



1. Do authorities in Egypt target homosexuals?

Egyptian authorities target homosexuals. The Egyptian Government has claimed that homosexuality is not banned and Egypt has no laws that specifically outlaw homosexuality. The speaker of Egypt's People's Assembly told the European Parliament in 2003 that "Egypt's penal code does not include punitive measures against the homosexuals as the country's law by no means interferes in the private affairs of individuals". The Government's claims are, however, disputed by several sources including Human Rights Watch (HRW) and Amnesty International (Amnesty) who argue that homosexuality is effectively criminalised.^{1 2 3} This usually occurs under the auspices of the 'fujur' laws which outlaw 'sexual excess' or debauchery. Fujur is said to be interpreted by Egyptian courts as including homosexual acts⁴ and is used to prosecute consensual sexual acts between men.⁵

According to HRW and other sources these laws allow for the arrest and detention of homosexuals and enable "crackdowns".^{6 7} Arrested suspects can be subject to "torturous forensic anal exams to 'prove' male suspects' homosexuality".⁸ A 2007 School of International Service report published victims' allegations that they were "whipped, beaten, bound and suspended in painful positions, splashed with ice-cold water, and burned with lit cigarettes" and "tortured with electroshock on the limbs, genitals, or tongue".⁹ The Cairo Vice Squad was said to be the "driving force" in the campaign against homosexual conduct, while police in other cities had also "joined in the harassment" in the last decade.¹⁰

¹ Human Rights Watch 2004, *In a Time of Torture: The Assault on Justice in Egypt's Crackdown on Homosexual Conduct*, p13 – Attachment 1

² Lipson, J. 2007, 'Human Rights in Egypt: The Gap between Policy and Practice', *Swords & Ploughshares*, Fall Issue, pp.19-20 <http://www1.sis.american.edu/students/sword/Human%20Rights%20in%20Egypt.pdf> – Accessed 26 August 2010 – Attachment 2

³ Amnesty International 2010, *Annual Report 2009*, p.132 – Attachment 3

⁴ Lipson, J. 2007, 'Human Rights in Egypt: The Gap between Policy and Practice', *Swords & Ploughshares*, Fall Issue, pp.19-20 <http://www1.sis.american.edu/students/sword/Human%20Rights%20in%20Egypt.pdf> – Accessed 26 August 2010 – Attachment 2

⁵ Amnesty International 2010, *Annual Report 2009*, p.132 – Attachment 3

⁶ Lipson, J. 2007, 'Human Rights in Egypt: The Gap between Policy and Practice', *Swords & Ploughshares*, Fall Issue, pp.19-20 <http://www1.sis.american.edu/students/sword/Human%20Rights%20in%20Egypt.pdf> – Accessed 26 August 2010 – Attachment 2

⁷ Human Rights Watch 2009, *Together, Apart: Organizing around Sexual Orientation and Gender Identity Worldwide*, May, p15 – Attachment 4

⁸ Human Rights Watch 2009, *Together, Apart: Organizing around Sexual Orientation and Gender Identity Worldwide*, May, p15 – Attachment 4

⁹ Lipson, J. 2007, 'Human Rights in Egypt: The Gap between Policy and Practice', *Swords & Ploughshares*, Fall Issue, pp.19-20 <http://www1.sis.american.edu/students/sword/Human%20Rights%20in%20Egypt.pdf> – Accessed 26 August 2010 – Attachment 2

¹⁰ Human Rights Watch 2004, *In a Time of Torture: The Assault on Justice in Egypt's Crackdown on Homosexual Conduct*, p20 – Attachment 1

Of relevance is HRW's retelling of the story of Khaled, a homosexual man who was arrested at Tahrir Square in Cairo by the Vice Squad after another homosexual man informed on him. Khaled was then taken to the police station where he used his mobile phone to ring his family. When Khaled's parents arrived at the station, the Head of the Vice Squad spoke to them in Khaled's presence, alleging he had been caught in the middle of a homosexual act. Khaled then tells of how he and other suspected gays were verbally abused and beaten and forced to sign arrest reports.¹¹

There are numerous documented cases of such arrests in the past decade. HRW alleges that between 2001 and 2004, police arrested and tortured "hundreds or thousands of men for homosexual sex". HRW states that most of those arrested and tortured between 2001 and 2004 were under 25.¹² The most widely reported operation was the May 2001 raid on the „Queen Boat“, moored on the Nile in Cairo. Fifty two men were arrested in the raid.¹³ While there was a lull in the targeting of homosexuals between 2004 and 2007, HRW reports that in late 2007 Egyptian authorities resumed the arrests of homosexual men after the "three-year hiatus".¹⁴ In October 2007, 24 men were arrested in Cairo and Alexandria. In its 2010 report, Amnesty alleges that the majority of these men were "forcibly subjected to anal examinations to „prove“ that they had engaged in homosexual conduct". Ten men were arrested in Cairo in January 2009 for "habitual practice of debauchery" and detained for five months before being released on bail.¹⁵ A May 2011 article however cites the Executive Director of Egyptian Initiative for Personal Rights, which has defended people in anti-gay prosecutions, who states that while "anti-gay debauchery trials still take place occasionally...the once-common use of entrapment to arrest gays has subsided in recent years".¹⁶

2. Does this involve raids on private residences?

The available information suggests that arrests of suspected homosexuals are likely to include raids on private residences. An article from gay website Rainbow Network states that "Egyptian police ...carry out raids against private homes".¹⁷ More recently, in June 2011 *Gay Middle East* interviewed a gay Egyptian blogger about the arrests of gays in the context of the emergency laws instituted since the January revolution. The blogger states that "the emergency law gives the ability to policemen to check ur [sic] apartment without a warranty [sic] if they wanted".¹⁸ Rainbow Network cited the story of Bashar, a gay man who claims police took him from his garage where he works.¹⁹

¹¹ Human Rights Watch 2004, *In a Time of Torture: The Assault on Justice in Egypt's Crackdown on Homosexual Conduct*, p10 – Attachment 1

¹² Human Rights Watch 2009, *Together, Apart: Organizing around Sexual Orientation and Gender Identity Worldwide*, May, p.15 – Attachment 4

¹³ Bahgat, H. 2001, „Explaining Egypt's Targeting of Gays“, *Middle East Report*, 23 July <http://www.merip.org/mero/mero072301.html> – Accessed 26 August 2010 – Attachment 5

¹⁴ Human Rights Watch 2009, *Together, Apart: Organizing around Sexual Orientation and Gender Identity Worldwide*, May, p15 – Attachment 4

¹⁵ Amnesty International 2010, *Annual Report 2009*, p.132 – Attachment 3

¹⁶ Crary, D. 2011, „Gays in Egypt, Tunisia worry about post-revolt era“, *Associated Press*, 21 May – Attachment 6

¹⁷ „Egypt continues to torture gays“ 2004, Rainbow Network, 1 March – Attachment 7

¹⁸ „Interview by Dan Littauer with „IceQueer“, an Egyptian gay blogger“ 2011, *Gay Middle East*, 4 February – Attachment 8

¹⁹ „Egypt continues to torture gays“ 2004, Rainbow Network, 1 March – Attachment 7

The raids of private homes are often facilitated by the use of informers who are homosexual themselves, a fact cited in both Khaled's and Bashar's stories.^{20 21} The Rainbow Network reports that there is a "growing web" of such informers. Also often used are wire taps, internet chat-rooms and advertisements to entrap gay men.²² HRW asserts in its 2009 report that there was „massive' use of the internet by security agents to entrap homosexual men.²³ It is likely that such entrapment provides police with the information and „evidence' they need in order to undertake raids on private residences.

3. Do any extremist groups or other non-state actors target homosexuals?

Little information was found on the attitude of extremist groups or other non-state actors targeting homosexuals, and no reports of attacks by extremists were found. This is likely due to the difficulty extremist groups would have had operating under the Mubarak regime.²⁴ Non-state actors are less likely to have felt a need to target homosexuals when the state was effectively undertaking this duty. However, the January revolution and September's upcoming elections means that the situation could change and it is important to gauge the views of influential non-state actors toward homosexuality, as these groups may hold considerable power in future.

Most notable of the non-state actors is the Muslim Brotherhood, "Egypt's most powerful political movement".²⁵ During the aforementioned Queen boat incident in 2001, Dr. Essam Elarian, vice-president of the Brotherhood's political party, the „Freedom and Justice Party', stated "from my religious view, all the religious people, in Christianity, in Judaism, condemn homosexuality. ...It is against the whole sense in Egypt. The temper in Egypt is against homosexuality".

More recent statements by the Brotherhood, while still firmly opposed to homosexuality, are less forceful. At a May 2011 rally in front of 25000 people, the movement's leader, Mohammed Badie, stated in the context of discussing marriage "the West has allowed gay marriage under the pretext of democracy, which we will never allow in Egypt".²⁶ A May 2011 *Guardian* article discussed the Brotherhood's relatively high awareness of human rights due to its years of being oppressed. However, while Hussein Ibrahim, the Brotherhood's parliamentary spokesman stated that "respect of human rights is now a concern for all peoples", he was said to have "specifically excluded gay rights".²⁷

The Brotherhood's current position on the treatment of homosexuals might even be regarded as ambiguous, given what could be expected from a conservative Islamic movement. Appearing on the Brotherhood's English website was an article by a foreign writer, containing a straightforward

²⁰ Human Rights Watch 2004, *In a Time of Torture: The Assault on Justice in Egypt's Crackdown on Homosexual Conduct*, p10 – Attachment 1

²¹ „Egypt continues to torture gays' 2004, Rainbow Network, 1 March – Attachment 7

²² „Egypt continues to torture gays' 2004, Rainbow Network, 1 March – Attachment 7

²³ Human Rights Watch 2009, *Together, Apart: Organizing around Sexual Orientation and Gender Identity Worldwide*, May, p.15 – Attachment 4

²⁴ Human Rights Watch 2009, *Together, Apart: Organizing around Sexual Orientation and Gender Identity Worldwide*, May, p.15 – Attachment 4

²⁵ Crary, D. 2011, „Gays in Egypt, Tunisia worry about post-revolt era', *Associated Press*, 21 May – Attachment 6

²⁶ „Egypt's Muslim Brotherhood: "Homophobia is the solution"?' 2011, *Gay Middle East*, 4 May <http://www.gaymiddleeast.com/news/news%20298.htm> – Accessed 30 June 2011 – Attachment 9

²⁷ „The Muslim Brotherhood uncovered' 2011, *Guardian*, 8 February <http://www.guardian.co.uk/world/2011/feb/08/egypt-muslim-brotherhood-uncovered> – Accessed 30 June 2011 – Attachment 10

discussion of a book which was claimed to have been Egypt's first ever novel "depicting a gay central character empathetically". The article argues for more accurate depictions of homosexuals in the media and states "there remains a lack of public discourse concerning sexual orientation and although the arts have a rich history of representing homosexuality directly or indirectly".²⁸ The author of the novel noted his surprise that the Brotherhood had allowed such an article to be posted. He noted however that comments on the Brotherhood's Arabic site in contrast were "virulently critical of his novel, with some saying gays should be killed".²⁹

With regard to homosexuality, even groups considered less 'extreme' have voiced similar attitudes to the Brotherhood. The Adl, a centrist party that claims to reject ideological categorisation, has connections to presidential hopeful Mohamed El Baradei and appeals to the "Egyptian mainstream", stated that while it believed in "equality between all citizens, no matter what their religion, gender or social class" it did keep in mind "the cultural limitations of Egypt". A founding member of the party had stated that "[w]e uphold freedom of expression, but we won't allow a gay protest or a nudity rally, for example, as we have to respect the society's religious and moral traditions".³⁰

The positions of non-state actors reflect mainstream societal attitudes toward homosexuality. A 2002 *BBC News* article stated that "[h]omosexuality is so detested in Egypt that the country's largest rights group [the Egyptian Organisation for Human Rights] says it cannot campaign against persecution of gay men despite international concern". The organisation's director stated that "[i]f we were to uphold this issue, this would be the end of what remains of the concept of human rights in Egypt... We let them [homosexuals] down, but I don't have a mandate from the people, and I don't want the West to set the pace for the human rights movement in Egypt".³¹ In the aforementioned HRW report citing the story of Khaled, the victim recalls that homosexuals feared being pointed out to authorities by strangers on the street, stating "[o]rdinary people who were offended to have us around".³²

4. What will the January 'revolution' mean for the targeting of homosexuals?

The full impact of social and political changes spurred by the January revolution is yet to become completely clear. As mentioned in Question 1, there has been a downward trend in arrests and entrapment of homosexuals in recent years. An article published post-revolution in May 2011 does not mention any change in this since the uprising. HRW's main Egypt researcher stated in May 2011 that "[t]here's been no movement on this issue in Egypt since the revolution nor is there likely to be any improvement in the short-term".³³

Other human rights commentators have been more clearly downbeat in their expectations, at least for the short term. Hossam Bahgat, Director of the Egyptian Initiative for Personal Rights, is "sceptical that any Western-style gay-rights movement could take hold in Egypt – despite the

²⁸ Cornetta, A. 2009, 'Uncloaking art in Egypt', 8 February, Ikhwan Web: The Muslim Brotherhood's Official English web site <http://www.ikhwanweb.com/article.php?id=22308> – Accessed 30 June 2011 – Attachment 11

²⁹ Crary, D. 2011, 'Gays in Egypt, Tunisia worry about post-revolt era', *Associated Press*, 21 May – Attachment 6

³⁰ Khazbak, R. 2011, 'Adl Party seeks to displace Brotherhood from center ground of Egyptian politics', *Almasry Alyoum*, 24 May – Attachment 12

³¹ 'Egyptian rights group 'cannot protect gays'' 2002, *BBC News*, 11 February <http://www.gayegypt.com/bbc11feb20eg.html> – Accessed 14 July 2005 – Attachment 13

³² Human Rights Watch 2004, *In a Time of Torture: The Assault on Justice in Egypt's Crackdown on Homosexual Conduct*, p21 – Attachment 1

³³ Crary, D. 2011, 'Gays in Egypt, Tunisia worry about post-revolt era', *Associated Press*, 21 May – Attachment 6

sense of liberation following the February ouster of Hosni Mubarak”. He warns that as Egypt moves to democracy, “there will be elements trying to impose their own understanding of morality”.³⁴

Some activists have been definitive in expressing fear that democratic openings could make the situation worse for homosexuals and bring political Islam to power.^{35 36} A May 2011 *Associated Press* article describes homosexuals and their supporters that conservative Islamists, “whose credo includes firm condemnation of homosexuality”, could increase their influence in the upcoming elections.³⁷ Their fear seems somewhat justified given moves by groups such as Jama’at al-Islamiya, a movement that led an armed campaign against the regime of former president Hosni Mubarak with the goal of replacing it with an Islamic rule in 1980s and 1990s. An April 2011 article reports that some in the group had raised the idea of forming a “police force dedicated to fighting vice and promoting virtue”. The group’s most senior theorist, Nageh Ibrahim, had stated that while he saw no need for such a force, “the regular vice police could be further activated”.³⁸

There is, however, hope that the targeting of homosexuals may decrease given the fundamental political changes taking place. HRW states that sexual rights in the region can only exist when there is “progress toward democracy: curbing police powers, establishing rule of law, ending censorship, and freeing civil society”. Alliances have been forged between human rights activists and Islamists over core issues such as arbitrary detention and torture, and these may lead Islamist activists to attempting integrating human rights principles with their beliefs. HRW argues that there is no reason to believe that the “populist drive within Islam could not support politically as well as theologically democratic tendencies”.³⁹

The aforementioned February 2011 interview with gay Egyptian blogger ‘IceQueer’ has the blogger expressing hope that the changes Egypt is undergoing will lead it to becoming a secular country where sexual differences will be accepted. He suggests that if democratic reforms occur, then pressure could be put on Egypt by the international community to institute reforms to sexual rights as well under the umbrella of democratic reforms. The blogger’s hope is derived from the revolution having been instigated by the educated and politically aware youth of Egypt.⁴⁰ Similarly Hossam Bahgat, Director of the Egyptian Initiative for Personal Rights states that he is cautiously optimistic overall “because Egyptians under 30 – a majority of the population – seem more open than their elders to the concept of a diverse Egypt”.⁴¹

5. Are there any places in Egypt where gays can live openly, without fear of targeting?

Information suggests that there are no places in Egypt where gays can live openly, without fear of targeting. Contemporary Cairo is said to host a relatively established gay community, who, while

³⁴ Crary, D. 2011, ‘Gays in Egypt, Tunisia worry about post-revolt era’, *Associated Press*, 21 May – Attachment 6

³⁵ Crary, D. 2011, ‘Gays in Egypt, Tunisia worry about post-revolt era’, *Associated Press*, 21 May – Attachment 6

³⁶ Human Rights Watch 2009, *Together, Apart: Organizing around Sexual Orientation and Gender Identity Worldwide*, May, p.15 – Attachment 4

³⁷ Crary, D. 2011, ‘Gays in Egypt, Tunisia worry about post-revolt era’, *Associated Press*, 21 May – Attachment 6

³⁸ Adib, M. 2011, ‘Islamic leaders suggest formation of religious police’, *Almasry Alyoum*, 3 April – Attachment

³⁹ Human Rights Watch 2009, *Together, Apart: Organizing around Sexual Orientation and Gender Identity Worldwide*, May, p.15 – Attachment 4

⁴⁰ ‘Interview by Dan Littauer with “IceQueer”, an Egyptian gay blogger’ 2011, *Gay Middle East*, 4 February – Attachment 8

⁴¹ Crary, D. 2011, ‘Gays in Egypt, Tunisia worry about post-revolt era’, *Associated Press*, 21 May – Attachment 6

“a bit less paranoid than in the past” still operates under secrecy.⁴² In the late 1990s it is reported by that “a substantial subculture of men having sex with men gathered, called themselves ‚gay‘, and grew”. HRW reports that gay men recall the years before 2001 as “an interval of connectedness and comparative liberation”. The report states that while Cairo had long had its ‚cruising areas‘ – places where men interested in sex with men could covertly encounter one another – the pubs and parties emerging in the 1990s, although quiet, allowed “more space and apparent safety for friendship and conversation”. Men were drawn to these gatherings not only looking for a romantic or sexual partner, but also by the hope of making friends. However, this was said to have caught police attention, leading to the current need for secrecy.⁴³

In the aforementioned interview with IceQueer, the blogger states that being able to come out safely in Egypt is dependent on one’s social class, social environment, religious background, friends and family. IceQueer himself had come out to his parents and all of his close friends.⁴⁴

6. Are there gay haunts in Egypt where gays can meet and interact with each other without fear of violence?

Several reports speak of places where gays can meet and interact with each other, either in person or over the internet. However, there is always likely to be at least some level of fear and apprehension in new interactions due to the entrapment by police mentioned in Question 1. A 2004 report cited the Nile Hilton Hotel and Queen Boat discotheque as popular gay gathering places on selected nights of the week. Tahrir Square was also said to have been a traditional gay ‚cruising area‘.⁴⁵ IceQueer discusses meeting his friends at Tahrir Square during the revolutionary protests and stating “[a] week ago, if I told you let’s meet in Tahrir then go walk down to Kasr El-Nil bridge, you’d have judged me as a sleazy trashy gay guy”.⁴⁶ Otherwise opportunities to be openly gay were confined to private parties, friendly cafes and a few clubs.⁴⁷ Reports also cited the internet, including dating websites, as a space for gays to communicate openly due to its anonymity.^{48 49} Most of the websites used are those based in the West. Even here, however, communication remained “mistrustful”.⁵⁰

⁴² Crary, D. 2011, ‚Gays in Egypt, Tunisia worry about post-revolt era‘, *Associated Press*, 21 May – Attachment 6

⁴³ Human Rights Watch 2004, *In a Time of Torture: The Assault on Justice in Egypt’s Crackdown on Homosexual Conduct*, p16 – Attachment 1

⁴⁴ ‚Interview by Dan Littauer with “IceQueer”, an Egyptian gay blogger’ 2011, *Gay Middle East*, 4 February – Attachment 8

⁴⁵ Human Rights Watch 2004, *In a Time of Torture: The Assault on Justice in Egypt’s Crackdown on Homosexual Conduct*, p75 – Attachment 1

⁴⁶ ‚Interview by Dan Littauer with “IceQueer”, an Egyptian gay blogger’ 2011, *Gay Middle East*, 4 February – Attachment 8

⁴⁷ Human Rights Watch 2004, *In a Time of Torture: The Assault on Justice in Egypt’s Crackdown on Homosexual Conduct*, p16 – Attachment 1

⁴⁸ ‚Interview by Dan Littauer with “IceQueer”, an Egyptian gay blogger’ 2011, *Gay Middle East*, 4 February – Attachment 8

⁴⁹ Human Rights Watch 2009, *Together, Apart: Organizing around Sexual Orientation and Gender Identity Worldwide*, May, p.15 – Attachment 4

⁵⁰ Human Rights Watch 2009, *Together, Apart: Organizing around Sexual Orientation and Gender Identity Worldwide*, May, p.15 – Attachment 4

Attachments

1. Human Rights Watch 2004, *In a Time of Torture: The Assault on Justice in Egypt's Crackdown on Homosexual Conduct*. (CISLIB)
2. Lipson, J. 2007, 'Human Rights in Egypt: The Gap between Policy and Practice', *Swords & Ploughshares*, Fall Issue, pp.19-20
<http://www1.sis.american.edu/students/sword/Human%20Rights%20in%20Egypt.pdf> – Accessed 26 August 2010.
3. Amnesty International 2010, *Annual Report 2009*
4. Human Rights Watch 2009, *Together, Apart: Organizing around Sexual Orientation and Gender Identity Worldwide*, May –
5. Bahgat, H. 2001, 'Explaining Egypt's Targeting of Gays', *Middle East Report*, 23 July
<http://www.merip.org/mero/mero072301.html> – Accessed 26 August 2010.
6. Crary, D. 2011, 'Gays in Egypt, Tunisia worry about post-revolt era', *Associated Press*, 21 May. (CISNET – Egypt: CX266621)
7. 'Egypt continues to torture gays' 2004, Rainbow Network, 1 March. (CISNET – Egypt: CX90299)
8. 'Interview by Dan Littauer with "IceQueer", an Egyptian gay blogger' 2011, *Gay Middle East*, 4 February. (CISNET – Egypt: CX266632)
9. 'Egypt's Muslim Brotherhood: "Homophobia is the solution"?' 2011, *Gay Middle East*, 4 May
<http://www.gaymiddleeast.com/news/news%20298.htm> – Accessed 30 June 2011.
10. 'The Muslim Brotherhood uncovered' 2011, *Guardian*, 8 February
<http://www.guardian.co.uk/world/2011/feb/08/egypt-muslim-brotherhood-uncovered> – Accessed 30 June 2011.
11. Cornetta, A. 2009, 'Uncloaking art in Egypt', 8 February, *Ikwhan Web: The Muslim Brotherhood's Official English web site* <http://www.ikhwanweb.com/article.php?id=22308> – Accessed 30 June 2011.
12. Khazbak, R. 2011, 'Adl Party seeks to displace Brotherhood from center ground of Egyptian politics', *Almasry Alyoum*, 24 May. (CISNET – Egypt: CX266314)
13. 'Egyptian rights group "cannot protect gays"' 2002, *BBC News*, 11 February
<http://www.gayegypt.com/bbc11feb20eg.html> – Accessed 14 July 2005. (CISNET – Egypt: CX126884)
14. Adib, M. 2011, 'Islamic leaders suggest formation of religious police', *Almasry Alyoum*, 3 April. (CISNET – Egypt: CX262008)