

Flygtningenævnets baggrundsmateriale

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their sexual or gender expression, disrupt conservative binary gender models are especially vulnerable in Egypt, according to an activist who was based in Egypt through recent years. Through 2015 and 2016, widely publicised arrests continue.

Egypt's 2nd cycle UPR began in November 2014. Of the 28 NGO submissions to this session, only four mentions sexual orientation directly. However, there is no mention of sexual orientation in recommendations to Egypt or in that State's formal responses to its 2nd UPR.

According to *76 Crimes*, the largest reported number of arrests of LGBT people has been in Egypt, where a crackdown has been under way since 2013 as part of a larger government effort to arrest and harass political opponents, human rights defenders and journalists. In late-2016, LGBT community leaders estimate that as many as 500 LGBT people have been sent to prison.

ERITREA

Penal Code of 1957 (inherited from Ethiopian rule).

Art. 600. Unnatural Carnal Offences

[SAME SEX ACT]

"(1) Whosoever performs with another person of the same sex an act corresponding to the sexual act, or any other indecent act, is punishable with simple imprisonment".

In its 1st cycle UPR in 2009, the Government of Eritrea rejected the recommendations made by Canada and the USA to repeal the above-mentioned article, arguing that repeal is "...in direct conflict with the values and traditions of the Eritrean people".

A Joint Submission to its 2nd cycle UPR described the situation in Eritrea as of June 2014: "(Attacks on Lesbian Gay Bisexual and Transgender Intersex (LGBTI) Activists) Consensual same-sex conduct is criminalised under the Eritrean Transitional Penal Code and punishable by prison terms ranging from 10 days to three years. It is noted that the Eritrean Government rejected a recommendation by the Working Group on the Universal Periodic Review in 2010 to legalise same-sex activity. No LGBTI organisations publically exist in Eritrea and it is reported that the authorities have carried out periodic round-ups of LGBTI people".

At their 2nd cycle UPR, the Eritrean delegation stated that "consensual same sexual conduct was against the values and culture of the Eritrean society" in answer to the only SOGI recommendation it received (Italy): "Launch a national dialogue, as well as a campaign through media and in the schools, to tackle all forms of discrimination against lesbian, gay, bisexual and transgender (LGBT) persons". Eritrea's next UPR review is October 2018.

The Concluding Observations delivered to Eritrea by the United Nations Committee on the Rights of the Child in June 2015, make direct reference to SOGI: "Repeal the legal provisions criminalizing homosexuality and, by raising public awareness of equality and non-discrimination on the basis of sexual orientation, ensure that children who belong to groups of lesbian, gay, bisexual and transsexual persons or children from families formed by such persons are not subject to any form of discrimination", (para. 25(d)).