FROM MUBARAK TO SISI: LGBT IN EGYPT, A TIMELINE OF REPRESSION

A report of the history of the LGBT situation in Egypt, since Mubarak regime (90s) till Sisi regime (2015), show the most influential cases and crackdowns.

A report presented in collaboration between:
"Solidarity with Egypt LGBT" initiative
And
"Lesbian and Gay Federation in Germany"
(Lesben- und Schwulenverband in Deutschland)

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Introduction

The situation of the human rights now in Egypt, is the worst since decades, as we are living in a typical totalitarian system, where violations and non-preservation of any personal rights are the prevailing features in the government's policies. As LGBT are a part of the community, they are suffering from the same policy, in addition to their own struggling in a society like the Egyptian society, which does not accept or even respect their rights in safe life.

After the military coup, and since October 2013, there is a crackdown on the LGBT members in Egypt, specifically gays and transgender, we recorded the number of LGBT victims which is 91 people in 21 cases, and those are the only known cases, other sources estimated that the number of victims is over 150 .

The Egyptian authorities and LGBT:

The relation between authorities and LGBT in Egypt is a series of repression acts, since Mubarak regime till the currently totalitarian Sisi regime, the policy is the same, a persecution of the gays and transgender because " they are dangerous on the society molarities and against its traditions", the only difference from a regime to another is how severity it is .

This is a general analysis on the way how Egyptian regimes deal or dealt with LGBT:

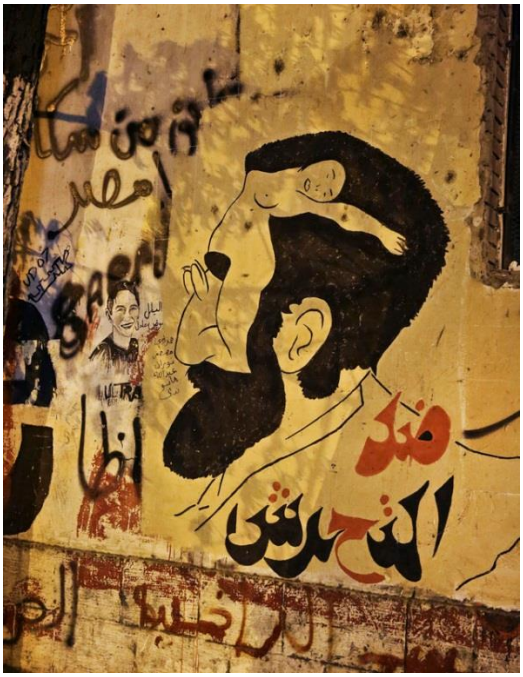
Mubarak regime:

In the Mubarak system, the dealing of authorities with LGBT wasn't so different from today. The authorities performed usually crackdowns on the gays meeting points, tracked and set up fake meetings for LGBT individuals using online chat programs at this time. One of the unforgettable cases is "Queen Boat" case, when 52 men were arrested aboard a floating nightclub called the Queen Boat.

In the media and movies, talking about homosexuality was a taboo. Till the 2000s, movies weren't able to mention homosexuality frankly, it was only mentioned by hints. But in 2006, a movie called "Omaret Yacoubian- the Yacoubian Building" talked about homosexuality in the Egyptian society, as one of the characters was a fairly open homosexual writer.

January 25 Revolution (The Egyptian Revolution of 2011), The SCAF (Supreme Council of the Armed Forces) and Muslim brotherhood:

The revolution of 25th January, is a milestone in the Egyptian history, it affected on the social awareness, opened the eyes on issues and taboos that the society refused to look at or used to discuss before, like sexual harassment and LGBT rights in Egypt, and it was the beginning to get the LGBT issue more publicity.



An Anti-sexual harassment Graffitis (1) (2)

Graffiti on Mohamed Mahmoud Street, Cairo, 2013. On the left, the original version calls the police “gays.” Other activists painted over the insult and made a different statement: “Homophobia is not revolutionary.” (Photo shared by Leil Zahra Mortada) (3)

From March 2011 till July 2013, which is the period of ruling of SCAF then Muslim brotherhood, due to the major political problems in the country during that period, the protests and civil disobediences, there was less attention to persecution of LGBT. On the other hand, the most famous charge which revolutionists and human right activists were accused with, was being homosexual, or their political opinions support homosexual rights such allegations were used various times in many political conflicts.

And that gave an idea how the Muslim brotherhood would deal with LGBT if the situation was more stable for them and they continued ruling of the country.

4th of July 2013, the military coup and rising of Sisi regime:

It took only three months for the military coup to start the most aggressive crackdown on LGBT community in Egypt.

Since October 2013, there has been a real manhunt for gay people in Egypt. The police isn't just targeting well-known gay hangouts; they are increasingly raiding houses when they think there is an LGBT party going on (4).The new intensity of this repression is tied to the political situation in Egypt. Since President Sisi came to power, he has wanted to show Egyptians that he is as conservative as the ousted Muslim Brotherhood.

The Law on the Combating of Prostitution, and the law against debauchery.

Some points should be declared about how the Egyptian law system criminalizes homosexuality. Hereafter is a translation of the laws which are used to imprison homosexuals and transgender in Egypt. It is taken from the ILGA publication on State-Sponsored Homophobia, A World Survey of Laws: criminalization, protection and recognition of same-sex love, from May 2015, 10th edition (5).

Law 58/1937 promulgating The Penal Code

Article 98(f): "Detention for a period of not less than six months and not exceeding five years, or paying a fine of not less than five hundred pounds and not exceeding one thousand pounds shall be the penalty inflicted on whoever exploits and uses the religion in advocating and propagating by talk or in writing, or by any other method, extremist thoughts with the aim of instigating sedition and division or disdaining and contempting any of the heavenly religions or the sects belonging thereto, or prejudicing national unity or social peace."

Article 269 bis: "Whoever is found on a public road or a traveled and frequented place inciting the passersby with signals or words to commit indecency shall be punished with imprisonment for a period not exceeding one month. If the felon recurs to committing this crime within one year of the first crime, the penalty shall become imprisonment for a period not exceeding six months and a fine not exceeding fifty pounds. A ruling of

conviction shall necessitate placing the convict under police supervision for a period equal to that of the penalty.

Article 278: "Whoever commits in public a scandalous act against shame shall be punished with detention for a period not exceeding one year or a fine not exceeding three hundred pounds.

Law 10/1961 on the Combating of Prostitution

Article 9: "Punishment by imprisonment for a period not less than three months and not exceeding three years and a fine not less than 25 LE and not exceeding 300 LE [...] or one of these two punishments applies in the following cases:

(a) Whoever lets or offers in whatever fashion a residence or place run for the purpose of debauchery or prostitution, or for the purpose of housing one or more persons, if they are to his knowledge practicing debauchery or prostitution.

(b) Whoever owns or manages a furnished residence or furnished rooms or premises open to the public and who facilitates the practice of debauchery or prostitution, either by admitting persons so engaged or by allowing on his premises incitement to debauchery or prostitution.

(c) Whoever habitually engages in debauchery or prostitution. Upon the apprehension of a person in the last category, it is permitted to send him for a medical examination. If it is discovered that he is carrying an infectious venereal disease, it is permitted to detain him in a therapeutic institute until his cure is completed.

It is permitted to determine that the convicted person be placed, upon completion of his sentence, in a special reformatory until the administrative agency orders his release. This judgment is obligatory in cases of recidivism, and the period spent in the reformatory is not allowed to be more than three years.

The medical examination to detect "chronic homosexuals"

The government is using scientific theories that have lost its credibility, dating back more than 150 years to do the so-called tests. In 2013, Scott Long wrote a paper with the title:

"WHEN DOCTORS TORTURE: The Anus and the State in Egypt and Beyond", In "Health and Human Right Journal", descripting this medical examination (6):

"These are the legal stipulations that undergird the Authority's examinations. Dr. Fouda detailed the medical beliefs behind them:

Whenever a penis comes to enter an anus, there is a concentrated spasm due to the instinctual desire to prevent penetration. The anus closes itself. Thus, the first time an anus

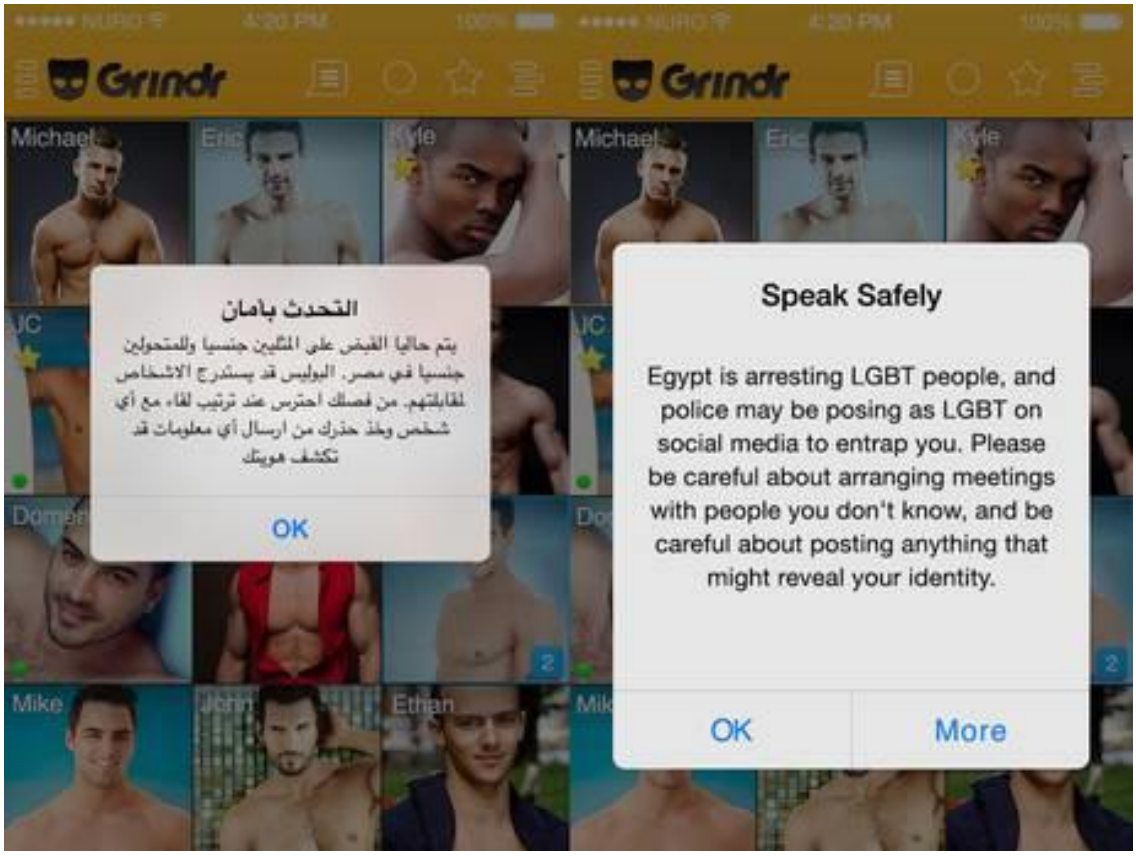
is penetrated by another person's penis, it is always by force. It causes a tearing of the muscle in the pelvic diaphragm.

Recurrent use causes multiple tears in the muscle and this makes the anal orifice weak.... [It also causes] dissolving of the perianal fat around the rectum. Due to the latter, you can observe a loss of the corrugation around the anus. And when you grip the buttocks hard there is passive dilation, revealing a funnel-shaped anal cavity, with weak reflexes."

Using the dating and social media app for trapping gays:

The police set traps for gays using dating apps and social media websites, by arranging fake dates and then arresting the victim in the meeting point, or even using GPS-enabled applications to locate gay and lesbian civilians and increase the surveillance in specific areas.

And in court, the chat history is used as evidence of guilt



A message sent to Grindr users in Egypt warned them to hide their identity (7)

Following are some of the cases where the victims were arrested for being transgender, gay or even acting like a gay (these cases have been recorded from newspapers):

In April 2014, four transgender women were arrested

They were arrested in their own apartment where they had just moved, according to the testimony of one of the victims as written in "Mada Masr" (8)

"At the station, they were asked if they were prostitutes. The police who brought them in explained, "They are she-males." Then the beatings started.

"He [the police officer] beat up my friend with an electric stick. He was hitting her on her head, on her stomach, on her butt, everywhere; she was screaming. They beat us so hard, and told us 'You're not worthy, you don't deserve to live',"

Three of the women were sentenced to three years in prison, while the woman who owned the apartment, was sentenced to eight years.

Later, the four women won their appeal as the result of a procedural error when they were first arrested. The prosecution forgot to make them take a forensic anal examination

In May 2014, another four transgender women had been arrested

what was new in this case, a local journal called "el youm 7 – the seventh day" (9) which is in good relation with the Egyptian authorities, as it is always the first journal in publishing the LGBT cases and had a big rule in spreading hate speech against gays and transgender- had published photos and videos for the victims in the police station. The victims were in a humiliating situation and publishing the photos and videos broke all the rules and the concept of victims' privacy. The reporter kept asking them about "what" they are and they were forced to testify that they are sex workers.

One of the women was sentenced to 12 years, another two were sentenced to 7 years, and one was sentenced to 4 years.

Gay wedding party

In September 2014, seven men were arrested after they appeared in a video showing a marriage ceremony between two men. The footage showed a gay couple exchanging vows and rings under a traditional canopy on a boat on the Nile, in the presence of a small group of friends. The footage was shared across social media and was picked up by the local press, which condemned this ceremony (4).

The two men featured in the ceremony underwent "medical tests", after the men were "tested," the authorities admitted that the results showed that they had not engaged in homosexual relations. However, the seven men were sentenced to one year, for acting like "gays" (10).

Ramses Bathhouse

In December 2014, police carried out a massive raid on a *hammam* (bathhouse) in the Ramses area of Cairo, 26 men were arrested almost naked.

A TV reporter called "Mona Iraqi" -presenter for the TV program *El Mostakhbai* (The Hidden), which airs on the pro-government *Al Kahera Wal Nas* (Cairo and the People) news

channel- with a cameraman arrived before the attack, and she was the informer. She filmed and took photos of the whole arresting process, published them later as a TV investigation on the dangerous of homosexuality on the community and how it is the first reason in spreading HIV! (11).

Later, The Court acquitted the defendants, who had been accused of debauchery and indecent public acts in the bathhouse.

This case is the second biggest case for arresting people and charging them for being homosexual in Egypt- after the Queen Boat case-. It was a case that destroyed the life of 26 men, unfortunately one of the victims became severely depressed and tried to attempt suicide by setting himself on fire.

'Ramses bathhouse' defendants had pressed charges against the TV reporter behind their arrest, but that case is still in court till now!

Banning Gay foreigners from entry Egypt

In April 2015, An Egyptian court has ruled that gay foreigners can be deported from the country or banned from entry (12).

The case, brought before an Egyptian administrative court on Tuesday (14 April), involved an allegedly gay Libyan man who had previously been barred from returning to the country by the interior ministry in 2008, the court ultimately ruled in favor of the ministry, in a bid to 'protect public interest and religious and social values'.

In an article in the "pinknews" (13), a judicial source, told reporters that the ministry has the right to ban LGBT people to protect public interest and religious and social values!

Gay' Syrian refugee arrested on a fake gay hookup date

In June 2015, Gay' Syrian refugee arrested after set a fake date to him using online date apps, he was sentenced to one year in prison , after an officer from the Morality Police set up a fake gay hookup date online.

The undercover police officer, who was posing as a gay man on social media, chatted with the refugee, arranged to meet him and arrested the man as soon as he arrived on location. The officer later submitted all information, including chat history, to public prosecution, which was used to convict the man.

"The case contained lots of null procedures, like the arrest itself," the defendant's lawyer Ahmed Hassam said. "There wasn't a crime in the first place. The crime was in the imagination of the officer himself. No debauchery happened. Second, sending personal messages is unconstitutional? Searching an innocent person isn't allowed according to criminal procedure code in Egypt." (14)

Egyptian Society and LGBT

Our society has grown on suppressing the weak and eliminating them, and whatever repression is done by the government, it is just a reflection of society's own repression of the weaker "Other". We live in a society that simply refuses to accept this "Other", whoever he is.

Many cases have been recorded for blackmailing, robbing and killing homosexuals after they were exposed in their neighborhood.

This violence is rooted in LGBTQ people's supposed breaching of the dominant patriarchal traditions and taboos, and their embodying of different sexual and gender narratives from the ones lending society its current ugly image.

That violence has violated the sanctity of their homes, their property, and their lives, undermined them and placed them firmly in the sub-human category, approving of robbing and killing them with absolutely no sense of guilt.

Civil movements

The LGBT civil right movements in Egypt are underground movements. There are a lot of restrictions on all civil right movements. Considering this, the restrictions and risks for LGBT movements are even more severe.

EIPR (Egyptian Initiative for Personal Rights)

EIPR (Egyptian Initiative for Personal Rights) (15), which has been working since 2002 to strengthen and protect basic rights and freedoms in Egypt, through research, advocacy and supporting litigation in the fields of civil liberties, economic and social rights, and criminal justice, they also work on LGBT rights. Their annual report on the human rights situation in Egypt also outlines the LGBT situation. They have a legitimate ability to work on LGBT issues, but also with limits because they are a legal organization that has a known structure and they are accountable to authorities.

Nazra for Feminist Studies

There is also the feminist's organization, like "Nazra for Feminist Studies" (16), they are concerned more with the gender studies and researches, also the psychological support for the LGBT individuals.

Security in-a-box

Another type of activity is a technological one, like the "Digital security tools and tactics for the LGBTI community in the Arabic region guide" (17) which was created by "Security in-a-box" team: the "Tactical Technology Collective" and "Front Line Defenders".

The guide, which was designed and written in collaboration with LGBT human rights defenders from the Arabic region and expands upon its content to include important contextual information, tools and tips particularly relevant to the LGBT community in the Arabic-speaking region.

Solidarity with Egypt LGBT initiative

In 15th of April 2014, and after the arrested of four transgender, we initiated the old form of our initiative " المثلية مش جريمة، ضد حبس المثليين" (18) which means : "homosexuality is not a crime , against imprisoned of homosexuals", we wanted to talk about homosexuals cases and got the spot on it, so we released two hashtags on twitter for supporting our case #ضد_حبس_المثليين (against imprisoned homosexuals) and #حرية_الميل الجنسي (free for the sexual orientation) , and we asked every supporter to write on those hashtags.

Later we asked people to send us their pictures with sentences that support the LGBT community, we were trying to break the silence and encourage everyone to talk openly about the LGBT. We received and published many pictures.

In September 2014, we decided to spread our work internationally. We seek the solidarity of everyone who believes in LGBT rights, so we changed the initiatives' name to "Solidarity with Egypt LGBT" (19) and released two new hashtags, #SolidarityWithEgyptLGBT and #StandForEgyptLGBT , we also began to publish articles on our blog on WordPress with the same name of our initiative.

Then, we made an international call for protesting in front of Egyptian embassies in different country. On 18th October 2014 (20), organizations in Toronto-Canada, Barcelona-Spain and London-UK in addition to individuals in Mexico ,Germany and New-York, have responded to our call and made a small protests in front of the Egyptian embassies condemning the situation of LGBT in Egypt.

After that we had interviews with many journals like THE OBSERVERS - France 24, Vocactive and others, we talked clearly about the current situation, and asked the international society to put more pressure on the Egyptian government to stop its crackdown on the gays and transgender. We archive most of the LGBT cases, hoping that someday we can use it in moving an International lawsuit for the violation that happens through the Egyptian government.

The current goals of Solidarity with Egypt LGBT movement are to reach out to LGBTQ+ movements and individuals worldwide about the LGBTQ+ issues and cases in Egypt in specific and MENA region in general, by writing and publishing news, articles and posts in different languages (Arabic, English and French) about those cases and issues.

We are working on stirring up the public opinion about forbidden taboos in our society like LGBTQ+ rights, because we believe that silence and hiding will not lead to any progress or change. We believe that global pressure ensures the Egyptian government is under strain, as its actions toward those of different sexual and gender identities are no longer on a merely local level. The existence of a peaceful, vocal opposition provokes a situation in which the government will have to change its oppressive policies.

In our work we face many difficulties, most of them are related to the shortage of financial support. We have been in contact with lawyers that are interested in the defense of gays and transgender who have been arrested. Sometimes they volunteer, but that is impossible every time, and even by their volunteering there remain Litigation expenses which we cannot cover. In addition to that, they not only have to defend the “homosexuality charge”- which is not explicitly mentioned in the Egyptian laws, but they also have to deal with further charges such as charges for public debauchery and prostitution charge.

We hope to have the ability to establish a law firm which can deal with the LGBT cases, and provide legal support in every case. Also we hope in the near future to have the power and the ability to make legislative reforms which may protect and enhance the LGBTQ+ life in Egypt, and then to spread the call to the whole MENA region.

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