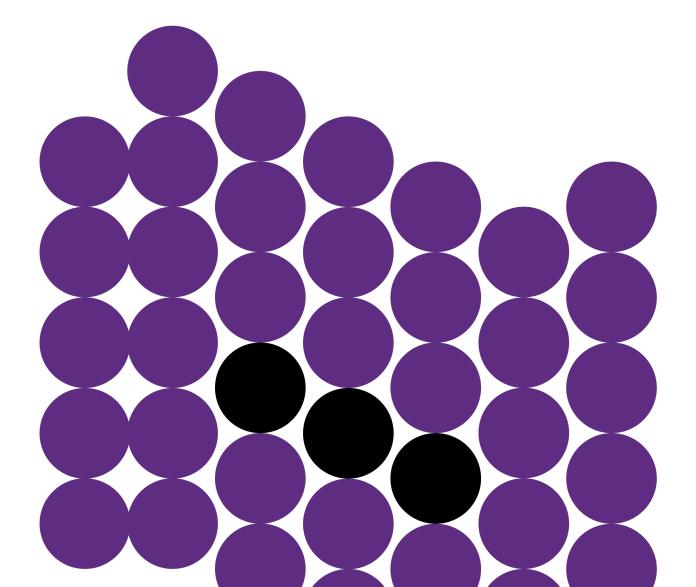


Media Observatory of Arrests Based on Sex Work from January 2019 to December 2020





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Introduction

Modern Egyptian laws include many articles that penalize voluntary sex work, facilitating it, or helping those who work in it. For example, article 1 of the Anti-Prostitution Act No. 10 of 1961 punishes anyone who incites or facilitates prostitution. Article 14 of the same Act also punishes anyone who promotes an indecent act for a period not exceeding three years¹. On the other hand, article 9 of the same Act punishes anyone who owns, offers, rents, or manages a housing unit, a private unit, or a place in general for "debauchery" or prostitution with imprisonment for three months to 3 years. It should be noted that Egyptian law treats debauchery and prostitution the same. The term "debauchery" has been introduced to refer to prostitution practiced by men².

Furthermore, Egyptian law also addresses online prostitution (usually in the form of photographs, video clips, or text messages) through the Information Technology Crime Act No. 175 of 2018 in Articles 13 and 25. Article 1 punishes anyone who benefits—financially or otherwise—from the Information Systems Network³. Article 2 stipulates that anyone who uses social media and the Information Systems Network to attack Egyptian society's values, systems, and ethics shall be punished. This law is mainly used to criminalize sex workers and not clients, as it treats men (clients) in prostitution cases as witnesses, not as they treat women who are arrested in similar cases (in which women are treated as criminals). However, there is no discriminatory provision(s) in the law. Because of this, the highest proportion of arrests is for women working due to the patriarchal nature of the legal provision that treats male clients as victims lured in by sex workers.

Entirely voluntary sex work (and not compulsory as in human trafficking) is a form of freedom of choice, as in freedom to choose one's work and freedom of personal life, which is preserved and guaranteed by international law, the Universal Declaration of Human Rights, and the Egyptian Constitution. On the other hand, the Egyptian Constitution (2014 amended in 2019) contains many articles dealing with equality and freedom for all persons residing on its territory before the law. For example, article 59 of the Egyptian Constitution states that the State is responsible for the safety and security of all its residents without discrimination⁴. In addition to the Egyptian Constitution, Egypt is a signatory to several conventions that call for equality, freedom, and the right to work without discrimination under which sex work falls. Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination also states that state parties are obliged to preserve the right to work in free, appropriate, and fair conditions⁵. Article 7 of the International Covenant on Economic, Social and Cultural Rights also obliges State parties to ensure a healthy and just work environment that is conducive to decent pay and an adequate standard of living⁶. Finally, the International Labor Organization's Discrimination Convention he deems appropriate and profitable on either the material or the spiritual side⁷.

قانون مكافحة الدعارة في الجمهورية العربية المتحدة لسنة 1961"، منشورات قانونية، 1961، "1

https://manshurat.org/node/12703

2 Nora Noralla, "A Litigation Guide on Crimes of Sex Working and Homosexuality (Prostitution and Debauchery)," Cairo 52, June 25, 2021,

،قانون مكافحة جرائم تقنية المعلومات رقم ١٧٥ لسنة ٢٠١٨»، منشورات قانونية، ٢٠١٨» 3

https://manshurat.org/node/٣١٤٨٧

4 "Egypt 2014 (Rev. 2019) Constitution," Constitute, accessed October 10, 2023,

https://www.constituteproject.org/constitution/Egypt_2019.

6 "International Covenant on Economic, Social and Cultural Rights," OHCHR, December 1966,

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB%3A12100%3A0%3A%3ANO%3A%3AP12100_Ilo_Code%3AC111.

^{5 &}quot;International Convention on the Elimination of All Forms of Racial Discrimination," OHCHR, December 1965,

https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial.

https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights

^{7 &}quot;C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)," Convention C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111), accessed October 10, 2023,

We at Cairo 52 Institute believe in the equality of all people before the law, the sovereignty of social justice, freedom, and human rights as a whole, including the right to work in accordance with Article 23 of the Universal Declaration of Human Rights⁸, which falls under economic and social rights. Consequently, believing in citizens' right to choose the work they deem appropriate, and thus believe in the right of sex workers to freely exercise their work as any other work exercised for a financial return, without security restrictions or societal harassment. And to continue a series of reports of the same name, starting with the previous report of <u>the Media Observatory of Arrests Based on Sex</u> <u>Work from January 2021 to December 2022</u>, which is based on analyzing, archiving, and monitoring media news on arrests of sex workers, covering 2019 and 2020. The objective of this report is to shed light on the situation of sex workers and their conditions. It also aims to close the knowledge gap and bring some kind of transparency to the issues of sex work and workers.

^{8 &}quot;Universal Declaration of Human Rights," United Nations, accessed January 15, 2024,

https://www.un.org/en/about-us/universal-declaration-of-human-rights#:~:text=Article%2023,equal%20pay%20for%20equal%20work.

Methodology and Limitations

This report is divided into four sections: Section I contains methodology and limitations; Section II contains key figures, statistics, and observations; Section III contains statistics and observations in 2019; and Section IV and Section II contain statistics and observations in 2020. Each section from Section II to Data Analysis includes statistical analysis and, consequently, analysis of those statistics into two different analyses: gender and geographical analysis. The first is to clean and divide data according to gender and sexual orientation. The second and third analyses are based on the breakdown of data according to geographical region and governorates.

The methodology in this report, the same as the previous report, relied on qualitative research methods by using certain keywords such as "prostitution," "prostitution network," "immorality and debauchery," "immorality," "debauchery," "vice," "vice practice," "human trafficking," "the human trafficking," "night lady," "night ladies," "homosexual" and "homosexuality" to search through the sites of both official and independent newspapers within a time frame from 1 January 2019 to 31 December 2020. The methodology was keen to research using the defined and undefined words, singulars and plurals of the same word and using conjunction to combine the two words. Unlike the previous report, this report did not rely on specific newspapers. However, the research service was expanded to include all known, unknown, official, and independent newspapers with the aim of collecting the largest number of news stories.

When finding news relevant to the research topic, the news is collected, cleaned, archived, and analyzed by answering a few questions:

- What is the news headline?
- What is the content of the news?
- What is the date of the news?
- Which newspaper published the news?
- How many are arrested?
- What is the gender of the arrested?
- What is the sexual orientation of the arrested?
- What is the geographical area of the arrested? Zoning has been divided into Greater Cairo (which includes Cairo, Giza, and Helwan) Alexandria (which includes Alexandria only) The Canal (which includes Port Said, Suez, Ismailia, North Sinai, and South Sinai) Delta (which includes Beheira, Dakahlia, Sharkia, Gharbia, Qalyubia, Menofia, Damietta, and Kafr El-Sheikh) Upper Egypt (which includes Aswan, Luxor, Assiut, Sohag, Red Sea, Qena, Minya, New Valley, Beni Suef, and Fayoum).
- What governorate did the incident take place in?
- What is the reason for the arrest (based on a report or investigation and information)?
- What is the charge?
- What is the location of the incident (residential unit social media websites both (they are arrested for both in the same case) private property both)
- What is the type of administration (independent or non-independent), meaning is it managed by a pimp or by the sex worker themselves?
- What is the decision of the prosecution?
- Is the news related to previous news or not (to avoid calculating duplicate inputs)?

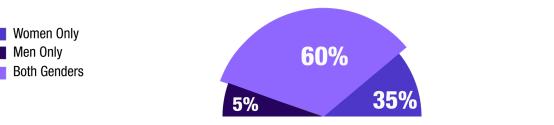
The limitations of this research revolve around its reliance completely on secondary sources, in the sense that it relies on news published in different places without relying on primary sources such as police reports, interviews with police officers involved in those cases, or interviews with sex workers who have already been arrested. While acknowledging the existence of these limitations, this type of information and field research is hampered by the refusal of police individuals to publicly share the reports, politically by the lack of political cooperation of those involved with researchers in general, and socially through the sense of shame inflicted on those arrested. Furthermore, one of the limitations

that we struggled with is the difficulty of knowing the gender identity and sexual orientation of LGBTQ+ people because Egyptian newspapers use terms such as "sexual perversion" to refer to their issues. Gender identity and sexual orientation are also often intentionally conflated for transgender people.

Key Figures, Statistics, and Observations

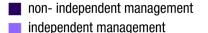
Between the beginning of 2019 and the end of 2020, 100 media stories related to sex work were monitored or referred to on official and unofficial websites as vice, immorality and debauchery. The news included the arrest of 328 people who had been caught, constituting only 16 cases with men. In contrast, women constituted 115 of them, and the cases in which men and women were caught together were the majority, with 197 people.

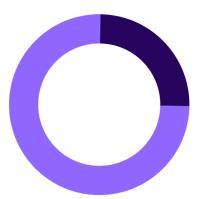
Gender	Number of Detainees	
Men Only	16	
Both	197	
Women Only	115	



A. Social and Gender Background

The previous report also showed the increasing number of persons arrested under charges such as inciting immorality and debauchery, practicing prostitution, and promoting immoral acts, with the establishment of the Social Media Monitoring and Analysis Unit in 2019. This coincided with the spread of TikTok and YouTube and independent women who belong to lower classes profiting off those videos. This was reflected in the figures. For example, independent management⁹ formed 244 arrests as opposed to only 84 arrests for non-independent management.





Number of detainees

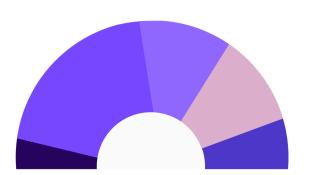
Gender of

detainees

Social media sites, as the location of the incident, were the second highest location of arrests, with 61 people, followed by housing units with 131 people.

⁹ Independent management refers to individuals working alone without a pimp, network, or person running the work on their behalf.





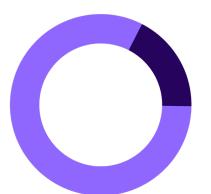
Number of detainees

With lower-class women letting loose from the State's control, the Egyptian government started considering broadcasting clips, dancing or dressing in a particular manner—and posting such images and clips on social media or in any other online capacity, whether for the purpose of obtaining money or free of charge—acts that falls under the practice of online prostitution and spreading immorality and debauchery. "Infringement on the values of the Egyptian family", which falls under article 25 of the Law on Combating IT Crimes No. 175 of 2018, which states the punishment of those who unjustly benefit financially or any other way or form from the network of information systems (art. 13). Article 25 of the same act states the punishment of those who use social media and the Information Systems Network to attack the values, systems, and ethics of Egyptian society. The State was thus able to pull those women back into its control. The first application of the Online Prostitution Law began with the arrest of Hanin Husam, Mawada Al-Adham, Manar Sami, Shiri Hanem, and others from 2019 to 2020 as part of a campaign launched by the State Prosecutor's Office to "purify" the community of women who violate Egyptian family values¹⁰. This was evident from the statement issued by the Public Prosecutor's Office in May 2020, which read as follows¹¹:

"It has now become a fact that in addition to the three traditional land, sea and air borders, our nation is confronted with a fourth access point, one that necessitates the introduction of radical changes to the legislative policy and the administrative and judicial controls. We are now faced with a new cyber border and websites that need full deterrence and prudence in protecting them, just as any other border... [This] shall in no way violate [e] or restrict their freedoms... It addresses a phenomenon abused by forces of evil. These forces seek to destroy our society, demolish its values and principles."

This statement does not mean that sex work is a new thing or that the State has begun to prosecute sex workers only in 2020; rather, it highlights the variety of means that are included under the section of vice practice and, consequently, the variety of means that enable the State to prosecute sex workers. This was reflected in the reason for the arrests, where 59 cases, at 17%, were arrested based on a report. In comparison, 269 cases, at 82%, were detected due to investigations and information by the vice police.

reports
information and investigations



Number of detainees

النيابة العامة المصرية، مايو ٢٠٢٠ 11

ا، محمدي الدبش، "حكاية حنين حسام و6 بنات على تيك توك.. بدأت بجمع الأموال والدعارة وانتهت بالسجن"، المصري اليوم، 10 ٢٠٢١ https://www.almasryalyoum.com/news/details/2359797

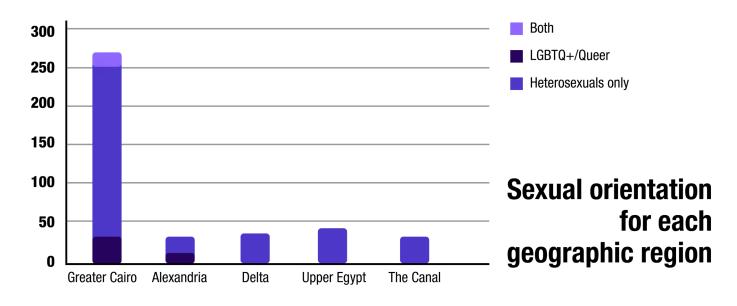
https://www.facebook.com/ppo.gov.eg/posts/d41d8cd9/2949414125166470

In terms of sexual orientation, 308 arrests, 93% of only heterosexual people, were recorded. In comparison, 15 arrests of 3.8% of only LGBTQ+ people were recorded¹², and both being arrested together (arrested in the same case together) accounted for 1,5%.



Number of detainees

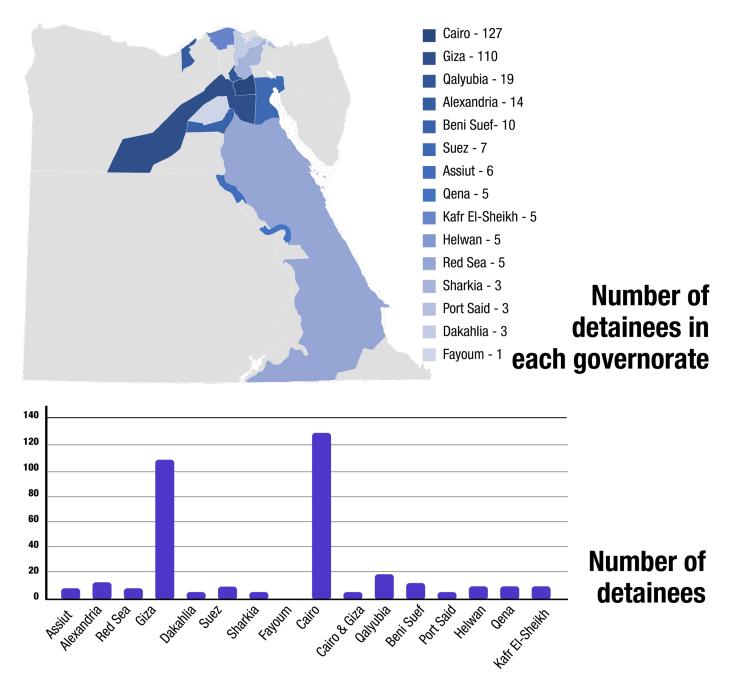
On the other hand, the number of arrests of LGBTQ+ people in Greater Cairo was 11, followed by Alexandria with 4, while no LGBTQ+ arrests from other regions or governorates were recorded. It is worth mentioning that LGBTQ+ sex workers are punished for habitual prostitution because there is no explicit law criminalizing homosexuality. However, it is referred to as using "habitual practice of debauchery", which falls under the charge of prostitution. Therefore, the law generally criminalizing prostitution is used primarily to arrest LGBTQ+ individuals, even if the cases are not related to sex work. 15 out of 16 LGBTQ+ arrested are men, forming 93.7% of cases.



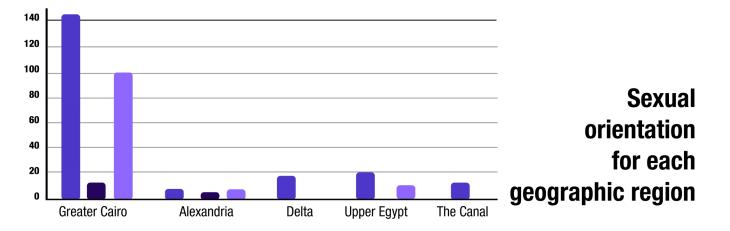
¹² Egyptian newspapers use terms such as homosexuality to describe the arrest of LGBTQ+ people, and not necessarily only gay people.

B. Geographical Background

As for the governorates and geographical regions, Cairo as expected has the highest proportion of arrests based on sex work, with 127 cases at 35%, followed by Giza with 110 arrests at 33%, while Port Said, Dakahlia, and Sharkia governorates accounted for only 3 cases at 0.9%. Fayoum was the lowest of the governorates in terms of arrests based on sex work, with only one case, which constitutes 0.3%.



On the one hand, the number of men arrested from Greater Cairo was 11 at 3.3%, while the number of women was 100 at 30%. On the other hand, the number of women in Delta was 18 at 5.4%, while only one man's arrest was recorded in the Delta area.



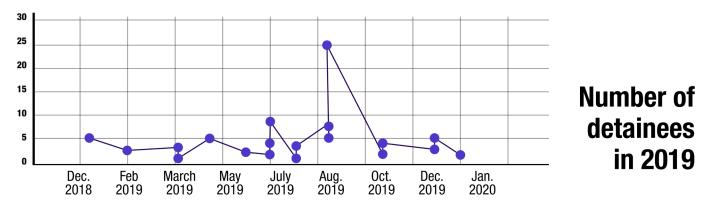
In terms of sexual orientation in each geographical region, 239 heterosexual arrests were observed in Greater Cairo at 72%, compared to 11 LGBTQ+ people at 3.3%. In Upper Egypt, Delta, and The Canal, no arrests of LGBTQ+ people were recorded, compared to 20 heterosexual arrests from Delta, 27 from Upper Egypt, and ten from the governorates of The Canal, at rates of 6%, 8% and 3%.

Geographical Region	Both	Heterosexual	LGBTQ+/Queer
Greater Cairo	5	239	11
Alexandria	0	10	4
Delta	0	20	0
Upper Egypt	0	27	0
The Canal	0	10	0

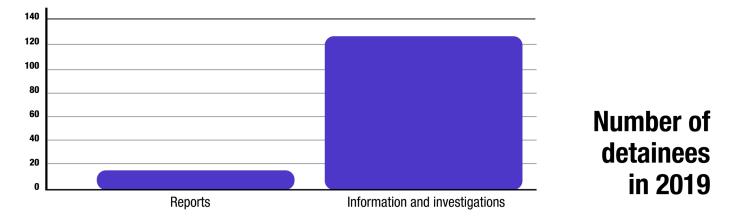
These figures do not necessarily mean a rising proportion of sex work in Cairo or that LGBTQ+ people are not subject to prosecution compared to heterosexuals doing the same work. However, they can mean that newspapers were more interested in addressing heterosexual arrests compared to LGBTQ+ people, or in Cairo compared to other governorates, or that information about Cairo and heterosexual sex workers was more available or accessible, or the inability of the police and the prosecutors to intervene in provinces where customary courts are superior, hence the inability to observe those incidents, or the unwillingness of the police to disclose LGBTQ-related information which allows prosecuting them without the effect of public opinion. Which brings us back to the limitations: the media recordings of these arrests—without the ability to access the origin of the report from the police or to conduct interviews with the vice police and sex workers—limits access to the real number or knowing the reasons for the different numbers from one governorate to another.

Statistics and Observations in 2019

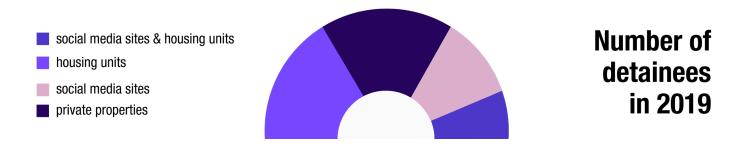
In 2019, 138 people were arrested at 42%, including a significant rise in August and September of 25 at 18%.



In general, we can observe an increase in the number of arrests, which shows the increase in state prosecution of sex workers, in addition to, as previously explained, the application of the social media unit's work for monitoring and analysis. The number of detainees is higher based on investigation and information of the vice police than based on a report. The number of arrests based on the first is 12 at 8.6%, while the latter is estimated at 91% and 126 arrests.

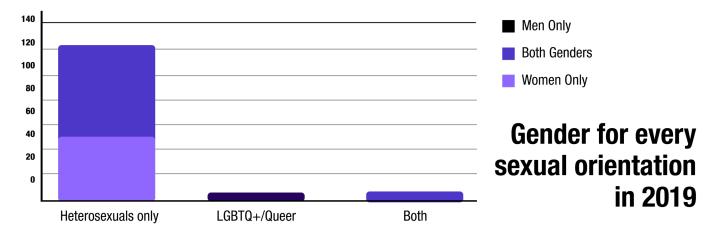


On the other hand, the number of arrests through both social media sites and a housing unit together, or through social media sites only was 18 at 13%.



A. Social and Gender Background

The prosecution of sex workers is ultimately a patriarchal act, targeting both women and LGBTQ men in sex work. The Egyptian law against prostitution treats male clients as victims. Thus, they are not arrested. Heterosexual men are arrested only if they engage in sex work or facilitate sex work for other groups, then one of the charges mentioned above is used, such as facilitating prostitution and debauchery or running a place of prostitution and debauchery. Only 48 heterosexual women, 34.7%, were arrested, while 3 LGBTQ+ people were arrested in 2019, all men.

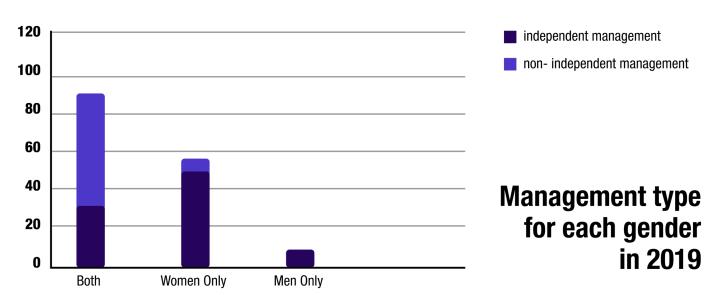


On the other hand, no heterosexual men were arrested alone in 2019, while both genders (arrested in the same case together) came to 59.4% heterosexual women and men, and both (arrested in the same case together) with mixed genders as well as mixed sexual orientations was 3.6%.

Sexual Orientation	Number of Detainees
Heterosexual Only	130
LGBTQ+/Queer Only	3
Both	5

Gender	Number of Detainees	
Men-Only	3	
Women-Only	48	
Both	87	

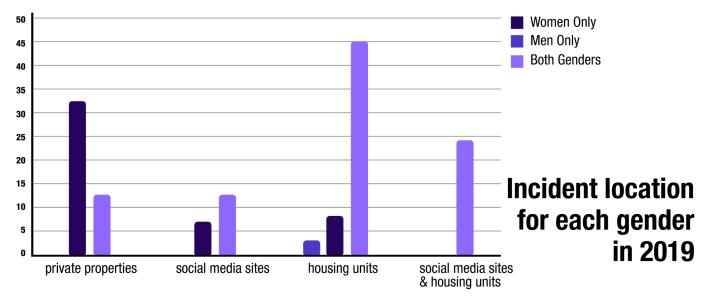
It is worth mentioning that the patriarchy involved in arresting sex workers is not only in the arrest process but also applies to the hierarchy of work. Before its criminalization in 1951, it was subject to a consistent sequence. For example, female sex workers came at the base of the pyramid; above them are the recruiters, above them are the ones who run the brothels, usually females, and above them are the male pimps on top of the pyramid. We can note the difference in their tendency to rely on independent management. For example, the number of men that relied on independent management was three at 2.7%, the number of women was 45 at 32.6%, compared with only three women in non-independent management and zero men in non-independent management, while the combined number was 62 at 44.9% in a non-independent management, and 25 at 21% in an independent management.



On the other hand, the number of both independent and non-independent heterosexual sex workers was equal at 65, forming 47.1%, while the number of independent LGBTQ+ sex workers was 3, and the number of non-independent LGBTQ+ ones was zero.

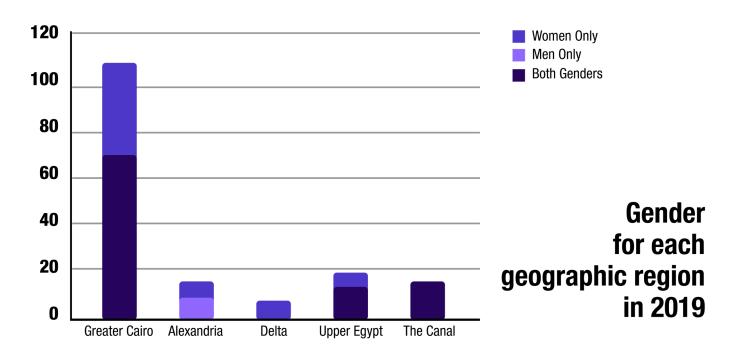
Management type	Heterosexual Only	LGBTQI+/ Queer	Both
independent	65	3	5
Non-independent	65	0	0

Moreover, the number of men arrested in housing units was three at 2.7%, while no men were arrested through social media sites. Thirty-three women were arrested at a rate of 23.9% on private property, six women were arrested at 3.4% through social media, and nine at 25.6% in a housing unit.



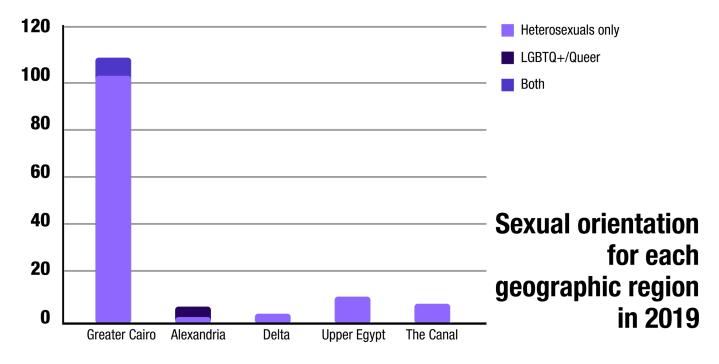
B.Geographical Background

Unexpectedly, Giza was at the top of the governorates where arrests of sex workers increased, with 63 arrests at 45.6%, while Cairo came in second with 51 arrests at 36.9%.



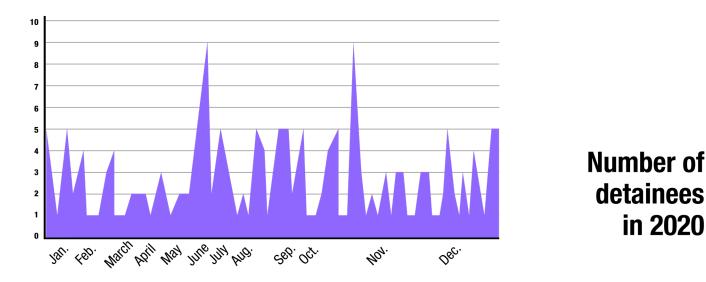
Greater Cairo recorded 41 arrests of women only at 29%, compared to no men-only arrests, and 37 arrests for both together at 25%. On the other hand, Upper Egypt, Delta, and The Canal did not record any men-only arrests; as opposed to that, six women were arrested in Upper Egypt, and no women arrests were recorded in either Delta or The Canal. At the same time, the three regions mentioned above recorded two arrests of men and women together in Delta, 5 in Upper Egypt, and 7 in The Canal at 2%, 3%, and 5%.

As for sexual orientation per region, Greater Cairo has not recorded any arrests of LGBTQ+ people, 109 arrests of heterosexual people, and five arrests of the two together (arrested in the same case) at rates of 78% and 3%. Alexandria recorded the highest number of arrests of LGBTQ+ people, with three arrests at 2%, as opposed to one arrest of heterosexuals. None of Delta, Upper Egypt, nor The Canal recorded any arrests of LGBTQ+ people.



Statistics and Observations in 2020

In 2020, 190 arrests of sex workers were recorded, an increase from 2019 by 52 arrests.

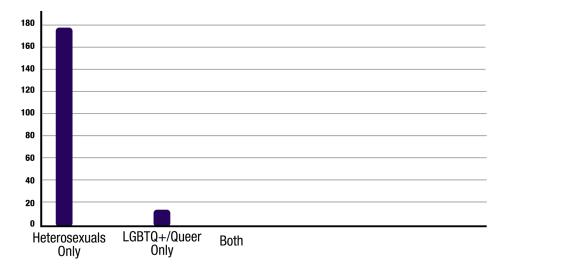


A. Social and Gender Background

The number of women arrested was 67 at 35%, while the number of men was 13 at 6.8%, and the percentage of the two together was the highest with 110 at 57%.



In terms of sexual orientation, the number of heterosexuals came to 176 at 93%, while the number of LGBTQ+ people was 12 at 6.3%.



Number of detainees in 2020 Similar to 2020, the proportion of arrests increased based on vice police investigations and information compared to those arrests that were established based on a report. The first was 75%, while the latter was 24%.

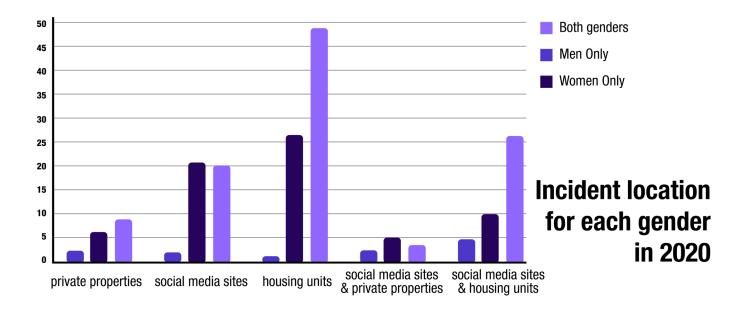


Reports Information and investigations

Moreover, women under independent management accounted for 30% of the arrests, with 57 arrests, while men under independent management accounted for 6.8% of them, with 13 arrests. The percentage of both genders (arrested in the same case together) with independent management came under 17%, compared with 40% under non-independent management. On the one hand, 92 heterosexuals under independent management were recorded at 48%. While 12 LGBTQ+ people under independent management were recorded, no LGBTQ+ people were recovered under non-independent management.

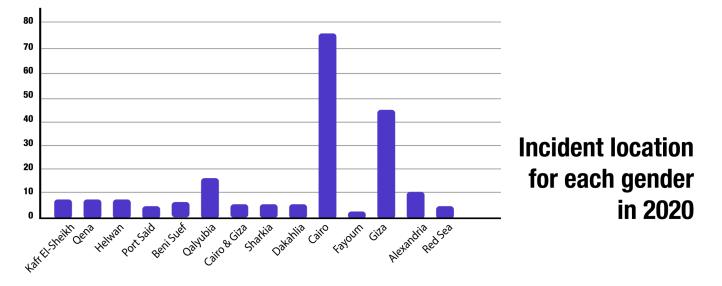
Type of Management	Heterosexual	LGBTQ+/Queer Only	Both
Independent	92	12	0
Non-Independent	86	0	0

This demonstrates the reluctance of sex workers to adhere to that pyramid format. It is worth noting that the use of social media sites gives some autonomy and represents, as well, a reluctance to the traditional hierarchical form of sex work. For example, compared to 2019, the number of male sex workers using social media sites increased from 0 to 2, while the number of female sex workers using social media sites was 21 at 11%. The percentage of both (arrested in the same case together) 10% of men and women using social media sites, while the number of women using housing units was 24 and came close to the numbers and proportions of social media users at 12%.

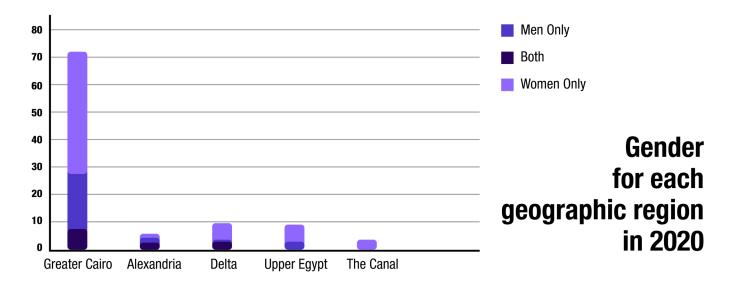


B. Geographical Background

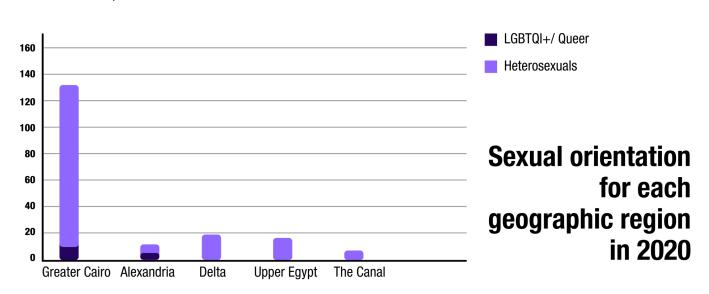
Seventy-six arrests were recorded in Cairo at 40%, 47 in Giza at 24%, five each in the Red Sea, Beni Suef, Helwan, Qena, and Kafr Al-Sheikh at 2.6%, and three each in Dakahlia, Sharkia, Port Said, and Cairo and Giza together at 1.5%.



In 2020, Greater Cairo recorded the highest percentage of female sex worker arrests, with 59 at 31%, while only 11 arrests for men and 71 arrests for both together were recorded at 5% and 37%. On the other hand, both Delta and Upper Egypt came close in terms of numbers and percentages of arrests. In Delta, only one arrest was observed for men, only one for women, and 16 for both together, at 0.5%, 0.5%, and 8%. In Upper Egypt, no men-only or women-only arrests were recorded, while 15 arrests were recorded for both together at 7%. The Canal came at the bottom with three arrests for both together.



In terms of sexual orientation per region, Greater Cairo came at the top with 11 LGBTQ+ arrests, followed by Alexandria with one, followed by Delta, Upper Egypt, and The Canal, where no LGBTQ+ arrests were recorded in these regions.



Conclusion

In the end, by providing a geographical and gender analysis of media coverage of sex worker issues, the report found a noticeable rise in the number of arrests, especially those based on investigations and information. On the other hand, 2019 and 2020 also saw a noticeable rise in managerial transitions from non-independent to independent management. This means that many sex workers switched to running their own jobs and moved away from the established pyramid format that was accepted before the 1950s. Both Cairo and Giza Governorate competed for first place in arrests. However, as mentioned earlier, this does not necessarily mean that sex work is more concentrated in those two governorates. Still, it only indicates the focus of formal and informal newspapers on the coverage of arrests in the capital and surrounding areas. This brings us back to the limitations to which we have already referred, so as long as there is no means of accessing vice police reports or interviewing them or sex workers, we cannot conclusively determine the validity of these causes and correlations. Finally, we call on policymakers and police officers to be more transparent with regard to the information provided.

Sex work is referred to in several matters, such as «Management of a prostitution network,» «Prostitution,» «Habitual practice of prostitution,» «Habitual practice of immoral acts» «Promotion of immoral acts,» «Incitement of immorality and debauchery,» «Infringement on Egyptian family values» «The practice of vice,» «The polarization of people who want to engage in immoral acts through social media for a material exchange» «Livestreaming of immoral acts on social media,» «Formation of a prostitution network,» «Willingness to engage in immoral acts for money,» «Contravention of principles and values», and other charges. In this report, we try to look through those charges with a different lens that aims to allow the always-silenced party to have a voice. In addition to archiving news, the aim is to gender analyze these collected data, to learn old and new methods and patterns, and to discover unrecognized patterns of arresting sex workers. On the other hand, this report falls under the decolonial methods and research methodologies. This involves the aim to move past the power dynamics that divide the world into two parts: us against the marginalized other and, thus, give a voice to those marginalized who are deliberately silenced. In this report, we tried to do this by cleaning and organizing available information and analyzing words used through a non-biased and non-condescending approach, but rather by providing a different approach and a new space, aiming to give a voice to the marginalized sex workers who are always constantly criminalized.



Media Observatory of Arrests Based on Sex Work from January 2019 to December 2020

