

Refugee Review Tribunal

AUSTRALIA

RRT RESEARCH RESPONSE

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This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Questions

1. What is the situation for homosexuals in Egypt currently?
2. Anything else you feel might be relevant.

RESPONSE

1. What is the situation for homosexuals in Egypt currently?

Research response EGY17595 (RRT Country Research 2005, *Research Response EGY17595*, 11 October – Attachment 1) provides information on the treatment of homosexuals up to October 2005. Since then the following relevant reports have been published.

The US State Department's Human Rights Practices report for 2005 does not detail any new incidents:

Although the law does not explicitly criminalize homosexual acts, police have in the past targeted homosexuals using Internet-based "sting" operations leading to arrests on charges of "debauchery." There were no reports of Internet entrapment cases during the year (see sections 1.c, 1.e., and 2.a.).

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Other Societal Abuses and Discrimination

Individuals suspected of homosexual activity and arrested on "debauchery" charges reported in 2004 and earlier of being subjected to humiliation and abuse while in custody. There were no reports during the year of this practice (US State Department 2006, *Country Reports on Human Rights Practices – 2005 Egypt*, 8 March – Attachment 2).

The *New York Times* published an article in December 2006 about homosexuals in Egypt. Whilst stating that the crackdown epitomised by the Queen Boat incident is over, conditions are still poor and a new crackdown could start at any time.

Upon release of the report in March 2004 (Human Rights Watch 2004, *In a Times of Torture*), Kenneth Roth, Human Rights Watch's executive director, and Scott Long, director of the organization's Lesbian, Gay, Bisexual and Transgender Rights Project, met with Egypt's public prosecutor, the assistant to the interior minister and members of the Foreign Ministry. Their effort seemed to have had some effect; although occasional arrests continue, the all-out campaign of arrest and entrapment of men that began with the Queen Boat incident came to an end. One well-connected lawyer noted that a high-ranking Ministry of Interior source told him, "It is the end of the gay cases in Egypt, because of the activities of some human rights organizations."

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It may not have made headlines, but it seemed to make history." Whether the effort made history or simply interrupted it remains to be seen. Long himself noted, "The fact that the crackdown came apparently out of nowhere is a reminder that the repression could revive anytime."

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As recently as September, at least one entrapment case occurred in Cairo; a young man was lured via a chat site and tortured — badly beaten and subject to electroshock on his genitals — by the same office of the public morality squad that had conducted Internet-based entrapments (Azimi, N. 'Prisoners of Sex' 2006, *The New York Times*, 3 December, <http://www.nytimes.com/2006/12/03/magazine/03arabs.html?pagewanted=4&th&emc=th> — Accessed 4 December 2006. CISNET Egypt CX166241 – Attachment 3).

A report by *Reuters* in April 2006 covering HIV in Egypt covered the prevailing attitude towards homosexuals:

Gay and bisexual men fear that, if they come forward for HIV testing, police will use their medical records to find and arrest them, and doubted that religious preaching would change state or public attitudes toward them or HIV.

In a high-profile crackdown in 2001 a number of men were arrested when police stormed a Cairo gay haunt, and later in sting operations arranged through Internet chat sites.

"It won't change a thing. The government wants to pretend gays don't exist, not help them. People like to believe that this is an Islamic society, so there are no gays," said one man (Abbas, M. 'Islam recruited to help Egyptians fight HIV' 2006, *Reuters*, 3 April – Attachment 4).

2. Anything else you feel might be relevant.

Very little meaningful information was found concerning transvestites or cross dressers in Egypt. The *New York Times* article mentioned in question 1 did make reference:

Shibl was a friend of Hassan's, caught with another man in the baths of the shrine — a gathering ground for many gay men at the time. In 2002 he was beaten so badly in detention that he died of cardiac arrest. Ahmed, another friend, was arrested from his home later that year, accused of having sex with two other men in his flat and "forming a group of Satan worshippers." In prison, he was forced to strip down to his underwear, then was humiliated and beaten to the point of hemorrhaging. After his release, he lost his job as a schoolteacher. One local paper wrote, "A male teacher puts aside all principles and follows his perverted instincts, putting on women's clothes and makeup on his face to seduce men who seek forbidden pleasures." (Azimi, N. 'Prisoners of Sex' 2006, *The New York Times*, 3 December, : <http://www.nytimes.com/2006/12/03/magazine/03arabs.html?pagewanted=4&th&emc=th> — Accessed 4 December 2006. CISNET Egypt CX166241 – Attachment 3)

An unconfirmed report published on the webpage of the International Society for Sexual Medicine talked about a man who lived as a woman:

A 35 years old, single, patient living in Suez City works as a cleaner at a club of an oil Company. She has a male phenotype and was reared as a male. She attended the Andrology outpatient clinic, Cairo University requesting sex re-assignment surgery to a female.

The condition was noticed since early childhood & manifested by a strong preference for girls as playmates and an intense desire to participate in stereotypical games and pastimes of girls with consistent a desire to be the other sex. Although patient preferred cross-dressing, masculine clothes were imposed on her by her parents.

At the age of 13 years, she started cross-dressing, tried to simulate female attitudes and always preferred the company of females. She was preoccupied with getting rid of her penis, feeling disgusted about it. Her family criticized her behaviour, especially her brother who abused her physically several times but the patient insisted that she was a female and never changed her attitude. He finally accepted the condition and she now lives with him after her parents died. Her parents were very upset by the condition but accepted it as an incurable disease. Her family call her Nasser (a boys name), but her neighbors and friends call her Nasra (a girls name). She dropped out of school at age of the age of twelve. As the patient was growing up, she had an intense and persistent discomfort with her sex, a sexual attraction towards males, and an intense desire to undergo sex re-assignment surgery.

When she was 22 years old, she sought medical advice in a private clinic where hormonal treatment was prescribed for her but she refused to take it, then she was referred to El Hussein University Hospital but nothing was done.

Three months ago, she sought medical advice again in Heliopolis hospital from where she was referred to our department in Kasr El Aini hospital. Physical examination revealed a small-penis of 7 cm and small testicles 2 cm volume. No secondary sexual characters in the form of beard, moustache, hoarseness of voice and having only scanty pubic and axillary hair.

Her karyotype is that of mosaic Klinefelter's syndrome 47 XXY (10%) 46 XY (90%)
Hormonal profile revealed an elevated FSH and low Testosterone.

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Psychiatric assessment confirmed the diagnosis of Transsexualism associated with a low IQ (85). The patient fears traveling from Suez to Cairo on her own as she "gets lost" and seeks the help of her neighbors. Several ladies were kind enough to bring her over. She appears to be amazingly popular in her neighborhood where she is treated as a female and is invited to all weddings as she is known to be quite loud singing, dancing, and cheering up the atmosphere! Within the hospital she is very vocal and ready to express her dissatisfaction and frustration with lengthy procedures. The borderline IQ appears to be out of line with her conversational skills that seem to be quite well developed ('Digest of recent discussions on ISSM mail (July – December 2003)' 2004, International Society for Sexual Medicine website, 1 March, <http://www.issm.info/prod/system/main/index.asp?page=/prod/data/issirlist/digest06.htm> – Accessed 30 January 2007 – Attachment 5).

A search of the Tribunal's resources did not identify any other credible reports on the treatment of cross dressers in Egypt.

List of Sources Consulted

Internet Sources:

Government Information & Reports

UK Home Office <http://www.homeoffice.gov.uk/>

US Department of State <http://www.state.gov/>

International News & Politics

BBC News <http://news.bbc.co.uk>

Regional Links

Gay Egypt www.gayegypt.com

Gay Middle East <http://www.gaymiddleeast.com>

Search Engines

Google <http://www.google.com>.

Yahoo <http://www.yahoo.com>

Copernic <http://www.copernic.com/>

Databases:

FACTIVA (news database)

BACIS (DIMA Country Information database)

ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)

List of Attachments

1. RRT Country Research 2005, *Research Response EGY17595*, 11 October.
2. US State Department 2006, *Country Reports on Human Rights Practices – 2005 Egypt*, 8 March.
3. Azimi, N. ‘Prisoners of Sex’ 2006, *The New York Times*, 3 December, :
<http://www.nytimes.com/2006/12/03/magazine/03arabs.html?pagewanted=4&th&emc=th> – Accessed 4 December 2006. (CISNET Egypt CX166247)
4. Abbas, M. ‘Islam recruited to help Egyptians fight HIV’ 2006, *Reuters*, 3 April.
(FACTIVA)
5. ‘Digest of recent discussions on ISSM mail (July – December 2003)’ 2004,
International Society for Sexual Medicine website, 1 March,
<http://www.issm.info/prod/system/main/index.asp?page=/prod/data/issirlist/digest06.htm> – Accessed 30 January 2007.