authorities.

The authorities should use available UN guidance, such as the UN Handbook for Legislation on Violence against Women, to set out components on combating violence against women, including protection of survivors and witnesses through trained officers and providers. Sexual violence and harassment have plagued Egyptian society in recent decades as survivors are often blamed, and authorities have done little to prosecute suspects or to challenge discriminatory norms that underpin such violence.

A 2013 survey by the UN Entity for Gender Equality and the Empowerment of Women (UN Women) reported that 99 percent of women in Egypt interviewed experienced some form of sexual harassment in their lifetime. The Egyptian authorities are required to act under the Convention on the Elimination of All Forms of Discrimination against Women, to which Egypt is a state party, and Egypt's constitution to protect "women against all forms of violence."

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## **Egyptian actor's trans son sued for Instagram post about LGBT+ activist's suicide**

***Noor Hesham Selim is being sued for trying to spread homosexuality among young people.***

By Menna A. Farouk

Thomson Reuters Foundation (24.06.2020) - <https://bit.ly/3dM3vnF> - The transgender son of one of Egypt's most famous actors is being sued for promoting homosexuality among young people after posting on Instagram in support of an LGBT+ activist who died by suicide earlier this month.

Two Egyptian lawyers filed a lawsuit on Tuesday against Noor Hesham Selim, son of film and television star Hesham Selim, after he posted a video on Instagram in response to the death of exiled Egyptian activist Sarah Hegazy.

"It is a conspiracy against Egypt to give up on our culture and morals and let homosexuality spread among young people," Ayman Mahfouz, one of the two lawyers who filed the lawsuit, told Thomson Reuters Foundation by phone on Wednesday.

"Strict action" should be taken against people who seek to destroy Egyptian values and religious beliefs, Mahfouz added.

While homosexuality is not outlawed in Egypt, it is a conservative Muslim society and discrimination against LGBT+ groups is rife, with gay and trans people facing instances of assault and torture, according to Human Rights Watch.

Selim, 26, was thrown into the spotlight last month when his father surprised television viewers by speaking openly about his transition in the hope it would help change social attitudes towards trans people in Egypt.

Selim's support for Hegazy, who was found dead in her apartment in Canada, where she sought asylum in 2018 after being jailed in Egypt for waving a rainbow flag at a pop concert, has triggered further upset among conservatives.

Selim, who was not immediately available for comment, made a second post on Tuesday saying that he was in poor mental health and the online criticism of Hegazy made him feel even lonelier.

Hegazy, 30, had been struggling with depression before her death, according to her lawyer.

"Where is the mercy?" Selim asked.

Reda Eldanoubki, a lawyer and human rights activist with the Women's Center for Guidance and Legal Awareness, said the case might actually play in favour of Egypt's LGBT+ community.

"Such lack of tolerance and acceptance usually backfires, and it is not in the interest of the whole society," he said.

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## **For Sarah Hegazy: In rage, in grief, in exhaustion**

By Rasha Younes

HRW (16.06.2020) - <https://bit.ly/2A2bUp8> - On Sunday, June 14, Sarah Hegazy, a 30-year-old Egyptian queer feminist whose resistance centered around a deconstruction of class power and struggle, took her own life in exile in Canada.

Three years ago, Sarah attended a concert featuring the Lebanese band Mashrou' Leila in Cairo. Elated, she waved a rainbow flag, a symbol of pride used by queer and transgender people and movements around the world.

About a week later, Egyptian authorities detained Sarah on charges of "joining a banned group aimed at interfering with the constitution." They also arrested dozens of other concertgoers, many on the basis of their real or perceived sexual orientation or gender identity. Sarah spoke about being tortured by members of the Egyptian police in detention, including the use of electric shocks, and solitary confinement. Police incited other detainees to sexually assault and verbally abuse her.

Sarah was released on bail after three months, but those who arbitrarily deprived her of liberty and tortured her were never held to account.

Marking a year after her arrest, from exile in Canada, Sarah wrote, "Even after my release, fear of everyone, family, friends, and the street continued to haunt me." She wrote about how abuse and threats in Egypt forced her to leave her country, for fear that she would be arrested again, or killed. She wrote about her alienation and isolation, her suicide attempts, and how she could not return home to mourn after her mother died.

She said, "A year after the Mashrou' Leila concert, a year after [Egypt's] biggest security attack against gay people, a year after I announced my difference (Yes, I am a gay), I

have not forgotten my enemies. I have not forgotten the injustice that left black spots carved in my soul and bleeding, spots that doctors had never been able to treat."

What does it mean to arrive to "safety" in a foreign country, to sit alone with trauma and grief, robbed of any lifeline, and connected only through a computer screen?

When will the work of uprooting patriarchal and economic systems of control over queer and women's bodies stop costing them their lives? How do we remain resilient as we watch fighters perish and perpetrators live on without consequence?

On March 6, 2020, Sarah wrote, "[In Egypt], every person who is not male, Muslim, Sunni, straight, and a supporter of the system, is rejected, repressed, stigmatized, arrested, exiled, or killed. This matter is related to the patriarchal system as a whole, since the state cannot practice its repression against citizens without a pre-existing oppression since childhood."

To be precise, from 2013, when Abdel Fattah al-Sisi took power, to 2017, when Sarah was arrested, Egyptian authorities arrested or charged tens of thousands of people, forcibly disappeared hundreds for months at a time, handed down preliminary death sentences to hundreds more, and tried thousands of civilians in military courts. The nationwide repression has inexorably continued, and hundreds have been detained on the basis of sexual orientation or gender identity alone.

To the Egyptian government: We, queer feminists, are the collective force etching at your oppression, raising our flags and voices and fists until you are held accountable for robbing Sarah and countless others of their bodily autonomy, their home, and their lives.

To all the queer and trans people in Egypt checking on their fellow queers to make sure they have survived another day, to all of Sarah's companions and loved ones in Egypt and beyond: I cannot fathom your pain.

To Sarah: Rest, just rest, spared from this relentless violence, this state-powered lethal patriarchy. In rage, in grief, in exhaustion, we resist.

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## **Actor's revelation about transgender son sends shock waves across conservative Egypt**

***A prominent actor's disclosure about his daughter's transition has been met with a rare show of support in a conservative society with little tolerance for gender nonconformity.***

By Shahira Amin

Al-Monitor (12.05.2020) - <https://bit.ly/3e2VOKr> - Egyptian actor Hesham Selim raised eyebrows when he disclosed in a TV interview broadcast on Al-Kahera Wal Nas Channel May 3 that his daughter, Noura, was undergoing gender transition.

"My daughter Noura is now my son Nour; it is God's will," the actor said. He added that he was not surprised when Nour came out as a transgender person at the age of 18. "The first time I held Noura after she was born, I could see that 'she' looked more like a boy than a girl. I always had doubts about 'her' gender identity."

Eight years ago, Nour told his father he did not feel in harmony with his body. "It was very brave of him to speak out as we live in a society where such issues are taboo," Selim told the show's presenter.

In the conservative patriarchal society, few dare talk openly about gender transition because of the stigma attached to gender nonconformity. Selim nevertheless, expressed support for his son's decision, saying, "As his father, I can only encourage him to live the life he has chosen."

Nour, who has yet to complete his transition, is facing challenges in changing his gender designation on his national identity card, Selim said in the interview. "Things are extremely difficult for people like my son. I deeply sympathize with families that are going through such an ordeal," he noted.

While Selim's revelation sent shock waves across the country, it earned him more praise than criticism on social media. Many activists commended his "courage" and expressed their support for him and his son.

One Twitter user expressed doubt, however, that Selim would have gotten the same level of support had he announced that the transition was from male to female. Acknowledging Selim's "bravery," the activist added, "He has thrown a stone into still waters, causing ripples. His disclosure may lead people to rethink their attitudes toward transgender people."

Members of Egypt's transgender community celebrated Selim's announcement as a step toward reversing the widespread antipathy toward transgender people.

"This is a remarkable step forward and a marked change signaling greater social acceptance and a more supportive environment for transgender people," Malak el-Kashif, an outspoken transgender woman and rights activist, wrote on her Facebook page May 3.

Like many fellow members of Egypt's LGBTQ community, Kashif has suffered discrimination, abuse and even persecution. The 20-year-old, who was registered as a boy at birth, got approval from the Egyptian Medical Syndicate to change her gender three years ago and has since performed several gender reassignment surgeries.

Kashif has gained a massive following chronicling her transition on social media and also advocates for transgenders' rights in her articles published on the Transatsite, an Arabic-language portal dedicated to gender identity issues.

But Kashif has paid a price for her visibility, as she has been arrested three times in what she told Al-Monitor were "attempts by the authorities to silence me." She recalled, "On one occasion in 2018, I was arrested at a checkpoint on my way to [the town of] Dahab, after the officer who searched my bag found my medical records and some dresses. I was taken into custody on the accusation of traveling with the intent of engaging in illicit sexual conduct."

In March 2019, Kashif was arrested again — this time over a Facebook post calling for demonstrations to protest a deadly Cairo train crash that had taken place some days earlier.

"I was clearly being punished for my activism and was forced to undergo a humiliating anal examination at a public hospital," Kashif said.

Such examinations have been denounced by the Egyptian Commission for Rights and Freedoms as "a flagrant violation of privacy and human dignity" and tantamount to

"torture." Kashif, who has yet to change her gender designation on her ID card, was held for four months in solitary confinement in an all-male prison on charges including "aiding a terrorist organization" and "misusing social media by spreading false news on Facebook."

After her release in July 2019 pending further investigations, she filed a legal complaint demanding separate cells for transgender inmates in police stations and prisons.

"Those who have not completed their transition should be separated from other prisoners to avert the risk of sexual assault at the hands of other inmates," she said.

There has been no verdict in the case so far as the court proceedings have been postponed several times. Kashif expects yet another postponement on May 30, the scheduled date for the next court session.

Gender reassignment surgeries are legal in Egypt. In 2013, the Medical Syndicate issued a Code of Ethics recognizing gender identity disorder (GID) as a medical condition, thus paving the way for transgender patients who have GID to undergo sex change surgeries. But these surgeries were being performed in Egypt long before then. In January 1988, in a much publicized case, Sayyid Abdallah, a then-19 year-old medical student at Al-Azhar University, underwent gender reassignment surgery, transitioning to Sally. The case stirred a great deal of controversy and Sally was reportedly punished by the then-dean of the Medical Faculty who refused to admit her for the final exam or have her transferred to the Medical Faculty for girls. The Medical Syndicate accused the surgeon who performed the operation of committing "a grave error."

Today — more than three decades later — perceptions of gender transition have not changed much — the procedure is still largely frowned upon as "sinful" and "tampering with God's creation." That perception may have been shaped by the Islamic hadith citing that "God has cursed effeminate men who imitate women." Former Grand Mufti Ali Gomaa, however, affirmed in a 2014 TV interview broadcast on the Egyptian CBC channel that "it is a duty for transgender persons — and their families — to correct their gender to end their state of confusion."

The surgery is only permissible for hermaphrodites (those with male and female reproductive organs), Gomaa said, adding that it is forbidden in cases of a person choosing to behave or look like the opposite sex but only has the traits of his or her birth gender.

Gomaa's view was reiterated by Dar al-Iftaa, the authority that issues religious edicts, in response to a question by Al-Monitor (via its hotline) on whether such surgeries are halal (permissible). "If a medical specialist decides that the surgery is in the patient's interest and is necessary to protect him or her from harm, then it is permissible. But it is forbidden in cases where there are no medical grounds and a man simply desires to become a woman or vice versa," an Iftaa cleric said.

Up until 2016, transgender people were able to undergo gender reassignment surgeries at public hospitals without charge. This is no longer the case and "permits for such surgeries are now harder to obtain," Hashem Bahary, a professor of psychiatry at Al-Azhar University, told Al-Monitor in a telephone interview.

A sex correction committee — made up of a psychiatrist, a medical expert from the Medical Syndicate and a cleric from the Ministry of Endowments — had met periodically to review requests for gender transitions and approve or reject them on a case-by-case basis. But the committee has not convened since early 2016, leaving those wishing to change their gender with no option but to turn to private hospitals and clinics.

“Many private clinics take advantage of trans patients’ desperation, charging exorbitant fees — sometimes for botched surgeries,” Mozn Hassan, a women's rights activist and founder of Nazra for Feminist Studies, told Al-Monitor.

A gender reassignment surgery costs in the range of 25,000 Egyptian pounds (around \$1,600), according to Bahary, who said that the surgeries are beyond the means of the average Egyptian. Al-Azhar’s Psychiatric Center, which had offered transgender patients psychological support for nearly two decades, was shut down in 2017 at the behest of Al-Azhar Grand Imam Sheikh Ahmed el-Tayeb, according to Bahary, who said he continues to offer his LGBTQ patients free mental health services at his private clinic.

Transition is a complex and tedious process in Egypt, often taking several years to complete. It involves two years of psychological treatment, medical tests and approvals by religious authorities and medical specialists.

“After completion of the transition, a report is submitted by forensic experts to the Interior Ministry requesting permission for the change in gender designation on ID cards,” Bahary said.

Waad Mohamed Ahmed (nicknamed Cinderella ), a 28-year-old Alexandria-based lawyer, has been more fortunate than most. Identified as a boy at birth, she performed her first gender reassignment surgery five years ago at a private hospital at her own expense. She then underwent a second surgery at Kasr el-Eini public hospital in Cairo. It took several months to change her gender status on her ID card after approval from forensic experts. “The worst time for me was before the transition. I was ostracized by my family and was persistently sexually harassed on the street,” she told Al-Monitor.

Her biggest concern today is finding a suitable marriage partner. “When men who are attracted to me learn about my past, they shy away,” she said.

In a society with little tolerance for gender variance, the biggest challenge for transgender Egyptians is gaining societal acceptance.

“Selim's disclosure about his son's transition is a milestone in transgender Egyptians' fight for recognition and respect,” Hassan said. “Not only has he broken a longstanding taboo, but he has also brought to public attention the dire need to integrate this marginalized minority group into the mainstream.”

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