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COUNTRY OF ORIGIN INFORMATION
BRIEF REPORT

EGYPT

Situation of LGBTQ+ Persons

Preface & Acknowledgments

The objective for this series of country of origin information (“COI”) reports is to provide asylum seekers, legal representatives and decision makers – including Immigration Officers, Adjudicators and Judges handling matters relating to persons seeking non-refoulment protection in Hong Kong – with robust research on up to date information concerning countries from which asylum seekers in Hong Kong come from. It is our hope that the COI reports will equip our readers with substantive and reliable insights to facilitate their accurate and fair decision-making.

Hong Kong Dignity Institute would like to acknowledge and thank Gibson, Dunn & Crutcher for their help in the compiling and producing this series of COI reports.



GIBSON DUNN

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Executive Summary

The LGBTQ+ community has been marginalized in Egypt, and has often been subjected to violence and discrimination. Although Egypt's legislative framework does not expressly outlaw the practices of homosexuality, transgender identities and gender conversions, Egyptian courts and authorities have used anti-debauchery laws, cybercrime and telecommunication laws to prosecute LGBTQ+ cases. The implementation of these laws against the LGBTQ+ community, such as the digital entrapment of LGBTQ+ persons and the use of anal examinations, has raised human rights concerns.¹

¹ This report is not, and does not purport to be, a detailed or comprehensive survey of all aspects of the issues addressed. It should thus be weighed against other country of origin information ("COI") available on the topic.

The report at hand does not include any policy recommendations. The information does not necessarily reflect the opinion of Hong Kong Dignity Institute.

Furthermore, this report is not conclusive as to the determination or merit of any particular claim to refugee status or asylum. Terminology used should not be regarded as indicative of a particular legal position.

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Introduction

This brief report aims at providing updated information about the situation of LGBTQ+ persons in Egypt.

The report contains information about the laws that affect the situation of LGBTQ+ persons. It also covers the authorities' treatment of LGBTQ+ persons and Egyptian society's attitude towards the group.

The present report is based on information from written sources.

The research and editing of this report was finalized on April 10, 2024. The report can be accessed from the Hong Kong Dignity Institute website and is thus available to all stakeholders in the refugee status determination process as well as to the general public.

Abbreviations

EIPR	Egyptian Initiative for Personal Rights
EMS	Egyptian Medical Syndicate
FMA	Egyptian Forensic Medicine Authority
LGBTQ+	Lesbian, gay, bisexual, transgender, queer/questioning and others
LGBTQI	Lesbian, gay, bisexual, transgender, queer/questioning and intersex
UN	United Nations

1. Treatment of LGBTQ+ Persons by Society

1.1 Discrimination

- 1.1.1 According to a survey conducted by the Pew Research Centre, up to 95% of Egyptians reject homosexuality.² This is partly fueled by the hostile stance on LGBTQ+ issues adopted by the Egyptian media. In some instances, the media is responsible for fueling the Egyptian society's negative views of LGBTQ+ persons.
- 1.1.2 According to the LGBTI Global Acceptance Index, which measures the relative acceptance of LGBTI persons and issues in each country from 2017 to 2020, Egypt ranks 159 out of 175 countries, indicating low social acceptance of the LGBTQ+ community.³
- 1.1.3 For example, in July 2018, an Egyptian newspaper published an article with the headline, 'Documenting the most dangerous online organization.' The article proceeded to show screenshots of Grindr, a gay dating app.
- 1.1.4 Further, in June 2022, the Al-Azhar International Center for Electronic Fatwas (which is based in Cairo) issued a statement denouncing what it described as a 'systematic diabolical plan to normalize the immoral crime of homosexuality in Muslim societies' such as Egypt through entertainment content directed at children. The statement also claimed the entertainment industry sought to normalize 'the immoral crime of homosexuality' in Muslim societies 'through systematic satanic plans,' destroying family moral and social values, distorting identity, and tampering with social security and stability. According to the US Department of State, this was driven by concerns regarding an imposition of foreign values through the inclusion of homosexual characters in children's productions. Following this statement, social media users petitioned the Egyptian government to ban Disney content, and Egyptian censors ultimately banned two Disney films due to brief scenes involving gay characters.⁴

1.2 Harassment, Violence and Blackmail

- 1.2.1 The ongoing discrimination and marginalization of the LGBTQ+ community has made LGBTQ+ persons vulnerable to harassment, violence and blackmail. By way

² Pew Research Center, *The Global Divide on Homosexuality*, 4 June 2013, [url](#)

³ UCLA School of Law Williams Institute, *Social Acceptance of LGBTI People in 175 Countries and Locations 1981 to 2020*, November 2021, [url](#). See also *N0653340 [2006] Refugee Review Tribunal of Australia 60 (4 May 2006) url, which observed that 'independent evidence suggests that social attitudes towards homosexuality remain negative throughout Egypt'*.

⁴ U.S. Department of State Bureau of Democracy, Human Rights and Labor, *2022 Country Reports on Human Rights Practices: Egypt* (20 March 2023) [url](#)

1.2.2 Further, since late 2020, there have been reports regarding the targeting of LGBTQ+ persons by gangs who seek to film LGBTQ+ persons in sexual contexts, and then blackmail them for money or other valuables by threatening to send videos of these individuals to the Egyptian police if the LGBTQ+ individual refuses to comply with the gang's instructions.⁵

1.3 Access to Housing

1.3.1 As reported by Leilani Farha, the former UN Special Rapporteur on the Right to Adequate Housing and Non-Discrimination, following her visit in 2018 to Egypt, LGBTQ+ persons are subject to 'extreme discrimination' with regard to housing and security of tenure.⁶ Ms. Farha noted that 'denial of identity' was required of many LGBTQ+ persons in order for them to have safe housing, given that LGBTQ+ persons find it challenging to rent accommodation due to their sexual identity and risk losing their housing if their sexual or gender identity is discovered.⁷

1.3.2 This has been echoed by the EIPR, which has stated that LGBTQ+ persons whose appearance does not strictly conform to gender norms are denied equal opportunity when it comes to rental accommodation.⁸

1.3.3 Local rights groups have also reported cases of LGBTQ+ persons being forced by their neighbours and/or their landlords to vacate their homes or else face having their LGBTQ+ status reported to police.⁹

1.4 Transgender People in Public

1.4.1 Transgender individuals continue to face significant discrimination in Egyptian society. The concept of transgender identity, and the idea that an individual who is male at birth could willingly transition to female, is relatively new in Egypt.¹⁰ Further, as a result of the challenging Egyptian economic climate, many transgender women are forced into sex work, which further puts transgender

⁵ Bedayaa, *Legal Aid Annual Report 2020*, [url](#)

⁶ UN Human Rights, *Visit of Leilani Farha, the Special Rapporteur on the right to adequate housing to Egypt*, 3 October 2018, [url](#)

⁷ UN Human Rights, *Visit of Leilani Farha, the Special Rapporteur on the right to adequate housing to Egypt*, 3 October 2018, [url](#)

⁸ France 24, *Transgender woman battles for 'dignity' in conservative Egypt*, [url](#)

⁹ U.S. Department of State Bureau of Democracy, Human Rights and Labor, *2022 Country Reports on Human Rights Practices: Egypt* (20 March 2023) [url](#)

¹⁰ The Guardian, *Beatings, abuse and blame: being transgender in Egypt*, 9 June 2015, [url](#)

women at risk, particularly given the criminalization of prostitution discussed in this report.

- 1.4.2 According to an interview conducted by The Guardian, in their article, *Beatings, Abuse and Blame: Being Transgender in Egypt*:

‘The law criminalises the sex worker, but not the client, so the client gets off scot-free and the sex worker gets arrested.’¹¹

- 1.4.3 Although there has been some public display of support for transgender rights in Egypt, this remains limited given the conservatism of the majority of the Egyptian population. For example, on May 3, 2020, Hisham Selim, a prominent Egyptian actor, shared that he is the parent of a transgender son during a television interview. Although LGBTQ+ activists praised Selim’s candor in the interview, the majority of the Egyptian population was shocked by the news, and Selim and his son were both later the subject of lawsuits for an Instagram post honoring Egyptian LGBTQ+ activist Sara Hegazy, who died by suicide in 2020.¹² During Selim’s interview, he spoke of the difficulties faced by transgender women who are seen to have abandoned their high status as a men and be lowered to the status of a women.¹³

¹¹ The Guardian, *Beatings, abuse and blame: being transgender in Egypt*, 9 June 2015, [url](#)

¹² U.S. Department of State Bureau of Democracy, Human Rights and Labor, *2020 Country Reports on Human Rights Practices: Egypt* (30 March 2021), [url](#)

¹³ The New Arab, *Egyptian actor’s support for transgender son unveils a long road ahead for Arab trans rights*, 19 May 2020, [url](#)

2. Legislation on LGBTQ+ Issues

2.1 Overview

2.1.1 Despite the Egyptian Constitution granting ‘equal opportunities for all citizens without discrimination,’ in reality, Egypt remains a conservative society and LGBTQ+ issues remain a social taboo.¹⁴

2.2 The Law on Combating of Prostitution

2.2.1 In Egypt, the criminalization of LGBTQ+ individuals is often framed as a campaign against sex work. Although not explicitly criminalized in Egypt, same-sex relations and support for LGBTQ+ issues can be prosecuted under Egypt’s debauchery and prostitution laws, which can be considered a form of de facto criminalization of same-sex relations.¹⁵ According to Bedayaa, a local LGBTQ+ advocacy group, in their article, *Tons of Oppressions Resulted in PRIDE*:

‘despite the lack of an explicit statute, the Egyptian state criminalizes consensual same-sex relations; courts usually use Law 10/1961 on combating prostitution and debauchery.’¹⁶

2.2.2 Article 9(c) of the Law on Combating of Prostitution (Law No. 10/1961) (the ‘Prostitution Law’) criminalizes the habitual engagement in ‘debauchery or prostitution.’ Article 1(a) of the Prostitution Law further punishes those who incite, assist, facilitate, tempt or induce another to engage in debauchery or prostitution. Those found guilty of these offences can face up to three years imprisonment and a fine of 300 Egyptian pounds.¹⁷

See Annex 1 for a full extract of the English translation of Article 9 of the Prostitution Law.

2.2.3 As will be further explained under Section 3.2 below, although the Prostitution Law does not define ‘debauchery,’ Egyptian courts have routinely interpreted the term to be a synonym for homosexuality or queerness. For example, a previous decision of the Court of Cassation has defined ‘debauchery’ as ‘sex between men.’

¹⁴ Constitution Net, *The Egyptian Constitution*, [url](#)

¹⁵ United Kingdom House of Commons Library, *LGBT+ rights and issues in North Africa*, 21 December 2021, [url](#); see also Danish Immigration Service, *Egypt – situation of LGBT persons*, September 2022, [url](#); U.S. Department of State Bureau of Democracy, Human Rights and Labor, *2022 Country Reports on Human Rights Practices: Egypt* (20 March 2023) [url](#)

¹⁶ Bedayaa, *Tons of Oppressions Resulted in PRIDE*, 18 June 2020, [url](#); see also United Kingdom House of Commons Library, *LGBT+ rights and issues in North Africa*, 21 December 2021, [url](#) and 1102877 [2012] Refugee Review Tribunal of Australia 101 (23 February 2012) [url](#)

¹⁷ Refworld, *Egypt: Law No. 10/1961, on the Combating of Prostitution*, [url](#)

Importantly, Article 9(c) of the Prostitution Law criminalizes habitual engagement in debauchery or prostitution. Egyptian courts have interpreted this as meaning that individuals who engage in same-sex relations once cannot be convicted of debauchery, but that engaging in recurrent or habitual same-sex relations would be criminal.¹⁸

2.2.4 Egyptian law enforcement agencies have also relied on the Penal Code (Law No. 58/1937) (the ‘Penal Code’) to prosecute members of the LGBTQ+ community.¹⁹ In particular:

- (a) Article 178 of the Penal Code makes it an offence to trade or distribute materials, including photographs, that are deemed in violation of public morals. Those found guilty can face up to two years imprisonment and a fine of 10,000 Egyptian pounds;²⁰
- (b) Article 269 of the Penal Code punishes those who publicly incite others to commit adultery to a maximum term of one month in prison;²¹ and
- (c) Under Article 278 of the Penal Code, those who commit a ‘*scandalous act*’ in public shall be punished with a maximum term of one year in prison and a fine not exceeding 300 Egyptian pounds.²²

See Annex 1 for a full extract of the English translation of Articles 178, 269 and 278 of the Penal Code.

2.2.5 More broadly, the Penal Code also imposes a de facto barrier to freedom of association and expression. Under Article 86 of the Penal Code, a person who establishes, founds, organizes, or runs an association, corporate, organization, group, or band with the purpose of interrupting the provisions of the constitution or laws, or preventing the Egyptian State’s public authorities from exercising their functions, or impairing the national unity or social peace shall face imprisonment. The ban extends to any propaganda, whether written or verbal, or any assistance provided to the establishment or organization of the organization.²³

¹⁸ U.G. Law, *Homosexuality Debauchery and Incitement to Debauchery in Egyptian Legislation Legal Overview*, [url](#)

¹⁹ Danish Immigration Service, *Egypt – situation of LGBT persons*, September 2022, [url](#). The European Court of Human Rights has recognized that the Egyptian authorities routinely criminalize and imprison LGBTQ+ persons by applying the Law on the Combating of Prostitution and several articles under the Penal Code, such as Article 278. See European Court of Human Rights, *ME v Sweden (Application no. 71398/12)*, 26 June 2014, [url](#).

²⁰ Refworld, *Egypt: Penal Code*, [url](#)

²¹ Refworld, *Egypt: Penal Code*, [url](#)

²² Refworld, *Egypt: Penal Code*, [url](#)

²³ Refworld, *Egypt: Penal Code*, [url](#)

See Annex 1 for a full extract of the English translation of Article 86 of the Penal Code.

- 2.2.6 Further, as part of the government crackdown that began in September 2017 when a group of people were seen waving the rainbow flag at a concert (detailed in section 3.2.2 below), Egyptian parliamentary MP, Ryad Abdel Sattar, tabled a draft bill that would outlaw homosexuality in Egypt. The draft bill defined ‘homosexuality’ for the first time, and proposed prison terms for those engaging or promoting same-sex relations. It also called for those engaging in same-sex sexual activities and those ‘calling for the acceptance of homosexuality’ (including journalists covering ‘gay events’) to be imprisoned for up to three years. The draft bill sparked international outcry, and was not ultimately passed.²⁴ However, the consideration of this bill can be seen as indicative of the general attitude towards LGBTQ+ individuals in Egyptian society.

2.3 The Law on Anti-Cybercrimes and Information Technology Crimes

- 2.3.1 In addition to prosecutions under the Prostitution Law, there has also been an uptick in recent years in the use of cybercrime and telecommunication laws to prosecute LGBTQ+ cases. This trend can be interpreted as a response to the digitization of daily lives, and in particular the use of online dating apps by members of the LGBTQ+ communities.²⁵ Furthermore, cases involving cybercrimes and telecommunication laws are tried in Egyptian economic courts, which are specialized courts generally focused on resolving economic and commercial disputes.²⁶ In practice, this has allowed Egyptian prosecutors to pursue harsher sentences against the LGBTQ+ community.²⁷
- 2.3.2 Article 76 of the Telecommunication Regulation Law (Law No. 10/2003) criminalizes the misuse of telecommunications and carries a maximum fine of 20,000 Egyptian pounds and an unspecified term of imprisonment.²⁸ The Telecommunication Regulation Law was enacted to regulate the telecommunication network and services, for instance, it regulates the proper use of radio spectrum.

See Annex 1 for a full extract of the English translation of Article 76 of the Telecommunication Regulation Law.

²⁴ Al Bawaba, *Egypt Drafts a Bill Banning Homosexuality, and Imprisonment for Even Discussing It*, [url](#)

²⁵ Danish Immigration Service, *Egypt – situation of LGBT persons*, September 2022, [url](#)

²⁶ WIPO Lex, *Egypt Law No. 120 of 2008 Establishing Economic Courts*, [url](#), Danish Immigration Service, *Egypt – situation of LGBT persons*, September 2022, [url](#)

²⁷ U.S. Department of State Bureau of Democracy, Human Rights and Labor, *2022 Country Reports on Human Rights Practices: Egypt* (20 March 2023) [url](#)

²⁸ The National Telecommunication Regulatory Authority of Egypt, *Egypt Telecommunication Regulation Law*, [url](#)

2.3.3 Meanwhile, Article 25 of the Anti-Cybercrimes and Information Technology Law (Law No. 175/2018) (the ‘Anti-Cybercrimes Law’) provides that:

‘Anyone who infringes a family principle or value of the Egyptian society, encroaches on privacy, sends many emails to a certain person without obtaining his/her consent, provides personal data to an e-system or website for promoting commodities or services without getting the approval thereof, or publishes, via the information network or by any means of information technology, information, news, images or the like, which infringes the privacy of any person involuntarily, whether the published information is true or false, shall be punishable by imprisonment for no less than six months and a fine of no less than fifty thousand Egyptian Pounds and no more than one hundred thousand Egyptian Pounds, or by one of these two penalties.’²⁹

See Annex 1 for a full extract of the English translation of Article 25 of the Anti-Cybercrimes Law.

2.3.4 Although the Telecommunication Regulation Law and Anti-Cybercrimes Law are targeted at privacy infringements arising out of commercial activities, the vague terms of ‘misuse’ and ‘family principles or values’ mean that these laws can be (and in practice, often are) broadly interpreted and applied to LGBTQ+ cases.³⁰ Examples of such interpretations and applications are further discussed under Section 3 below.

2.3.5 In October 2017, the Supreme Council for Media Regulation also banned all forms of LGBTQ+ support, including any form of promotion or sympathy towards the LGBTQ+ community, as well as the appearance of LGBTQ+ people on media outlets.³¹

²⁹ A translation of the Anti-Cyber and Information Technology Crimes Law No. 175 of 2018 is available [here](#)

³⁰ Danish Immigration Service, *Egypt – situation of LGBT persons*, September 2022, [url](#)

³¹ Egypt Independent, *Egypt imposes media blackout on LGBT community*, 1 October 2017, [url](#)

3. Implementation of the Law and Treatment of LGBTQ+ Persons by the State

3.1 General attitudes of the state towards LGBTQ+ persons and behavior

- 3.1.1 According to the Egyptian Initiative for Personal Rights, the average number of persons arrested and referred to trial in LGBTQ+ cases has increased five-fold since the last quarter of 2013.³²
- 3.1.2 As part of this persistent repression and marginalization, in September 2022 the Egyptian Education Ministry ordered Egyptian schools to integrate the concepts of sexual education, sexual harassment and sexual violence in the basic school curriculum. However, the introduction of this content was motivated by a desire to address concerns that children will imitate ‘deviant’ sexual behavior such as homosexuality and reportedly include a specific focus on denouncing homosexuality. Further, the Egyptian education ministry has specifically instructed schools to place posters to raise awareness on the dangers of ‘abnormal sexual behaviors.’³³
- 3.1.3 Egypt also has a dedicated police department, known as the public morality police, which is a special unit under the Ministry of Interior. The public morality police investigates all cases under the Prostitution Law, and is responsible for arresting those who do not fit with Egyptian social norms, such as sex workers, homosexuals, trans persons, and any other reported non-normative and non-conforming sexual activities, even when such activities occur in a private place.³⁴

3.2 Prosecution of LGBTQ+ persons by anti-debauchery laws

- 3.2.1 While there is no official summary available regarding the number of annual prosecutions of LGBTQ+ persons under the Prostitution Law, publicly available sources demonstrate a consistent pattern of cases utilizing the Prostitution Law to prosecute LGBTQ+ persons in recent years on the basis that the defendants had engaged in ‘debauchery’ (i.e. engaged in homosexual or queer activities). This includes the following cases which were reported on publicly and/or identified by non-government organizations working in this space:

- (a) In April 2014, four men were convicted and sentenced to eight years imprisonment for ‘debauchery’ after hosting and participating in a party

³² EIPR, *The Egyptian state wages an unprecedented arrest campaign against individuals based on their perceived sexuality*, 4 October 2017, [url](#)

³³ The New Arab, *Egypt integrates sex education “to stop homosexuality”*, 17 September 2022, [url](#); see also U.S. Department of State Bureau of Democracy, Human Rights and Labor, *2022 Country Reports on Human Rights Practices: Egypt* (20 March 2023) [url](#)

³⁴ Bedayaa, *10 FAQs About LGBTQIs Situation in Egypt*, [url](#)

which involved homosexual acts where women's clothing and makeup were discovered.³⁵

- (b) In November 2014, an Egyptian court sentenced eight men to three years imprisonment and another three years of probation over their participation in a same-sex 'wedding'. The eight defendants were prosecuted after they were identified from a viral video of the wedding. Notably, the defendants were sentenced to jail despite the fact that a spokesman for the Justice Ministry's forensics department had previously publicly claimed that the anal examinations to which the men had been subject to (see further discussion below) indicated that the men in question had not recently engaged in sexual intercourse with other men.³⁶
- (c) In April 2016, a Giza Misdemeanor Court sentenced 11 men to terms ranging from three to 12 years imprisonment on charges of 'inciting debauchery' for committing homosexual acts. Prosecutors alleged that the men had used social media to organize sexual liaisons.³⁷
- (d) On September 25, 2017, 7 people were arrested by the Egyptian police for 'promoting sexual deviancy' (a euphemism used in Egypt to refer to homosexuality) after they were seen raising a rainbow pride flag at the Cairo concert of Mashrou' Leila, a Lebanese rock band whose lead vocalist is openly gay.³⁸ The 7 arrestees were eventually charged with 'inciting immorality' for 'raising the flag of homosexuals.' On September 26, 2017, an Egyptian court sentenced a student to six years imprisonment for 'practicing debauchery' over the raising of the rainbow flag during the concert.³⁹
- (e) In February 2018, a student was arrested for spreading 'debauchery' for organizing a concert on private property which was allegedly to be attended only by homosexual individuals. The contractor who owns the property for the planned concert was also arrested.⁴⁰
- (f) Bedayaa documented 65 cases involving the arrests of 92 LGBTQ+ persons in 2019, as well as 71 cases involving 76 arrests in 2018. According to

³⁵ Ahram Online, *Egypt prosecutor orders 7 held for "debauchery"*, 7 September 2014, [url](#)

³⁶ Ahram Online, *Men from same-sex wedding video are "not gay": Forensics*, 8 September 2014, [url](#)

³⁷ Ahram Online, *11 men sentenced to up to 12 years in homosexuality case in Egypt*, 24 June 2016, [url](#)

³⁸ Mada Masr, *Update: 7 arrested for "promoting sexual deviancy" after raising rainbow flag at Mashrou' Leila gig*, 26 September 2017, [url](#)

³⁹ The New Arab, *Egypt court sentences concert-goer to prison over LGBT flag*, 26 September 2017, [url](#)

⁴⁰ Egypt Independent, *Police arrests student, contractor for organizing concert for homosexuals in Giza*, 11 February 2018, [url](#)

- 3.2.2 The 2017 ‘rainbow flag’ incident at the Mashrou’ Leila concert was particularly notable given that the activist Sarah Hegazi was among those who were arrested and was charged for ‘joining an illegal group and promoting its ideas’ and ‘promoting sexual deviancy and debauchery.’ She was jailed for three months in a women’s prison while awaiting trial, and was released on bail in January 2018. After her release, she sought asylum in Canada. During an interview after her release, she stated that authorities in the police station where she was detained incited other female detainees to sexually assault her.⁴¹ She was also violently assaulted and electrocuted during her detention. She eventually committed suicide while in exile in Canada.⁴²
- 3.2.3 In the aftermath of the rainbow flag incident, the Egyptian government launched a zero-tolerance crackdown on LGBTQ+ persons. The prosecutions of homosexuals surged within a month. According to the EIPR, at least 57 people were arrested in Cairo, Giza, Ismailia, South Sinai and Damietta. The majority of those arrested were charged with ‘habitual debauchery’ or ‘promoting debauchery’ contrary to Articles 9 and 10 of the Prostitution Law. By October 2017, a number of the arrestees had already been found guilty of these charges, and received harsh imprisonment sentences ranging from one to six years. The EIPR has stated that the rapid referral of these arrests to the court system meant that most of these defendants were not allowed to exercise their constitutional rights to seek legal representation.⁴³
- 3.2.4 Further, the arrest of LGBTQ+ persons is often coupled with public shaming and/or a smear campaign. In August 2020, the National Security Agency arrested four witnesses to the Fairmont case, a high-profile gang rape case, weeks after independent women’s rights activists exposed the case online. This case concerned a hotel gang rape in which a group of at least nine men alleged raped a women during a party which had allegedly also involved acts of homosexuality. Earlier, the Egyptian prosecution had encouraged witnesses to the rape to come forward, but then charged the same witnesses of ‘inciting debauchery’ and ‘misuse of social media’ over their involvement in consensual same-sex sexual conduct. After the arrest, explicit sex videos from the phones of one of the witnesses were leaked and distributed to journalists and social media users, as an attempt to discredit the witness and to undermine her credibility.⁴⁴

⁴¹ Danish Immigration Service, *Egypt – situation of LGBT persons*, September 2022, [url](#)

⁴² The New Arab, *Egypt LGBTQ+ activist arrested for flying Pride flag dies*, 14 June 2020, [url](#)

⁴³ EIPR, *The Egyptian state wages an unprecedented arrest campaign against individuals based on their perceived sexuality*, 4 October 2017, [url](#)

⁴⁴ Middle East Eye, *Egypt targets rape witnesses in attempt to bury case that shocked the nation*, 3 September 2020, [url](#)

3.3 Digital entrapment of LGBTQ+ persons

- (a) Egyptian government officials have admitted to targeting LGBTQ+ people online. In 2020, Ahmed Taher, former Assistant to the Minister of Interior for Internet Crimes and Human Trafficking, stated that:

‘[The Egyptian state has] recruited police in the virtual world to uncover the masses of group sex parties, homosexual gatherings.’⁴⁵
- (b) This type of digital entrapment has increasingly involved the use of online dating sites and apps, as well as social media to target and prosecute LGBTQ+ persons.⁴⁶ According to a report published by the EIPR, out of 232 arrests of LGBTQ+ individuals, 129 were arrested as a result of their use of dating and social networking websites.⁴⁷ The US State Department has noted that this has been described as a particularly effective method ‘since public spaces friendly to LGBTQI persons largely [have] been closed in recent years’.⁴⁸
- (c) Generally, this will involve public morality police officers impersonating LGBTQ+ persons on message boards, websites and/or dating apps for the purpose of cultivating relationships with Egyptian LGBTQ+ persons.⁴⁹ As part of this, the undercover police officer will encourage an LGBTQ+ individual to send sexually explicit pictures of themselves and engage explicit conversations, before eventually entrapping the LGBTQ+ individual by suggesting a date to meet. At this meet-up, the individual is normally arrested.⁵⁰ Once arrested, authorities will then generally prosecute the LGBTQ+ individual using the Anti-Cybercrimes Law. The explicit online chat and/or pictures will then be used as evidence against the LGBTQ+ person at court.
- (d) The EIPR has also stated that police will also focus on physical evidence such as women’s clothing, wigs and condoms, and may even specifically ask individuals to bring condoms with them for the purpose of then using them as evidence of debauchery.⁵¹

⁴⁵ BBC, *How Egyptian police hunt LGBT people on dating apps*, 30 January 2023, [url](#)

⁴⁶ Danish Immigration Service, *Egypt – situation of LGBT persons*, September 2022, [url](#)

⁴⁷ EIPR, *The Trap: Punishing Sexual Difference in Egypt*, November 2017, [url](#)

⁴⁸ U.S. Department of State Bureau of Democracy, Human Rights and Labor, *2022 Country Reports on Human Rights Practices: Egypt* (20 March 2023) [url](#)

⁴⁹ See discussion of this practice in AV (Egypt) [2020] New Zealand Immigration and Protection Tribunal 801705 (10 December 2020) [url](#)

⁵⁰ EIPR, *The Trap: Punishing Sexual Difference in Egypt*, November 2017, [url](#)

⁵¹ See discussion of the use of possession of condoms as evidence of debauchery in Australian Department of Foreign Affairs and Trade, *Country Information Report: Egypt* (17 June 2019) [url](#)

- (e) Further, EIPR has also recounted that the morality police may seek to construct a specific scenario where the arrestee is pressured to confess that he was a victim of sexual assault as a child and that he became a ‘sexual deviant’ as a result, and that he had been involved in a number of sexual relations since then, therefore satisfying the ‘habituality’ element of the crime.⁵²
- (f) According to reports from Bedayaa, undercover police officers may also express an intention to pay in foreign currency in order to incentivize LGBTQ+ individuals to meet.⁵³
- (g) The following is an extract from a police report filed in 2020 which recounts digital entrapment of an LGBTQ+ Egyptian from the perspective of the police:

‘Once we had received the tips, identified the target person, and planned a date with him, we moved with our secret informant, and a secret police task force to the place agreed on. When we arrived there, the informant conducted phone calls with the targeted person to make him come to the meeting spot. We saw the targeted person come in, and we identified him through the pictures he sent to our informant. We sent out informant to conduct a chat with him. The targeted person offered to have a sexual encounter with our informant and to take him back to his place to conduct these acts. Then we received the secret signal from our informant, we moved in and told the targeted person that he was being arrested for violating cybercrime Law no. 175/2018 and Law no. 10/1961 on combating prostitution.’⁵⁴

- 3.3.5 Bedayaa, in their report, *The Struggle of The LGBTQI Community in Egypt*, recounted entrapment from the perspective of a 26-year-old homosexual man who communicated with another user using a fake account from the online application, and agreed to meet. However, when he reached the meeting location, he was surrounded by a group of police officers who arrested him. He was beaten and humiliated by the police officers who called him derogatory names, such as ‘faggot’ and ‘perverted homosexual.’ Following his arrest, he was then beaten by fellow prisoners at the direction of police, before ultimately being acquitted for lack of evidence by the relevant court. However, he was then arrested again in September 2017 as a result of entrapment using Grindr, following which he was similarly physically and verbally assaulted by police officers during his arrest and during his detention.⁵⁵ He was eventually sentenced to three years imprisonment

⁵² EIPR, *The Trap: Punishing Sexual Difference in Egypt*, November 2017, [url](#)

⁵³ Bedayaa, *10 FAQs About LGBTQIs Situation in Egypt*, [url](#)

⁵⁴ Case No 403/2020 Cairo Misdemeanor Economic Court, cited in Cairo 52, *Sexually Guilty: Custom morality and the Persecution of the LGBTQ Community in Egypt*, [url](#)

⁵⁵ See discussion of assault of detainees accused of homosexuality in Egyptian prisons in Australian Department of Foreign Affairs and Trade, *Country Information Report: Egypt* (17 June 2019) [url](#)

followed by three years of probation. Upon appeal, his sentence was reduced to six months imprisonment without probation.⁵⁶

- 3.3.6 In recognition of the severity of this issue, LGBTQ+ dating app, Grindr, issued a police warning to its users in Egypt in March 2023. This warning alerted its Egyptian users that the Egyptian police is ‘actively making arrests of gay, bi, and trans people on digital platforms. They are using fake accounts and have also taken over accounts from real community members who have already been arrested and had their phones taken.’⁵⁷ This is not the first time that Grindr has issued a warning to its Egyptian users. In October 2017, following the rainbow flag incident at the Cairo concert, Grindr issued a similar warning and provided safety tips to its Egyptian users.⁵⁸
- 3.3.7 Notwithstanding the frequency of use of entrapment of this kind, the legality of using entrapment under Egyptian law has been questioned. Under Egyptian law, while using deceit to uncover a crime does not compromise the legality of an arrest, entrapment can only be used when a crime has actually already occurred. In many of these LGBTQ+ arrests, the LGBTQ+ individuals were lured into meeting up with the undercover police officer. The crime of ‘practicing debauchery’ in these cases were therefore incited by the police.⁵⁹ The legitimacy of this form of entrapment is further undermined by accounts given by Egyptian LGBTQ+ detainees in relation to the fabrication of digital evidence. Detainees recounted that when police did not find ‘evidence’ of their LGBTQ+ status on their phones, the police officer would download same-sex dating apps on their phones, and upload pornographic photos to their phones in order to justify their detention.⁶⁰

3.4 Use of Anal Examinations

- 3.4.1 Forced anal examinations to substantiate same-sex sexual activity are considered by the UN Special Rapporteur on Torture to be a form of torture or ill-treatment that is in any event medically worthless due to a lack of scientific validity of the tests.⁶¹ The Independent Forensic Expert Group, which is comprised of forensic medicine specialists from around the world, has stated that ‘the examination has no value in detecting abnormalities in anal sphincter tone that can be reliably attributed to

⁵⁶ Bedayaa, *The Struggle of The LGBTQI Community in Egypt*, 30 December 2018, [url](#)

⁵⁷ SCMP, *LGBTQ dating app Grindr issues police warning to users in Egypt*, 25 March 2023, [url](#)

⁵⁸ Middle East Eye, *Gay dating app’s new Egyptian alert: The police want to arrest you*, 23 October 2017, [url](#)

⁵⁹ BBC, *How Egyptian police hunt LGBT people on dating apps*, 30 January 2023, [url](#)

⁶⁰ Conversationalist, *“Clean the streets of faggots”: governments in the Middle East & North Africa target LGBT people via social media*, 5 August 2021, [url](#)

⁶¹ UN Human Rights Council, *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment*, [url](#)

consensual anal intercourse.⁶² The World Medical Association has also called for a prohibition on the involvement of medical professionals on such procedures.⁶³

3.4.2 However, such examinations are routinely performed in Egypt on detainees and/or defendants identified as either homosexual men or transgender women.⁶⁴ These examinations are generally undertaken by the FMA, a branch of the Justice Ministry, after a referral from the Public Prosecution, or, in some circumstances, a referral by prison officers.⁶⁵ Once this referral takes place, doctors employed by the FMA are asked to advise on whether the individual was ‘recently penetrated from behind’.⁶⁶ To ascertain this, FMA doctors generally carry out examinations to search for signs of repeated anal penetration, examine the anus for traces of seminal fluids (and if found, test whether they match the seminal fluids of other defendants), and take blood and urine samples to test for drugs, alcohol, sleeping pills or other substances.⁶⁷

3.4.3 According to the EIPR, in their report, *The Trap: Punishing Sexual Difference in Egypt*, in at least one 2015 case, a judge also requested that the FMA ascertain not only whether anal sex had taken place but also whether defendants be examined to ‘determine whether they have taken medication to help alter the shape of their bodies and their masculinity, and to specify the names of those who are found to be so, and refer them to an assigned expert.’⁶⁸

3.4.4 The report also noted that accounts of those subjected to forced anal examinations by the FMA also indicated that defendants are normally subjected to ‘humiliation and debasement’, as well as police brutality, when being transported to the FMA, with one individual stating that when he and other defendants ‘arrived at the [FMA], officers beat us up and insulted us, they called us ‘trash’ and threw water on us, and kept insulting us until the doctors arrived’.⁶⁹

⁶² Independent Forensic Expert Group, *Statement on Anal Examinations in Cases of Alleged Homosexuality*, [url](#)

⁶³ World Medical Association, *WMA Resolution on Prohibition of Anal Examinations to Substantiate Same-Sex Sexual Activity*, 17 October 2022, [url](#)

⁶⁴ Mada Masr, *Imprisoned trans woman Malak al-Kashif sexually assaulted, subjected to forced anal examination in state hospital*, 12 March 2019, [url](#); see also Egyptian Commission for Rights and Freedoms, [url and](#) Danish Immigration Service, *Egypt – situation of LGBT persons*, September 2022, [url](#); see also 1102877 [2012] Refugee Review Tribunal of Australia 101 (23 February 2012) [url](#).

⁶⁵ Egyptian Front for Human Rights, *No One Is Safe: Sexual Violence Through the Life Cycle of Detention in Egypt 2015-2022*, [url](#); Danish Immigration Service, *Egypt – situation of LGBT persons*, September 2022, [url](#)

⁶⁶ EIPR, *The Trap: Punishing Sexual Difference in Egypt*, November 2017, [url](#)

⁶⁷ EIPR, *The Trap: Punishing Sexual Difference in Egypt*, November 2017, [url](#)

⁶⁸ EIPR, *The Trap: Punishing Sexual Difference in Egypt*, November 2017, [url](#)

⁶⁹ EIPR, *The Trap: Punishing Sexual Difference in Egypt*, November 2017, [url](#)

3.5 Police Raids

3.5.1 Egyptian authorities have also relied on police raids to crack down on the LGBTQ+ community. The Egyptian police often raid meeting spots that the LGBTQ+ community frequents and make random arrests. They will also search people for anything that indicates sexual relations, such as condoms and lubricants, and claim that the arrestee was using seductive acts and signs to seduce others into committing debauchery. The Egyptian police have also been known to make arrests in private homes and hotel rooms, generally following reports of suspicious behavior made to the police by neighbors or hotel staff.⁷⁰

3.5.2 Some past police raids have been the subject of considerable media attention, as summarized below:

- (a) Queen Boat / ‘Cairo 52’: On May 11, 2001, the Egyptian police raided the Queen Boat night club (also known as the Queens Boat) and arrested 36 men. Following the raid, the police arrested 16 more individuals off the street with the assistance of an informer who pointed out to the police from a microbus men he identified as homosexual.⁷¹ The Egyptian authorities portrayed the Queen Boat arrestees as part of a ‘cult’ that practiced Satanism and homosexuality, following which the Egyptian media (and in particular, newspapers) loudly disseminated this message.⁷² The men were charged with habitual debauchery, and were the subject of forced anal examinations.⁷³ 21 of the original 52 defendants were found guilty of habitual debauchery in November 2021 and sentenced to imprisonment of 1 -2 years, with another one man being convicted of contempt of religion and another (who was accused of being the ‘ringleader’) being convicted of both charges and sentenced to 5 years imprisonment. In May 2022, the convictions of all men except for those charged with contempt of religion were overturned prior to a retrial. During this retrial, the 21 defendants were again found guilty, and given an increased sentence of 3 years imprisonment.⁷⁴

⁷⁰ The New Arab, *Egypt integrates sex education “to stop homosexuality”*, 17 September 2022, [url](#)

⁷¹ Mada Masr, *Of moral panics and state security*, 25 November 2013, [url](#). See also [discussion of this incident in 1112173 \[2012\] Refugee Review Tribunal of Australia 660 \(9 August 2012\) url](#), which established that an Egyptian citizen who was homosexual was a person to whom Australia has protection obligations under the Refugees Convention on the basis that he has a well-founded fear of being persecuted due to his homosexuality if he returns to Egypt now or in the reasonably foreseeable future.

⁷² Afrol News, *Egypt’s gay society terrified by witch hunt*, 17 May, [url](#)

⁷³ Cairo 52, *Sexually Guilty: Custom morality and the Persecution of the LGBTQ Community in Egypt*, [url](#)

⁷⁴ OMCT, *Egypt: harsher sentences for twenty-one men in Queen boat case re-trial*, 19 March 2003, [url](#)

- (b) Ramses Bathhouse Raid: In December 2014, the Egyptian police raided a bathhouse in Ramses, Cairo and arrested 25 men on charges of ‘debauchery’ and organizing same-sex orgies. According to the Ministry of Interior, the public morality police received a report that the bathhouse was hosting an orgy, following which the police decided to raid the bathhouse while accompanied by a private television crew led by presenter Mona Iraqi.⁷⁵ The raid was then aired on Egyptian television, with half-naked men being dragged into police trucks. The trailer for the show stated, ‘Watch the bold Mona Iraqi reveal in a series of investigative episodes the secret behind the spreading of Aids in Egypt... For the first time in the history of Egyptian and Arabic media, we lead the morality police to storm the biggest den for male group sex in the heart of Cairo.’⁷⁶ During the trial, the defense lawyers for the 26 defendants argued that the investigation was faulty and that the charges were made based on a single police officer’s testimony. In particular, defense attorney, Islam Khalifa, told the Court that the defendants suffered ‘psychological duress’ from the publicized arrests.⁷⁷ The forensic report submitted to the court concluded that none of the defendants had engaged in homosexual activities. The defendants were eventually acquitted by the Egyptian court.⁷⁸ The defendants subsequently filed a defamation suit against Iraqi for filming the police raid. However, the Egypt appeals court held in favor of Iraqi and commended her report as ‘journalistic work that serves public interest.’⁷⁹

3.6 Transgender Individuals

- 3.6.1 The EMS is responsible for regulating transsexualism and sex reassignment surgery (‘SRS’). In 2013, the EMS adopted a new Code of Ethics setting out the medical and legal process for SRS in Egypt. Article 43 of the Code prohibits Egyptian physicians from carrying out gender change operations, but allows SRS subject to the approval of the Sex Reassignment Committee at the National Doctors Syndicate (the ‘Committee’). The Committee consists of doctors as well as a

⁷⁵ See Danish Immigration Service, *Egypt – situation of LGBT persons*, September 2022, [url](#)

⁷⁶ Mona Iraqi, *مصر، برومو- منى عراقي تكشف المستخبي وراء انتشار الإيدز وتجارة الجنس الجماعي في مصر*, 9 December 2014, [url](#); see also The Guardian, *Egyptian TV crew criticised over police raid on Cairo bath house*, 9 December 2014, [url](#)

⁷⁷ Ahram Online, *Lawyers say defendants suffered “psychological duress” from Cairo gay raid*, 4 January 2015, [url](#)

⁷⁸ The Arab News, *26 men acquitted of “debauchery” in Cairo bathhouse trial*, 12 January 2015, [url](#)

⁷⁹ Egyptian Streets, *Egypt Court Declares Filming of “Gay Cairo Bathhouse Raid” as “Serving Public Interest”*, 10 February 2016, [url](#)

- 3.6.2 Persons who wish to undergo SRS in Egypt are subjected to a long and complex process, which first requires psychotherapy for a period of two years, following which a psychiatric report will be issued. The psychiatric report must state that the individual has either gender identity disorder or gender dysphoria. Once the psychiatric report is issued, the individual can apply to the Committee requesting approval for SRS, following which SRS can be completed at a government hospital. Provided the SRS was performed at an Egyptian government hospital, the transgender individual can then submit the EMS report and the final medical report to the Civil Status Service to proceed with changes to official government documents such as national identity cards.⁸⁰
- 3.6.3 However, since the adoption of the Code of Ethics in 2013 by the EMS, very few Egyptians have been authorized to undergo SRS. This is because, since at least 2019, Al Azhar has had no designated representative on the Committee. Without this representative, the Committee cannot proceed to approve SRS.⁸¹
- 3.6.4 Reports also indicate that the Egyptian authorities have stopped several transgender individuals from changing their official documents and identity cards to reflect their new gender, notwithstanding the fact that these individuals had already undergone SRS.⁸² According to Dalia Abd Elhameed of the EIPR, many transgender persons cannot change their names and gender legally after their surgeries. Without gender-matching identity cards, these transgender individuals are forced to avoid the public, or live as if they were still the gender they were born to. Elhameed also explained that transgender women are more likely to be mistaken as gay, and be caught up in police crackdowns on homosexual men.⁸³
- 3.6.5 There are also multiple reports of the Egyptian government failing to detain transgender persons in prisons in accordance with their gender identity. For instance, Malak el-Kashif, a transgender activist, was arbitrarily detained for four months in a male prison in 2019. At birth, el-Kashif was assigned a male identity, but transitioned to a female identity.⁸⁴ During a protest, el-Kashif was arrested and was subjected to two invasive medical examinations in order to determine whether

⁸⁰ Journal of Law and Emerging Technologies Vol. 3 No. 1 April 2023, *The Egyptian Constitution and Transgender Rights: Judicial Interpretation of Islamic Norms*, p. 33- 58

⁸¹ AFP, *Transgender woman battles for ‘dignity’ in conservative Egypt*, 2 June 2021, [url](#)

⁸² Middle East Eye, *Transsexual and Egyptian: Defying the odds*, 28 April 2016, [url](#)

⁸³ Cairo 52, *Sexually Guilty: Custom morality and the Persecution of the LGBTQ Community in Egypt*, [url](#)

⁸⁴ The New Arab, *Egypt releases transgender woman after four months in jail*, 17 July 2019, [url](#)

she should be detained in a male or female prison. As part of the examination, she was penetrated by a male officer's fingers. The Egyptian authorities were unable to come to a conclusion on her gender, and eventually placed her in a male prison.⁸⁵ During an interview, el-Kashif recounted her previous two arrests in which she was targeted by Egyptian police officers because of her looks. According to el-Kashif:

‘We were not arrested for doing anything shameful or without our clothes on, we were arrested and we were told that “you are queers, we don’t like the way you look” but eventually we were let go because there was nothing to be accused of.’⁸⁶

- 3.6.6 Similarly, on February 28, 2019, Hossam Ahmed, a transgender man, was arrested in Cairo and detained in an undisclosed location for four days. He was prosecuted and charged with joining a terrorist group and misusing social media to commit a crime. Despite his self-identification as a transgender man, his national identity card still stated that he was a woman. He was prohibited from continuing his hormonal treatment during his imprisonment at a female prison.⁸⁷

⁸⁵ The New Arab, *Report reveals harrowing accounts of sexual assault in Egypt*, 8 July 2021, [url](#)

⁸⁶ Africa News, *The sad tale of Egyptian trans activist*, 27 March 2020, [url](#)

⁸⁷ Rights Africa, *Report: Egyptian security forces abuse, torture LGBT people*, 1 October 2020, [url](#)

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Egyptian Commission for Rights and Freedoms, [https://www.facebook.com/ecrf.net/photos/a.344802732350133/1240823062748091/?type=3&_xts__\[0\]=68.ARC2tl6oynxaz8l3SspYQYJxE7LTIsKsX2ckHiwDMrwCsblFF3NmMKLP5-EDrCxB6cwEQEN6Jyka0Auv5GKzd93KyhB6qV_8CvmogWo4goKZ8uYApiMJnKeGCrM11Nrr6AXZtYIDZ8bejPDFDO7GGgDosuWXQL9zxOTdmGdzYTpSBmCSshKntLVvZI_YsIt-bTyUB56oTPUs35Z7FJXGezqUySclL9DLOz9QKq5jmRRcshuX6DdmD3Ymf6fgWFip09nsPKwgUhj3mxAjg7AlBhgnlKJNDXNzxeWRqcZkli8g3j4OVcFm8NhLx4oPFc2kaQpt-Wl9hZ5HhK1FyTwpQD-LzA](https://www.facebook.com/ecrf.net/photos/a.344802732350133/1240823062748091/?type=3&_xts__[0]=68.ARC2tl6oynxaz8l3SspYQYJxE7LTIsKsX2ckHiwDMrwCsblFF3NmMKLP5-EDrCxB6cwEQEN6Jyka0Auv5GKzd93KyhB6qV_8CvmogWo4goKZ8uYApiMJnKeGCrM11Nrr6AXZtYIDZ8bejPDFDO7GGgDosuWXQL9zxOTdmGdzYTpSBmCSshKntLVvZI_YsIt-bTyUB56oTPUs35Z7FJXGezqUySclL9DLOz9QKq5jmRRcshuX6DdmD3Ymf6fgWFip09nsPKwgUhj3mxAjg7AlBhgnlKJNDXNzxeWRqcZkli8g3j4OVcFm8NhLx4oPFc2kaQpt-Wl9hZ5HhK1FyTwpQD-LzA) accessed 10 January 2024

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Annex 1: Egyptian Law on LGBTQ+ Persons⁸⁸

A1.1 **Article 1 of the Prostitution Law**

(a) Whoever incites a person, be they male or female, to engage in debauchery or in prostitution, or assists in this or facilitates it, and similarly whoever employs a person or tempts him or induces him with the intention of engaging in debauchery or prostitution, is to be sentenced to imprisonment for a period not less than one year and not more than three years and a fine between 100 and 300 LE in the Egyptian administration and between 1000 and 3000 Lira in the Syrian administration.

(b) If the person upon whom the crime is perpetrated has not reached the age of twenty-one years, the punishment is imprisonment for a period not less than one year and not more than five years and a fine between 100 and 500 LE in the Egyptian administration and between 1000 and 5000 Lira in the Syrian administration.

A1.2 **Article 9 of the Prostitution Law**

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 in the Egyptian administration and not less than 250 Lira and not exceeding 3000 Lira in the Syrian administration 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. ...

⁸⁸ A translation of the Prostitution Law is available on <https://www.refworld.org/docid/5492d8784.html>; a translation of the Penal Code is available on <https://www.refworld.org/docid/3f827fc44.html>; a translation of the Telecommunication Regulation Law is available on <https://www.tra.gov.eg/wp-content/uploads/2020/11/Law-No-10-of-2003.pdf>; a translation of the Anti-Cybercrimes Law is available on <https://cybercrime-fr.org/wp-content/uploads/2020/04/Egyptian-cybercrime-law-.pdf>

A1.3 Article 86 of the Penal Code

Imprisonment shall be the inflicted penalty on whoever establishes, founds, organizes, or runs, contrary to the provisions of the law, an association, corporation, organization, group, or band, the purpose of which is to call by any method, for interrupting the provisions of the constitution or laws, or preventing any of the Slate's institutions or public authorities from exercising its works, or encroaching on the personal freedoms of citizens or other freedoms and public rights as guaranteed by the constitution or the law, or impairing the national unity or social peace. Temporary hard labor shall be the punishment inflicted on any one assuming leadership or command of their formations, or supplying them with physical or financial assistance, while being aware of the purpose they call for.

Imprisonment for a period not exceeding five years shall be the inflicted penalty on whoever joins any of the associations, corporations, organizations, groups or bands prescribed in the previous clause or participates in them in any form, while being aware of their purposes.

The penalty prescribed in the previous clause shall be inflicted on whoever propagates by speaking or writing or by any other method, for the purposes mentioned in the first clause, and also whoever, personally or by any intermediary, holds or acquires written documents, printed matter, or records, whatever their kind, comprising propagation or advocacy of any of the foregoing, if they are prepared for distribution or access by third parties, and also whoever holds or acquires any method of printing, recording, or publicizing which is used or prepared to use, even temporarily for printing, recording or diffusing anything of the foregoing.

A1.4 Article 178 of the Penal Code

Whoever makes or holds, for the purpose of trade, distribution, leasing, pasting or displaying printed matter, manuscripts, drawings, advertisements, carved or engraved pictures, manual or photographic drawings, symbolic signs, or other objects or pictures in general, if they are against public morals, shall be punished with detention for a period not exceeding two years and a fine of not less than five thousand pounds and not exceeding ten thousand pounds or either penalty.

A1.5 Article 269 (bis) of the Penal Code

Whoever is found on a public road or a traveled and frequented place inciting the passers with signals or words to commit adultery shall be punished with detention for a period not exceeding one month. If the felon recurs to committing this crime within one year from the date the court ruling is passed against him in the first crime, the penalty shall become detention for a period not exceeding six months and a fine not exceeding fifty pounds. A ruling of indictment shall necessitate placing the convict on police parole for a period equal to that of the penalty.

A1.6 Article 278 of the Penal Code

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

A1.7 Article 76 of the Telecommunication Regulation Law

Without prejudice to the right for suitable indemnity, a penalty of confinement to prison and a fine not less than five hundred pounds and not exceeding twenty thousand pounds or either penalty shall be inflicted on whoever:

1. Uses or assists in using illegitimate means to conduct telecommunication correspondence.
2. Premeditatedly disturbs or harasses a third party by misusing Telecommunication Equipment.

A1.8 Article 25 of the Anti-Cybercrimes Law

Anyone who infringes a family principle or value of the Egyptian society, encroaches on privacy, sends many emails to a certain person without obtaining his/her consent, provides personal data to an e-system or website for promoting commodities or services without getting the approval thereof, or publishes, via the information network or by any means of information technology, information, news, images or the like, which infringes the privacy of any person involuntarily, whether the published information is true or false, shall be punishable by imprisonment for no less than six months and a fine of no less than fifty thousand Egyptian Pounds and no more than one hundred thousand Egyptian Pounds, or by one of these two penalties.



HONG KONG
DIGNITY
INSTITUTE
香港守護尊嚴中心



+852 9728 5969



info@dignityinstitute.com



dignityinstitute.com