

URGENT ACTION

NEW CONVICTIONS FOR “INCITING DEBAUCHERY”

17 individuals sentenced to three years in prison and three years’ probation for “debauchery”, raising the total number of individuals sentenced for their perceived sexual orientation to 49 since 22 September.

On 26 November, al-Azbakeya Misdemeanor Court in Cairo, the Egyptian capital, found 14 individuals guilty of “inciting debauchery”. On December 3, the same court sentenced another man for the same case. On 27 November, another court in Cairo convicted two more individuals of the same charges. Both courts ordered their release on a bail of 5,000 Egyptian pounds (282 USD) each, pending their appeal, which not all individuals were able to pay. All individuals were sentenced to three years in prison and three years on probation, which raises the number of individuals sentenced based on their perceived sexual orientation to 49 since the start of the crackdown on the LGBTI community by Egyptian authorities, on 22 September. Another 53 individuals remain in detention.

Until now, the Egyptian authorities have used the “Combatting of Prostitution” law no. 10 of 1961 to charge people suspected of engaging in same-sex sexual activity with “debauchery” – an offence punishable by up to three years in prison. The law uses vague language like “debauchery”, which is not defined under Egyptian law and allows for personal interpretation by the presiding judge.

The authorities have carried out at least five forced anal examinations of those sentenced, which constitutes a breach of the absolute prohibition of torture and other cruel, inhuman, or degrading treatment under international law.

Please write immediately in Arabic, English, or your own language urging the Egyptian authorities to:

- Immediately and unconditionally release all those detained on the basis of their real or perceived sexual orientation, drop all charges against them, and quash the sentences of those already convicted;
- Immediately end all forced anal examinations on detainees that are used to investigate charges related to real or perceived sexual orientation, as they amount to torture and other ill-treatment, and order a prompt, impartial, and effective investigation into the examinations that have already taken place and bring those responsible to justice;
- Reject the new bill criminalising “homosexuality” and any legislation which fails to recognise and protect the rights of everyone, regardless of their real or perceived sexual orientation or gender identity, to freedom of expression and assembly, freedom from discrimination, privacy, and equality before the law.

PLEASE SEND APPEALS BEFORE 16 JANUARY 2018 TO:

Minister of Interior
Magdy Abdel Ghaffar
Ministry of Interior
Fifth Settlement, New Cairo, Egypt
Fax: +202 2794 5529 +2027927189
Email: center@iscmi.gov.eg or
E.HumanRightsSector@moi.gov.eg
Twitter: @moiegy
Salutation: Dear Minister

President
Abdel Fattah al-Sisi
Office of the President
Al Ittihadia Palace
Cairo, Arab Republic of Egypt
Fax: +202 2391 1441
Email: p.spokesman@op.gov.eg
Twitter: @AlsisiOfficial
Salutation: Your Excellency

And copies to:
Deputy Assistant Minister of Foreign
Affairs for Human Rights
Laila Bahaa Eldin
Ministry of Foreign Affairs
Corniche el-Nile, Cairo, Egypt.
Fax: +202 2574 9713
Email: contact.us@mfa.gov.eg
Twitter: @MfaEgypt

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the second update of UA 231/17. Further information:

<https://www.amnesty.org/en/documents/mde12/7230/2017/en/>

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ADDITIONAL INFORMATION

According to the Egyptian Initiative for Personal Rights, the number of individuals arrested for their perceived sexual orientation has risen from 57 to at least 76 since the display of the rainbow flag at a concert in Cairo, the capital, on 22 September.

Currently, 67 members of parliament have signed a bill criminalizing “same-sex relationships” in Egypt. The bill is expected to be reviewed and discussed by parliament during its current session, and if approved it would be sent to the president for sign off. The law sets out penalties of up to 15 years imprisonment, depending on the number of charges and the provisions of law a person is convicted under. The Egyptian parliament requires at least 60 signatures in order to open discussion about a draft law.

The move comes following the display of the rainbow flag at a concert in Cairo, the capital, on 22 September, after which Egyptian authorities launched a crackdown on LGBTI individuals in Egypt. Security forces also detained two people who had allegedly raised the flag at the concert, and arrested people, unrelated to the flag incident, from different districts in Cairo, Ismailia, Damietta, and Sharm al-Sheikh based on their perceived sexual orientation. The authorities also used online dating platforms to trap and arrest those they suspected of being gay. Among those currently being questioned is one woman, Sara Hegazy.

The incident of displaying the rainbow flag at the concert provoked a public outcry from local media that called for those involved in displaying the flag to be brought to justice. Following the smear campaign from local media, Egypt’s public prosecutor announced an investigation into “inciting debauchery” and “homosexuality” on 25 September. He further ordered state security prosecutors to open investigations against those who raised the flag.

The Supreme State Security Prosecution renewed the detention of Sara Hegazy and another man for 15 more days on 27 November. Both have received the same charges in addition to “belonging to a banned group”. These charges can carry prison sentences of up to 15 years under the penal code and the “Combatting of Prostitution” law.

The Supreme Media Council also issued a statement banning all media outlets from showing support, solidarity, or sympathy to LGBTI people and called on all media outlets to raise awareness against “debauchery” and LGBTI people who, as the Council states, “do not fit in the Egyptian society traditions or culture” and that “this LGBTI phenomena must come to an end”.

This is the worst campaign of state-sanctioned homophobia in Egypt’s recent history but is not an isolated incident. In 2001 the authorities carried out a mass raid on the Queen Boat, a floating nightclub on the Nile, arresting 52 people. 23 men were subsequently convicted under the Prostitution law. According to the Egyptian Initiative for Personal Rights, in the past four years and before the events of the past week, the authorities have arrested and prosecuted around 250 men for their perceived sexual orientation.

Name: Sara Hegazy (f) and all others detained and/or prosecuted for their perceived sexual orientation

Further Information on UA: 231/17 Index: MDE 12/7525/2017 Issue Date: 05 December 2017