

Schnellrecherche der SFH-Länderanalyse vom 8. April 2015 zu Ägypten: Situation von Homosexuellen in Ägypten

Fragen an die SFH-Länderanalyse:

- Werden Homosexuelle in Ägypten verfolgt?
- Laufen Homosexuelle, die ihre Homosexualität ausleben in Ägypten Gefahr, deswegen strafrechtlich verfolgt zu werden? Aufgrund welcher gesetzlichen Grundlagen werden Homosexuelle verurteilt? Wie hoch ist die verhängte Strafe?
- Wie verbreitet ist Folter in den Gefängnissen von Ägypten?

Die Informationen beruhen auf einer zeitlich begrenzten Recherche (Schnellrecherche) in öffentlich zugänglichen Dokumenten, die uns derzeit zur Verfügung stehen.

1 Situation homosexueller Personen in Ägypten

Keine Akzeptanz von Homosexualität in der ägyptischen Gesellschaft. Homosexualität wird in der ägyptischen Gesellschaft nicht toleriert. Das *US Department of State* (USDOS) stellt in seinem Bericht aus dem Jahr 2014 fest, dass homosexuelle Männer und Frauen in der Gesellschaft erheblich diskriminiert werden und stigmatisiert sind. Dies hat zur Folge, dass es für diese Personen nicht möglich ist, öffentlich für die Rechte der LGBTs einzustehen und sich zu organisieren. Das Resultat einer durch das *Pew Research Center* durchgeführten Umfrage in Ägypten aus dem Jahr 2013 zeigt die gesellschaftliche Stellung der Homosexualität klar auf: Nach Angaben der internationalen Organisation *Xindex*, die sich für den Schutz und die Förderung des Rechts auf freie Meinungsäusserung einsetzt, haben in dieser Umfrage in Ägypten nur drei Prozent der befragten Personen angegeben, dass sie Homosexualität akzeptieren. Gemäss dem Artikel von *Xindex* vom 6. Januar 2015 befürworteten muslimische Gelehrte sowie Staatsanwälte die Verhaftung von Homosexuellen, da diese Personen vor Gott beschämend sind. Sie sind zudem der Ansicht, es sei Aufgabe des Staates, die moralischen Grundsätze zu wahren. Diese Meinung wird laut des Artikels von weiten Teilen der ägyptischen Gesellschaft geteilt.

Massive mediale Angriffe gegen Homosexuelle. In jüngster Zeit kommt es von staatsnahen Medien vermehrt zu verbalen Angriffen und Blossstellungen von homosexuellen Personen und Persönlichkeiten. Laut einem Artikel vom Januar 2015 der internationalen Organisation *Xindex* führt diese Medienberichterstattung zu einer Verstärkung der Vorurteile gegenüber Homosexuellen in der Gesellschaft. Ein Vorfall, der grosse internationale Beachtung fand, war der Badehaus-Skandal vom November 2014 in Kairo, bei welchem 26 Männer wegen Verstosses gegen das Ausschweifungsgesetz verhaftet wurden. Die Fernsehreporterin Mona El Iraqi, welche für den privaten Fernsehsender *Al Kahera Wal Nas* arbeitet, informierte die Polizei über vermeintliche Orgien, die in diesem Badehaus stattfinden sollen. Mit ihrer Kameracrew und in Zusammenarbeit mit der Polizei filmte sie die Stürmung des Badehauses. Die Reporterin

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fotografierte die halbnackten Männer und stellte die Fotos auf ihren *Facebook-Account*. Gemäss der internationalen Organisation *Xindex* haben vergleichbare Polizei-Razzien auch in weiteren typischen Treffpunkten von Homosexuellen in Kairo stattgefunden. Trotz der Empörung in den *Social Media*-Netzwerken über das Vorgehen der Reporterin, wurde dieser Fall vom TV-Sender ausgestrahlt, um nach Angaben der Reporterin am Welt-AIDS-Tag «über die Ursachen von AIDS und HIV in Ägypten zu informieren». Nach Angaben von Betroffenen, die von der internationalen Organisation *Xindex* im Januar 2015 in einem Artikel zitiert wurden, würden Medien der Öffentlichkeit die Botschaft vermitteln, dass Homosexualität eine Krankheit sei, welche die öffentliche Moral zerstöre und dass diese «Plage» zu beseitigen sei.

Unklares Ausmass von Gewalt gegen Homosexuelle. Laut USDOS kam es 2013 zu wenigen Anzeigen wegen Gewalt an LGBT-Personen. Dies ist jedoch im Zusammenhang mit den Einschüchterungen zu verstehen, denen die betroffenen Personen ausgesetzt sind und die sie von einer Anzeige abhalten. Gleichzeitig besteht die Gefahr, dass die Person bei einer Anzeigeerstattung von der Polizei gleich festgenommen wird. Mehrere homosexuelle Männer äussern in einem Artikel der internationalen Organisation *Xindex* vom 6. Januar 2015 ihre Angst vor Übergriffen und bestätigen, dass sie unter der neuen Regierung von Präsident Al-Sisi speziell unter Beschuss stehen.

Kaum Schutz vor Diskriminierungen. Das USDOS schreibt im Bericht vom 27. Februar 2014 weiter, dass keine Informationen zu Diskriminierungen aufgrund der sexuellen Orientierung und Gender-Identität auf institutioneller oder privater Basis im Bereich Arbeit und Unterkunft vorhanden sind. Informationen zu Diskriminierungen beim Zugang zu Bildung und Gesundheitsdiensten sowie Informationen zum Thema der Staatenlosigkeit sind ebenfalls nicht vorhanden. Weiter gab es seitens der Regierung keine Bemühungen, um potentielle Diskriminierungen zu verhindern und Behörden haben Antidiskriminierungsgesetze nicht wirksam angewendet.

Xindex, 6. Januar 2015:

«Muslim scholars and prosecutors have condoned the arrests, arguing that ‘homosexuals are shameful to God’ and that ‘it is the government’s duty to protect morality’ — a conservative view that is widely shared by the Egyptian public. A Pew survey conducted in 2013 found only three per cent of Egyptians accept homosexuality.» Quelle: *Xindex*, Gay Egyptians living in ‘constant fear’ as crackdown from authorities and media worsens, 6. Januar 2015:
www.indexonensorship.org/2015/01/gay-egyptians-living-constant-fear-crackdown-authorities-media-worsens/.

USDOS, 27. Februar 2014:

«There were few reports of violence against LGBT individuals, although intimidation and the risk of arrest greatly restricted open reporting and contributed to self-censorship.» Quelle: US Department of State, Country Report on Human Rights Practices 2013 – Egypt, 27. Februar 2014:
www.ecoi.net/local_link/270701/402069_de.html.

Xindex, 6. Januar 2015:

«Gay Egyptians living in 'constant fear' as crackdown from authorities and media worsens

In recent months, 150 suspected homosexuals have been arrested and detained, while reporting by pro-government media has further fuelled prejudice against gay people. When prominent Egyptian actor Khaled Abul Naga criticised President Abdel Fattah El Sisi counter-terrorism policies in Sinai in a video posted on the El-Bawaba news website last November, he was slammed by government loyalists and Egypt's pro-regime media. Lawyer Samir Sabry, notorious for filing legal complaints against opposition activists, filed a lawsuit against Abul Naga accusing him of 'treason' and 'inciting anti-government protests'. In a telephone interview with the Egyptian privately-owned satellite channel Sada El Balad, Sabry said 'those who go against the will of the people who elected El Sisi, must be punished'.

Abul Naga's prosecution reflects the growing intolerance in Egyptian society and the persistent intimidation of dissenters since the ouster of Islamist President Mohamed Morsi some eighteen months ago. Since the military takeover of the country on 3 July, 2013, anyone expressing a view that runs counter to the official narrative is labeled a 'traitor' and a 'spy' by supporters of Egypt's military-backed regime. Even more disturbing than the criminal charges faced by Abul Naga is the barrage of insults hurled at him by government loyalists in the media who poked fun at the actor's alleged sexual orientation. Talk show host Tawfiq Okasha scandalously mocked Abul Naga's sexuality, hinting that the actor was gay. 'Why do you sleep on your stomach and not on your back?' the controversial TV presenter (and owner of Faraeen Channel) asked, adding that there must have been a reason why Abul Naga was exempted from military service. Mazhar Shaheen, a pro-government cleric who presents a talk show on a privately-owned satellite channel, also scoffed at Abul Naga, suggesting that he leave the country. 'If you are not happy with the military's performance, you should go to either Syria or Iraq,' he said, addressing Abul Naga. 'But watch your pants while you are there,' he sarcastically warned. Abul Naga's lampooning by the pro-government media reflects the shrinking space for free expression in today's Egypt. It also highlights the increased vulnerability of and continued discrimination against the LGBT community in Egypt's deeply conservative society.

In recent months, Egypt's gay population have increasingly been targeted amid a brutal crackdown that has seen 150 suspected homosexuals arrested and detained since November. While Egyptian law does not expressly ban homosexuality, gay people are frequently charged with 'debauchery' and detained. (...)

While disdain for homosexuality is not new in Egypt, inflammatory reporting by Egypt's pro-government media has in recent months further fuelled prejudice against gay people and deepened the stigma associated with homosexuality. Last month, TV reporter Mona El Iraqi who works for the privately-owned Al Kahera Wal Nas TV channel, colluded with security forces in a raid on a public bathhouse in downtown Cairo, allegedly frequented by gay people. Iraqi used her cell phone to take pictures of 26 half-naked men wrapped only in bath-towels as they were arrested. After sending undercover agents to the bathhouse to spy on visitors, she alerted the police, claiming that 'promiscuous orgies' were taking place

there. On 7 December, police — accompanied by Iraqi's camera crew stormed the bathhouse and indiscriminately arrested the suspects. Iraqi unashamedly posted pictures of the half-naked men on her public Facebook page. The images were removed a couple of hours later after she was lambasted by rights activists enraged by what they described as her 'insensitivity' and 'flagrant intolerance'. Defending her actions in a Facebook post, she insisted that the bathhouse was a 'hotbed of immorality' and was 'helping spread HIV and AIDS in Egypt'.

Despite the outpouring of horror over the bathhouse raid on social media networks, Iraqi's episode was broadcast to 'mark World AIDS Day and spread awareness about the causes of HIV and AIDS in Egypt' — according to Iraqi.

The 26 men who were arrested were charged with 'debauchery' and subjected to intrusive anal checks to determine their sexuality. Human Rights Watch has decried the anal examinations, describing them as being in violation of 'international standards against torture'. The forensics report claimed that two of the 26 defendants may have been subjected to rape as signs of struggle were evident on the bodies of the men in question. At the trial last Sunday, defence lawyers argued however, that it was almost impossible to verify whether the men had indeed practiced homosexuality. They also slammed the decision to allow Iraqi to film the arrests, describing the move as 'unconstitutional'. Denouncing the arrests, they said it was only natural for the men to have been naked 'for they were either in the shower or the steam bath when police stormed the premises'. Khaled Naqash, one of the defence lawyers meanwhile, claimed his client had been fully dressed but was stripped naked by the police before his arrest. The defendants' families were barred from entry into the courtroom and complained they were 'ruffled up' by security guards who had apparently already condemned the defendants even before the verdict has been pronounced. The trial has been adjourned until 12 January when the fate of the men will be decided. (...)

The bathhouse raid also comes hot on the heels of similar raids on gay hangouts in Cairo in recent months including cafes, bars and even private house parties.(...)

The recent spate of mass arrests of gay suspects has sparked serious concerns for Egypt's LGBT community. 'I no longer feel safe,' Karim, a 26 year-old Egyptian homosexual told Index. 'Egypt has never been safe for us but things are worse now under the military-backed authorities because we know we are being targeted.' He explained that the current regime was trying to woo the conservatives in the society by 'appearing more Islamist than the ousted Islamist regime'.

'I'm always looking over my shoulder now and constantly live in fear,' said Mohamed, 32, another member of Egypt's LGBT community. 'I would leave Egypt if I could.' For Mohamed and other gay people in Egypt, what is even more worrying than persecution and prosecution is the humiliation and shame they may bring onto their families if their identities were revealed — as has happened with the defendants in the recent bathhouse case. 'Now that the media is aligned with the police, we are at serious risk of public defamation and loss of dignity,' he lamented.

‘What is even sadder is that few Egyptians are denouncing the arrests of gays as some media are telling the public that homosexuality is a disease that will destroy public morality and hence, it is necessary to rid the society of the scourge,’ he added.» Quelle: Xindex, Gay Egyptians living in ‘constant fear’ as crackdown from authorities and media worsens, 6. Januar 2015:
www.indexoncensorship.org/2015/01/gay-egyptians-living-constant-fear-crackdown-authorities-media-worsens/.

USDOS, 27. Februar 2014:

«Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

(...) Authorities did not effectively use antidiscrimination laws to protect LGBT individuals. Gay men and lesbians faced significant social stigma and discrimination in society, impeding their ability to organize or publicly advocate on behalf of LGBT persons. Information was not available on official or private discrimination in employment, occupation, housing, statelessness, or access to education or health care based on sexual orientation and gender identity. There were no government efforts to address potential discrimination.» Quelle: US Department of State, Country Report on Human Rights Practices 2013 – Egypt, 27. Februar 2014:
www.ecoi.net/local_link/270701/402069_de.html.

2 Gesetzliche Grundlagen und Strafen bei Homosexualität

Gesetze und Strafmass bei Homosexualität. Obwohl in Ägypten eine einvernehmliche sexuelle Beziehung zwischen erwachsenen, homosexuellen Personen nicht explizit kriminalisiert wird, können gemäss *Amnesty International* (AI), *Human Rights Watch* (HRW), der *International Lesbian, Gay, Bisexual, Trans and Intersex Association* (ILGA) und des *US Department of State* (USDOS) Homosexuelle und Transsexuelle wegen der Straftatbestände «Ausschweifung» («*debauchery*») (Gesetz 10, 1961) und Prostitution, Störung der öffentlichen Sittlichkeit (Artikel 278 des Strafgesetzes) oder Missachtung der religiösen Lehren (Artikel 98w des Strafgesetzes) strafrechtlich verfolgt werden. Diese Straftatbestände werden regelmässig aufgeführt, um homosexuelle Personen zu Gefängnisstrafen zu verurteilen. In Artikel 9 (c) des Gesetzes 10, 1961 ist das Strafmass für die Beteiligung an Prostitution oder an «ausschweifenden» Handlungen auf eine Haftstrafe von drei Monaten bis drei Jahren und/oder mit einer Busse von 25 bis 300 Ägyptische Pfund (rund 3.15 Schweizer Franken bis 37.65 Schweizer Franken) festgelegt. Laut des USDOS und ILGA kann das Strafmass für gleichgeschlechtliche sexuelle Beziehungen bis zu zehn Jahren Gefängnis betragen.

Unzulässige forensische Analuntersuchungen. Bei einer Verhaftung und Vermutung von gleichgeschlechtlichen sexuellen Beziehungen praktizieren die ägyptischen Behörden regelmässig forensische Analuntersuchungen. Dabei soll festgestellt werden, ob Analverkehr stattgefunden hat oder nicht. Dieses Vorgehen verstösst gegen die internationalen Standards gegen Folter und der inhumanen und degradierenden Behandlung. Schon 2002 verwies das *UN Komitee gegen Folter* Ägypten auf die Unzulässigkeit dieser Untersuchungen hin.

ILGA, ohne Datum (Zugriff am 7. April 2015):

«Male to Male Relationships

What is the full text of the law?

Sexual relations between consenting adult persons of the same sex in private are not prohibited as such. However, Law 10/1961, aimed at combating prostitution, as well as for example Penal Code article 98w on 'Contempt for Religion' and article 278 on 'Shameless public acts' have been used to imprison gay men in the recent years. Law n° 10, 1961 on 'Combating of prostitution, incitement and its encouragement': Article 9 (c) Anyone who habitually engages in debauchery or prostitution is liable to a penalty of three months to three years imprisonment and/or a fine of LE 25-300.

Punishments for male to male relationships. Imprisonment of less than 10 years.» Quelle: International Lesbian, Gay, Bisexual, Trans and Intersex Association, Law in Egypt, ohne Datum (Zugriff am 7. April 2015): <http://ilga.org/country/egypt/law/>.

AI, 25. Februar 2015:

«Men suspected of having consensual sex with other men, as well as transgender people, faced arrest and prosecution on prostitution and public morality charges under the Law on Debauchery (Law 10 of 1961). The authorities subjected some to forcible anal examinations, which violate the prohibition on torture and other ill-treatment.» Quelle: Amnesty International: Amnesty International Report 2014/15 – The State of the World's Human Rights – Egypt, 25. Februar 2015: www.amnesty.org/en/countries/middle-east-and-north-africa/egypt/report-egypt/.

HRW, 13. Januar 2015:

«Egypt does not explicitly criminalize same-sex sexual relations between consenting adults, but authorities have routinely arrested people suspected of engaging in consensual homosexual conduct on charges of 'debauchery.' The largest such case in recent Egyptian history, known as the Queen Boat Trials, was in 2001, with the arrests of more than 50 men allegedly involved in a party at a discotheque on a cruise vessel moored in the Nile.» Quelle: Human Rights Watch, 26 Acquitted of Homosexual Conduct, 13. Januar 2015: www.hrw.org/news/2015/01/13/egypt-26-acquitted-homosexual-conduct.

USDOS, 27. Februar 2014:

«Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law does not explicitly criminalize consensual same-sex sexual activity, but it allows police to arrest lesbian, gay, bisexual, and transgender (LGBT) persons on charges such as 'debauchery,' 'prostitution,' and 'violating the teachings of religion,' which happened on rare occasions, and provides for up to 10 years in

prison for these charges.» Quelle: US Department of State, Country Report on Human Rights Practices 2013 – Egypt, 27. Februar 2014:
www.state.gov/documents/organization/220562.pdf.

HRW, 13. Januar 2015:

«Authorities subjected the men arrested in December 2014 to forensic anal examinations – a procedure that the Egyptian authorities have used repeatedly in cases of alleged homosexual conduct and that violates international standards against torture and inhuman and degrading treatment. A spokesman for the Justice Ministry’s Forensic Medical Authority announced on December 15 that, based on results of the forensic anal exams, the men had not engaged in anal sex.

(...) Furthermore, Egypt’s use of forensic anal examinations violates international standards against torture and inhuman and degrading treatment. The UN Committee Against Torture, in its 2002 review of Egypt, investigated the issue of forensic anal examinations and called on the government ‘to prevent all degrading treatment on the occasion of body searches.’» Quelle: Human Rights Watch, 26 Acquitted of Homosexual Conduct, 13. Januar 2015:
www.hrw.org/news/2015/01/13/egypt-26-acquitted-homosexual-conduct.

Unfaire Gerichtsverfahren. Laut einem Bericht von *Amnesty International* aus dem Jahr 2014 hat das Justizsystem im letzten Jahr drastische Rückschläge erlitten und es wurden mehrere politisch motivierte Urteile gesprochen. In vielen Fällen kamen die Beschuldigten nicht vor Gericht und Anwälte hatten keine Möglichkeit, ihre Klienten zu verteidigen oder Zeugen zu befragen. In anderen Fällen wurden Beschuldigte nach nur einer Anhörung und ohne dass ein Anwalt vor Gericht den Beschuldigten verteidigen konnte, zum Tode verurteilt.

AI, 3. Juli 2014:

«Unfair trials

Egypt’s criminal justice system has suffered huge setbacks over the past year with several politically motivated verdicts being issued. A series of mass death sentences after grossly unfair trials against detainees accused of violence last August have exposed deep flaws in the criminal justice system. In many cases defendants were not brought to their trials and lawyers have repeatedly been barred from presenting their defence, or questioning witnesses. Courts sentenced boys under the age of 18 to death in violation of Egypt’s obligations under domestic and international law, most notably the Convention on the Rights of the Child. In other instances, defendants were sentenced to death after only one hearing and without giving lawyers an opportunity to present their defence or to examine witnesses. According to information gathered by Amnesty International, since January 2014 Egypt’s criminal justice system has recommended the death penalty for 1,247 men, pending the Grand Mufti’s religious opinion, and upheld death sentences against 247 individuals. The decisions to sentence individuals to death came after grossly unfair trials. Defence lawyers also told Amnesty International of instances where they were not allowed to attend investigations by prosecutors and stated that ‘confessions’ extracted under torture had been used in judicial proceedings.

‘Egypt’s criminal justice system has demonstrated that it is unable or unwilling to deliver justice with disastrous consequences,’ said Hassiba Hadj Sahraoui.

‘On every level Egypt is failing in terms of human rights, it is up to the new government led by President Abdel Fattah al-Sisi to turn the tide by launching independent, impartial investigations into all allegations of human rights violations and send a strong message that flouting human rights will not be tolerated and will no longer go unpunished.’» Quelle: Amnesty International, Egypt: Rampant Torture, arbitrary arrests and detentions signal catastrophic decline in human rights one year after ousting of Morsi, 3. Juli 2014:

www.amnesty.org/en/articles/news/2014/07/egypt-anniversary-morsi-ousting/.

Zunahme von Verhaftungen, Polizei-Razzien und Verurteilungen. Gemäss *Freedom House* kam es im Jahr 2014 zu einer Zunahme der Verhaftungen und Verurteilungen von homosexuellen Männern. Dabei soll die Polizei im Jahr 2014 das Ausschweifungsgesetz verstärkt umgesetzt und Männer, die als Homosexuelle wahrgenommen wurden, speziell ins Visier genommen haben. Laut der internationalen Organisation *Xindex* wurden seit November 2014 bis Anfang Januar 2015 150 vermeintlich homosexuelle Personen festgenommen. Laut der NGO *Egyptian Initiative for Personal Rights*, welche von *Human Rights Watch* im Dezember 2014 zitiert wurde, sind seit dem Sturz des Präsidenten Mohammed Mursi im Juli 2013 rund 150 Personen wegen «Ausschweifungen» verhaftet worden. Wie viele Verurteilungen es gegeben hat, ist der Organisation jedoch nicht bekannt. Die Polizei führt vermehrt Razzien in Wohnungen oder Einrichtungen durch, von denen sie vermutet, dass dort gleichgeschlechtliche sexuelle Beziehungen stattfinden. 2014 wurden in durch Medien und NGOs dokumentierten Fällen homosexuelle Personen zu Gefängnisstrafen oder Strafarbeit zwischen einem und acht Jahren verurteilt. Im Januar 2015 wurden erstmals seit 2011 26 Männer wegen eines Verstosses gegen das Ausschweifungsgesetz freigesprochen, jedoch sei der Freispruch laut dem *Advocacy*-Direktor Boris Dittrich des LGBT-Programms von *Human Rights Watch* ein äusserst seltenes Ereignis. Es handelte es sich dabei um Anklagen im Zusammenhang mit dem Badehaus-Skandal von November 2014, welcher grosse internationale Beachtung fand und von *Human Rights Watch* dokumentiert wurde.

Verstärkte Verfolgung von Homosexuellen durch die al-Sisi Regierung. Mehrere Nachrichtenagenturen sowie die Organisation *Freedom House* stellen fest, dass sich im Jahr 2014 und seit dem Sturz des Präsidenten Mohammed Mursi im Juli 2013 die Verfolgung von homosexuellen Männern durch die Polizei verstärkt hat. Laut Angaben von Aktivisten im Dezember 2014, die von der *Huffington Post* zitiert werden, hat die al-Sisi Regierung zum Ziel, ein konservatives Image aufzubauen. Dies sei im Zusammenhang mit der verstärkten Aufmerksamkeit zu verstehen, die den homosexuellen Männern gewidmet wird. Laut einem Aktivist, der sich für sexuelle und körperliche Rechte sowie für individuelle Freiheit einsetzt, will das Regime als Hüter der Moral wahrgenommen werden. Mit diesem Image will es sich vor Angriffen von politischen Bewegungen mit islamistischer Neigung schützen. Die häufigeren Polizei-Razzien in den Strassen, an Kontrollposten und in Clubs werden von der Zivilgesellschaft mit einer verdeckten politischen Agenda in Verbindung gebracht sowie mit dem Wunsch des Regimes, die Bevölkerung stärker zu überwachen, um sie besser kontrollieren zu

können. Ein Beitrag in der *Huffington Post* vom 2. Dezember 2014 berichtet von Gerüchten, wonach die ägyptische Polizei eine Begegnungsplattform von homosexuellen Personen im Internet dafür benütze, um Homosexuelle aufzuspüren.

Xindex, 6. Januar 2015:

«In recent months, Egypt's gay population have increasingly been targeted amid a brutal crackdown that has seen 150 suspected homosexuals arrested and detained since November. While Egyptian law does not expressly ban homosexuality, gay people are frequently charged with 'debauchery' and detained. (...)» Quelle: Xindex, Gay Egyptians living in 'constant fear' as crackdown from authorities and media worsens, 6. Januar 2015:

www.indexonensorship.org/2015/01/gay-egyptians-living-constant-fear-crackdown-authorities-media-worsens/.

Freedom House, 28. Januar 2015:

«The authorities in 2014 appeared to step up enforcement of laws against 'debauchery,' particularly targeting men perceived as gay. In an increasingly common occurrence, six men were sentenced to two years in prison in September after they were arrested in a raid on an apartment that the authorities claimed was a central location for same-sex sexual activity. Eight men arrested under the same charge that month, in connection with a video of a supposed same-sex wedding, received reduced sentences of one year in jail after being subjected to forced medical examinations to determine if they had engaged in sex with other men. A televised raid on a bathhouse in December resulted in debauchery charges against 26 men.» Quelle: Freedom House, Freedom in the World 2015 – Egypt, 28. Januar 2015:

<https://freedomhouse.org/report/freedom-world/2015/egypt#.VNMc2C5yxyE>.

HRW, 13. Januar 2015:

«26 Acquitted of Homosexual Conduct

(Berlin) – The acquittal in Egypt on January 12, 2015, of 26 men accused of 'practicing debauchery,' is a rare success in protecting the rights to privacy and non-discrimination. The men were arrested at a bathhouse in Cairo on December 7, 2014. Government prosecutors have appealed the decision, the Egyptian Initiative for Personal Rights (EIPR), a nongovernmental group, reported, but authorities released all 26 men. This is the first time since 2011 that a trial court is known to have handed down a total acquittal in a 'debauchery' case.

'This case is a rare victory for human rights and judicial independence in Egypt, but prosecutors never should have brought these charges in the first place,' said Boris Dittrich, the lesbian, gay, bisexual, and transgender advocacy director. 'The prosecutor should promptly withdraw its appeal.' On the day of the arrests, a pro-government television news show released images of the men, semi-naked, being bundled into police vans. The show's host, Mona Iraqi, claimed to have tipped off the police and included footage showing the men's faces in a December 8, 2014 broadcast. The deliberate, public humiliation of these men was a violation of their right to privacy,

Human Rights Watch said. (...) **In December 2014, the EIPR said it estimated that the authorities had arrested roughly 150 people on 'debauchery' charges since July 2013, when the military removed former President Mohamed Morsy. The group said it did not know how many had been convicted. On December 27, an appeals court upheld debauchery convictions for eight men accused of participating in a same-sex wedding ceremony, though it reduced their three-year sentences to one year.**» Quelle: Human Rights Watch, 26 Acquitted of Homosexual Conduct, 13. Januar 2015:

www.hrw.org/news/2015/01/13/egypt-26-acquitted-homosexual-conduct.

BBC News, 8. Dezember 2014:

«Egyptian police have raided a bathhouse in central Cairo and arrested 33 men on suspicion of 'debauchery' - a charge that has been used against gay people. Homosexuality is not explicitly banned in Egypt but gay people have been arrested under other offences instead. Last month eight men were jailed for 'inciting debauchery' after video of an alleged gay wedding went viral. The men face jail terms if convicted. Police raids on Egyptian gay venues have risen in recent months. The 33 were arrested 'for practising debauchery', General Ali al-Demerdash, head of the Cairo security directorate, said. Among those arrested was the bathhouse owner, AFP reports. 'The bathhouse owner is accused of turning the facility into a site of immoral and indecent conduct and group homosexuality', the agency quotes Mohamed Hetta, head of the local prosecution office, as saying. Rights groups have condemned Egypt's treatment of gay people, in particular the use of anal testing to determine whether people are homosexual. (...).» Quelle: BBC News, Egypt arrests 33 men for 'debauchery' in bathhouse raid, 8. Dezember 2014:

www.bbc.co.uk/news/world-middle-east-30379585#sa-ns_mchannel=rss&ns_source=PublicRSS20-sa.

BBC News, 8. April 2014:

«A court in Egypt has sentenced four men to up to eight years in prison for committing homosexual acts. The men were accused of attending or arranging 'deviant' sex parties, and dressing in women's clothes and wearing make-up. Egyptian law does not explicitly ban homosexual acts, but prosecutors have used legislation banning debauchery to try homosexuals. The verdict has been condemned by human rights campaigners. One of the men was jailed for three years with hard labour by the court in Cairo. US-based Human Rights First group said it was 'alarmed and disappointed' at the verdicts. 'Egypt is a bellwether state in the Arab region; what happens in Egypt sets a trend for developments throughout the Arab world,' it said in a statement. The group said that since the ousting of President Mohammed Morsi in July 2013 there has been a rise in the number of arrests of people based on their sexual orientation. The latest case echoes that of the mass trial in 2001 of 52 men accused of homosexual acts and other offences under Egyptian law. Twenty-three of the men were sentenced to up to five years in jail with hard labour, drawing international condemnation. A leading Egyptian human rights group said the severe sentences the men received on Monday were part of an ongoing crackdown on personal freedoms. The convictions come a day after another court in the capital upheld three-year prison terms imposed on three prominent activists convicted of organising

an unauthorised protest. Quelle: BBC News, Egypt jails four men for gay acts, 8. April 2014: www.bbc.com/news/world-middle-east-26934432.

Le Huffington Post, 2. Dezember 2014 :

«Selon Mo. R., ce battage médiatique en Egypte vise uniquement des enjeux politiques: 'La police connaît bien tous les hommes gays ainsi que leurs adresses et s'ils voulaient vraiment les arrêter, ils auraient pu le faire depuis bien longtemps. Cette mascarade est tout simplement politique! Ils profitent de ces histoires pour créer un buzz afin de détourner l'opinion publique d'autres questions importantes.'» Quelle: Le Huffington Post, Égypte: les homosexuels visés directement et sans merci par le régime Al Sissi, 2. Dezember 2014: www.huffingtonpost.fr/2014/12/02/egypte-homosexuels-justice-regime-al-sissi_n_6250510.html.

Le Huffington Post, 2. Dezember 2014 :

«Le constat établi par la société civile égyptienne dénonce un agenda politique qui se cache derrière les rafles de police de plus en plus fréquente dans les rues, aux points de contrôle de police ou dans des clubs. D'un côté, cette croisade vise une réhabilitation du dispositif sécuritaire, méprisé par les foules après la révolution du 25 janvier mais aussi au contrôle et à la surveillance de la vie privée. D'un autre côté, plusieurs activistes ont certifié que cet intérêt soudain pour la communauté gay était tout simplement une instrumentalisation de ces minorités par le régime Al Sissi en vue de se construire une façade conservatrice. Contacté à ce sujet par le HuffPost Tunisie, Mo. R., activiste anonyme en faveur des droits sexuels et corporels et des libertés individuelles témoigne: 'Le régime tente d'apparaître comme le gardien de la morale en Egypte afin de ne pas permettre aux mouvements politiques à tendance islamiste de les attaquer.'

En effet, les récents événements ont été largement récupérés par le camp islamiste. Des déclarations de leaders du parti d'opposition déplore le déclin morale de la société égyptienne. L'ancienne député Azza El Garf parle même sur son compte Twitter d'une détérioration des valeurs islamiques en faveur d'un agenda venu de l'ouest. (...) L'application de rencontres gays 'Grinder' a même prévenu ses usagers égyptiens suite aux rumeurs d'utilisation de cette outil par les forces de l'ordre afin de piéger des individus LGBT. Les créateurs ont plaidé en faveur de la vigilance et de l'anonymat.» Quelle: Le Huffington Post, Égypte: les homosexuels visés directement et sans merci par le régime Al Sissi, 2. Dezember 2014: www.huffingtonpost.fr/2014/12/02/egypte-homosexuels-justice-regime-al-sissi_n_6250510.html.

3 Folter in den Gefängnissen von Ägypten

Drastische Verschlechterung der Menschenrechtslage und häufige Anwendung von Folter in Polizeigewahrsam. Laut einem Bericht von *Amnesty International* (AI) aus dem Jahr 2014 hat sich die Menschenrechtslage in Ägypten seit dem Sturz von Präsident Mohammed Mursi drastisch verschlechtert. Dies zeige sich durch willkürliche Festnahmen, Inhaftierungen sowie massive Fälle von Folter und Todesfällen in

Polizeigewahrsam. Laut *WikiThawra*, einer Initiative des *Egyptian Center for Economic and Social Rights*, seien im Jahr 2014 80 Personen in Polizeigewahrsam ums Leben gekommen. Die Anwendung von Folter und das Verschwindenlassen (*enforced disappearances*) in Polizei- oder Militärgewahrsam ist laut AI in Ägypten ein weit verbreitetes Phänomen. Die Organisation *Freedom House* bestätigte im Jahr 2015 ebenfalls, dass Insassen gefoltert werden. Speziell davon betroffen seien laut AI Mitglieder der Muslimbrüderschaft und deren Sympathisanten. Laut Hassiba Hadj Sahraoui, dem stellvertretenden Direktor des Programms für den Nahen Ostens und Nordafrika von *Amnesty International* wenden Sicherheitskräfte die gleichen Foltermethoden wie zu den schlimmsten Zeiten unter dem vormaligen Präsidenten Husni Mubarak an. Weitverbreitete Foltermethoden sind laut AI Elektroschocks, Vergewaltigung, Aufhängen an Türen der mit Handschellen gefesselten Gefangenen sowie weitere Arten von Aufhängungsmethoden.

AI, 3. Juli 2014:

«A surge in arbitrary arrests, detentions and harrowing incidents of torture and deaths in police custody recorded by Amnesty International provide strong evidence of the sharp deterioration in human rights in Egypt in the year since President Mohamed Morsi was ousted. Thousands of people have been detained, with figures varying. According to official estimates published by the Associated Press in March, at least 16,000 people have been detained over the past year as part of a sweeping crackdown against Mohamed Morsi's supporters and other groups and activists that have expressed dissent. According to WikiThawra, an initiative run by the Egyptian Center for Economic and Social rights, at least 80 people died in custody over the past year and more than 40,000 people were detained or indicted between July 2013 and mid-May 2014. Reports of torture and enforced disappearances in police and military detention facilities are also widespread.

'Egypt's notorious state security forces –currently known as National Security– are back and operating at full capacity, employing the same methods of torture and other ill-treatment used during the darkest hours of the Mubarak era,' said Hassiba Hadj Sahraoui, Deputy Director of the Middle East and North Africa Programme at Amnesty International.

'Despite repeated promises by current and former presidents to respect the rule of law, over the past year flagrant violations have continued at an astonishing rate, with security forces effectively granted a free rein to commit human rights violations with impunity.'

Torture and other ill-treatment

Amnesty International has gathered damning evidence indicating that torture is routine in police stations and unofficial places of detention, with members of the Muslim Brotherhood and their supporters particularly targeted. It is carried out by both the Egyptian military and police including in premises belonging to the National Security Agency, in many cases with the objective of obtaining confessions or to force detainees to implicate others. Among the methods of torture employed are techniques previously used by state security during Mubarak's rule. These include

the use of electric shocks, rape, handcuffing detainees and suspending them from open doors. Another hanging method, known as ‘the grill’, involves handcuffing the detainee’s hands and legs to an iron rod and suspending the rod between two opposite chairs until the detainee’s legs go numb. Security forces then start using electric shocks on the person’s legs. One of the most shocking cases documented by Amnesty International was that of M.R.S , 23, a student arrested in February 2014 near Nasr City in Cairo. He said he was held for 47 days and was tortured and raped during his interrogation. He is currently out of prison but the case is still pending.

‘They cut my shirt, blindfolded me with it and handcuffed me from behind...they beat me with batons all over my body, particularly on the chest, back and face...Then they put two wires in my left and right little fingers and gave me electric shocks four or five times,’ he said. He also gave a horrifying account of how he was sexually assaulted and raped.

‘The national security officer caught my testicle and started to squeeze it... I was screaming from the pain and bent my legs to protect my testicles then he inserted his fingers in my anus... he was wearing something plastic on his fingers... he repeated this five times,’ he said. He also reported being beaten on the penis with a stick. He was then raped repeatedly by one or more security guards before being forced to sing a song in support of the Egyptian army ‘Teslam Al Ayadi’. (...)

‘Day after day harrowing accounts of torture are emerging while the authorities flat out deny any abuse and go as far as labelling Egyptian prisons as hotels,’ said Hassiba Hadj Sahraoui. ‘If the Egyptian authorities wish to salvage any credibility, such horrendous practices must be stopped immediately.’

Deaths in police custody

At least 80 detainees have died in custody since 3 July 2013, according to Wik-iThawra. (...)» Quelle: Amnesty International, Egypt: Rampant Torture, arbitrary arrests and detentions signal catastrophic decline in human rights one year after ousting of Morsi, 3. Juli 2014:

www.amnesty.org/en/articles/news/2014/07/egypt-anniversary-morsi-ousting/.

Freedom House, 28. Januar 2015:

«Police brutality and impunity for abuses by security forces were catalysts for the 2011 uprising, but there has been no security-sector reform in the subsequent four years. Prison conditions are very poor; inmates are subject to torture, overcrowding, and a lack of sanitation and medical care. In December 2014 a local human rights group accused the police of holding hundreds of minors in harsh conditions after they were arrested for protesting and related offenses.» Quelle: Freedom House, Freedom in the World 2015 – Egypt, 28. Januar 2015:

<https://freedomhouse.org/report/freedom-world/2015/egypt#.VNMc2C5yxyE>.