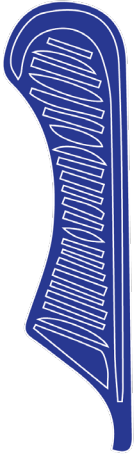


The Legal and Media Obscuration of Sex Work Crimes in Egypt

Based on Media Monitoring Between January 2021 and December 2022

Data Collection: Hassan Ahmed

Review and Edit: Nora Noralla



القاهرة ٥٢

للأبحاث القانونية

CAIRO 52

LEGAL RESEARCH INSTITUTE

**Towards a society that is legally aware of its basic
and bodily rights**

Founded in 2020

Cairo, Egypt

Data Collection: **Hassan Ahmed**

Review and Edit: **Nora Noralla**

Design: **Omar Noureldin**

Publication Date: **June 2023**

Suggest Citation:

Hassan Mostafa, Nora Noralla, The Legal and Media

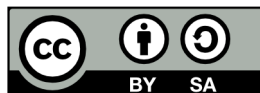
Obsravery of Sex Work Crimes in Egypt, Cairo 52

Legal Research Institute, May 2023

www.cairo52.com

info@cairo52.com

**All rights reserved Cairo 52 legal research institute
Attribution-ShareAlike 4.0 International(CC BY-SA 4.0)**





Introduction

The criminalization of sex work in Egypt is relatively new for modern Egypt, as it was not legally criminalized until 1951. On the contrary, the legal situation before 1951 was more focused on regulating the sex industry through several laws, such as the «Prostitute Houses Regulations of 1905» and the «Regulations for the Inspection Office of Prostitutes, issued in 1885». Therefore, criminalization represents a new chapter in the many chapters of sex work in Egypt. Workers in the sex work industry continued to practice their profession despite the criminalization and pressure from the state and society, which stigmatizes sex workers in Egypt with shame.

The term «vice cases» is used to describe any case related to sex work and other issues, including various charges such as «habitual prostitution or debauchery» or «promoting pornography,» and so on. It is difficult to determine the number of individuals arrested annually, as the Ministry of Interior rarely publishes reports on the types and numbers of arrests it carries out. In 2014, officials from the Ministry of Interior made a rare statement about the number of vice cases from January to July, totaling 1,853. The officials also stated that there were about 45 thousand female sex workers registered in their records and 8,000 males, some of whom were sex workers and others third parties such as pimps. No reports or statements on this case have been published since that year. Therefore, the Cairo 52 Legal Research Center offers this report as a preliminary attempt to document the number of people arrested annually under vice cases.

This report also serves as the launch of a legal observatory to monitor cases related to sex work that is reported in the media, as monitoring them at the national level is challenging due to the multitude of laws and regulations that prosecute sex workers,

starting with the Egyptian Penal Code's provisions or what is known in the media as «obscene acts in public» up to the recently issued Law No. 175 of 2018 on combating cybercrimes, which targets social media platforms, especially Facebook and TikTok. This law not only persecutes sex work but also serves as a backdoor to oppress women and gender and sexual minorities. Not all those arrested under morality laws are sex workers; the Egyptian state expands the use of these laws to restrict the right to privacy and control what it considers moral and immoral.

Cairo 52 Institute believes sex work is a fundamental human right to the use of one's body freely without interference from the state or society. It is inherently connected to bodily autonomy and integrity issues, and it should be classified as a profession that any individual can practise consensually. Cairo 52 Institute distinguished between voluntary sex work based on an individual's desire and forced sex work. Cairo 52 Institute encourages the state to reconsider Egypt's morality laws to focus on protecting sex workers from forced labor and punishing those who force anyone into sex work rather than the worker who willingly works in this profession.



Methodology

The researcher adopted a descriptive-analytical approach to gathering information and data, monitoring media coverage of most debauchery and vice cases and issues related to sex work in official and private newspapers in the Arab Republic of Egypt during the time frame of January 2021 and December 2022. The report relied on collecting, archiving, and analyzing the data of cases related to sex work from the following primary sources:

Cairo 24.
Al-Masry Al-Youm.
Veto.
Al-Ahram.
Akhbar Al-Youm.
Sada El-Balad.
Youm7.
Al-Watan



Legal Background

Law No. 10 of 1961 concerning the combat of prostitution and debauchery serves as the primary legislation for criminalizing consensual sex work in Egypt. Article 9(c) is the primary source of criminalization and stipulates punishment for anyone “habitually engaged in prostitution or debauchery” with imprisonment of no less than three months and no more than three years and a financial fine or one of the two penalties. The term “prostitution” describes sex work for females and “debauchery” for males. The law also includes provisions for other crimes related to sex work, such as advertising and incitement to prostitution and debauchery.

The law reflects the patriarchal and male-dominated society, as it punishes women alone in cases of prostitution and not the male customer, who is considered a “victim” of the sex worker’s enticement. In contrast, the law applies to both parties in cases of debauchery, and there is a general discrepancy in the application of the law. The ambiguity surrounding some of its provisions opens the door for interpretation in its application by the police and judiciary in Egypt. In addition to the “prostitution law,” some provisions in the Penal Code are used to criminalize sex work, such as Articles 175 and 269 bis. In 2018, the Cybercrime Law was approved, containing provisions like Article 25, which stipulates punishment for “violating the principles or family values in Egyptian society” and is used to combat what the state calls “electronic prostitution.” Some criminal provisions in these laws place criminal responsibility on third parties such as content supervisors, homeowners, and pimps.

The report primarily focuses on cases prosecuted under Law No. 10 of 1961 and the Cybercrime Law No. 175 of 2018.



Key Observations

- Two hundred forty-eight media coverages of vice crimes were documented from January 2021 to December 2022. A total of 681 individuals were arrested, with 67% being women, 4% being customers, 4% being members of the LGBTQ+ community, and 25% being third parties. These results reflect the patriarchal reality in Egypt, where the focus is mostly on punishing consensual sex workers rather than combating forced sex work. Cases in which people are accused of forcing others into sex work constitute a tiny percentage of the total news coverage, with 40 reports overall. Egypt recently stated that it had prosecuted 13 people for human trafficking in 2021, five of whom were arrested in the so-called “TikTok girls” case. Content creators Haneen Hossam, Mawada El-Adham, and others from their teams were arrested and prosecuted for human trafficking despite the lack of evidence. Mawada was sentenced to six years and Haneen to three years, and their appeals were denied. These cases represent a dangerous turning point in such cases, as sentencing internet content creators under the human trafficking law undermines the seriousness of using the law in other cases involving actual human trafficking. These cases reflect the state’s lack of seriousness in combating forced sex work and human trafficking, focusing instead on presenting itself as a guardian of society’s morals at the expense of women, sexual and gender minorities, and consensual sex workers.
- In recent years, the state has become interested in controlling cyberspace. In 2019, the Public Prosecution established the Social Communication, Monitoring, and Analysis Unit, whose primary mission is to monitor online content. The Attorney General encouraged “honorable citizens” to report any immoral content on the internet via a WhatsApp number or an online form, reflecting the state’s interest in establishing its moral grip on cyberspace and the real world. The report demonstrates this accusation, as investigations by the Vice Squad have become more focused on cyber cases than others. We note that 59% of the cases occur on social media/

dating app sites, where the case is based on investigations/information from the Vice Squad—cases built on this account for 80% of the total cases detected.

- The report reflects the centrality of Egyptian media, as it is customary for media coverage to focus on central governorates like Greater Cairo and Alexandria. Cairo has the highest percentage of reported sex work cases, at 40% of the total cases, followed by Giza and Alexandria. These are the central governorates in Egypt. In addition to the centrality of the media, another reason for the focus on major governorates could be the prominence of a male-dominated culture in some other governorates that confront these issues within the community and family without resorting to the state out of fear of scandal and shame.
- Media coverage in these cases focuses on portraying the Vice Squad and the Public Prosecution as the guardians of virtue and morals who protect Egyptian society from moral decay. This coverage aligns with the propaganda of the Sisi state, which always tries to justify human rights violations and deteriorating economic conditions by focusing on exporting the regime's image as the guardian of virtue and morals in society. Media coverage also tends to present such cases in an unprofessional, sensational way to attract readers. We find headlines like "Mimi Harika. Syrian in Egypt memorizes the Holy Quran and practices prostitution!" There is no neutrality in the media coverage, as most news stories consider the accused guilty even before a court issues its judgement. It is rare to find media coverage questioning the narrative of the prosecution and the police in these types of cases.
- TThe Supreme Council for Media issued a Crimes Publishing Ethics and Controls Code in 2021, a set of ethical rules that media and journalistic institutions must adhere to when covering criminal cases. Despite this, many journalistic violations occur during news coverage related to sex work. Although several news stories have breached various points of the Code, the most significant breach has been the publication of hate speech, despite the Code's urging against publishing news containing or encouraging hate speech. The Code defines hate speech as "any public speech or statement that includes discrimination, abuse, or insult to an individual or a group of individuals based on language, color, sex, age, religion, or physical disability, or includes a call for racism, violence, aggression, or arbitrariness against an individual or a group of individuals on any basis whatsoever." However, we find that all published headlines and news details use terms and phrases that promote hate speech and racism toward sex workers and the LGBTQ+ community, such as prostitution, perversion, fags, shemales, vice, red-light parties, and ladies of the night. Despite the Code's emphasis on training and qualifying journalists and media personnel, we find numerous breaches of the Code and the publication of hate speech and encouragement during the monitoring process.
- There is difficulty in monitoring news related to transgender and gender non-conforming individuals, as the Egyptian police and media deny the existence of these gender identities and classify them as "men wearing women's clothing and putting on makeup" without respecting their gender identity. Queer sex workers face multilayer discrimination due to their intersectional identities, and the media and official authorities treat them as not only immoral due to their involvement in sex work but also religiously, socially, and morally corrupt due to their sexual

and gender identities.

Numbers and statistics of sex working cases

The researcher monitored 248 news stories in primary sources related to commercial sex cases in Egypt, distributed as follows:

Media outlet	News Number
Cairo 24	5
Al-Masry Al-Youm	26
Veto	14
Al-Ahram	14
Akhbar Al-Youm	1
Sada El-Balad	12
Youm7	41
Al-Watan	18

Media outlet	News Number
Cairo 24	15
Al-Masry Al-Youm	20
Veto	23
Al-Ahram	3
Akhbar Al-Youm	4
Sada El-Balad	31
Youm7	18
Al-Watan	2

Among them, 55 news stories relate to previously published news in the same newspaper or another. We note that the government-owned newspapers, Al-Ahram and Akhbar Al-Youm, have the lowest number of sex work news stories, with 15 news articles. In contrast, the United Media Services Company's media platforms, reportedly owned by The Egyptian Intelligence and include Al-Youm Al-Sabea, Sada El-Balad, and Al-Watan, cover the largest news share with 69 news articles.

41

Youm7

18

Al-Watan

26

Al-Masry Al-Youm

14

Al-Ahram

14

Veto

12

Sada El-Balad

1

Akhbar Al-Youm

5

Cairo 24

132
Articles
in 2021

31

Sada El-Balad

20

Al-Masry Al-Youm

23

Veto

18

Youn7

15

Cairo 24

4

Akhbar Al-Youm

3

Al-Ahram

2

Al-Watan

116
Articles
in 2022

The news is distributed geographically as follows:

Location	News number for 2021	News number for 2022
Greater Cairo	94	74
Upper Egypt	1	2
Delta	2	11
Alexandria	21	12
A-Qana	5	7

The Greater Cairo area includes several governorates: Cairo, Giza, and Qalyubia. Meanwhile, the Qana region comprises the governorates of South Sinai, North Sinai, Red Sea, Suez, Ismailia, and Port Said.

Governorates	News number for 2021	News number for 2022
Alexandria	23	12
Red Sea	5	7
Sharqia	1	
Gharbia	1	
Fayoum	2	
Qena	1	
Giza	20	29
Cairo	70	53
Unknown location	9	10
Beheira		1
Asyut		2
Dakahlia		10

93

Cairo

1

Upper Egypt

21

Alexandria

5

Canal Area

2

Delta

Number of Articles in 2021
distributed geographically

74

Cairo

2

Upper Egypt

12

Alexandria

7

Canal Area

11

Delta

Number of Articles in 2022
distributed geographically

70

Cairo

9

Unknown

23

Alexandria

20

Giza

2

Fayoum

5

Red Sea

1

Sharkia

1

Gharbia

1

Qena

Number of Articles
in 2021
for each governorate

53

Cairo

10

Unknown

12

Alexandria

29

Giza

2

Asyuit

1

Beheira

7

Red Sea

10

Dakahlia

Number of Articles
in 2022
for each governorate

Cairo, Giza, and Alexandria are at the top of the list of governorates where sex work cases occur, according to primary sources. Cairo represents 45% - 53% of the total number of cases.

As for the locations where the incidents of the cases occur:

Incident location	Numbers in 2021	Numbers in 2022
Residential unit	26	18
Social media platforms	78	79
Public properties	7	
Service providers' properties	18	7
The incident location was not identified	1	27
Total	130	131

We notice that, under the Cybercrime law, 59% of the cases have social media platforms as evidence for a conviction and are the source of the case. The charges directed include undermining Egyptian and family values and promoting debauchery, immorality, and prostitution. These cases are built on investigations and information from the vice police, where the percentage of cases based on this reaches 80% of the total cases monitored.

Reason of arrest	Numbers in 2021	Numbers in 2022
Investigations/information	93	99
Based on a complaint	33	11
Unknown	4	6
Total	130	116

Incident location in 2021



78

Social media platforms

18



Service providers'
properties



26

Residential
unit



1

Unknown



7

Public
properties

Incident location in 2022



79

Social media platforms

7



Service providers'
properties



18

Residential
unit



27

Unknown



Public
properties

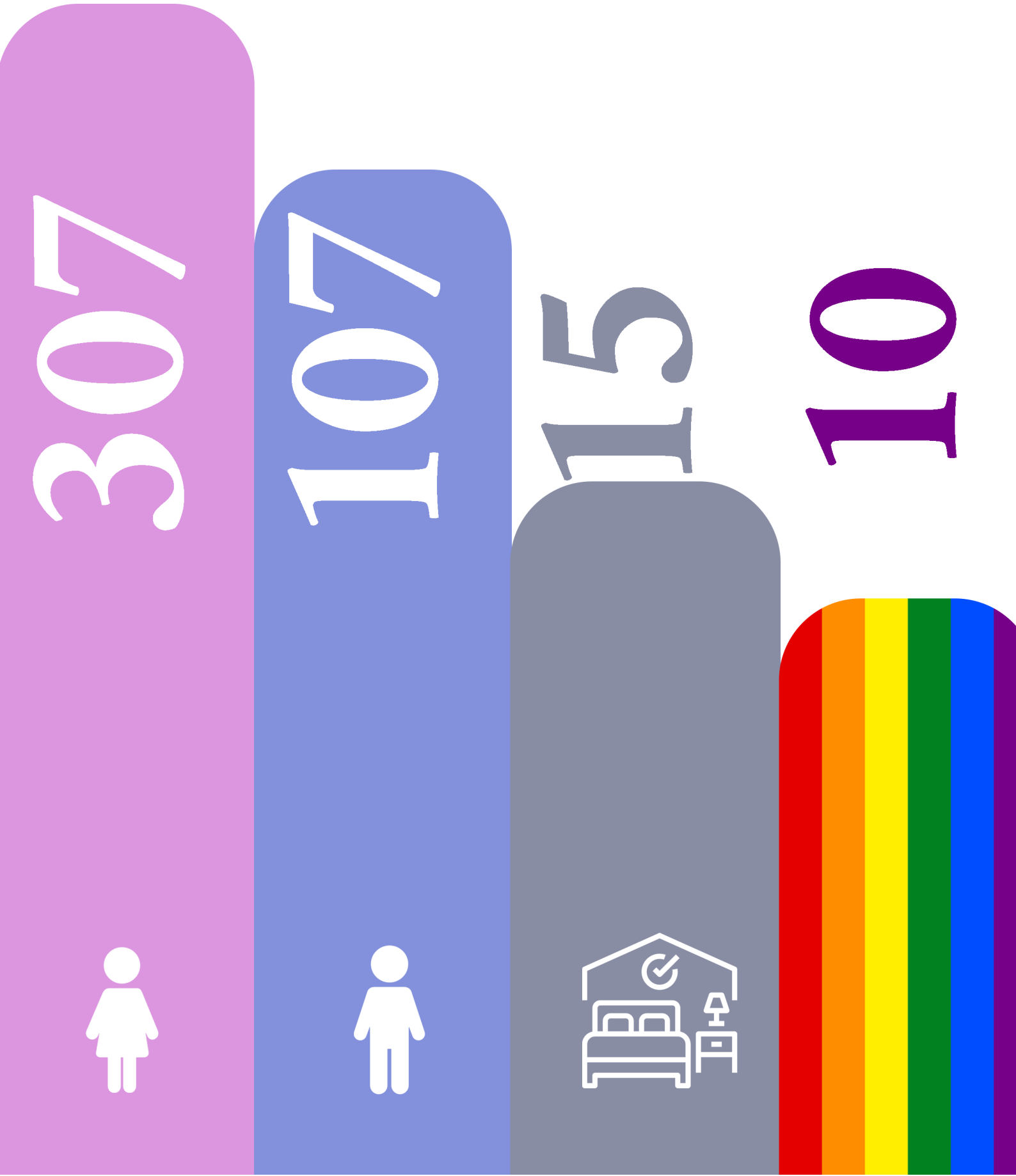
Charges in sex work cases and the percentages of the accused:

Charge	Numbers in 2021	Numbers in 2022
Forcing someone into prostitution	40	1
Facilitating prostitution	78	29
Engaging in prostitution	86	65
Seeking pleasure	16	9
Human trafficking	18	49
Promoting explicit materials	32	37
Inciting debauchery and immorality	54	107
Total	342	297

No charges were indicated in some of the news, and they represent cases in the LGBTQ community. They constitute 4% of the monitored cases. While the total number of people arrested in the monitored cases was 681 individuals, women represented 67% of them and service recipients constituted 4%.

Year	Male Numbers	Female Numbers	Service receiver	LGBTQ+ Numbers
2021	107	307	15	10
2022	63	149	12	18
Total	170	456	27	28

Number of people arrested in 2021 by gender/sexual orientation



Number of people arrested in 2022
by gender/sexual orientation

149



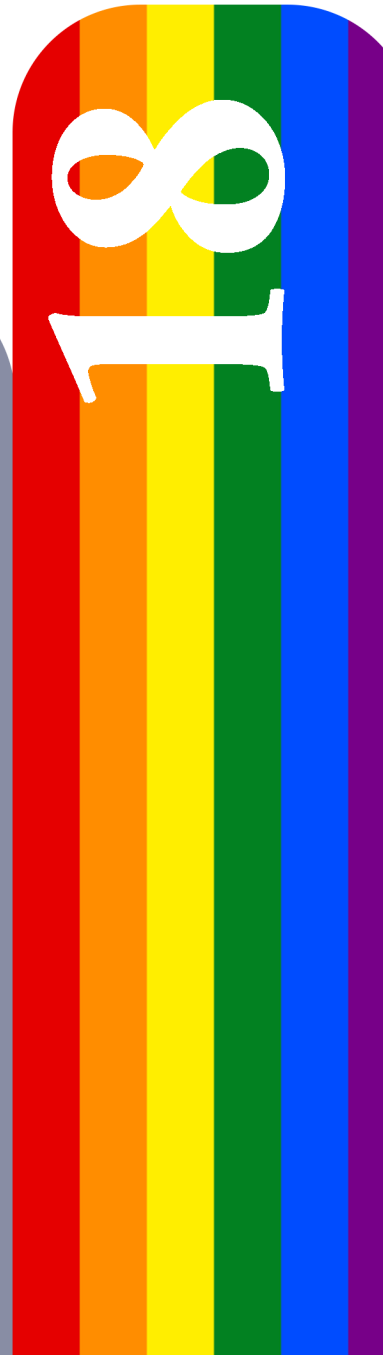
63

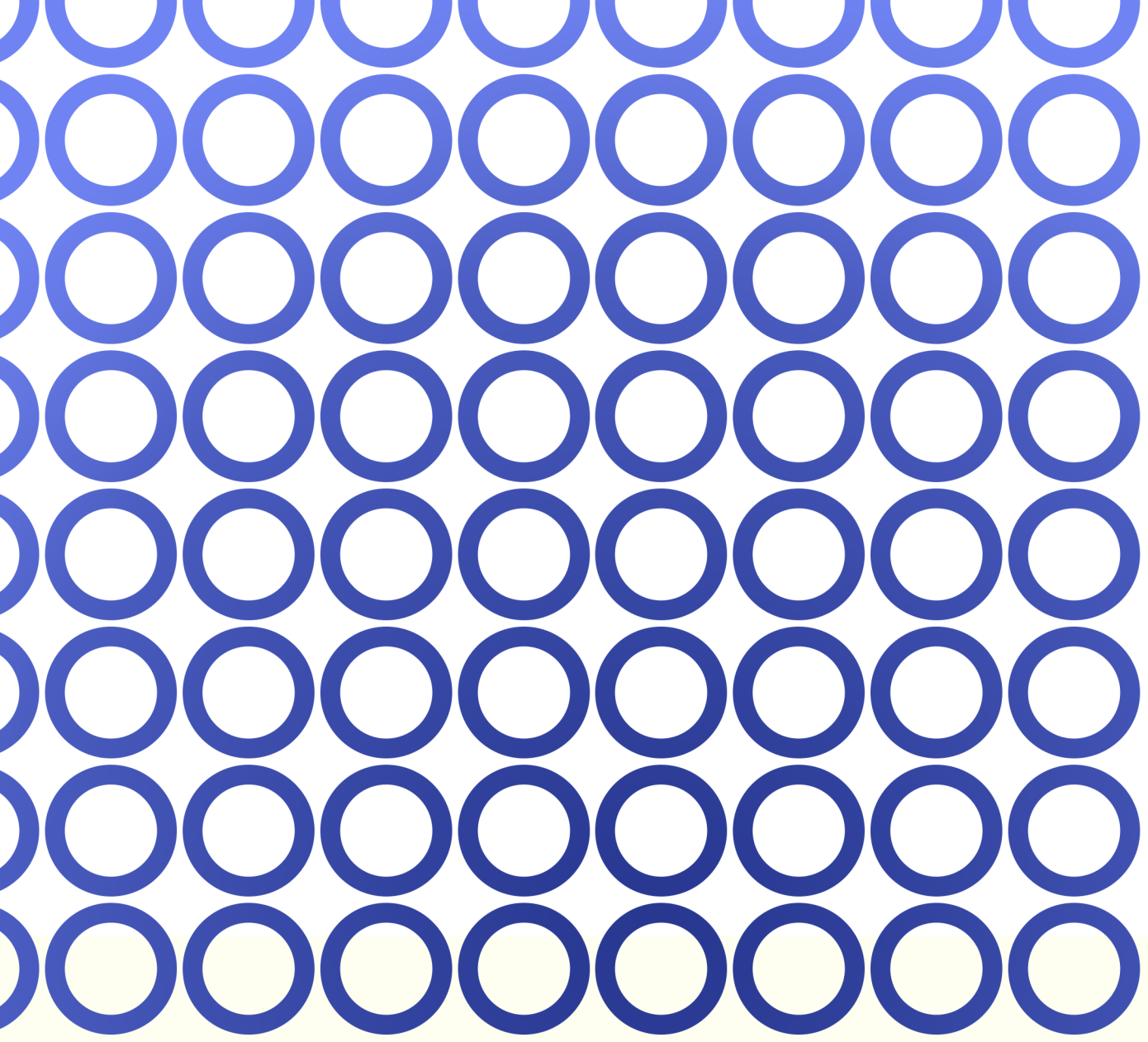


12



18





القاهرة ٥٢

للأبحاث القانونية

CAIRO 52

LEGAL RESEARCH INSTITUTE