

LGBTQ Egypt Today: Survival in the Face of Persecution and Mass Incarceration

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The situation facing lesbian, gay, bisexual, transgender and queer (LGBTQ) Egyptians today is grim. Social, cultural and religious attitudes towards LGBTQ people have been uniformly hostile for the past few decades. Additionally, LGBTQ Egyptians have been persecuted by successive governments and hounded by the media since the early 2000's. Since the rise of Abdel Fattah el-Sisi, who seized power in a July 2013 military coup, increasing numbers of LGBTQ people have been hunted down by government forces by many means, including through the use of social media apps. This is part of a wider crackdown by Egyptian authorities on civil society activists and organizations which contrasts with three years of relative freedom for LGBTQ Egyptians during the upheaval of the Arab Spring and the short-lived rule of an Islamist government. This article describes the harsh crackdown unleashed on LGBTQ people and civil society by the Sisi regime, the extent of repression since 2013, and the contrast between today's widely prevalent, state-sanctioned homophobia and historic tolerance for some types of same-sex sexual relations in Egypt.

Legal and social bases of persecution

Same-sex sexual activity is not explicitly illegal in Egypt. However, LGBTQ people are arrested and charged with "crimes" like "debauchery" and "shameless public acts." Laws on prostitution and other public morality or order-based laws are also used to harass and persecute LGBTQ people. Legal persecution, or the possibility thereof, has spread fear amongst the LGBTQ community and prompted many to avoid any sort of community or association with others, further increasing their social isolation.

Law 10/1961 of the Egyptian Penal Code, often dubbed the "debauchery law," is frequently used to criminalize consensual sexual activity between adult males. The law, which stems from legal codes imposed during a period of British occupation in the late 19th and early 20th centuries, originally penalized prostitution. It was expanded in 1975 to effectively criminalize non-commercial male same-sex conduct. Article 9(c) penalizes "habitual debauchery," defined as sexual acts between men that occur more than once in a three-year period with more than one person.

The last two Muslim regimes in Egypt that preceded British rule — the Mamluk regime (1250-1517) and the Ottoman Empire (1517-1867) — both tolerated same-sex relations to an extent. Today's active persecution of LGBTQ people stands in contrast to these periods.

Today, the Egyptian state's harsh attitudes towards same-sex relations reflect widespread social intolerance. A Pew Research Center study in 2013 found that 95 percent of Egyptians did not accept homosexuality, making it the second most intolerant country in the Middle East after Jordan.

While gay men and other men who have sex with men face overt persecution by the state as well as social condemnation, lesbians and transgender men face relatively less hatred as they are not perceived as threatening masculine dominance. Nevertheless, many lesbians are forced into marriages with men, which one activist described as "another form of corrective rape." Lesbians are sometimes killed in so-called "honor killings" by male relatives. Like all women in Egypt, they encounter gender discrimination and extreme sexual harassment and assault on a regular basis.



Queen Boat incident and prosecutions

In recent years, the treatment of LGBTQ people in Egypt has varied. As the international LGBTQ rights movement grew and became more visible in the late 1990's, Cairo witnessed a growing gay subculture. A small number of clubs, cafes and private venues in Cairo became gathering spots for a flourishing underground scene. However, they also attracted unwanted attention and there was growing societal pressure on the police to crack down on these gay gathering spots.

A severe crackdown on LGBTQ Egyptians started in early 2001 in response to this public pressure. Anti-LGBTQ actions by the notorious Cairo Vice Squad (a police unit), including Internet surveillance of gay men and entrapment, were ramped up. Police routinely began to torture men detained on suspicion of same-sex conduct and guards encouraged hardened criminals to rape suspected homosexuals in jail. Forcible anal exams — defined by the United Nations as a form of torture — were often conducted on those arrested.

The intensifying crackdown on LGBTQ people came to a head in May 2001 when the Cairo Vice Squad raided the Queen Boat, a Cairo discotheque on the Nile, and detained three dozen men. For six months, the identities of the detained men were made public by the media, with their names and pictures splashed across news outlets. Fifty-two men were eventually charged with “habitual practice of debauchery.” Most of the arrested were tortured in captivity and subjected to forensic anal exams and electroshocks.

The Queen Boat trial opened in July 2001 in a security court with a huge press pool. Families were barred from attending the trial and humiliated, but camera crews were ushered in to create a spectacle. The presiding judge was on the record stating that homosexuality was a forbidden act. Finally, in 2003 — after nearly two years of trials and retrials — nearly half the men were convicted and given three-year prison sentences while the others were released.

The Queen Boat arrests and trials generated massive negative publicity about LGBTQ people. Networks of gay men were broken up as mutual trust was compromised. Many of those prosecuted were cut off by their families and several attempted suicide. The trial and its aftermath strengthened the religious credentials of the regime of President Hosni Mubarak, the strongman who ruled for three decades. It helped fend off Mubarak's Islamist opponents who were a perennial populist source of opposition to his government. The case attracted widespread international concern and condemnation. LGBTQ people returned to a life of anonymity, remaining firmly underground even after the furor subsided.

A revolution and opening of space

In early 2011, long simmering anger against the repressive rule of Hosni Mubarak gathered steam and threw Egypt into deep turmoil, evolving into increasingly vocal demands by millions of protesters for regime change. These protests were influenced by events in neighboring Tunisia and elsewhere as part of the Arab Spring, a wave of popular protests that swept the region demanding more accountable governance.

Egyptian state security forces focused their attention on managing the increasing chaos and less on maintaining tight social and political control. Ironically, this allowed both civil society and LGBTQ Egyptians a measure of unaccustomed freedom. With the police distracted, civil society organizing against the dictatorship and for human rights grew. LGBTQ activists were among the civil society groups that mobilized against the Mubarak regime. LGBTQ Egyptians also increasingly socialized outdoors and used online dating applications and social media with less fear.

After weeks of massive protests, Mubarak was forced out of office in February 2011. A caretaker government came into power with a mandate to organize elections.

In June 2012, Mohamed Morsi of the Muslim Brotherhood was elected Egypt's first democratic president. His yearlong rule saw no significant persecution of LGBTQ Egyptians because the devoutly Islamist government was occupied with attempts to consolidate power and because his government did not have full authority over the military and police. Morsi attempted to impose hardline Islamic values on the country by ramming through a controversial new constitution. This set off massive protests with millions taking to the streets and undermining his hold on power. Had Morsi been able to consolidate power, the treatment of LGBTQ Egyptians by the state may well have deteriorated given the Muslim Brotherhood's conservative and deep-rooted Islamic ideology.

Military coup and a renewed crackdown

In July 2013, the Egyptian military — with backing from much of the public, the political opposition and key Muslim and Christian leaders — launched a coup that unseated Morsi and brought General Abdel Fatah El-Sisi to power.

Once Sisi consolidated the military's hold over Egypt by suppressing protests and killing hundreds of protesters, the period of relative freedom for LGBTQ people came to an end.

To consolidate his power and neutralize the threat from the still-popular Muslim Brotherhood, Sisi initially aimed his crackdown against Islamists. After jailing thousands of them and bringing criminal charges against Morsi and top Brotherhood leaders, Sisi began to turn his attention to the liberal opposition and civil society, including the LGBTQ community.

Hundreds of LGBTQ people, primarily gay men and transgender women, were arrested starting in late 2013. LGBTQ-friendly venues were shut down, driving the community underground or online, where they were still at risk of being arrested through online surveillance and entrapment. The crackdown was initiated and led by the morality division of the police, an institution reviled during the Mubarak years for its brutality and venality.

Since 2013, Sisi has embarked on an unprecedented crackdown on political and social freedoms, and the scale of state repression is greater than it has been in generations. Cases of blatant abuses of justice abound. Forced disappearances, extrajudicial killings and arrests of political opponents have become commonplace. The media has been muzzled and Egypt has imprisoned hundreds of journalists. Participation in unsanctioned rallies is forbidden. The Sisi regime's fear of instability and intolerance of dissent has given the police free rein to harass and intimidate the political opposition, civil society and LGBTQ people.

LGBTQ Egyptians: The rocky road ahead

The crackdown on LGBTQ Egyptians and broader civil society continues in the fourth year of the Sisi regime. In September 2016, a court dealt a heavy blow to the human rights community by freezing assets of prominent human rights activists and organizations who were accused of undermining national security. Activists fear that the Sisi regime could indirectly strangle human rights work in the country by cutting off funding. Direct LGBTQ advocacy is impossible in Egypt and these human rights activists have often been the lone voices defending LGBTQ people. If the government cuts off their funding, LGBTQ advocacy would effectively be stifled.

Little appears to have changed for the better for Egypt's LGBTQ community since the days of Mubarak. The high hopes of LGBTQ activists following the Arab Spring uprising in 2011, in which they were enthusiastic participants alongside other civil society activists, have been dashed. With a conservative military firmly in charge that is bent on maintaining its grip on power, and confronted by a hostile society intolerant of same-sex relations, LGBTQ Egyptians and their civil society allies have little chance of being able to continue their work without considerable impediments and threats of violence.

Acknowledgments

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