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MLA Citation

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The American University in Cairo

School of Global Affairs and Public Policy

**COMBATTING STREET SEXUAL HARASSMENT IN EGYPT:
POLICY IMPLEMENTATION CHALLENGES AND WAY FORWARD**

A Thesis Submitted to the

Public Policy and Administration Department

**In partial fulfillment of the requirements for the degree of
Master of Public Administration**

By

Noha Mohamed Elyamani

**Supervised By:
Laila El Baradei
Professor of Public Administration**

Spring 21

AKNOWLEDGEMENT

Finalizing the thesis was a dream to me. I thank God for the granted strength and patience to continue with this work. I would like to thank Dr. Laila El Baradei for her guidance, support and kind words all over the journey to finalize the thesis. I would also like to dedicate my work to my family and my husband. Without their continuous support and encouragement since the start of this journey in 2018, I would not have completed my thesis. Special thanks as well to the amazing courageous women who agreed to share their stories and to the experts who did not skimp on any information and were very generous to me.

The American University in Cairo
School of Global Affairs and Public Policy
Department of Public Policy and Administration

COMBATTING STREET SEXUAL HARASSMENT IN EGYPT: POLICY IMPLEMENTATION
CHALLENGES AND WAY FORWARD

Noha Mohamed Elyamani

Supervised by Professor Laila El Baradei

ABSTRACT

Sexual harassment in the public space of streets and transportation is a major problem in Egypt for years now. The state has a commitment to protect women and girls and ensure their safety. This study focuses on the challenges and obstacles that women face when reporting incidents of street sexual harassment, effectiveness of the 2014 sexual harassment law, as well as the state's role in curbing street sexual harassment in light of the reported challenges. The research was implemented through adopting a qualitative approach and conducting in-depth interviews with women who were subjected to sexual harassment and decided to report the violations, plus a group of informed experts. The sample included seven women and ten experts. The study's findings revealed that women face a number of difficulties when they seek reporting incidents of street sexual harassment. The difficulties are mostly related to the stance of the people in the street and the context and process of reporting. It was also found that sexual harassment is in fact on top of the Government of Egypt's agenda. Meanwhile, prominent NGOs dedicated to fighting the phenomenon are not active anymore. Research recommendations to address the challenges reported by the women who were subjected to street sexual harassment covered the importance of creating a safe space for reporting incidents of sexual harassment and the need for organizing periodic awareness campaigns.

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Chapter one: Introduction

Women in Egypt, as well as globally, are subject to different forms of violence in the public and private sphere ranging from sexual harassment to rape and early marriage (UN Women Achievements report, 2018). The state has a commitment to protect women from violence in the public as well as the private sphere in the form of facilitating reporting, issuing laws, enforcing these laws as well as establishing and supporting the concerned institutions that support and advocate for women's rights. This research will focus on one form of violence against women in Egypt, which is street sexual harassment.

Indeed, sexual harassment in the streets, as well as in public transportation, the workplace, and in the private sphere, has turned from being a taboo, into being an alarming phenomenon in the last two decades in the Egyptian society; an issue that needs to be seriously and urgently curbed and eliminated. A lot of women and girls now can confidently recount their experience with sexual harassment on social media seeking to shed light on the phenomenon, or gain their right. The presence of 2014 and being able to formally apprehend harassers as well as the state's visible efforts to combat the phenomenon is definitely a boost that encourages women not to accept this act.

It was in 2008 when an Egyptian lady, "Noha Elostaz", became the first woman in Egypt to secure a court ruling condemning a man in a physical sexual harassment case in the street where he was sentenced to three years (France24, 2016). However, the phenomenon of sexual harassment was augmented after the 2011 revolution with the increase of sexual harassment and assault cases during protests and demonstrations. It was not until 2014 when the phenomenon gained legal and political attention with a law endorsed to criminalize the act by the interim president Adly Mansour. Later in the same year, President Abdel Fattah al-Sisi ordered the interior minister to combat sexual harassment following the arrest of a number of men for attacking women near Cairo's Tahrir Square during the inauguration celebrations (Reuters, 2014).

Despite the presence of the 2014 law, that defined harassment in its simple form and sexual harassment ("Harassment law", 2014), as well as the collective efforts by the concerned NGOs and

the National Council for Women (NCW) and the denouncement of the act by religious institutions, women still face sexual harassment. Women also face difficulties in reporting and sometimes difficulties in reaching the police station in the first place. Skeptics also doubt the effectiveness of the Sexual Harassment (SH) law in terms of implementation and enforcement. This research focuses on the challenges and obstacles that women face when reporting incidents of street sexual harassment, effectiveness of the 2014 sexual harassment law, as well as the state's role in curbing street sexual harassment in light of the reported challenges.

The rationale for exploring this topic is that street sexual harassment is a worrying daily reality in the Egyptian streets and represents a danger to women and girls and women and a violation to their integrity and freedom of movement. It is a policy intervention issue as it has to be curbed and eliminated by the state. The government has an obligation to preserve law, order and safety in the Egyptian streets, to protect women and girls walking in the streets, or in public transportation, and to facilitate endeavours when incidents of street sexual harassment are reported. The study aims at contributing to the literature through identifying the kind of challenges and obstacles faced by women when they seek reporting incidents of sexual harassment after the 2014 law. Also, the study contributes to clarifying the state's role in curbing and eliminating street SH.

Problem statement:

Sexual harassment and violence against women is back to the scene of discussion in Egypt in 2020 after the exposure of a case of a male student who was allegedly involved in sexual assault and harassment of a number of women, as well as the case of drugging and raping a girl in the infamous case of Fairmont hotel that involved sons of high profile or well-known Egyptian people (BBC Arabic, 2020). This was followed by a lot of women and girls taking to social media platforms to tell their stories with sexual harassment in a wave of a "Me too" reaction (BBC Arabic, 2020). This "Me too" wave brought to the viewer the sense of the national moment witnessed in USA in October 2017, when sexual harassment and assault was brought to the attention of public discussion with a number of women in Hollywood coming forward with allegations of sexual abuse against a well-known producer. Later a hashtag was started where women told their stories beyond the producer's case.

Eventually, dozens of high-profile individuals were fired or resigned from the entertainment, sports, politics and other fields as a result of allegations brought against them (Kearl, 2018). A flood of stories were posted regarding sexual harassment and assault under the hashtag #MeToo. The movement encouraged women to write about their own experiences with sexual harassment and assault by tweeting #Metoo and resulted in 19 million tweets a year after the start of the hashtag (Bulgarella, 2018).

Within the Egyptian context, the problem is that a fear of taking an action against harassers, being discouraged to do so, or failing to report, as well as mistrusting law enforcement officials, usually jeopardize efforts to end the phenomenon. Additionally, the law alone cannot eliminate the phenomenon. A comprehensive approach is much needed by the state. That is why exploring the challenges and obstacles faced by women when they decide to report, as well as the state's effort when it comes to combatting street SH is needed. Moreover, 2020 marks the end of the National Strategy for Combatting Violence against Women that was launched in 2015. Sexual harassment was one of the foundations for launching this strategy concerned with women protection. Accordingly, there is a need to understand the gaps within the practice of protecting women against one form of violence in Egypt, mainly SH in the street, or on public transportation.

Research question and investigative questions:

What are the policy implementation challenges in combatting street sexual harassment by the Government of Egypt? And what can be enhanced?

- What is the role of the government in curbing street SH in light of the reported challenges by women?
- To what extent is curbing Sexual harassment a priority to the government?
- What kind of partnerships does the government have in order to curb and eliminate street SH?
- What are the challenges and obstacles faced by women at the street, at the police station, by the harasser, or her family, when they seek reporting street SH incidents?

- How successful is the reporting process and to what extent SH law is enforced and implemented?

Chapter two: Conceptual Framework

This chapter covers the conceptual framework adopted by the study.

Conceptual framework:

To start, the United Nations definition of sexual harassment comes with a focus on the work environment as follows: “Sexual harassment is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. While typically involving a pattern of behaviour, it can take the form of a single incident” (UN, 2008).

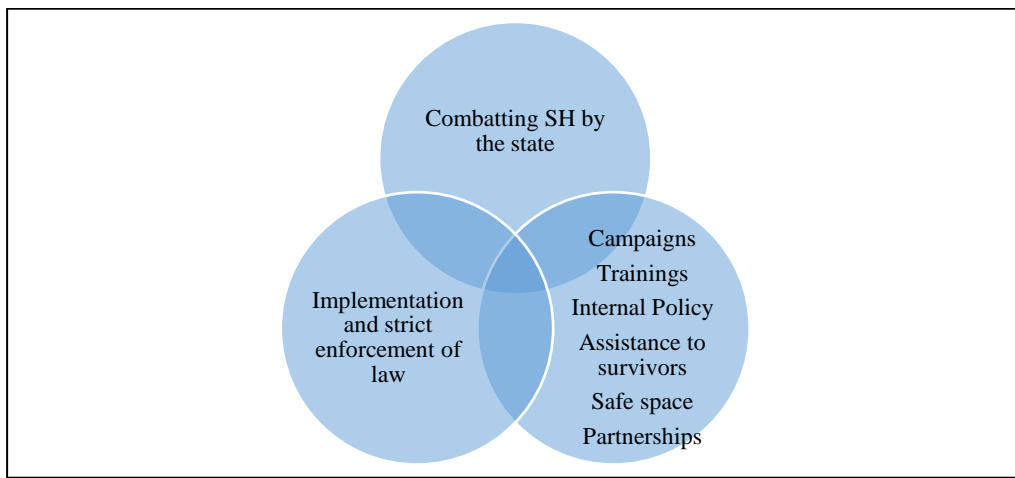
In fact, sexual harassment is a phenomenon that can happen in different contexts, in addition to the workplace, such as the academic settings where the perpetrator can be of a known identity to the victim. It can also happen in the public space of streets, public transportation, stores and bars where the perpetrator is usually of unknown identity (Fairchild and Rudman, 2008). Street harassment is viewed as including verbal and non-verbal behavior such as leers, sexual remarks, winks, grabs and pinches with some common characteristics that involve females as targets, stranger males as harassers, public place as the domain and a face to face encounter with a humiliating and objectifying content and an implicit or explicit message to women that they belong to the private domestic sphere (Bowman, 1993). It can also be called stranger harassment as the harasser is unknown to the victim (Fairchild and Rudman, 2008). Moreover, street/ stranger harassment is more challenging as it can be difficult to identify the identity of the harasser and take legal action against him as the public forum can allow for crowdedness, difficult vision at night or a quick escape of the harasser (The Advocates for Human Rights, 2013). The study focuses on sexual harassment where the harassment act takes place in the public space of streets by strangers towards women. The study as well covers the act of indecent assault that involves touching. In fact, the study reveals the confusion that exists between the act of sexual harassment and the act of indecent assault. Women can be subject to indecent assault and

consider it as an act of physical harassment. Physical touch is considered as an act of sexual harassment as noted in different studies as well. However, according to the Egyptian law, indecent assault is a different crime. It is defined as a grave breach of the woman's modesty by assaulting - by the use of force and threat - her body, whether by exposing or touching her areas of decency.

Moving forward, a society that is aware enough with women's rights to safety and an easy process of reporting street sexual harassment cases as well as a supportive environment should be the ideal situation. Nevertheless, many women face problems starting from bystanders and crowds in the streets who might discourage her not to report the perpetrator or even help him escape to being pressured to give up reporting at the police station or threatened by the harasser's family. As a result, reporting and the rule of law might not be achieved and harassers might get away with their crime which might expose more women and girls to sexual harassment and jeopardize the system of justice.

The government is the main actor that sets and develops the policy while implementing can happen through partnerships (Birkland, 2014). The government has an obligation to not only issue laws, but also comprehensively combatting SH through placing and effectively implementing its relevant policy and enhancing partnerships to combat sexual harassment, the guiding conceptual framework can come as seen below:

Combatting Sexual Harassment



The phenomenon already had the state's attention in 2014 when a law was issued that clarified the definition of SH and the associated jail time and fine. However, the law requires strict enforcement, enough awareness about it and trained personnel to implement it. Women should as well find a safe space when they report incidents of violence. A space that is free of judgment, pressure, and insensitivity. Additionally, the state has an obligation to provide instant assistance to survivors such as the appropriate psychological and legal assistance. State's institutions should also have the appropriate internal policy covering issues such as harassment. And finally, given the gravity of the phenomenon and given that each effort counts, the state should not be the sole party in combatting sexual harassment, other partners such as non-governmental (NGOs) and international organizations should be involved.

Chapter three: Literature Review

This chapter will cover street sexual harassment as studied and researched in the international experience as well as in Egypt. A body of literature belonging to different disciplines (legal, safety and crime, psychology, sociology, gender...) covered the phenomenon of sexual harassment. In order to narrow down the research, studies covering street/ public sexual harassment are mostly discussed. The type of literature examined covered mainly peer reviewed articles and published international reports. This literature review section will be divided into 3 sections: studies that covered SH in the international context, studies that covered SH in the Egyptian context and then the policy/ action intervention.

I) Sexual Harassment in the international context:

Until recently, sexual harassment in public places was viewed as an issue that did not have enough attention in the literature of law and social science as well as not adequately addressed from the legal perspective despite the harm endured by women on daily basis and the effect on their safety, liberty and equality (Bowman, 1993). With a gap in the literature that needs to be filled to study sexual harassment beyond the workplace and the academic context, where the perpetrator is known, a focus was then directed to public sexual harassment where the perpetrator is unknown (MacMillan et al., 2000; Fairchild and Rudman, 2008, McCarty et al., 2014).

Sexual Harassment is in fact one form of violence against women alongside other forms such as sexual abuse, female genital mutilation (FGM), rape, forced prostitution... etc. According to the UN Declaration on the Elimination of Violence against Women, sexual harassment comes under the umbrella of violence against women where violence is seen as “a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women” (United Nations, 1993).

Prevalence and impact of street sexual harassment:

Street/ stranger sexual harassment is a prevalent phenomenon. In a research examining the effects of sexual harassment on women's fear and perception of safety and using data collected in 1993 from a national sample of Canadian women, MacMillan et al. (2000) found that stranger sexual harassment is more prevalent and extensive compared to non-stranger harassment as women reporting experiencing some form of stranger SH came at 85% and came at 51% for non-stranger SH. Similarly, in a study within the Indian context of New Delhi with 1,387 men and women interviewed, 58% of female respondents reported experiencing sexual harassment in public spaces (Madan & Nalla, 2016). One study as well conducted using a sample of 228 female college students in USA has found that stranger harassment, in its different forms, is highly prevalent among the selected sample making it a phenomenon that "turns public spaces into an everyday hostile environment for women" (Fairchild and Rudman, 2008).

Street sexual harassment can in fact reduce women's physical mobility and limit their lone public appearance achieving what Bowman described as "an informal ghettoization of women to the private sphere of hearth and home" due to a fear of normally choosing where to be in order to avoid being harassed (Bowman, 1993). It was also found that the extensive experiences of stranger harassment decreases women's feeling of safety in a variety of contexts, as noted by Macmillan et al. "Stranger harassment reduces feelings of safety while walking alone at night, using public transportation, walking alone in a parking garage, and while home alone at night" (MacMillan et al., 2000). Similarly, fewer women feel safe in public spaces (like streets, parks, public transportation, stations) compared to men (Madan & Nalla, 2016). Also, compared to men, women highly perceive public spaces as a space of likelihood of sexual harassment incidents to occur (Madan & Nalla, 2016).

Fear of sexual harassment does not only belong to the public space of the street, but also to the mode of transportation and transportation facilities. A study by Loukaitou-Sideris (2014) tackled the safety perspective of women riders in the American context. By interviewing women leaders of National women's interest groups, the study found that sexual harassment is always felt by women in the streets or transit environment, with private cars and taxis preferred for their safety compared to

other modes of transportation. Women as well had to adjust their behaviour and take extra precautions such as not walking alone or at night, not using public transportation, avoiding certain areas... etc. as a result of fear in public settings which include not only a fear of sexual harassment but also other forms of crimes like robbery (Loukaitou-Sideris, 2014).

Sexual harassment here becomes a problematic phenomenon as it generates fear and violates females' freedom of spatial choice and freedom of movement. Women's right to be equal with their male counterpart in the public settings is challenged since men might not be intimidated by daily incidents of sexual harassment as women.

According to Bowman's research on street harassment, impact of street harassment over women can involve not only feelings of fear, anger, humiliation, distress, sexual objectification and degradation, but also the feeling of disempowerment in a domain occupied by men that defies their right to be equal in the public arena with men (Bowman, 1993). Women as well reported feeling of disrespect and anger towards men in general, and the fact that they got used to being harassed since it is part of women's daily life in a study that surveyed 1941 Swedish female university students about physical sexual harassment in the public space (Mellgren et al., 2018). The effect of sexual harassment actually extends beyond the victim to the larger group of women (Chaudoir and Quinn, 2010; Mellgren et al., 2018). As demonstrated in a study by Chaudoir and Quinn (2010), women bystanders would experience negative emotions of anger and fear towards all men and connect to their gender group identity in a situation of witnessing verbal harassment only (cat calls), noting that "the effects of sexism are not confined solely to the target of prejudice when the sexist event occurs in a public setting" (Chaudoir and Quinn, 2010).

From a social psychological perspective, one study conducted found that in terms of coping mechanism women tend to mostly respond passively to stranger harassment, with active coping like confronting the harasser leading to less self-objectification, and passive coping like ignoring the act and self-blame leading to feeling of self-objectification. In fact, stranger harassment indirectly affects women's psychological wellbeing as self-objectification predicts psychological problems such as eating disorders and depression. Also, stranger harassment and self-objectification, according to the

study, may have indirect effects on women's lives like their increased fear of rape as well as restriction of movement (Fairchild and Rudman, 2008). Relevantly, in a scenario-methodology study on sexual harassment focusing on the victim's relationship to the perpetrator, SH act and context of the act of 357 female participants, it was found that stranger harassment was more severely perceived and produced more negative emotions compared to co-workers harassment. Also, being touched by strangers was perceived as "more sexually harassing, and more severe" and produced more negative emotions. However, women tend to actively cope with stranger harassment compared to co-workers harassment (McCarty et al., 2014). From an economic perspective, a study focusing on sexual harassment towards women at their early careers linked being subject to sexual harassment at work with financial stress as many women tend to leave their jobs as a response to severe sexual harassment which disrupts their career path (Mclaughlin et al., 2017).

The Legal Perspective:

From a legal perspective, Bowman (1993) analyzed a number of US state legal categories to examine how fit they are to combat street harassment. Although some of the existing state laws in the US were effectively used in some cases of street harassment, these laws were not effective in all of the cases of street harassment due to their drawbacks such as the need for the intention to harm and not just using words, repetition of act as well as proof of emotional distress (Bowman, 1993). She concludes that there is a need for women's participation in reforming and designing new laws to deter the phenomenon of street harassment. In fact, it was not until 2018 that a law was passed by the Council of Washington, D.C., to combat street harassment by education rather than criminalization (Women's Media Center, 2018). The law "Street Harassment Prevention Act" provided the first legal definition of street harassment in the USA. According to the law, that became effective in October 2018, street Harassment is defined as "any disrespectful, offensive or threatening statements, gestures or other conduct directed at an individual" in the public space "without the individual's consent and based on the individual's actual or perceived protected trait identified in the DC Human Rights Act of 1977". It involves both verbal and physical harassment (DC.gov Office of Human Rights). The law establishes no penalty on harassment as it depends on prevention of the act through educating people

about it and changing the culture conducive to street harassment through trainings and awareness campaigns (Women's Media Center, 2018).

Street SH as a Global Phenomenon:

Street sexual harassment is a global phenomenon as well. For instance, one survey in Japan found that around two-thirds of Japanese women in their 20s and 30s were harassed in Tokyo trains and subways. As a result, women's only train cars were introduced during rush hours to protect women from unwanted stranger's harassment (Fairchild and Rudman, 2008). Also, according to a recent National American study on sexual harassment and assault, it was found that 81% of female respondents and 43% of male respondents reported experiencing some form of sexual harassment and/or assault with public spaces mentioned as the most frequent location for sexual harassment, indicating that sexual harassment is not only faced by women as men as well can experience sexual harassment (Kearl, 2018). Additionally, even in the most gender equal societies like Sweden, one survey found that 24% of women were subject to physical sexual harassment in public places such as restaurants, clubs, streets or public transportation as well as work or school (Mellgren et al., 2018).

Relevantly, women in the Arab world suffer from sexual harassment among other forms of violence such as domestic violence, rape, female genital mutilation (FGM)... However, in the recent decade, progress is noticed in some countries when it comes to introducing laws relevant to domestic violence, sexual harassment, nationality, marriage and divorce... etc. For sexual harassment in public and/ or the work place, it is addressed by law in Algeria, Egypt, Iraq, Jordan, Libya, Morocco, Qatar, Saudi Arabia, Sudan and Tunisia (Gender Justice and Equality before the Law, 2019). For instance, In Saudi Arabia, sexual harassment was criminalized in 2018 where harassment was defined as “any word, act, or sign with a sexual connotation by a person to any other person that harms their body or modesty by any means, including through modern technology” (Gender Justice and Equality before the Law, 2019). In Jordan, sexual harassment is addressed, however, the penal code does not explicitly use the term “Sexual Harassment”, but instead uses immoral conduct in public places” and “indecent flirting or behaviour” (JNCW, 2017). According to a study by the Jordanian National Commission for Women (JNCW) in 2017, 75.9% of respondents (majority female respondents) have

experienced one or more form of harassment in different locations. In Morocco, in 2018, under an umbrella law criminalizing violence against women, sexual harassment in public places was criminalized where sexual harassment was defined as “the unsolicited use of words, acts or signals of a sexual nature carried out in person, via telephone or online” (The National, 2018). According to a national survey in 2009, 62% of women in urban areas in Morocco experienced some form of violence in public areas (UN Women, 2017). However, the issuance of the law was not satisfactory for advocates for many reasons such as missing the monitoring tools needed to ensure the implementation of the law by law enforcement officials as well as the protective measures for survivors (The National, 2018). Efforts to face the phenomenon preceded the issuance of the law in Morocco. For instance, a UN Women’s Safe City programme in Marrakech was launched in 2014 targeting different spectrum of the society including officials, media professionals and transportation workers to sensitize them about sexual harassment and prevention of the phenomenon in order to create a safe public space for women (UN Women, 2017).

Underreporting on SH:

Underreporting of sexual harassment is an issue worth inspecting. In Jordan, a study found that the official reporting procedures are discouraging for women to report incidents of sexual harassment which keeps the victim silent to harassment at the end of the day, gesturing that the law alone is not enough. This is in addition to the fear for the reputation (JNCW, 2017). Similarly, one study in Pakistan interviewing college teachers and lawyers on the issue of street sexual harassment found that street harassment is a common phenomenon that is not being adequately reported, despite the penal code amendment in 2010 that described street harassment as something that “occurs when any person purposefully insults the modesty of women, states any word, makes any sound or gesture seen by women and harms the modesty and privacy of women” and made it punishable by law. A fear for family’s reputation was one reason for not reporting these incidents in a patriarchal society such as Pakistan (Ahmed et. al., 2019).

Relevantly, in a study related to the American context, underreporting of sexual harassment in public was attributed by some to the blame that might be placed on the victim and not the perpetrator

(Loukaitou-Sideris, 2014). Also, in Lebanon, one survey showed that two thirds of women were subject to sexual harassment in public spaces. However, there is no appropriate legal path that can be pursued by victims of sexual harassment in public, especially with a system that does not record complaints against strangers and does not legally define sexual harassment -with only draft laws that did not see light in 2014 & 2017- (Munshey, 2020). The Phenomenon was described as an “invisible problem” due to underreporting in a study that surveyed Swedish female university students about physical sexual harassment in the public space, where harassment mostly took place in restaurants and clubs. Despite a high confidence in the police, the majority of the sample (98.5%) did not report incidence of sexual harassment with reasons as follows: incident did not level to a crime; nothing will be done by the police; reporting will not achieve victim’s recovery; the perpetrator did not mean any harm; directly confronted the situation; a normal part of woman’s life as well as alcohol consumption (Mellgren et al., 2018).

II) Sexual Harassment in the Egyptian context:

A body of literature discussed sexual harassment in Egypt, especially after 2011 revolution when the phenomenon was augmented and many women were subject to sexual harassment and assault in the public sphere. The below section will discuss sexual harassment in Egypt, as discussed in the literature, specifically in the last 10 years.

In an interesting study examining possible justifications of male harassers in the Egyptian streets by interviewing harassers themselves (9 participants), Henry (2016) adopted a definition of sexual harassment that considered it as a humiliating behavior that derogates an individual based on sex which can be verbal, non-verbal or physical that can reach to assault/ rape. Henry linked his findings to the feminist theory, which considers sexual harassment as a “systematic attempt to control and dominate women that is deeply rooted in the patriarchal society” where sexual harassment would keep women in a subordinate order of the hierarchy compared to men performing this normal act, especially with the justifications of the act as expressed by Egyptian male harassers such as: women’s desire to go out and work, accordingly, she deserves to be harassed because she is opting out of her traditional role, sexual objectification of women, as well as their convince that sexual harassment

causes no harm and everyone does it. Other justifications that are not linked to the feminist theory included: misunderstanding of religious texts and men's manifestation of social oppression over women.

Relevantly, in a desk study, El-Ashmawy (2017) proposed the idea of class struggle as partially explaining/ a contributing factor to the presence and persistence of sexual harassment, where males from lower class project their anger and frustration with social and economic status and oppression through sexually harassing and humiliating upper and middle class females and practicing dominance over them. However, class struggle cannot be the only explanation to the phenomenon as this will refute the fact that men from upper class can engage in sexual harassment as well as other forms of violence against women. Similarly, the difficulty of work and marriage due to the economic crisis was also pointed by Peoples (2008) creating a "masculinity in crisis" where men cannot perform their traditional role as a head of family which is a contributing factor to the increase of SH phenomenon as another form of affirming masculinity in the public space.

Sadler (2019) also discussed "myths" that are typically false and justify sexual harassment and violence against women leading to the acceptance of the behavior and a tendency to blame the victim. Such myths include denial of the sexual act by perpetrators, claiming that no harm was done, blaming the victim that she wanted this act or that she deserved this act as well as the view that men are unable to "control their sexuality once aroused". This is very much relevant to the Egyptian context when inspecting the results of a UN study that, in one section, captured the male's perspective of sexual harassment, where indecency of a girls' attire came at the highest percent (72.6%) as a claimed reason for harassing, followed by girl's beauty and her content for being harassed (El-Deeb, 2013). Similarly, in a study by HarassMap, half of the male respondents as well blamed a girl's tight outfit as a reason for harassing her. This was followed by the claim that girls wanted to be harassed (Fahmy et. al, 2014). According to Sadler, no correlation was found between women's attire and the likelihood of getting harassed also the claim that women wanted to be harassed is refuted by the negative consequences of sexual violence over women. However, Sadler prefers the use of the term "Masterplots" rather than "Myths" as the term "Masterplots" can express a valid or false causal

relationship between events that can have both positive and negative implications, which allows for other justifications and excuses for harassment to be taken into account and not just regarded as a “myth”. The link between consumption of pornography and sexual violence for instance is a valid masterplot and not myth since it was proven in multiple studies (Sadler, 2019).

Nevertheless, a very important component that has to be addressed when discussing the phenomenon of sexual harassment is the immoral behavior of the harasser. To clarify, and putting a side other factors like not wanting to be detained or punished, holding moral standards would hinder the man from performing the act as he would not want to disrespect a woman and violate her integrity and bodily safety, regardless of the temptation or how sexually frustrated he is. However, the lack of moral standards and inability to respect women would open the way for harassment to take place as there is no self-deterrence that would hinder the harasser from performing the act. In fact, 63% of respondents in Fahmy’s study agreed on bad raising *Soo’ tarbya* when asked about the reasons for the presence of sexual harassment phenomenon in Egypt in general (Fahmy et. al, 2014).

Sexual Harassment in Egypt was even studied from an urban design and planning perspective. A recent study by Mohamed and Stanek (2020) explored the relationship between street accessibility/ patterns and reported sexual harassment incidents in Cairo's central business district using a specific spatial analysis and HarassMap data. The study found that sexual harassment incidents were more common in attended main streets with “high volumes of foot traffic” where males always outnumber females and can easily get away with their harassment acts. The study recommends that urban planners should take into consideration women’s safety needs when designing cities, involve women in the design process as well as modify “the physical and social environment of downtown” to allow for instance for more visibility in the crowded streets (Mohamed and Stanek, 2020).

III) SH Policy/ action recommendations identified in the literature:

Recommendations for combatting public sexual harassment cover not only the legislation aspect, but also other types of state policies to combat the phenomenon. Recommendations from different studies covering different disciplines and advocating for policy change were reviewed.

From a legal perspective, for instance, and in order to overcome the then drawbacks of legal action that allowed street harassers to get away with their wrongdoing and jeopardized combatting and deterring street sexual harassment efforts in USA, Bowman (1993) concluded the coming criteria when seeking to introduce a new law or reforming an existing one: disregarding the intent of the harasser (as the intention is required in many US state laws); taking into consideration the reasonable woman standard relevant to the offensiveness of the conduct and the reasonableness of the woman's reaction to it; verbal and non-verbal conduct to be both addressed; repetition of the conduct is unconditional (as repetition of act is required in many US state laws); addressing a targeted behaviour towards a victim in the public space; addressing street harassment incidents in particular that requires judicial outcome; “be worth the trouble and expense to pursue, either because it is "cheap" for victims to employ (for example, involving a simple procedure and/or free attorney), or because it has the potential for a substantial damage recovery”; and finally it should “hurt” the harasser enough in order to achieve deterrence and discourage this behaviour in the society. She also reflected on the importance of women’s participation and voice when it comes to SH legal remedies to reflect their own experiences (Bowman, 1993). The JNCW study (2017) as well stressed on the need for enough political will to amend the legislation in order to provide a clear definition for the term “sexual harassment” and its forms and to criminalize the act. Fortunately, in Egypt and with enough political will, a law was issued in 2014 to define and criminalize the act for the first time though it stresses on the intention of the harasser to have a benefit of sexual nature from the victim.

Beyond the law, safe public space and transportation for women should be ensured for women through the collective work of the government, municipality and local law enforcement agencies (Madan & Nalla, 2016). Adopting a national policy and a comprehensive strategy is recommended to combat the phenomenon through prevention of the act, protection and rehabilitation of the victims in partnership with national institutions, civil society organizations and media. Accordingly, activities would involve clarifying reporting mechanisms, equipping relevant institutions and staff (like civil society organizations, law enforcement staff) with necessary knowledge and providing trainings on how to deal with SH cases, raising awareness regarding the danger of SH

through all media outlets... (JNCW, 2017). Educating students of all ages on sexual harassment, among other crimes against women, was also recommended in order to contribute to a “cultural shift in attitudes” through promoting awareness and intervention as well as placing the complete responsibility on the perpetrator (El-Deeb, 2013; Loukaitou-Sideris, 2014; Abdel Aziz, 2015).). Also, educating men and women on the available legal recourse relevant to sexual harassment (Madan & Nalla, 2016). Sadler (2019) talked about introducing alternative masterplots and counter-narratives by activists that would defy and compete with existing myths about sexual harassment that places the blame over women so as to charge the harasser with the responsibility of his action as well as admit the negative impact over women/ girls out of this act.

Using technology is also suggested. For instance, one province in Pakistan “Punjab” has applied safety measures for women to protect them against sexual harassment. These measures involved a safety mobile application that connects the user with the police in cases of harassment and also to help women track the safest routes in the city as well as to highlight dangerous places for women to the authorities (Ahmed et. al., 2019). Enhanced environmental design is also recommended like having good lighting in the streets and transportation facilities (Loukaitou-Sideris, 2014) as well as displaying visible signs in public spaces confirming zero-tolerance to sexual harassment, reminding with punishment as well as encouraging bystanders’ intervention (Madan & Nalla, 2016). Also, more security guards to patrol public settings (Loukaitou-Sideris, 2014). Training of police officers is also recommended in order to properly handle reported cases of sexual harassment and effectively follow the law as well as spreading police patrols to instantly handle cases of sexual harassment in the street (El-Deeb, 2013; Abdel Aziz, 2015). Women’s continued activism is also encouraged in the form of workshops, speak-outs, demonstrations and even reporting the harassing behavior to the harasser’s company if his employer was known... etc. in order to represent a pressure card for policy change as well as community awareness (Bowman, 1993).

It can be concluded that street sexual harassment is a global phenomenon. It dates back to decades ago with efforts to analyze it from different perspectives and to combat the phenomenon. It requires intervention at various levels and not only a law introduction or amendment. It is also

perceived that the challenges and obstacles faced by women when they seek reporting incidents of street sexual harassment is not covered in the literature and specifically the literature relevant to the Egyptian context. This gap identified by the researcher is a motive to probe more to understand what women might face when they choose to report SH incidents as well as exploring the role of the government in light of the reported challenges. It is not an evaluation effort of the law or specific state intervention.

Chapter four: Methodology

The methodology of this study started with a desk research on sexual harassment in Egypt. A chapter is dedicated to cover the facts, prevalence, role of the NGOs, the government's policy and issued law. Field work is then presented in the next chapter through a qualitative method approach where semi-structured interviews were conducted with two groups of stakeholders. First group was the women who faced street sexual harassment and took the decision to report. The second is the informed experts working closely on the issue of SH.

For the first group, the sample is a purposive sampling of women who were subjected to street harassment and took the decision to report, whether they failed or succeeded in reporting, in order to capture their experience with reporting and to discuss the challenges and obstacles faced. Many women recently used social media platforms to narrate their experience of sexual harassment in light of exposing a student harasser and a group of rapists in the famous incident of Fairmont hotel. Consequently, platforms like Facebook and Instagram are rich sources of experiences as told by many girls and women. The researcher sought to contact as many women as possible, through social media, who narrated incidents of street sexual harassment and reporting on their profiles, or through Facebook groups. The researcher obtained approval from 7 women out of 9 women contacted. Given the method of connection used which is Facebook messenger, few other women were contacted to share their stories relevant to the research, however, messages might not have been read/ checked as there was no response at all or reading receipt.

Interview dates were set and were later conducted using zoom application. The researcher was keen on clarifying the nature of questions to the participants before the start of the interview in order to obtain their consent as per the recommendation of the Institutional Review Board (IRB). Also, the researcher advised the participants with the appropriate counselling service in case of any distress felt as per the recommendation of the Institutional Review Board (IRB) and the counselling center of the American University in Cairo.

Additionally, the researcher sought to interview experts working closely on the issue of sexual harassment. Experts represented the state through working for the National Council for Women, cooperated with the state through working in international organizations, worked on the issue through their NGOs and Cairo University and finally the legal experts (lawyers). The diversified sample of experts was essential in order to gain a perspective from different stakeholders regarding the role of the state in curbing and eliminating street sexual harassment and not only getting the view of the state. Experts were reached through a snowballing technique, in order to gain knowledge relevant to the role of government in curbing SH, implementation and enforcement of the SH law and future recommendations to end sexual harassment.

Chapter Five: Sexual Harassment in Egypt: facts, prevalence, law and policy

This chapter will discuss the status of sexual harassment in Egypt in terms of facts and prevalence, specifically in the last 10 years as well as the role of the government and non-governmental organizations to combat the phenomenon. It is divided into 4 sections: facts and prevalence, politically motivated SH, role of NGOs and social groups in fighting SH as well as the government's policy and current SH law.

To start, it is important to adopt a definition for sexual harassment. According to the volunteer-based Egyptian initiative HarassMap that was founded in 2010 as the first independent initiative to work on this issue in Egypt, Sexual Harassment is “any form of unwanted words and/or actions of a sexual nature that violate a person's body, privacy, or feelings and make that person feel uncomfortable, threatened, insecure, scared, disrespected, startled, insulted, intimidated, abused, offended, or objectified”. HarassMap adopts a view of sexual harassment that includes these forms: ogling, facial expressions, catcalls, comments, stalking, sexual invites, unwanted attention, sexual photos, using online platforms, phone calls, touching, indecent exposure and/ or threat.

Linguistically, the word *mu'aksa* “flirtation” was used to express the above-mentioned forms which has underestimated their impact and severity of the phenomenon. Only recently, the expression *ta'harosh ginsi* “sexual harassment” has been used in Egypt to express these acts (Baher, 2012 & El-Ashmawy, 2017).

From a religious perspective, sexual harassment, whether it is a sign, verbal or physical act, is a prohibited and perverted action and can't be justified under any circumstance such as women's attire. This was confirmed by Al Azhar Institution multiple times in light of prevailing sexual harassment incidents (Ahram online, 2018). Even blaming harassment on women's attire was regarded as illogical by the Egyptian El-Ifta house (Egypt today, 2020).

I) Sexual harassment Facts and prevalence:

In a study by Thomson Reuters Foundation (2013), Egypt was ranked as the worst country for women's rights among the Arab world with sexual harassment as the main factor for this low rank

(BBC, 2013). Cairo as well came as the most dangerous megacity for women in 2017 out of 19 megacities according to a report by Thomas Reuters Foundation taking into consideration sexual violence against women as an indicator (France24, 2017).

A shocking study sponsored by the United Nations in 2013 showed that 99.3% of respondents (surveyed 2334 Egyptian women) reported experiencing a form of sexual harassment, with only 6.6% saying yes regarding the response to their requests for help from the security forces on the scene of harassment (El-Deeb, 2013). Also, the HarassMap (2014) study pointed that 95.3% of female respondents reported being subject to any form of sexual harassment with 56.3% reported touching as a form of harassment. On the other hand, 77.3% of male respondents reported carrying out any form of sexual harassment with 37.1% reported touching as a form of harassment. The street was the most common place where respondents were harassed in 81.4% of the cases (Fahmy et. al, 2014). El-Deeb (2013) also observed that 92.1% of male respondents agreed that the females most subject to harassment are those walking in the street and 61.2% mentioned that “any one in public transportation can be harassed”. Relevant to the age and educational level, according to HarassMap study, males in different age brackets conducted the act of sexual harassment with its different forms. For instance, 91.7% of males between the ages of 35 and 39 conducted one form of sexual harassment according to the study (Fahmy et. al, 2014). Also, the act is carried out by males with different professions (workers, drivers, security, unemployed...) as well as school and university students according to the UN study (El-Deeb, 2013).

On the contrary, the Egypt Economic Cost of Gender-Based Violence representative survey (2015) estimated lower percentages with around 2.5 million women (9.6%) suffered from various forms of sexual harassment in the street and more than 1.7 million women (6.6%) suffered from various forms of sexual harassment in the public transportation in 2014 alone. Microbuses came as the transportation method with most of harassment incidents at 60%.

Sexual harassment in Egypt is indeed an ongoing problem and has a long history of captured and known incidents since before 2014, when SH law was issued. In fact, in 2008, an Egyptian lady, “Noha Elostaz”, became the first woman in Egypt to secure a court ruling condemning a man in a

physical sexual harassment case in the street where he was sentenced to three years (France24, 2016). However, this is a result that not all girls or women getting harassed are capable of reaching. In a 2014 study by HarassMap, results showed that only 2.6% reported incidents of sexual harassment with reasons like fearing scandals and ineffectiveness of reporting as reasons for not reporting (Fahmy et. al, 2014). Additionally, El-Deeb (2013) and Abdel Aziz (2015) referred to the fact that in some cases policemen as well harass those who report cases of SH, which make their endeavor to seek justice go in vain. This was also agreed on by El-Ashmawy (2017) who also pointed that the police is not trained enough to deal with sexual harassment cases.

Nevertheless, this should not negate the fact that other SH cases might take the normal legal path and the harasser would be punished when the victim report the case. Even without reporting, the harassers can be apprehended. For instance, in September 2020, a recent case of a foreign girl who was videotaped while being harassed by a number of male harassers in Nasr City is a proof. The video was circulated on Facebook and was observed by the monitoring unit within the Ministry of Interior who took an instant action of searching for and capturing the harassers as well as identifying the identity of the victim as reported by the Ministry of interior on their official Facebook page (The official page for the Ministry of Interior, 2020). Another case in 2019 with a similar scenario, when a girl in downtown was verbally harassed and physically assaulted and the harasser was set free by the crowd giving the girl no chance to capture him and to take him to the nearest police station. The girl's story on Facebook as written by her reached to policemen. Without reporting, they reached to a video footage that proved her claim. The harasser was searched for and apprehended and the girl testified against him (Identity, 2019). Both cases prove, first, the power of social media in circulating harassment incidents and second, the role of law enforcement officials in combatting SH crimes even without reporting.

II) Sexual Harassment as a political weapon:

Sexual harassment and assault employed as a political weapon was also a noticeable phenomenon in Egypt where women were harassed and humiliated in an attempt to be driven away from the public political scene. A number of incidents are known and the phenomenon was

augmented, especially after January 2011 revolution when it sometimes reached to a critical situation when females needed medical intervention to save their lives (Tadros, 2016). For instance, Amar (2011) noted the use of gangs of thugs or *baltagiya* to flood political protests during the time of Mubarak's regime where not only all protesters were terrorized, but also female protesters were sexually harassed and "had their respectability wiped out". El-Ashmawy (2017) as well pointed to the persistence of the practice not only before January 2011 revolution, but also after toppling Mubarak during the brotherhood's time where the phenomenon was even justified by the state when women got harassed/ assaulted in Tahrir square and they were blamed for being in the square in the first place.

Tadros (2016) explained the phenomenon of sexual violence in the context of the protests that occurred between 2011 and 2013 (a time when the country was run by the Supreme Council of Armed Force and later the brotherhood) in terms of sending a public message to deter citizens from coming out from their private sphere by seeing "what happens to men or women who dare to be politically active and engage in oppositional politics". She also noted that a number of assailants were captured and confessed of getting paid to assault women in political contexts. However, the identity of payers were not revealed (Tadros, 2016).

III) Role of NGOs and social groups in fighting SH:

The role of NGOs in combatting sexual harassment should not be denied. That is why such role was tackled in the literature, especially after 2011 as a number of initiatives and programs to combat sexual harassment came to existence. According to the prominent lawyer Azza Soliman, Chairman of the Board of Trustees of the Egyptian Women's Issues Foundation, females can either report cases of sexual harassment directly at police stations, however, there is still an atmosphere of mistrust, or they can resort to NGOs to help them report¹.

Combatting sexual harassment initiatives and social groups came to existence and intensified after 2011 revolution, especially with the augmentation of the phenomenon after the revolution and the government's lack of quick action. Their roles varied from documentation of SH cases, awareness

¹ https://www.facebook.com/watch/live/?v=974573066338734&ref=watch_permalink

regarding the phenomenon and encouraging bystanders to intervene like “HarassMap” to being active in the field in order to protect women in Tahrir Square demonstrations against harassment and assault like “Operation Anti-Sexual Harassment” and during Eid in crowded areas like “Basma” group and offering self-defense classes against harassment like “WenDo Egypt” (Langohr, 2015; El-Ashmawy, 2017; Abdelmonem and Galan, 2017).

El-Ashmawy (2017) pointed that thanks to the contributions of active anti-sexual harassment groups in collaboration with the National Council for Women, a law against SH was passed in 2014. Additionally, upper and middle class women had a great hand in the establishment of these initiatives and groups to combat sexual harassment and raise awareness about it which allowed for a platform for women in general to raise their voices, be more involved in fighting this epidemic and “exert more power and control over their daily lives” (El-Ashmawy, 2017). However, Sadler (2019) noted that despite their visible efforts, the impact of NGOs work on changing the social acceptability of sexual harassment and ending the phenomenon in the streets requires further exploration and empirical research effort (Sadler, 2019).

Relevantly, in her thesis, Abdel Aziz (2015) discussed the role of 3 Egyptian NGOs, HarassMap, Appropriate Communications Techniques for Development (Act) and Al Shehab Center for Comprehensive Development, in combating sexual harassment. She observed that the NGOs are doing their part when it comes to fighting sexual harassment through awareness campaigns, trainings, receiving complaints, legal and psychological consultations provided to victims for free as well as other activities. She also observed that although NGOs can easily reach people, there is a lack of trust, cooperation and consultation between NGOs and the government on the phenomenon of SH. This has led to a difficult mission for NGOs such as difficulty in obtaining governmental permissions on the one hand and repetition of efforts by both the NGOs and government on the other. Swailam (2015) as well, after interviewing 5 NGOs, pointed to the lack of trust between Egyptian NGOs and the government which at the end of the day “challenges the process of participatory policy making” on the issue of sexual harassment. This was evident, for instance, in the fact that some of the NGOs were invited by the National Council for Women (NCW) to attend the National Strategy for Combatting

Violence against Women meetings and some were not. Eventually, out of the 5 interviewed NGOs, those invited did not continue or stopped receiving invitations, updates or drafts on the strategy when disagreements surfaced between the government and NGOs (Swailam, 2015). It is worth mentioning that after the toppling of Morsi and with security and political concerns, anti-sexual harassment field intervention groups ceased their efforts (Abdelmonem and Galan, 2017).

IV) Sexual Harassment law and Policy:

In 2014, a law was issued by the interim president Adly Mansour to criminalize sexual harassment. The articles of the law stipulate the below:

- Article 306 A: Whoever is exposed to others in a public, private place or permissioned place through sexual or pornographic suggestions, or hints, whether by gesture, verbally, or by action through any mean including wired or wireless shall be punished with imprisonment for a period of not less than six months and/ or a fine of not less than three thousand pounds and not more than five thousand pounds. In case of the repetition of the act through stalking and following the victim, the penalty shall be imprisonment for a period of not less than a year and/ or a fine of not less than five thousand pounds and not more than ten of pounds. In case the crime is repeated again, the minimum and maximum penalties for imprisonment and fine are doubled (HarassMap).
- Article 306 B: It is considered sexual harassment if the crime stipulated in article 306 A is committed with the intention of the perpetrator to obtain a benefit from the victim of a sexual nature, and the perpetrator shall be punished with imprisonment for a period of not less than a year and/ or a fine of not less than ten thousand pounds and not exceeding twenty thousand pounds. Also, if the perpetrator is one of those stipulated in the second paragraph of Article (267) of this law, or has occupational authority, familial, educational/mentoring authority over the victim, or if the perpetrator exerted any pressure over the victim if allowed, or the crime was committed by two or more persons, or at least one of them carrying a weapon, the penalty shall be imprisonment for a period of not less than two years and not exceeding five

years, and a fine of not less than twenty thousand pounds and not more than fifty thousand pounds (HarassMap).

From a conventional policy making process/ cycle perspective, state sexual harassment law and policy can be analysed². First, the public atmosphere before 2014, when the law was issued, allowed for putting the issue of sexual harassment on top of the government's agenda and to issue the law as well as to consider SH as a foundation for the release of the National Strategy for Combatting Violence against Women. The phenomenon had augmented in the Egyptian streets whether in women's daily movement in the streets or in political contexts jeopardizing women's safety. Also, initiatives by NGOs and social groups came to existence in order to document incidents, raise awareness or engage in the field to protect women against harassment, filling in the state's role. As noted by Langohr (2015) and El-Ashmawy (2017), the efforts by youth and social groups to combat the phenomenon, especially in the streets and on social media, as well as a positive extensive coverage of sexual violence and efforts of anti-sexual harassment/ assault groups by satellite TV programs facilitated the amendment of the penal code relevant to SH. In fact, the formulation of the law came as a collaboration between the National Council for Women (NCW) and more than 25 organizations (El-Ashmawy, 2017).

Moreover, the National Council for Women worked on the National Strategy for Combatting Violence against Women (2015-2020) and the National Strategy for the Empowerment of Egyptian women 2030 that was endorsed in 2017 by the President. The first strategy came as a cooperation between the council and governmental and non-governmental organizations (Swailam, 2015). However, as mentioned above, some of the NGOs were invited by the NCW (4 NGOs are mentioned as partners in the written strategy) to attend the National Strategy meetings and some were not. Eventually, those invited (interviewed NGOs by the researcher) did not continue or stopped receiving invitations, updates or drafts on the strategy when disagreements surfaced between the government and NGOs (Swailam, 2015) indicating an exclusion of an important party from the decision making

² Considering the 5 stages of policy cycle: agenda setting, policy formulation, decision making, implementation and evaluation.

process which ended by the adoption of 2015-2020 National Strategy for Combatting Violence against Women.

It is essential to refer that the prevalence of sexual harassment in the Egyptian society was one of the foundations upon which the preparation of strategy was based on. The strategy specifically mentioned the decision of the Prime Minister No. 1045 to form a committee with a direct assignment from the President of the Republic in order to study the reasons for the prevalence of sexual harassment phenomenon and to specify a national strategy to urgently combat it³.

Moving forward, and as part of the implementation stage, a law came into existence and was supposedly applied to incidents of sexual harassment in 2014 and a national strategy (2015-2020) was announced in 2015 to be implemented with a specific timeline for its full execution. However, as previously noted, some women might not seek the legal recourse in case of sexual harassment incidents whether for fearing for reputation, ineffectiveness of reporting or the fact that they might be harassed by police officers, which would eventually jeopardize endeavors to seek justice.

Finally, an evaluation effort of the law and strategy should ideally take place to evaluate their effectiveness in curbing the phenomenon as a final step for the policy cycle. In terms of the strategy, it came under four pillars which are prevention, protection, interventions and prosecution. Each pillar has a number of sub-goals and associated activities. For instance, the activities under the protection pillar included “reviewing the draft comprehensive law on combating all forms of violence against women, holding coordination meetings with NGOs to mobilize support for passing the law, enacting legal provisions which establish stricter penalties and protect the privacy of female victims of violence, supplying and arming the forces responsible for combating violence against women with modern and sophisticated equipment, providing legal support for girls victimized by violence through NCW and taking action to protect them throughout the investigation until they are admitted in competent institutions, a guide including relevant laws and procedures in simplified form, training service providers to use the guide on cases of violence against women; expanding the system of

³ The National Strategy for Combatting Violence against Women, p 8.

mobile patrols equipped with light vehicles to reach places where violence is reported and to be constantly present in areas known for such crimes” (Nazra, 2016). As for the intervention pillar, activities included “providing suitable, equipped and separate places inside police stations to receive victims of violence, and assigning trained personnel, preferably females, to receive and file reports and collect evidence” (Nazra, 2016).

According to Nazra for Feminist Studies in a paper evaluating the first year of the National Strategy, the development of a strategy for combatting violence against women represented a positive step. However, the strategy had problems such as the lack of accurate monitoring mechanisms relevant to a number of activities and the lack of involvement of the civil society organizations with this regard, depending mostly on internal audit and self-monitoring alone, as well as the continued violence against women by state institutions (i.e. MoI) that represent a key partner in the strategy (Nazra, 2016).

As for the law, despite it used the word “Harassment”, instead of “violation of honor”, for the first time in the Egyptian penal code as a lawfully and socially acceptable term for the crime, the definition of the “harassment” crime linked the act of the harasser to his intention to have a benefit of sexual nature from the victim and not linked to the damages placed on the victim (Nazra, 2015). Moreover, the discretion of the judge is heavily noticed when applying the penalty over the harasser.

It is important to also note that according to the World Justice Project (WJP) Rule of Law Index 2020, the Rule of law is defined as “a durable system of laws, institutions, norms, and community commitment that delivers: accountability, just laws, open government, accessible and impartial dispute resolution”. Egypt is globally ranked at 125 out of 128 countries with an overall score of 0.36 (with the score of 1 representing the strongest compliance to the Rule of Law) which is an unfortunate fact. Based on 8 factors, which are: Constraints on Government Powers, Absence of Corruption, Open Government, Fundamental Rights, Order and Security, Regulatory Enforcement, Civil Justice, and Criminal Justice as well as 44 sub-factors, the 128 countries are annually ranked. Each factor has a score as well. For instance, criminal justice factor that covers effectiveness of the

system of criminal investigation, adjudication and correctional institutions as well as the impartiality and integrity of criminal justice system comes at 0.37.

Relevantly, in 2014, an anti-sexual harassment police force comprising women were deployed in the streets to deal with harassment incidents during Eid time (Abdelmonem and Galan, 2017). The deployment of female police patrols was also noticeable in later years during Eid time to combat incidents of sexual harassment through detection, reporting and arresting of harassers, especially in crowded areas like parks and in front of cinemas (Egypt Today, 2017 & 2018). Also, in 2015, president Sisi ordered that staff of all ministries undertake anti-sexual harassment training. However, the effectiveness of these measures were doubted by activists involved with anti-sexual harassment due to the lack of real political will to improve women's lives and the problem of capturing anti-harassment volunteers by police (Abdelmonem and Galan, 2017).

Another legal victory was in 2020, with the exposure of an alleged student misconduct of sexual harassment and rape through anonymous confessions on social media platforms, the government moved to amend the country's criminal law in order to protect the identities of sexual assault victims from exposure so they can anonymously report incidents. This was approved by the parliament in August 2020. The amendment came as follows (Independent Arabia, 2020): "The investigating judge may, in a circumstance he decides, prevent the victim's data from being proven in the case papers, in crimes of indecent assault, corruption of morals, exposure to others and harassment stipulated in the Penal Code and the Child Law, provided that a sub-file is created that includes the victim's data in full, with the aim of presenting it when needed to the court, the accused, and the defense".

It can be concluded that the role of the state in curbing and eliminating the phenomenon needs further analysis, especially after the issuance of 2014 SH law. The current study should fill in this gap through identifying the challenges and obstacles that women face when reporting incidents of street sexual harassment, inspecting 2014 sexual harassment law enforcement, as well as inspecting the state's role in curbing street sexual harassment in light of the reported challenges and how this role can be enhanced and improved.

Chapter six: Field Work

The chapter presents the field work findings. It consists of 2 sections. The first section covers interviews with seven women who had an experience with street sexual harassment. The second section covers interviews with ten informed experts: including two persons from the National Council for Women, two persons from NGOs dealing or dealt with street sexual harassment, founder of harassment unit at Cairo University, one person working for UN Women, two experts working for GIZ, plus two lawyers to complement the data gained from the participants.

First section: interviews with women

Interviews were conducted with seven participants. Six participants recounted their own experience with street sexual harassment and their endeavors to report it and one participant recounted her experience as a witness to a street sexual harassment incident of a friend and reporting. Few women shared more than one story of sexual harassment with an overall of eleven incidents. Incidents happened between 2014 till 2019 except for one incident in 2012. Participating women are in their 20s and 30s. No more data about the identity of the participants were required from the participants in order to protect their anonymity. It is worth mentioning that it was hard reaching to more girls given the sensitive nature of the topic. The researcher was denied the information/ sharing the experience by one person and was ignored by another one as well.

Given the methodology of the research, the below experiences are a representation of street sexual harassment incidents that happen daily to a lot of women and girls in the Egyptian streets. These experiences provide a glimpse of reality and does not guarantee inclusiveness of all forms of harassment, attitude of bystanders and obstacles to and during reporting. Below themes and sub-themes are discussed.

I) Harassment as a daily challenge:

Street sexual harassment is a daily challenge for women walking in the street regardless of the location. All participants of the research reported having been subjected to street harassment whether verbal or physical. Participant one noted that:

“I’ve been subject to multiple sexual harassment incidents whether physical or verbal, even by signs or silent harassment like while I’m driving. It happens on a daily basis every time I go to the street... It has been happening for a long time ever since I was a child ... How I feel about it, of course, it is frustrating and affecting my mental health to a great extent. My whole life is going around how to avoid sexual harassment or sexual violence or what I do, what I wear, how I look, how I talk and how I walk. Everything is about that”

(Personal interview, Participant 1, February 2021)

Street Harassment can then be perceived as a normal part of women’s lives that requires an extra effort to be avoided and dealt with. To begin, street sexual harassment contributes to an unsafe nature of streets to women. Girls and women are required to be more alert while walking or even they might avoid using the streets at all in order to avoid being subject to any kind of harassment.

Participant two and four agreed on the need to stay alert when walking in the streets with participant four noting that:

“I think a lot before walking in the street. I don’t walk a lot now. I don’t walk in strange streets to me. I’m very alert”

(Personal interview, Participant 4, February 2021)

Relevantly, participant one noted that:

“The only way to avoid it is by taking my car all the time. I don’t use public transportation at all. I don’t use taxis. I try to avoid Uber and other transportation methods in order to avoid the situation as well or I stay in an indoor place in order to avoid it”

(Personal interview, Participant 1, February 2021)

The above expresses how unsafe women might feel if they decided to do a simple act like walking, depriving them from a normal act and limiting their freedom of walking in the streets.

Something that men might not face in their daily lives.

Street sexual harassment can constitute not only a safety concern, but also a financial burden in order to avoid it. This was agreed on by participant three who expressed the additional financial burden of taking a private transportation like Uber in order to avoid walking for a couple of streets as well as participant five who chose to pay a big rent in order to live in a gated compound and avoid dealing with the community and being subject to any incident of sexual harassment.

Harassment versus Assault:

Moving forward with the act of sexual harassment itself, it is important to clarify that based on the previous literature review, the definition of sexual harassment adopted by Harassmap as well as the stories shared by the participants themselves, touching was considered as one form of sexual harassment. However, this has been nullified by lawyer one, lawyer and legal researcher concerned with gender cases, who clarified that touching or physical harassment is a crime of indecent assault. The lawyer noted the following distinction:

“Once it reaches to the body of the victim and the areas of decency then this is an indecent assault Hatk erd or sexual assault according to the Egyptian law... touching for instance is called harassment according to the press and media... Harassment in the Egyptian law is flirtation mooakasa through the phone, or face to face verbal annoyance, signals or gestures, facial expressions, hand gesture, online. These are forms of harassment. Once there is a reach for the victim’s body in the areas of decency, then this is now a felony of indecent assault Hatk erd and not harassment. Pinches and hitting are felonies of indecent assault according to the law. Harassment is the societal definition for them. Harassment is a misdemeanour. Indecent assault is a felony in the Egyptian law with a jail time between 7 to 15 years... To sum up, physical harassment is indecent assault according to the law”

(Personal interview, Lawyer 1, March 2021)

This expresses how a lot of women and girls might have been subject to indecent assault in the street, but unfortunately, they could not place the right definition for what happened against their bodies. They expressed a wrong concept of what happened to them. In fact, all of the participant

recounted incidents of being touched as incidents of physical harassment and not indecent assault⁴.

Participant 3 noted the below:

“I’ve been subject to physical and verbal harassment. First incident was in August, 2014. I was heading to my work as an intern during college. I always pass by Giza to take a transportation to work and meet a friend. It was 3:30 on that day. I was waiting in the street. I was standing and found a person going around and around and suddenly he stood behind me and physically harassed me while his zipper was open. He indecently touched me by his body from my back. He strangely glued to me. I screamed and pushed him away. I grabbed him to hit him. I felt something weird happened to me and could not understand it... At the front gate of the police station we were asked about the reason for approaching the police station. We said it is a harassment case... The harasser was detained for one year upon investigation and then took three years as a verdict. This was the least time period for the charge of indecent assault Hatk Erd”

(Personal interview, Participant 3, February 2021)

The case was reported at first as a harassment case. However, the act was in fact an act of indecent assault. This demonstrates that there is not enough knowledge among the public and women in specific regarding the difference between both crimes. In the Egyptian law, indecent assault is a grave breach of the woman’s modesty by assaulting - by the use of force and threat - her body, whether by exposing or touching her areas of decency.

It is notable how aggressive and daring the act can be by the harasser towards the victim in the streets and in front of the people, whether in the middle of the day as recounted above by participant 3 or at night. Participant 5 is another example as well:

“In Dokki, around 2016, I was walking alone around 11 pm. I was heading home coming back from work. I had to get some groceries. I felt someone like hugging me from the back,

⁴ For the sake of this research, indecent assault will be described as physical sexual harassment (as expressed by the participants).

paralyzing my movement. At first I thought it was someone trying to steal my purse. I screamed. He groped me. I found that my purse is still in my hand and was not taken. He ran. I figured out instantly that this guy actually groped my breast and my back. I lost it”

(Personal interview, Participant 5, February 2021)

This vile daring act can tell how ignorant the harassers can be with the law or how confident they might be that they can run away with it. Specifically, participant 3 noted that investigators had a difficulty believing her story at first given that there is no sane person would do this act in the street in the middle of the day. Additionally, the accused person was not on drugs or even revenging from the victim as later proved.

It was also noted that the act of sexual harassment in the street can sometimes develop into a more violent confrontation between the harasser and the victim. Participant 3 shared a third incident where she as well as her friend were beaten by the harasser when they confronted him. She clarified:

“It was Adha feast, 2018... I met my friend and we decided to walk from Qasr Einy to Tahrir. Two men (a man and his younger brother) walked behind us. My friend was wearing a dress. One of them suddenly cursed my friend while referring to her body and outfit ... the incident developed into a quarrel and fight when the harasser started by pushing my friend... me and my friend were heavily beaten. I got a torn ligament in my leg. My friend got a shoulder injury. The harasser was a gym captain. I was trying to protect my friend. He was touching her body while fighting with her. She was in a dress that was a bit revealing. I was afraid for my friend as she might get more harassed.”

(Personal interview, Participant 3, February 2021)

This tells that the harassment act can be a start of a violent scene in the streets between two strangers. Relevantly, participant 1 as well mentioned that she had to slap the harasser after she was subject to verbal harassment through sexual remarks. She had to slap him as people were heavily involved by separating both the harasser and the victim as well as knocking her arm and hands to let go of him.

“I went back with bruises and scratches in my arm”

(Personal interview, Participant 1, February 2021)

Expressing how more violent and disruptive incidents of sexual harassment may turn, not because of the reaction of the women, but because of the harassment act itself. A girl can find herself in a fight or quarrel to preserve her right.

Relevant to the age range, the researcher did not note a specific age range of harassers. The act happened from men with different age range starting from being a teenager, only 13 years old as reported by participant 5, till being in 40s and married with children as reported by participant 4.

Contributing and non-contributing factors to capturing harassers:

1- Courage and persistence

A number of factors that contributed to the capture of harassers and/ or reporting the incident at the police station. First, it appears that the courage and persistence of the participants by running after the harasser, contrary to not acting at all out of shock or young age or disappearance of harasser... etc., is one important factor which contributed to capturing the harasser. Also, making street harassment a non-trivial act according to the participants as it requires to be reported. All of the interviewed participants ran after the harassers in order to capture them and to file a police report.

Participant six recalls:

“Unfortunately, this is not the only time that someone harasses me in the street. And thank God I always try to react and gain my right, but truly that incident was the hardest one. It’s been 4 years. I was walking in the street with my sister and friend and all of a sudden someone placed his hand on my back. It was not only a touch, it was in a way that I felt it for a while. I ran after him and I as well as my sister hit him”

(Personal interview, Participant 6, March 2021)

Instant overcoming of the shock and taking the decision to run after the harasser when he is visible enough contributed that a lot of women captured the harassers whether on their own or through help. Persistence of women is noted.

2- Stance of bystanders

The second factor to be considered in contributing to capturing the harasser and reporting him is the help received from the bystanders. It is noted that some participants used a technique of screaming A THIEF in order to grab attention and encourage bystanders to interfere and help them capture the harasser. Participants 2, 4, 7 used this technique in order to get people help them capture the harassers. Participant 2 recounted the below:

“One time I was physically harassed on the streets. It was late 2014... I love walking in the streets. People would advise me not to do so due to the presence of street harassment. To me, the street is a public domain. Everyone has the right to walk freely in the streets... It was around 7:30, I take my precautions not to wear something that would grab the attention... While walking, a man coming towards me and he hold me like that (referring to chest area, i.e. groped me) and continued walking. For a moment I was not sure this actually happened. I turned around and looked. He looked at me and continued walking as if I'm crazy and nothing happened... I ran after him... Before, I read a post on Facebook about a girl that was harassed in the metro and in order to get people to help her and to pay attention to what happened to her she screamed A THIEF instead of A HARASSER and people reacted and it was effective... I did the same. I started screaming A THIEF and he started to run and was about to escape... a man on a motorcycle offered to stop the harasser for me, I said yes. He worked for Giza security directorate”

(Personal interview, Participant 2, February 2021)

This tells that people can sometimes effectively act when there is a thief and not a harasser or assaulter which is an unfortunate situation. It is unfortunate as well that a lot of participants reported a discouraging stance from the side of the bystanders (or some of the bystanders in the scene) by

discouraging the girl not to report or helping the harasser to escape as agreed by participant 1, 3, 4, 5, 6, 7. According to participant 5:

“Of course people kept telling me its ok maalash, forgive the harasser, he is young and don’t ruin his future... thank God it was just that (the harassment), this is enough, the harasser learned the lesson and no need for a police report... I said if that was your sister or wife would you let go of your right? Because unfortunately, this is the language that the Egyptians understand”

(Personal interview, Participant 5, February 2021)

This was confirmed by lawyer two as well who mentioned that if the girl wanted to report the incident, she is attacked by bystanders in order not to ruin the future of the harasser. Relevantly, lawyer one added that it can be hard as well for girls to bring witnesses to the police station or the trial to officially witness the incident confirming that: *“Usually, people will not go and witness with the girl. This would make a lot of girls lose their right in many cases as there are no witnesses”*. This can tell how ignorant people can be relevant to their knowledge with the impact of harassment or assault on women. However, it is noticeable that participants did not use the terms assaulter or assault, but only the terms harasser and harassment. Indicating that women and girls should use the right term to express the gravity of the act and gain the bystander’s adequate support as bystanders might consider harassment as a trivial act.

Bystanders’ stance can be not only discouraging, but also extremely harmful to the girl seeking to capture and report the harasser. Participant 6 recounted that:

“... I ran after the harasser and I hit him me and my sister. A lot of people gathered around us to the extent that during the crowdedness another man touched me and I could not recognize him... One of the bystanders quarrelled with me and helped the harasser to run away and I ran after him again and caught him... My sister was holding the harasser in the middle of the crowdedness and I went to get a taxi and begging the driver to take us to the police station. Bystanders placed the harasser in the front seat of the taxi and me and my

sister sat in the back seat where we were locked by the people inside the taxi and they let go of the harasser who escaped. They asked the taxi to go on”

(Personal interview, Participant 6, March 2021)

The above shows how the bystanders are not only unhelpful in some cases, but also extremely harmful to the girl who wishes to pursue her right and capture the harasser and report the incident. Participant 6 never captured the harasser in that incident. Indeed, crowdedness around the girl who can be alone in the situation can pose a further risk to the safety of the girl in the middle of the scene. This was also agreed by participant 1 and participant 3. Participant 1 noted that:

“Basically, what discourages me the most is that people will not help me, but on the contrary will try to hurt me. Some other people will take advantage and try to harass me while fighting with the harasser. This happened before. I would be grappling the harasser and someone would come behind me and just hit me or try to grab me”

(Personal interview, Participant 1, February 2021)

Indeed, pursuing a girl’s right to capture and report the harasser can develop into another harassment incident in some cases. A cycle that is never desirable.

3- Presence of police on sites

The third factor to be considered in contributing to capturing the harasser and reporting him is the presence of policemen in the scene of the harassment incidents either at the same time of the incident or approaching later because of the scene or being called. Participant 2, 3, 4, 5, and 7 recounted that they were lucky enough when there was a policeman or police car or someone from the security apparatus in the area where the harasser was officially dealt with at the spot. Participant 4 mentioned that:

“The incident was in 2019. In a very active street, I was with my friends buying something and suddenly someone physically harassed me. I looked to find the harasser looking at me and smiling. I ran after him. Usually, I don’t ask for help from people in the street... I have a

very bad experience regarding people's reaction in the street. I was programed that I will not ask anyone for help... To my luck, there was a police car nearby the incident. He was caught by informers mokhbreen and brought to the police car, then things started to be formal. The officer by the police car told me if you want to report it is alright, if not the harasser will be left but you have to report"

(Personal interview, Participant 4, February 2021)

The presence of policeman or police car or someone from the security apparatus in the scene or their later presence helped in putting an end to the incident by capturing the harasser and accompanying the girl to the nearest police station upon the request of the victims in order to file a report as confirmed by participant 2, 3, 4, 5 and 7. Participant 3 recalls:

"The informer mokhbar asked me whether I will leave the harasser or report him. I said I will go to the police station. He said you look decent and you will get into trouble tatbahdely and you can see how the harasser is. He must be on drugs... I insisted. We took a transportation to the police station, a microbus. Me, the harasser and the mokhbar"

(Personal interview, Participant 3, February 2021)

This tells how important is the instant presence of policemen at the scene of the incident in order to logistically deal with the situation by keeping a hold on the harasser, stopping the pressure over the girl by bystanders and accompanying the girl to the nearest police station.

However, participant 1 had a negative experience when she asked for help from a traffic officer who told her: *"this is not my field of expertise, I'm a traffic officer"*. Indicating a need for more knowledge on how to deal with cases of street sexual harassment not only by police officers, but also by traffic officers who are considered as frontline officers in cases disrupting the peacefulness of streets and safety of pedestrians.

II) Reporting incidents of street harassment:

The next stop for women who managed to capture the harassers is to file a police report at the nearest police station and to approach the prosecution office on the next day of reporting. At the police stations as well as the prosecution office, the process is not as smooth as women would wish after the difficulties of capturing the harasser. Reporting can as well involve pressure in order not to proceed.

Context of reporting:

First, the context and conditions of reporting is not as safe and friendly as it should be. Lawyer one describes the scene and context once the girl would enter the police station as follows:

“At the police station, girls are not well received, there is no respect for privacy in treating the girls reporting harassment cases. Meaning, when approaching the police station, there is an entrance/ reception with a policeman Amin shorta writing reports and people in front of him reporting different cases. What happens is that the girl might be traumatized or broken down when she reports an incident on the same day. There is no qualified person to deal with her, there is no one who would seat her in a different place, no one asks her to recount in a semi-private place. The girl would find herself reporting a case and recounting what happened in an open space in front of all people who are in the same place to report. This requires being tough”

(Personal interview, Lawyer 1, March 2021)

This tells how all reported incidents at the police stations are equally considered. Nevertheless, incidents of violence against women indeed would require special measures to handle women in trauma and shock.

Participant 3 as well expressed frustration for having to recount the incident that happened to her with all its hurtful details to a lot of policemen and officials at the police station and at the prosecution office:

“At the police station, I was met by the head of investigation Raees mabahees who was astonished when he knew it was a harassment case as if this police station never sees cases of harassment. He asked me what happened... I was 19 at that time... He asked me to recount what happened to a number of police officers. I was taken to a number of officers... This was part of a very bad process. It was a counter with three officers as well as the male report writer... they were laughing while I was recounting my story. They had a difficulty believing that the act of the harasser happened in the day time and not at night... I was stunned and could not understand... At the prosecution office the next day... I went without a lawyer, only with my father, while the harasser had two lawyers. I did not know I had to get a lawyer. I could not understand anything. I thought I'm here to finalize everything. I stayed around 8 hours. I was nervous. I had to tell the story multiple times again. I told the story in front of 6 prosecutors wokala nyabah who were present for a meeting with the head of the prosecution office Raees nyabah and stayed to listen, upon his request, to my story. I was confused why they stayed while the meeting was over. He asked me not to be embarrassed and to tell the story... I told the story... I had no witnesses. I told the story again to another prosecutor wakeel nyabah. He was nice to me. So, I recounted the story to the head of investigation, the 3 officers, then again to the writer of the report, the head of the prosecution office along with the 6 prosecutors and finally to a single prosecutor...”

(Personal interview, Participant 3, February 2021)

Being under a pressure to recount several times is never an ideal situation for victims who might be in trauma or shock. The above was confirmed by lawyer one who clarified that:

“After reporting, the prosecution step still has problems such as no specific mechanism to hear the complaints. I once attended an investigation in a big office with two prosecutors. One prosecutor covering a theft case and interrogating an accused person and another prosecutor meters away covering my case. The girl is recounting an incident in the presence of a prosecutor, a secretary, another prosecutor, a secretary, an accused person with his lawyer listening to the girl's story. That was in 2018. I'm not saying the prosecutors are not

sympathizing or not doing well, I'm saying that there are issues and details that should be taken into consideration as well as the psychological state of the survivors reporting and recounting an incident”

(Personal interview, Lawyer 1, March 2021)

Indeed, being tough and capable of recounting all the hurtful details in a context that might not be encouraging enough is the only choice for victims in order to proceed with reporting. A safe space and friendly environment would be essential as well.

A noticeable pressure:

It was also noticeable that women can be pressured by persons belonging to the police stations and/ or the prosecution offices, whether directly or indirectly, in order not to proceed with reporting. This was confirmed by participant 1, 2, 3 and 7. A form of indirect pressure was expressed by participant 2 who went to the prosecution office to continue with the reporting process:

“At the prosecution office, at first a senior officer informed me that usually in these cases the harasser is detained for 15 days upon investigations where we teach him about it bnrbeeh and then the girls would waive the case... on the contrary, the prosecutor wakeel nyabah was very supportive and told me not to waive my right”

(Personal interview, Participant 2, February 2021)

A situation that a girl should never be exposed to whether directly or indirectly. Participant 3 expressed a clear case of pressure at the police station as well as at an office linked to a police station when recounting her second and third experiences of street sexual harassment. Relevant to her second experience:

“The second case was a verbal harassment. In 2017, I was finalizing the paperwork for my passport at a passport office linked to ... police station. The verbal harassment was a description of my body by two officers Omnaa shorta. They stood and talking about me. So, I raised my voice asking them who you are talking to... It turned into a quarrel. I screamed

asking who the responsible person here is. There was the passport Major Raeed sitting at his office... He told me they were annoying bayaaks you. They can be teached about it ytrabo... I did not want to go through the police station experience of reporting again. I said I was willing to submit to the administrative law of the place. The Major at first was not convinced with verbal harassment. I searched for the law on my mobile and showed him. The Major told me this is the first time to hear about it... I just moved here from Aswan and I don't want troubles in my unit... please sign this paper that you will not go to ... police station or any police station. He told me that my wedding is soon and I cannot stand any troubles currently”

the Major involved the participant in his personal issues to pressure her not to report the incident that happened at his unit and threatened her to disrupt the issuance of her passport if she reported. “I thought I was dealing with a retarded person... He said I personally ask you not to report and the 2 officers Omnaa shorta will be moved to Areesh and get a 15 day deduction... I had no energy to quarrel about it... and the first harasser was about to leave jail and I did not know he would retaliate or not... I said I will submit to the administrative law and sign that I will not report this on the condition that you confirm their punishment”

(Personal interview, Participant 3, February 2021)

This shows not only a pressure to prevent the girl from further reporting the harassers through belittling the harm she endured, but also an ignorance with the law from someone supposedly belonging to the security apparatus and should be preserving the safety and security of the attendees from the public in his unit. Lawyer two as well added that the threat with stigmatization by the security officials who write the reports can pressure the girl in order not to proceed with reporting. This was supported by participant 1 who clarified:

“Once you go into the police station you are objectified. Even if you are going to report something, you are objectified the moment you enter the police station. And this I have been told by a police officer. He told me don't you think that everyone in the police station are wondering what you did to enter the police station. They might think that you are in vice Adaab”

(Personal interview, Participant 1, February 2021)

This indicates why a lot of girls and women might fear going to the police station to report or might think reporting is not effective as indicated before. Moreover, the pressure contributed to giving up reporting in the case of participant 7 who recounted a street sexual harassment case that happened to her friend in her presence:

“Last year. I was with my 4 friends waiting in front of the university to stop a microbus. A man was standing next to us to stop a microbus as well... our outfits were respectable. Most of us were veiled... Suddenly, one friend was screaming and cursing. We were all shocked. She said this man touched her. He touched her back area. He then ran... My friend filed a report... She needed witnesses. Witnesses had to go to the police station and prosecution office several times... She was told that she and the witnesses had to come several times to the office of prosecution. My friend decided to give up reporting as she was scared for us. She filed a couple of reports one of them was a non-exposure adam taarod by the harasser... what I know is that the harasser was detained for several days and was beaten... Everyone asked my friend to give up reporting as it was going to be a hassle including her family, male friends and officers at the police station”

(Personal interview, Participant 7, March 2021)

Something that indeed jeopardize the system of justice when the harasser or assaulter is released or left when the girl decides to give up reporting. Lawyer one agrees on the presence of pressure over girls in some cases. According to lawyer one:

“Some officers Amonaa shorta might sympathize with the harasser... At the social level, people would accept and understand that someone would be jailed and punished for theft and so he deserves it. But being punished and jailed for harassment, people consider this trivial or does not deserve jail... this is relevant to harassment cases not indecent assault for instance... in some cases, harassers are advised to file any report against the girl to be accused of anything. So it will be a report versus a report. The girl would find herself accused in another

report. Accordingly, it will be said if both parties did not give up reporting, they will both spend the night at the police station till the prosecution next day. When the girl knows about this, they would give up reporting and this happened a lot. And some harassers might have the knowledge about the legal procedures, they would file a report against the girl without being advised”

(Personal interview, Lawyer 1, March 2021)

Again, this shows the need for using the right term when a girl is subject to assault. It should be clarified that an incident of assault took place and not harassment in order to gain the adequate support from bystanders. Also, this shows the necessity of enough awareness and trainings to the law enforcement staff regarding harassment and assault law and impact. However, this does not negate the presence of positive or neutral stances from persons belonging to the police station and/ or the prosecution office as confirmed by participant 1, 2, 3, 4 and 5. According to participant 5:

“The prosecutor wakeel nyabah was great in fact. His terminologies were not masculine at all. I was very surprised. He warned the harasser that detention is the place for anyone attacking someone or violate their privacy... The overall process of reporting was very positive surprisingly. I also was involved in a harassment incident before as a witness and the treatment was surprising and very understanding”

(Personal interview, Participant 5, February 2021)

This tells that the pressure to give up reporting is not a systematic approach at the police station or the prosecution office. It comes from different people at different levels at the police station and the prosecution office.

Another kind of pressure that women and girls are subject to during the investigation time is the pressure from the family of the harasser over the girl to give up reporting. The information regarding the identity of the girl would be available through the written report. This was reported by participant 2, 3 and 4. According to participant 4:

“I was begged by the family of the harasser to give up reporting... the family of the harasser kept approaching my father’s house a lot in order to beg him. They would wait for him in the street when he left his apartment... they got the address from the written report”

(Personal interview, Participant 4, February 2021)

This refers to a significant loophole when reporting cases at the police stations which makes the information regarding the girl’s identity, address and phone available to the lawyer and family of the harasser. Unfortunately, pressure can sometimes reach to a real threat with harm as expressed by participant 3:

“The brother of the harasser told my father that I can be splashed with acid water at any time”

(Personal interview, Participant 3, February 2021)

This expresses a real danger to the safety of victims after reporting. Despite the release of the anonymity law in 2020 to protect the identity of victims reporting sexual violence, lawyer two referred that the leakage of the identity information still happens and can be used to harm the girl’s reputation to pressure her to withdraw her case, noting:

“In 2020, a law was enforced to criminalize the leakage of the victims’ information in rape and sexual harassment cases. The purpose of this law is to protect the victims from information leakage, mudslinging or blackmailing... However, we found that after the law still the victims’ information are shared and lawyers of the accused persons in cases of harassment, indecent assault or rape share these information. Like the case of Meet Ghamr⁵ girl who was subject to mudslinging and blackmailing on social media platforms and online news... Up till now, although the prosecution office is dealing with those who share information and blackmail victims. However, these procedures are not enough... the media as well is a weapon against women in Egypt, especially in sexual violence crimes. The articles of

⁵ A girl was subject to group sexual harassment and assault.
<https://www.elwatannews.com/news/details/5388212>

the law need specific standards or procedures to protect victims of sexual violence against mudslinging. With mudslinging, reporting of cases is less”

(Personal interview, Lawyer 2, February 2021)

Relevantly, lawyer one expressed that there is no clear mechanism for the implementation of the anonymity law as there is no system that can prove the source of the information leakage “*This is a procedural issue. If the information of the victim was leaked, who is responsible for that? The adversary, the police... The law did not clarify a clear mechanism for that... the implementation mechanism is not clear*”. This confirms the need for a strict implementation of the law as well as a clear punishment for those breaking it.

III) 2014 law enforcement:

Despite the real difficulties faced by victims starting from the sexual harassment act till being pressured not to report or proceed with reporting, real victories by women were reported when harassers were brought to trials and got jail time. This was confirmed by participant 1, 2, 3 and 4. According to participant 4:

“The harasser was then jailed for 6 months... I was relieved and satisfied. I thought if I waived I would be relieved, but later after I calmed down I was convinced with his punishment”

(Personal interview, Participant 4, February 2021)

It was noted that participant 1, 2 and 4 expressed that the harassers got a verdict of 6 months which is the minimum jail time for harassment cases in its simple form as indicated by article 306 A for 2014 law, while participant 3 referred that the harasser got 3 years since it was a case of indecent assault (a time jail less than the minimum time indicated by the law for indecent assault). When asked about this, lawyer one as well as lawyer two referred to the discretionary authority in the hand of the judges. With lawyer two referring to the excessive use of the discretionary authority by the judges in the crimes of sexual violence and lawyer one clarifying that:

“There is something called the merciful verdict. And no one can be against the use of merciful verdicts as it is a legal principle pertaining all type of cases. The problem in Egypt is that the use of merciful verdicts does not have objective standards. A judge might use a merciful verdict in a case. Other parties of the case have no right to understand why the judge used a merciful verdict as this is not guaranteed by the law... it is an absolute authority by the judge. The judge can also override the minimum time of jail and the accused would get no time in jail...”

(Personal interview, Lawyer 1, March 2021)

Accordingly, with the absolute discretionary authority in the hand of judges, harassers and assaulters can sometimes run away with their act if not getting the minimum time period of jail. According to lawyer one, this was the case with Zagazig Doctor who acted indecently towards a girl sitting beside him in a microbus (Akhbarelyom, 2021) in a clear sexual assault case and not harassment as known in the media. The judge’s discretionary authority reached to sentencing the harasser with jail time of 1 year with a suspension of execution as confirmed by both lawyers.

One contributing factor to a quick verdict was mentioned by participant 3 relevant to her third incident which is the power of social media in bringing a case to the attention of the public and pushing it forward. Relevant to her third case, participant 3 noted that:

“The case went viral as I wrote on Facebook that we were at the police station and that we are accused despite being harassed and the Facebook post spread. Things went very quick. This is one of the fastest harassment cases as the verdict was out after two weeks. I understood that this happened as it is a new state orientation for a quick action. There was an online support as well as in TV programs. There was a real support... The harasser took 2 years and 3 months as a verdict for cursing, hitting and sexual remarks as well as a fine... the verdict was lessened into 6 months after appeal”

(Personal interview, Participant 3, February 2021)

Indeed, in these times, the power of social media is undeniable. Creating trends and pushing incidents for further reaction is noticeable. This is in fact an area that needs further exploration.

Second Section: interviews with experts

The researcher had to reach out to a number of experts in order to understand how street sexual harassment is tackled by the state. Experts were asked about the nature of state efforts (not the specific details of the activities) relevant to combatting the phenomenon in general and relevant to the challenges reported by the interviewed participants in specific.

Interviews were conducted with 10 experts including 2 persons from the National Council for Women, 2 persons from NGOs dealing or dealt with street sexual harassment, founder of harassment unit at Cairo University, one person working for UN Women and another 2 persons working for GIZ as well as 2 lawyers. The below theme and sub-themes are discussed.

I) A noticeable change over time:

Efforts to combat sexual harassment are visible during the past years, whether at the state level or at the level of the civil society working on the topic. The law is not the starting point of these efforts as clarified in the literature review section. The law is a result of a fruitful efforts and talks about the gravity of the phenomenon in the Egyptian streets. The below reflects a noticeable change in combatting sexual harassment in the past years.

2014 SH law:

To start, June 2014 marked the year when a law criminalizing sexual harassment was issued. This act was not criminalized before. It had to be criminalized due to the increase of the act and the increase in the number of victims of this act. The articles of the law are activated. Women get to report harassers and bring them to trial with the charge of sexual harassment. However, according to lawyer two, still the articles of the law require awareness among women concerning what is harassment and why she has to report. Also, sensitizing security and judicial authorities and the

society as a whole in order to reach to a complete activation of the articles of the law and to reduce incidents of sexual harassment. Whether in work, public or private places. According to her:

“The prosecutor or investigator should have enough awareness. Everyone including the investigator, the secretary, the judge. This will facilitate safe reporting for girls and make them confident that they will not lose their rights and will not be stigmatized. This will facilitate the investigation and the search for evidences up until the verdict... we have a legacy of societal stigmatization, why is the girl here? Why is she wearing that? Awareness is needed. The law without societal awareness is pointless”

(Personal interview, Lawyer 2, February 2021)

The law has its positive as well as negative side as clarified by lawyer one. First, for the first time in the Egyptian law there is a formal definition for “harassment”. Before, there was a difference between the legal definition of the crime and the societal definition for harassment. Harassment was legally known as “violation of female honour” at the public domain unlike what is known among the public. Now, the law uses the description agreed by the public. Second, Article 306 B of the law describes what harassment is. To lawyer one: *“This is good because in the Egyptian law, the definition of the crime is sometimes not available in the body of the law”*. As for the negative side of the law, the definition includes that the perpetrator’s intention is to obtain a benefit from the victim of a sexual nature. This section needed reformulation, because sometimes harassment happens for blackmailing, humiliation, insult.

However, clearly, the law alone is not the only way to combat the phenomenon. The state, through the concerned governmental institutions as well as the non-governmental and international organizations granted permission by the state, has a role in combatting sexual harassment.

Awareness raising and trainings:

First, there has been a lot of awareness campaigns by the state through the National Council for Women (NCW), which was established as an independent national mechanism affiliated with the President of the Republic that proposes general policies for the advancement of women as well as

their empowerment. The council has been working for years on the phenomenon of sexual harassment in the public domain with international and local partners. Since a very big part of combatting harassment is awareness and training, according to NCW expert, efforts include awareness campaigns and trainings as well as complaints hotline, legal assistance and psychological support to victims... etc. For instance, the UN Women ongoing Cairo Safe City and Safe Public Spaces programme that was launched in 2011 in Egypt and is part of a Global Flagship initiative, though the idea was on the table by Dr. Heba Nassar (Vice President of Cairo University) in 2010. In partnership with NCW, the programme targets creating a safe environment for women free from sexual harassment and violence in the public domain to ensure their empowerment. According to NCW expert, one component among many others of the programme was an intervention with Toktok (auto rickshaw) drivers, saying:

“We targeted Toktok drivers in specific areas. They were given stickers of safe toktok, so that any girl would take this toktok would know that this is a trained driver and she will not be subject to any kind of violence or harassment”

(Personal interview, NCW Expert, March 2021)

A Programme manager at UN Women, the UN organization dedicated to gender equality and women empowerment, referred as well to *ت مربوطة* media campaign of 2017, in partnership between NCW and UN agencies, with the objective of creating public awareness supportive of women economic, social and political empowerment, as well as combating violence against women with a specific focus on the crime of sexual harassment. For instance, the television advertisements for the campaign included messages to women to encourage her right for a normal life without fear, the society to encourage positive confrontation of the crime as well a message to harassers to understand the gravity of the act⁶. However, by watching the advertisement directed to harassers, the ad did not clarify the legal punishment for harassment which is the jail time and fine. It only clarified a consequences of a street fight relevant to a harassment incident and no mention for the legal

⁶ Television ads: <http://ncw.gov.eg/Campaign/119/%D8%AD%D9%85%D9%84%D8%A9-%D8%A7%D9%84%D8%AA%D8%A7%D8%A1-%D8%A7%D9%84%D9%85%D8%B1%D8%A8%D9%88%D8%B7%D8%A9-%D8%B3%D8%B1-%D9%82%D9%88%D8%AA%D9%83>

punishment. Also, the ad directed to women and girls focused on the act of harassment. It ignored for instance the act of indecent assault.

Another example in 2018 was an awareness campaign, in cooperation between NCW and UNFPA (United Nations Population Fund), inside of the subway that had 4 components with one component on sexual harassment. According to NCW expert:

“There is also the media awareness campaigns like don’t let a station stop you متخليش محطة توقفك. This was at the metro and had a part related to harassment. That was in 4 major metro stations. The campaign was evaluated and had very good results. We had for the first time large banners for the assigned punishment for harassers so that people would be aware enough that there is a jail time for harassment as well as fines. It was hanged in banners for the first time and was seen by the people”

(Personal interview, NCW Expert, March 2021)

The campaign delivered important messages to potential harassers, potential victims and potential bystanders in incidents of sexual harassment in a transportation method attended by around 2 million daily in 2017/ 2018. These messages included the assigned punishment for harassment, encouraging the girl to act positively in case of harassment, encouraging people not to be silent and to help the girl. The messages also included declaring that touching is an act of indecent assault which is a very important message to women and girls in order to understand the right concept to be used and not to consider touching as only an act of physical harassment (Almasry Alyoum, 2018). Recently, as well the metro company decided to install surveillance cameras inside of the metro vehicles in order to monitor the passengers’ behaviour and confront harassment (Elwattan news, 2021).

A recent campaign in 2020 is a campaign called a safe ride أمان السكة between NCW and European bank for reconstruction and development and railway authority. According to NCW expert:

“We targeted stations in 4 governorates. We had volunteers talking with the people on the problems they face regarding harassment in the public domain and harassment inside the train. Relevant to the campaign, we had a new service by the railway authority which is the

hotline so that people can call and report. We trained the staff serving people at the railway stations on the gender issues and women's issues in general"

(Personal interview, NCW Expert, March 2021)

Additionally, multiple ways to report incidents of sexual harassment were introduced, in addition to the hotline, such as reporting to railway staff or present volunteers and sending email (Akhabr elyom, 2020). The above reflects the targeting of active attended transportation method in order to convey important messages relevant to combatting sexual harassment. This can ensure a great number and a wide range of audience.

Trainings as well are part of the efforts to ensure the understanding of the law and its implementation. NCW experts confirmed that there are trainings provided to judges, prosecutors, prosecution associates as well as police station personnel relevant to violence against women topics including sexual harassment. One expert confirmed that there are trainings that were conducted in the United States of America. Another confirmed that these are ongoing annual trainings provided by the NCW. However, up till now, trainings are only targeting high position personnel as confirmed by NCW expert and not all factions of the security apparatus like *Omnaa shorta*: *"We train higher levels because when they are reported about the behaviour of Omnaa shorta, they will take an action"*. Lawyer two confirmed as well that prosecutors are trained on subjects such as sexual harassment, noting that:

"I coincidentally knew that there is a training for prosecutors. While I was attending an investigation, one prosecutor said he had a training in these kinds of cases of violence against women. This makes a huge difference. Prosecutor would be aware of the psychological dimension and the procedures. Trainings make a big difference in dealing with victims and facilitates the procedures"

(Personal interview, Lawyer 2, February 2021)

Indeed, well trained law enforcement personnel can contribute to enough knowledge with the law and its implementation as well as with the psychological dimension of these incidents. This can eventually encourage victims to always seek reporting.

Direct assistance to victims/ survivors:

NCW provides direct assistance to victims through psychological assistance. NCW has cooperation protocols with a big number of psychological support centers. The council as well is starting a ‘psychiatric guidance for women’ diploma as it appeared that this category is not available in Egypt. Legal assistance is also part of the assistance available to survivors with around 650 volunteering lawyers at the nation’s level. However, it has been clarified that NCW cannot take an action unless the victim takes an action with the harassment incident. NCW expert confirmed that:

“Specifically, when the hotline receives a case of harassment, the girl is advised to go to the police station and do so and so and file a report. This has to be done... A lot of people would think that we will be physically present and capture the harasser. This is not true because we are not an executive authority... In fact, we direct the victim on what to do. To go to the nearest police station and what to say. If it was a major problem we can send her someone”

(Personal interview, NCW Expert, March 2021)

Accordingly, it is the responsibility of the girl not to surrender to the pressure of people in the street and report the harassment incident. NCW’s work and activities extend to all of the Egyptian governorates. For instance, knocking doors campaigns happen in the Egyptian villages to combat violence against women with the help of social and rural pioneers where NCW personnel knock the doors and talk with people about violence against women issues.

The problem of pressuring girls to give up reporting and forgive the harasser at the police station was also confirmed by NCW expert that it widely happens. That is why NCW keeps a channel of cooperation and communication with the Ministry of Interior. Throughout this communication with the MoI, they are informed that there is a specific case of harassment in a specific location and that the victim was directed to a specific police station. Ministry of Interior would contact the police

station and pay attention to the issue in order not to pressure the girl to cordially solve the problem in order not to ruin the future of the harasser since “*This does not help combatting the phenomenon*” according to NCW expert.

Internal policy level:

Efforts to combat the phenomenon is happening as well at the policy level of the governmental institutions. For instance, the German international cooperation agency affiliated to the German government (GIZ) is cooperating with the government on the topic through a project called “Youth against Sexual Harassment”. GIZ is supporting the Ministry of Youth and Sports (MoYS) in 3 areas. First area is concerned with the capacity building for the MoYS including all staff on how to combat harassment. The second area is concerned with the youth awareness and empowerment to combat harassment. Third area is concerned with the visibility activities like the campaigns and public mass reach. According to GIZ staff member, there has been a breakthrough achievement with the Ministry of Youth and Sports through the formulation of the Ministry’s policy against sexual harassment. GIZ staff member clarified that:

“The first governmental organizational policy organizing the topic of harassment was formulated. This is a breakthrough with the Ministry. The policy is just a paper that is pointless without a mechanism or institutional process to implement the policy. Step 1, in 2016/2017 the governmental institutional policy for MoYS was written as a document. We started working on an integrated complaint management mechanism were complaints committees were established and complaints boxes. This is relevant to the MoYS only. The policy organizes any complaint received on harassment including all of the Ministry’s staff and all visitors of the Ministry’s facilities like the youth centers. Anyone of those people subjected to sexual harassment in these facilities can file a complaint based on a complain mechanism that activates the written policy. GIZ provided technical support and worked hand in hand with the Ministry to develop this policy... So far, we are working on having committees at the level of the 27 governorates in Egypt. The Ministry has 4000 facility all over Egypt so they have a large outreach of youth”

(Personal interview, GIZ Expert, February 2021)

The former director of Imprint Foundation (Basma) and current CEO of Smart Civic Solutions consulting company confirmed as well the new approach by the government to create and activate an institutional policy. In fact, his consulting company is responsible for the activation of the anti- harassment policy at the MoYS through conducting trainings, working on policy amendments, creating procedural guide and the actual structure of complaints and investigation. He, as well as one GIZ staff member, referred to the parliamentary work by Parliament member Caroline Maher who presented the MoYS policy and the concerned committee made an official recommendation in 2018 that all ministries should have the same policy and this should start with Ministry of Awqaf, Ministry of Education and the Ministry of Higher education. The former director of Imprint Foundation (Basma) also clarified that advocates for the policy and those excited about it helped in introducing the policy inside of their governmental entity and in speeding the process. For instance, the Deputy Minister at the MoYS as well as the Minister of Social Solidarity, who wanted to have an activated policy for combatting sexual harassment too that is why there are current talks to apply this.

Relevant to the policy, the former director of Imprint Foundation (Basma) and current CEO of Smart Civic Solutions consulting company clarified that:

“The best part of the policy was the training provided to those who receives the complaints. The training included psychosocial support, policy training to understand the procedures, they provide the victim with complete choice and control whether to complete in a formal or informal complaint. Also, what distinguishes this policy is that receivers of complaints are trained to be believe and support the complaint without doing an investigation. The complaints then go to other investigative entity”

(Personal interview, NGO Expert, March 2021)

The above expresses a significant attention from the side of the government to combat sexual harassment at the policy level of its institutions which is considered as a real change.

Another important development was the formulation of Cairo University Anti-harassment policy and the establishment of the relevant unit. An idea that was already decided in 2010 by Dr. Heba Nassar, Cairo University vice president. According to one founder of the anti-harassment unit at the university, the University's policy was first formulated in 2014 through a participatory approach comprising a number of the enthusiastic University's professors, concerned NGOs and a number of students. A step that was welcomed by the University's administration under the leadership of Dr. Gaber Nassar who allowed the needed space and support for these efforts as well as suggested the establishment of the unit. The unit's activities included awareness raising in a space of 300 thousands students as well as psychological and legal support. The policy and unit were not limited to harassment cases among students, it involved the university's staff as well. Furthermore, the success of the unit allowed for the replication of the experience in 21 university with a later mandatory decision to have a unit concerned with combatting violence against women in all of the public Universities.

'On top of the agenda' issue to the government:

Relevant to the urgency of the topic of sexual harassment, a UN Women expert confirmed that combatting sexual harassment is on top of the agenda of the government. She noted that currently there is the National Strategy for the empowerment of Egyptian Women for 2030 which got adopted by the president of Egypt in 2017. The strategy has a pillar on women protection against all forms of violence including sexual harassment. She also referred that the cooperation with the Egyptian government is excellent and describes the cooperation with NCW as "unprecedented". She noted that:

"UN does not execute anything without the partnership of the government... UN agencies cannot execute something that is not desirable by the state. The role of the UN is to support the national priorities. If there are issues that are not on the agenda of the government or not a priority, UN would advise about it and the government would accept that or reject it... The most important thing regarding any initiative from the UN agency or civil society is to have a national ownership... If there was no enough political will, endorsement and real attention from the government then we will not have the legal framework that helps. If we are talking

about sexual harassment. There was a lot of talk about it before the issuance of the law. This created awareness about it. Once convinced by the state that sexual harassment is a real issue affecting the state at many levels, the law changed in 2014. Without the national ownership, nothing will happen... The national ownership is at all levels starting from the president of Egypt. We have statement from the president of Egypt saying that there is zero-tolerance for sexual harassment. Combatting sexual harassment is on top of the agenda of the government... when asked about creating a ministry for women, President Sisi responded that he is the Minister for Women”

(Personal interview, UN Expert, February 2021)

This reflects a high level of cooperation between the state and an international UN agency as UN Women. GIZ staff member clarified as well that:

“Generally, there are a lot of efforts lately in the last few years at the level of society and government as well”

(Personal interview, GIZ Expert, February 2021)

This was agreed by the former director of Imprint Foundation (Basma), who noted that:

“2021 is completely different compared to 2012 at the level of the official state stance and the dealing with the government... in 2014, the start was the issuance of Cairo University anti-sexual harassment policy. Ministries and governmental entities started considering this as well. Things have changed a lot... This is the official state stance now. The presidential advisors recommend that there should be enough attention to women’s empowerment portfolio”

(Personal interview, NGO Expert, March 2021)

An absent partner in the field of combatting SH:

At the NGOs level, the researcher reached to two experts from HarassMap and Basma given the significant contributions of both organizations in order to raise awareness on sexual harassment.

First, relevant to HarassMap. HarassMap was launched in December 2010 as an initiative and was registered as an NGO late 2014. It started with the idea of raising the awareness of the public in most of the Egyptian governorates through teams in the streets. HarassMap had an online Map to specify the location of harassment cases for reporting purposes since evidence was needed when sensitizing people. Additionally, online and television campaigns were part of HarassMap's work. HarassMap had a very important TV campaign "Harasser is a criminal" in 2015 that gave the 2014 SH law its social dimension⁷, according to an Ex-manager and a current board member at the organization. The organization had a network of 1800 volunteer in the streets and 1200 volunteer inside of the universities. HarassMap as well made a significant contribution to the establishment of Cairo University Anti-harassment unit and the writing of the policy. Internationally, HarassMap outsourced their model to 13 countries.

Second, Basma NGO which started as a movement and then got registered as an NGO in 2015. Basma had a lot of contributions on the ground on combatting sexual harassment in public spaces. Their work included awareness campaigns at 8 Egyptian universities, a famous media campaign in the Subway in 2016, where empty advertisement areas were rented and banners were hanged on the topic in the form of comics in one of the busiest metro stations (Al-Shohda). Basma as well created the concept of patrol or intervention groups which involved a number of trained volunteers who would physically intervene in sexual harassment incidents against women in public spaces during Eid time.

It is unfortunate that combatting sexual harassment scene has lost both organizations as both of the organizations are not active anymore. It was essential to understand the reason for this stoppage. According to the former director of Imprint Foundation (Basma), the suggested civil society draft law in 2015 (which was later rejected by the government) was a contributing factor since it would have complicated and restricted the process of receiving funds which might be rejected after all. Also, the field campaigning was nearly impossible on security grounds due to the emergency law

⁷ "Harasser is a criminal" advertisement on youtube: <https://www.youtube.com/watch?v=m7VZUAGpyZ8>

at that time which made it difficult to keep on the work and eventually led to the closure of Basma in 2017. The Ex-manager in HarassMap as well agreed on the repercussions of the suggested draft law that would have made it very difficult to obtain the needed fund and led the organization to stop its activity early 2020. It took 1 year and a half for the law to be rejected by the government. However, still there are other NGOs that are working on harassment issue in cooperation with the National Council for Women, as per NCW expert.

A new model of fighting sexual harassment

The former director of Imprint Foundation (Basma) clarified that the current possibility of field work can happen through the government as a partner in a specific location with a specific governmental counterpart. Also, the use of social media and online intervention is another way to raise awareness. This was agreed as well by HarassMap Ex-manager who noted:

“For instance, Assault Police account on Instagram that was created relevant to the Fairmont case last year. The creator does not have the same restrictions that we had like the restrictions we faced when preparing for a campaign in HarassMap. It took a long time as well as a lot of procedures to get the permission. It took up to one year. Also, due to the affiliation to the Ministry of Social Solidarity. I cannot campaign against specific rapists or harassers. I would be jailed. So, the model has changed”

(Personal interview, NGO Expert, March 2021)

In fact, the power of social media is currently undeniable in highlighting cases to the public and raising awareness on specific topics. It is a noticeable issue that needs further exploration.

Chapter seven: Analysis

Sexual harassment is an ugly phenomenon in the Egyptian streets that women and girls have been facing daily for years. The phenomenon can jeopardize the safety of women and girls walking in the street or using transportation. As a result, women are required to stay very alert and can sometimes avoid walking in some streets or avoid walking at all which deprives women from a normal right. The phenomenon as well can impose an additional financial burden over girls who would choose to pay more to protect their safety through the use of private transportation or living in a closed community for instance. This raises the dilemma of the safety of upper and lower class women. If women belonging to upper or middle class can afford their own safety and protection through choosing where to live and what kind of transportation to use, this is not the case with women belonging to a lower class who might not be able to afford their own safety by increasing their exposure to sexual harassment when frequently walking in the street or using public transportation.

It has been noticed that the act can be aggressive and daring even in day light by harassers violating women's modesty and bodily safety which can tell how ignorant the harassers can be with the law or how confident they might be that they can run away with their act. It has also been noticed that all interviewed participants are using the wrong terminology when describing being touched in public. The act was described as an act of physical harassment. However, the right terminology is an act of indecent assault. Sexual harassment is a misdemeanor with a minimum jail time of six months and a maximum jail time of 5 years. Indecent assault is a felony with a minimum jail time of 7 years and a maximum jail time of 15 years. This shows how important it is to sensitize people and women in specific on the right terminology to be used as well as the associated jail time since there is a great difference between the misdemeanor and the felony. If the public/ bystanders would consider harassment as a trivial act and if the word harassment does not generate enough anger within the public conducive to supporting the girl, then girls should be encouraged and sensitized to use the right word. Girls should use the exact description in case of touching which is indecent assault.

Accordingly, both terms (sexual harassment and indecent assault) should always go hand in hand in all of the awareness raising efforts and trainings by the state to ensure that people are sensitized

enough on the difference between both terms as well as the relevant jail time and fine associated with each crime. Also, press and media should be encouraged to use the right term since using the right term is the first step towards sensitizing the public with the gravity of the crimes.

Sexual harassment can be the start of a more fierce confrontation between the harasser and the victim. If a girl used her right to confront the harasser, there is a chance that she can be responded to in a more violent way including beating. This tells how more violent and disruptive incidents of sexual harassment may turn not because of the reaction of the girls, but because of the harassment act itself.

Moreover, it is perceived that women who decide to report the incident face a lot of difficulties till reaching to the court for the final verdict. This starts with the stance of the people in the streets. Women and girls are subject to emotional blackmailing by the bystanders in order not to report the incident on the bases of not ruining the harasser's future for instance. Women can be forced to see the harasser escaping in front of their eyes by the help of bystanders who consider the harassment as a trivial act. The crowdedness itself that surrounds the girl when she is holding the harasser to report him is an additional source of danger to the girl as it can contribute to another incident of harassment towards the women/ girl. Also, victims might not be able to bring witnesses to the police station when people reject to provide their testimony. Accordingly, victims are required to run behind the harasser, keep holding the harasser till help is received as well as to be persistent and not to surrender to the pressure of the people. That is why a number of women/ girls might scream "a thief" in order to grab attention and get people run behind the harasser to catch him where being a thief is more attractive for people to act compared to being a harasser. However, this does not negate that in some cases some of the bystanders can be of great help to the girl being harassed.

Furthermore, the presence of policemen in the scene of the harassment incidents either at the same time of the incident or when being called was of great help. It contributed to accompanying the victim and harasser to reach to the nearest police station just after the incident which tells how essential can the high presence of security in the streets be in order to provide instant assistance and help to women and girls in such incidents.

As for reporting which starts with the police station to file the report, the context of reporting can impose an additional pressure over women when they have to recount in front of people reporting other cases and not in a private space. Also, no qualified person is present to deal with women who might be in trauma or shock. Women as well might find themselves having to recount the incident to more than one person and more than one time. In some cases, women can be pressured at the police station in order to cordially solve the problem and forgive the harasser. She can be threatened with stigmatization as well as threatened to stay the night till the next day when going to the prosecution office on the bases of a report vs. a report if the harasser filed any report against her. Accordingly, some women might give up reporting to avoid any troubles including, but not limited to, staying the night at a police station. This kind of pressure is questionable and raises the inquiry which is whether men reporting theft or assault for instance are subject to the same pressure or not.

At the prosecution office, a girl can be in a situation where she has to recount as well in front of other people who are not concerned with her case. A form of indirect pressure was noted as well with one of the participants at the prosecution office. However, the pressure to give up reporting is not a systematic approach at the police station or the prosecution office. It comes from different people at different levels at the police station and the prosecution office.

After reporting, the pressure still exists. Some women can be pressured from the side of the family of the harasser to give up reporting and can be threatened with harm in order not to proceed. The availability of the victim's data in the reported case made it easy for the lawyer and the family of the harasser to reach to the victim's phone number and address. That is why the issued anonymity law of 2020 protecting the victim's data in cases of sexual assault and harassment is of great importance and a much needed step. However, the article of the law gives the investigative judge the discretionary authority regarding protecting or revealing the data. Also, and as clarified by lawyer two, the leakage of the identity information still happens and can sometimes be used to harm the girl's reputation to pressure her to withdraw her case. Additionally, the implementation mechanism of the law is not clear enough.

However, reporting can be eventually effective and pays off when the victim sees the harasser getting the assigned punishment as per the law. Nevertheless, it has been noticed that women who reported harassers mentioned that the accused got the minimum jail time. This draws the attention to the absolute discretionary authority in the hands of judges. Judges can as well rule a jail time that is less than the minimum jail time assigned per the law or can even suspend the execution of the jail time and so the accused can run away with his wrongdoing. Accordingly, the excessive use of the discretionary authority by the judges in the crimes of sexual violence can hinder justice to be delivered to the victim and can make the law very loose.

Given the gravity of the phenomenon, the state has an obligation to protect women and girls in the public space. It is noted that there were clear developments relevant to combatting sexual harassment by the state in the past years, specifically since the issuance of the SH law in 2014. The law, despite the raised concern relevant to the perpetrator's intention is to obtain a benefit of a sexual nature, was an important step towards acknowledging the presence of this form of violence against women in the Egyptian streets, assigning punishment and using the right terminology to describe the act.

It is realized that the state, through the National Council of Women, is in fact currently playing a major role to combat the phenomenon, in contrary to the state/ political regime being accused of sexual harassment and assault in times before and after the revolution. Evidences support that combatting sexual harassment is indeed on top of the agenda of the government starting from the highest level in the state and that international organizations are highly involved with the efforts to combat harassment.

First, the prevalence of sexual harassment in the Egyptian society was one of the foundations upon which the preparation of the National Strategy to combat violence against Women was based on in 2015. The later National Strategy for the Empowerment of Egyptian women 2030 that was endorsed in 2017 admitted the financial cost of harassment in public space which was estimated with EGP 571 million annually and specified a number of interventions to eliminate the phenomenon.

Additionally, a clear presidential direction to combat the phenomenon was noted in 2014 by President

Sisi who actually visited the victim of sexual harassment incident in 2014 in the hospital and apologized to her, signaling a high political attention to confronting the phenomenon.

Efforts by the state, in cooperation with international partners, include major awareness raising media campaigns targeting locations with high number of attendees like the subway and railway stations. Awareness campaigns convey messages to people/ bystanders to interfere and take a positive stance, to the girl/ victim in order not to live in fear and not to be silent, as well as to harassers in order to be aware of the consequences of their act. Annual trainings of judges, prosecutors, prosecution associates as well as police station personnel relevant to violence against women topics including sexual harassment occurred, though targeting only high level staff. Also, the council provides legal and psychological assistance to victims. The council's work extends to all Egyptian governorates.

A significant development noted as well was the formulation of anti-harassment internal policies inside of the governmental institutions. The start was Cairo University and the Ministry of Youth and sports through enthusiastic champions who advocated for the formulation of an internal policy. A later decision to replicate this in all Ministries and Universities was then endorsed indicating a clear official stance by the state to eliminate sexual harassment inside of its institutions.

However, it is essential to refer to the repercussions of the civil society draft law of 2015 that contributed to the closure of multiple organizations including 2 prominent organizations in the field of fighting sexual harassment which are HarassMap and Basma. Both organizations had very important efforts in order to raise awareness on the phenomenon including awareness campaigns and participating in the formulation of Cairo University's Anti-harassment policy. The state, especially with the help of international partners, gradually filled the gap left by the closure of these NGOs and is the main actor in the picture now. Having the government as the main partner is now the current model followed. Also, the nonconventional method of social media campaigning is another way to highlight cases and raise awareness without the imposed traditional restrictions that used to be forced on NGOs by the state and hampered their work.

Chapter eight: Conclusion and Recommendations

Sexual harassment and indecent assault are two crimes that are present in the Egyptian streets. These crimes jeopardize the safety and integrity of women walking in streets or using public transportation. Women in many cases cannot find the needed support from people in the street or when reporting which complicates her journey to justice.

On the other hand, the state is playing a major role to combat the phenomenon in order to create a safe public domain for women and equipped institutions to receive complaints. However, altering a culture that blames the victim or sympathize with harasser is extremely a long way to go. It is essential to have enough awareness about the law on sexual harassment and the law on indecent assault. Both crimes should go hand in hand in any of the state's awareness and trainings efforts. The below recommendations can be taken into consideration.

First, a national study on the prevalence of sexual harassment and indecent assault in Egypt is much needed as well as evaluating the impact of current and previous state interventions in combating street sexual harassment. The researcher could not reach to recent statistics on sexual harassment in Egypt. A national study is required as well as an evaluation study of the impact of state's activities in order to identify the gaps in practice.

It is highly recommended for the religious institutions to increase their role when it comes to denouncing and prohibiting sexual harassment. This can happen in Jomaa prayers for Muslims or Sunday's prayers for Christians. From a religious perspective, sexual harassment, whether it is a sign, verbal or physical act, is a prohibited and perverted action and can't be justified under any circumstance such as women's attire. This was confirmed by Al Azhar Institution multiple times in light of prevailing sexual harassment incidents ("Sexual harassment can't be justified", 2018). The religious institutions should encourage the public to denounce the act as well as encourage bystanders to act positively when faced with a harassment incident in the street.

School curriculums should include a module on respecting women, specifically for preparatory and secondary stage students. Just as students of primary schools have a subject called

values and respect, preparatory and secondary stage students can have a module on respect for women and the danger of violating a women's bodily integrity from a legal perspective. For instance, celebrating International Women's day at schools can be a chance for educating young students with the importance of respecting women and girls given that harassers can be as young as teenagers.

A special training is needed for officers on the ground on how to handle cases of street sexual harassment. This can include traffic officers too. *Omna Shorta* should as well can be included in trainings since they are themselves a source of harassment for women in some cases. Creating a safe space for reporting cases of violence against women inside of the police station and at the prosecution office is needed. This can happen through ensuring the victim's right to privacy and right to instant psychosocial support. Also, victims should not repeat their statements more than needed or be asked insensitively. The presence of female investigative officers is highly recommended. Specialized programs can be introduced to treat detained harassers serving jail time as well as male population in areas reporting high incidents of sexual harassment and train them on how to respect women. High presence of harassment police in the streets is also needed since this is the quickest way to end the state of pressure by the bystanders over the girl. An online mobile application that can specify the location of harassment incident can support with this.

Periodic campaigns are required to denounce sexual harassment and indecent assault, encourage the girl to speak up and use the right term when recounting, encourage viewers to support the victim and clarify the punishment of both sexual harassment and indecent assault. Campaigns should work on changing the narrative and completely place the responsibility over harassers and assaulter while confirming the negative impact over women. It is also essential that there is a balanced press and media coverage of violence against women incidents which would protect the identity of women and girls and use the right terminology of the crime whether harassment, indecent assault, rape... etc. Additionally, since each effort is needed to combat the phenomenon, the state should re-open the space for civil society organizations to participate in the efforts to combat violence against women including sexual harassment by facilitating and speeding the process of acquiring funds as well as permissions to conduct events and campaigns.

Strict enforcement of the sexual harassment law as well as reducing the discretionary authority of judges when it comes to crimes of violence against women is a much needed step in order to create enough legal deterrence. Also, prohibiting any kind of pressure from the harasser or his family over the victim in order to drop charges, and keeping the anonymity of survivors through the strict enforcement of the anonymity law and clarifying its implementation mechanism is one way to encourage women not to give up reporting.

Segregation in public transportation can be a solution as well. Although the idea was completely rejected by NCW expert, the researcher is suggesting segregation, especially in minibuses where the seating structure allows a high probability of harassment. Having a minibus for ladies only can increase the feeling of safety for women taking this transportation method daily. Additionally, installed cameras have proven to be very effective in uncovering cases of harassment and indecent assault. The requirement of installing cameras in front of each governmental entity, each store, each building will contribute to women and girls having enough evidence when reporting cases of harassment.

Eventually, the role of the State in combating SH is major and multidimensional. It is not only about issuing laws and formulating policies, but also about ensuring a smooth implementation mechanism of its interventions while cooperating with civil society and international organizations.

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Annex

Interview questions to women:

- Have you ever been subject to physical or verbal SH in the street? Can you tell more about it?
- Did you ask for help from anyone in the street?
- Did you report the incident of SH in the street?
- How was the overall process of reporting? Was it easy to reach the police station? If No, please elaborate?
- Have you been subject to any kind of pressure from any side in order to give up reporting?
- Was the reporting process effective? Can you elaborate more?
- After all, do you fear walking in the street?
- What are your recommendation to combat SH phenomenon in the streets and to facilitate reporting?

Interview Questions to experts:

- How effective is the sexual harassment law? What are the loopholes? What needs to be changed? Is it deterring enough?
- Altering the “blame the victim culture” and making the harasser completely responsible for his act, how can the government contribute to this?
- How is UN women cooperating with governmental counterparts on the issue of sexual harassment?
- Is there a comprehensive approach by the government when it comes to SH? What is the role of the Ministry of youth and sports? What about government’s partners?
- NCW: 2020 marks the end of the five year National Strategy for combatting Violence against Women, what are the progress up till now relevant to SH? And how is the strategy evaluated?

- Is there a national mechanism to register and count sexual harassment cases?
- Where there ever trainings provided to police officers to handle SH cases? How to create a safe space for reporting?
- How can we stop pressure over women when they decide to report incidents of SH?
- An ugly development of street sexual harassment is cyber sexual harassment (inappropriately taking videos and photos of women walking in the street without their consent or while they are getting harassed). How can this ugly phenomenon curbed and eliminated as well?
- Is there still a special police force deployed to deal with street harassment as in 2014 in Eid time?
- How effective is the power of social media in fighting sexual harassment? And how effective is the monitoring and observation unit within the MoI? Also, the unit specified with SH cases?
- What are the needed recommendations for the government to curb SH?

IRB Approval:

CASE #2020-2021-065

 THE AMERICAN UNIVERSITY IN CAIRO
INSTITUTIONAL REVIEW BOARD

To: Noha Elyamani

Cc: Menna Youssef

From: Atta Gebril, Chair of the IRB

Date: Feb. 7, 2021

Re: IRB approval

This is to inform you that I reviewed your revised research proposal entitled "GOVERNMENT OF EGYPT'S POLICY FOR COMBATTING STREET SEXUAL HARASSMENT: IMPLEMENTATION CHALLENGES AND WAY FORWARD" and determined that it required consultation with the IRB under the "expedited" category. As you are aware, the members of the IRB suggested certain revisions to the original proposal, but your new version addresses these concerns successfully. The revised proposal used appropriate procedures to minimize risks to human subjects and that adequate provision was made for confidentiality and data anonymity of participants in any published record. I believe you will also make adequate provision for obtaining informed consent of the participants.

This approval letter was issued under the assumption that you have not started data collection for your research project. Any data collected before receiving this letter could not be used since this is a violation of the IRB policy.

Please note that IRB approval does not automatically ensure approval by CAPMAS, an Egyptian government agency responsible for approving some types of off-campus research. CAPMAS issues are handled at AUC by the office of the University Counsellor, Dr. Ashraf Hatem. The IRB is not in a position to offer any opinion on CAPMAS issues, and takes no responsibility for obtaining CAPMAS approval.

This approval is valid for only one year. In case you have not finished data collection within a year, you need to apply for an extension.

Thank you and good luck.



Dr. Atta Gebril
IRB chair, The American University in Cairo
2046 HUSS Building
T: 02-26151919
Email: agebril@aucegypt.edu



Institutional Review Board
The American University in Cairo
AUC Avenue, P.O. Box 74
New Cairo 11835, Egypt.
tel 20.2.2615.1000
fax 20.2.27957565
Email: aucirb@aucegypt.edu