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Concept Paper: Different Practices of Sexual Violence against Women

The different practices of sexual violence against women diversify in multiple contexts, some are associated with erroneous traditional and societal concepts; which are practiced in order to oppress women from different backgrounds and affiliations; and some are practiced under the pretense and guise of preserving peace and general security in specific institutions such as prisons and detention centers. In the midst of a common feature among these practices, namely the violation of women's right to bodily integrity and their right to privacy and existence in the public space, and oppressing them and demeaning them in different contexts, this paper aims to clarify the differences between the most common practices via the definition and description of each practice.

This paper includes the definitions of the following practices: 1) Pregnancy Tests – 2) Vaginal and Anal Tests – 3) Virginitv Tests – 4) Rape – 5) Sexual Assault – 6) Sexual Harassment.

1. Pregnancy Tests

Description: A pregnancy test is a medical procedure that comprises of a laboratory test of a certain hormone level in women which signals the occurrence of pregnancy, either through urine or blood testing. Usually, this procedure is conducted in prisons when a detainee arrives, where the chamber/cell in which she will be placed to serve her sentence is decided in consequence to the result of this test.

Example: According to the testimony of one of the Itihadia Palace detainees during the clashes of April 26, 2013, this test was conducted for her to find out if she was to be placed in the regular chambers/cells, or housed in one that is specifically allocated for pregnant women/detainees.

2. Vaginal and Anal Tests

Description: Gynecologists conduct vaginal tests for different reasons, some of which include following-up on the course of a pregnancy, or for diagnosis of certain Venereal diseases. Usually prison wardens conduct this test, neither for a medical reason, nor do they conduct it in a medical manner, but rather to look for drugs or weapons that women detainees may be hiding in their vaginas or anus, under the guise of preserving the safety of other women detainees.

Example: According to the testimony referred to above, and the testimony of one of the detainees of Al-Fath and Al-Tawheed Mosques' clashes on 16 August 2013, this test is conducted using the same plastic bag on all women, which is very dangerous as it would aid in transferring diseases, and is conducted as a routine procedure on all detainees upon arrival to the prison, whether they are married or single, and only abstain from its practice when the chief prison warden interferes.

3. Virginity Tests

Description: The practice of virginity tests has a long history of application in different forms in both the public and private spaces, to ensure that girls and women have not been sexually active before marriage, and is conducted by different individuals. The virginity test is carried out via the examination of the vagina to determine whether the hymen has been broken or not, which is symbolic of women's chastity in the context of some values and traditions. Concerning the practice of the concerned test by the state, it is applied in the Forensic Medicine Administration in subsequence to a request by the prosecution office in certain criminal issues, to investigate criminal claims of whether a woman is a virgin or not, in order to confirm whether rape had taken place or not.

Example: Virginity tests were conducted on women human rights defenders (WHRDs) who were arrested by the military forces in Tahrir Square on March 9, 2011, by physicians and army officers during the rule of the Supreme Council of Armed Forces (SCAF), with the objective of determining who among them are virgins and who are not, under the guise of averting claims to be made by any of them that they had been raped by the military forces. This test was conducted in a way that utterly violates their privacy and their right to bodily integrity and safety.

4. Rape

Description: Rape is any action that results in the penetration or forced penetration, whether by sexual organs or other objects, into the vagina or anus, or the penetration of a sexual organ orally, regardless of the level of penetration, against the survivor, whether the survivor is a male or female, without consent. A grave limitation is evident in the definition of the crime of rape in the Egyptian penal code, where it limits rape to penile penetration of the vagina, according to Article 267 of the Egyptian Penal Code.

Example: Numerous feminist groups and initiatives that work on combating sexual violence have documented more than 250 incidents of sexual assault, some of which were gang rapes, during the period November 2012 to July 2013 in Tahrir Square and its vicinity.

5. Sexual Assault

Description: Sexual assault is any action that aims to arouse sexual intentions or demean and oppress the survivor, whether male or female, which reaches the survivor's body without consent, and does not extend to rape. The Egyptian Penal Code does not contain a definition for the crime of sexual assault, and defines it in Article 268 as indecent violation, similar to the case of the crime of rape.

Example: Sexual assault was experienced by women who were present in Al-Fath and Al-Tawheed Mosques' clashes on 16 August 2013, carried out by the Special Forces when they were arrested, which included grabbing their breasts and other sexual parts of their bodies. Usually sexual assault is coupled with severe physical aggression and violence that causes physical injury, as is the case in the mob sexual assaults and gang rapes that took place in Tahrir Square and its vicinity during the period November 2012 to July 2013, and more

specifically where 186 incidents of sexual assault, some of which were gang rape, had taken place during the period June 28 to July 7, 2013, in addition to that conducted on female protesters in Al-Shoura (Consultative) Council incidents on November 26, 2013 when they were arrested.

6. Sexual Harassment

Description: *Harassmap* defines the crime of sexual harassment as any form of unwelcome 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. Moreover, sexual harassment can take many different forms and includes one or more types at the same time such as: ogling, facial expressions, catcalls, comments, sexual invites, unwanted attention, sexual photographs, online harassment, telephone calls' harassment, touching and nudity/indecent exposure/flashing of sexual organs.

Example: This crime is practiced on a daily basis against girls and women in the public space, and the most prominent incidents of this crime that took a tragic turn was the witnessing of both 2012 and 2013 the "deaths of 2 women, namely Iman Mostafa from Assuit and Shorouk Al-Toraby from Gharbia, who were killed as a result of them resisting the sexual harassment they had experienced, where the former was shot by her harasser and the latter was run over by her harasser's car who escaped."