

QUICK GUIDE TO ADDRESSING SEXUAL RIGHTS ISSUES DURING THE UNIVERSAL PERIODIC REVIEW ON EGYPT

These Guides include:

- A list of issues mentioned in the National Report, the Compilation of official UN Documents and the Summary of Other Stakeholders Submissions, with references to the particular paragraphs in which they can be found.
- The full text of those paragraphs
- In those cases in which the Sexual Rights Initiative has submitted reports, we have included an Annex with our recommendations.

References in the two working languages of the Council (English and French) have been kept in their original language.

Issues are highlighted-References in the National Report are *in Italics*.

Recommendations -including those from UN treaty-monitoring bodies, are at the end of the document.

All sexual rights issues that do not relate specifically to women are referred to in this Guide. Sexual rights' issues referring specifically to women -as well as other women's issues- are referred to in the Guide on Women's Issues

OP-CRC-SC (Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography) ratified.

ISSUE	N Report	Compilation	Summary
Criminalization of same-sex consensual practices		Abusive ill treatment, charges for crimes based on homosexual conduct (20)	
Harmful traditional practices/ traditional mindsets leading to SR abuses			Homosexuality and AIDS two of biggest taboos. Imprisonment (22)
HIV/AIDS		Low prevalence but potential epidemic among men having sex with men (20). High stigma and discrimination (30)	Stigma and discrimination. Decrees prohibit people living with HIV from certain governmental posts (38)
Trafficking Forced prostitution	National committee, draft bill. National strategy, awareness campaigns. Improvement of health services and treatments for victims.		
Trafficking/sexual exploitation /violence against children	Young offenders considered victims of environmental circumstances. 24-hour emergency helpline for children. Penal code amendments.	Street children. Trafficking associated with illegal immigration and domestic workers (16)	Street children vulnerable to sex trafficking (17)

Criminalization of same-sex consensual practices

In March and August 2009 three special procedures sent joint communications regarding five and twelve men respectively, who were arrested, some subject to intrusive and abusive forensic anal examinations, tested for HIV without their consent and charged under article 9(c) of Law 10/961 for crimes relating to conduct of a homosexual nature. The Government replied to the communication of March 2009 indicating that two men were charged with "habitual practices of debauchery"; that verdicts were not related to the defendants' "sexuality" or "sexual orientation"; and allegation that defendants were tried simply for being HIV positive or carrying AIDS was also unfounded (Para 20, Compilation)

See recommendations, The Committee Against Torture - CAT (20)

Harmful traditional practices/ traditional mindsets leading to SR abuses

Fundación Mundial Déjame Vivir En Paz (FMDVP) noted that homosexuality and AIDS are two of the biggest taboos in Egypt, not only are they viewed badly by society but can also land you in jail. Similar information was reported by Human Rights Watch (HRW) and Amnesty International (AI) (Para 22, Summary)

HIV/AIDS

In 2009, UNICEF reported that Egypt is classified as a low prevalence country for HIV/AIDS, but has a potential concentrated epidemic among men having sex with men (Para 20, Compilation). UNICEF reported that stigma and discrimination against individuals infected with HIV and AIDS is considerably high (Para 30, Compilation). JS4¹ stated that stigma and discrimination against people living with HIV are very common. A number of decrees prohibit people living with HIV from certain governmental posts, and another discriminated against people with hepatitis C and B (Para 38, Summary)

See recommendations, JS4 (37)

Trafficking /Forced prostitution

In the domestic arena, by Prime Ministerial decision No. 1584 of 2007, a national coordination committee for the suppression of human trafficking was established as a focal point to advise all relevant Government institutions and other national institutions on the subject. The committee has taken the following initiatives: in the legislative domain, it drafted a comprehensive bill on human trafficking, based on the relevant United Nations standards and the terms of the international and regional treaties to which Egypt is a party. Preparations are being made to submit the draft law to the People's Assembly during the next legislative term. ()

In the executive domain, a wide-ranging national strategy on tackling human trafficking was drawn up and a comprehensive research project was conducted on effective legislative, executive and public information initiatives to deal with the phenomenon. In addition, the

¹ JS4 ANND (the Arab NGO Network for Development), Beirut, Libanon; AHED (the Association for Health and Environmental Development), Cairo, Egypt; EIPR (the Egyptian Initiative for Personal Rights), Cairo, Egypt; BAHRO (the Budgetary and Human Rights Observatory), Egypt; CESR (the Centre for Economic and Social Rights), New York, USA;* ECESR (the Egyptian Centre for Economic and Social Rights), Egypt; HLRN-HIC (the Housing and Land Rights Network- Habitat International Coalition), Giza, Egypt;* also endorsed by EACPE (the Egyptian Association for Community Participation Enhancement), Cairo, Egypt; CTUWS (Center for Trade Union and Workers Services), Cairo, Egypt; LCHR (Land Centre for Human Rights), Cairo, Egypt; AAFHR (Awlad Alard Foundation for Human Rights), Cairo, Egypt; AFCSHR (Arab Foundation for Civil Society and Human Rights Support), Cairo, Egypt; BLACD (Better Life Association for Comprehensive Development) and CMHR (Civic Monitor for Human Rights), Al Menya, Egypt; PhMovement (People's Health Movement), Cairo, Egypt; HCEr (Habi Centre for Environmental Rights), Cairo, Egypt;

coordination committee intensified awareness campaigns, using all the media to raise public awareness of this offence and pursuing training initiatives and international cooperation. () The Ministry of Health works with international organizations to improve health services and treatment for victims of human trafficking through: better training and skills development for providers of health care and psychological rehabilitation services who work with these victims; the establishment of a welfare and rehabilitation centre; and the creation, in hospitals, of units to provide assistance to victims.

Trafficking/sexual exploitation/violence against children

Under the Criminal Code, child trafficking and acts involving the sexual, commercial or economic exploitation of children are punishable as serious offences. As for treatment of offenders, the approach taken by the law is guided by the principle that young offenders are victims of environmental, social and economic factors and of family circumstances. Therefore, the best way to reform them is through treatment.

The National Council for Childhood and Motherhood furthermore established a unit in 2007 to deal with the problem of child trafficking, together with a free 24-hour emergency helpline for children (). Moreover, by Act No. 126 of 2008, amendments were made to several laws, including through the addition of provisions to the Criminal Code prescribing penalties for the offence of child trafficking and doubling the penalties where the perpetrator of the offence is the child's parent, legal guardian or supervisor.

The 2005 United Nations Common Country Assessment (CCA) highlighted that there is particular concern about the welfare of street children and working children. UNICEF in 2009 reported that there are several incidences occurring in Egypt in () child trafficking associated with illegal immigration and in the form of domestic workers (Para 16, Compilation). () Jubilee Campaign (JC) reported that street children are vulnerable to sex trafficking () (Para 17, Summary)

See recommendations, JC (17)

Suggested questions and recommendations

CAT

- § To remove all ambiguity in legislation which might underpin the persecution of individuals because of their sexual orientation. Steps should also be taken to prevent all degrading treatment during body searches (Para 20, Compilation)

JC

- § That Egypt must address the growing problems of child trafficking and pass legislation criminalizing all forms of trafficking (Para 17, Summary)

JS4

- § That the Government annuls all decrees that discriminate against people because of their health status (Para 37, Summary)

SRI

- § To undertake all legislative, administrative and judicial measures to guarantee that no human rights violations will be perpetuated against LGBT persons under the name of culture or traditions.

- § To review in detail how **human rights of people living with HIV/AIDS** are guaranteed in legislation, policies and programmes, taking into account not only health care provisions but -regarding the non discrimination principle-, their right to equal opportunities in employment, education, political life, and civil rights as marriage, as well.
- § To adopt and implement a wide campaign -including media and educational spheres- to rise social awareness on those **traditional customs** that go against non-discrimination international human rights standards.