

USCRIF Report about Egypt 2007

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Egypt

Serious problems of discrimination, intolerance, and other human rights violations against members of religious minorities, as well as non-conforming Muslims, remain widespread in Egypt. Over the past few years, the Egyptian government has adopted several measures to acknowledge the religious pluralism of Egypt's society, including increased efforts in promoting interfaith activity. Yet the government has not taken sufficient steps to halt repression of and discrimination against religious believers, including the indigenous Coptic Orthodox Christians, or, in many cases, to punish those responsible for violence or other severe violations of religious freedom.

A December 2006 Supreme Administrative Court ruling upheld the government's discriminatory policy of prohibiting Egyptian Bahá'ís from obtaining a national identity card, and the government has also not taken adequate steps to combat widespread and virulent anti-Semitism in the government-controlled media.

Egypt remains on the Commission's Watch List, and the Commission continues to monitor the actions of the government of Egypt to see if the situation rises to a level that warrants designation as a "country of particular concern," or CPC. Egypt has a poor overall human rights record that includes repressive practices which seriously violate freedom of thought, conscience, and religion or belief.

The government maintains tight control over all Muslim religious institutions, including mosques and religious endowments, which are encouraged to promote an officially sanctioned interpretation of Islam. According to Egyptian officials, the government regulates these Muslim institutions and activities as a necessary precaution against religious extremism and terrorism.

The state appoints and pays the salaries of all Sunni Muslim imams; all mosques must be licensed by the government, and sermons are monitored by the government.

Human rights organizations inside the country are seriously concerned that Islamic extremism is advancing in Egypt, with detrimental effects on the prospects for democratic reform, religious tolerance, and the rights of women and girls and members of religious minorities.

Some believe that the government is not acting to its fullest ability to counteract this problem, especially in the areas of public education and the media, where extremist influence is growing.

There is continued prosecution in state security courts and imprisonment for those accused of "unorthodox" Islamic religious beliefs or practices that insult the three "heavenly religions": Judaism, Christianity, and Islam.

Article 98(f) of the Penal Code, which prohibits citizens from "ridiculing or insulting heavenly religions or inciting sectarian strife," has been applied to prosecute alleged acts by purportedly "unorthodox" Muslims. These include Muslim groups, such as the Koranites—a very small group in Egypt that does not accept as authentic hadith, the oral traditions of the life of the Prophet Muhammad, or Sunna, accounts of the way the Prophet Muhammad lived his life—who are accused of practicing beliefs deemed to deviate from Islamic law.

In December 2003 and March 2004, state security services arrested and imprisoned at least nine Shi'a Muslims without charge and subsequently interrogated them concerning their religious beliefs; they were reportedly also physically abused. Most were released within weeks while others served several months in prison; all had been released by June 2005.

In December 2004, 13 "unorthodox" Muslims were referred to trial by a State Emergency Court on charges of "insulting heavenly religions"; their status remains unknown.

In February 2007, a court in Alexandria convicted and sentenced Abdel Karim Suleiman, a 22 yearold Internet blogger and former student at Al-Azhar University, to four years in prison: three years for blaspheming Islam and inciting sectarian strife and one year for criticizing Egyptian President Hosni Mubarak. Suleiman had used his blog to criticize some activities of Al-Azhar University and the attacks on Coptic Christians in Alexandria in October 2005. In March, an appeals court upheld his sentence.

The Emergency Law, which has been in effect since 1981 and was renewed for another two years in May 2006, restricts many human rights, including freedom of religion or belief as well as freedom of expression, assembly, and association. The Law must be extended again before May 2008 or it will expire.

During his 2005 presidential campaign for a fifth six-year term, President Mubarak had pledged to rescind the Law; in late December 2006, Mubarak stated that he intended to replace the Emergency Law with new anti-terror legislation. Under the Emergency Law, the security forces mistreat and torture prisoners, arbitrarily arrest and detain persons, hold detainees in prolonged pretrial detention, and occasionally engage in mass arrests.

Thousands of persons have been detained without charge on suspicion of illegal terrorist or political activity; others are serving sentences after being convicted on similar charges.

Egyptian and international human rights groups have asserted that the primary purpose of the state emergency and military courts is to punish political activism and dissent, even when that dissent is peaceful. These courts are also used to detain and try individuals deemed by the state to have "unorthodox" or "deviant" Islamic or other religious beliefs or practices.

In 2005, Egypt's National Human Rights Commission formally called for the Emergency Law to be lifted. Members of Egypt's non-Muslim religious minorities, particularly Christians and Bahá'ís, report discrimination, interference, harassment, and surveillance by the Egyptian state security services.

There was an upsurge of attacks targeting Coptic Orthodox Christians in late 2005 and early 2006. In addition, Coptic Orthodox and other Christian denominations face societal intolerance and violence by Muslim extremists. Egyptian authorities have been accused of being lax in protecting the lives and property of these groups, as well as prosecuting those responsible for violent acts against them.

In October 2005, Christians in Alexandria were targets of rioting by extremists angered by the distribution of a DVD; the resulting clashes left three Muslims dead and a Christian nun wounded.

In February 2006, a criminal court in Alexandria sentenced a man to three years in prison for physically attacking the nun.

In January 2006 near Luxor, more than a dozen Christians and Muslims were injured after clashes broke out when Muslim youths torched a house that Coptic Christians had been using as a makeshift church. Despite the government claim that investigations have been conducted, the results of these investigations have not been made public.

In April 2006, three Coptic Christian churches in Alexandria were attacked on Palm Sunday by a Muslim man, resulting in the death of one Christian and the wounding of approximately a dozen others. In the three days of demonstrations that followed the attacks, rioting broke out, leaving one Muslim man dead and almost 40 Christians and Muslims injured. Some groups blamed excessive police force for some of the injuries to both Muslims and Christians. According to the Interior Ministry, the man who attacked the churches was caught and is being held; he is believed to be "mentally unstable." At least 100 persons were detained in response to these events, some for questioning and others on suspicion of incitement to riot and taking part in the riot. A People's Assembly fact-finding committee was formed to investigate the incident and to report its findings; as of this writing, the committee had not yet released its findings publicly.

Violent attacks on Christian communities over the years have resulted in very few prosecutions of perpetrators, including the 2004 Court of Cassation decision to uphold the acquittal of 94 of 96 suspects who were charged with various offenses in connection with the killing of 21 Christians in Al-Kosheh in late 1999 and early 2000.

Some Egyptian human rights advocates believe that Egyptian authorities should investigate claims of police negligence

and inadequate prosecution of those involved in the violence. In addition to violence, Christians face official and societal discrimination.

Although Egyptian government officials claim that there is no law or policy that prevents Christians from holding senior positions, the Coptic Orthodox Christian community faces de facto discrimination in appointments to high-level government and military posts.

There are only a handful of Christians in the upper ranks of the security services and armed forces; one Christian governor out of 26; one elected member of parliament out of 444 seats; no known university presidents or deans; and very few legislators and judges.

According to the State Department, public university training programs for Arabic language teachers exclude non-Muslims because the curriculum involves the study of the Koran.

Under Egyptian law, Muslim men can marry Christian women but Muslim women are prohibited from marrying Christian men. Romantic relationships across this divide are often a source of tension between Muslim and Christian communities in Egypt.

In February 2007, Muslim groups reportedly set fire to several Christian-owned shops in southern Egypt due to rumors of a relationship between a Muslim woman and a Coptic Christian man. Seven Muslims and one Coptic Christian were arrested on suspicion of taking part in arson attacks on Christian-owned stores and property.

For all Christian groups, government permission must still be sought to build a new church or repair an existing church, and the approval process for church construction is time consuming and inflexible.

President Mubarak continues to have the authority to approve applications for new construction of churches and more than 100 applications to build new churches await his decision. Though most of these applications were submitted more than five years ago, the majority have not received a response. Even some permits that have been approved cannot, in fact, be acted upon because of interference by the state security services, at both the local and national levels.

In December 2005, President Mubarak signed Decree 291 transferring authority for renovating or repairing existing churches from the president to the country's 26 governors. Although initially viewed as a welcome step, more than one year later, churches continue to face significant delays in receiving permits and some local authorities continue to prevent maintenance and renovation of existing churches.

Although neither the Constitution nor the Penal Code prohibits proselytizing or conversion, the State Department has observed that the Egyptian government uses the Penal Code to discourage proselytizing by non-Muslims. Article 98(f) of the Code is used frequently to prosecute alleged acts of proselytism by non-Muslims.

Known converts from Islam to Christianity generally receive attention from the state security services; most conversions are reportedly done privately. Egyptian government officials have stated that no law prevents conversion, but some individuals have been arrested for falsifying identity documents. In some instances, converts, who fear government harassment if they officially register their change in religion from Islam to Christianity, reportedly have altered their own identification cards and other official documents to reflect their new religious affiliation. However, in an important case, an Egyptian court affirmed that the state could not prevent a woman from changing the religion on her identity card from Muslim to Christian. According to the State Department, it is not clear if this decision will set a precedent for similar future cases, although there have been at least 32 court verdicts since 2004 allowing Christians who converted to Islam to re-convert to Christianity and identify themselves as such on identity cards.

In contrast to these re-conversion cases, the Egyptian government does not recognize conversions of Muslims to other religions.

In 2006, Egyptian authorities re-arrested Baha Al-Accad, a citizen who was born Muslim but converted to Christianity. Al-Accad, who was first detained in April 2005, had been acquitted by a court for "contempt of religion"; he was subsequently released, detained again without charge, and transferred to a prison in Wadi Natroun, where he remains as of this writing.

All Baha'i institutions and community activities have been banned since 1960 by a presidential decree. As a result, Baha'is are unable to meet and engage in group religious activities. Over the years, Baha'is have been arrested and imprisoned because of their religious beliefs, often on charges of insulting Islam.

Almost all Baha'i community members are known to the state security services, and many are regularly subject to surveillance and other forms of harassment.

Al-Azhar's Islamic Research Center has issued fatwas (religious edicts) in recent years urging the continued ban on the Baha'i community and condemning Baha'is as apostates.

There has been increased intolerance of Baha'is in both the independent and government controlled media in recent years. The Egyptian government's requirement that religious affiliation be included on national identity cards particularly affects the Baha'i community.

Egyptian government officials have stated that only the three "heavenly religions" (Islam, Christianity, and Judaism) are recognized and protected under the Constitution.

Although no such limitation appears in the Constitution itself, the state has interpreted the text in this way because only three religions are recognized in Islam. Since "Muslim, Jew, or Christian" are the only choices,

Bahá'ís are effectively prevented from obtaining identity cards, which are needed for many basic transactions, such as opening a bank account, buying a car, or obtaining a driver's license. Moreover, the Egyptian government has recently made it illegal to be in public without an identity card. Because the Bahá'í faith is banned, the community also has difficulty obtaining birth and death certificates, as well as obtaining or renewing passports.

In April 2006, a lower Egyptian administrative court ruled that a Bahá'í couple should be permitted to identify their religious affiliation on official government documents. This positive development proved short-lived, as the Interior Ministry appealed the ruling following the advice of religious authorities and some parliamentary members. A higher court suspended the original decision in May, creating a sense of insecurity in the Bahá'í community.

In August, Egypt's National Council for Human Rights (NCHR), a government-appointed advisory body, held an unprecedented public symposium in Cairo focused solely on the Egyptian government's policy requiring citizens to list their religion on national identification cards. At the symposium, human rights and civil society groups testified that the Egyptian government should reverse its policy. Nevertheless, in December, the Supreme Administrative Court upheld the Egyptian government's discriminatory policy of prohibiting Bahá'ís from obtaining a national identity card.

Because Bahá'ís are forced to choose between claiming adherence to a religion other than their own or foregoing an identity card and other official documents, the court's ruling effectively denies Egyptian Bahá'ís their rights as citizens of Egypt and subjects them to particular hardship in obtaining education, employment, and social services.

The Egyptian government has stated that all citizens must be in possession of new, computerized identity cards by January 2007; those who do not carry identity cards will be subject to detention and arrest. As of this writing, no such arrests had been made; however, a Bahá'í was dismissed from a job and at least two Bahá'ís (a student and lecturer) were expelled from universities because they were unable to obtain identity cards.

Material vilifying Jews—with both historical and new anti-Semitic stereotypes—appears regularly in the state-controlled and semi-official media. This material includes anti-Semitic cartoons, television programming such as a 24-part series based on the notorious anti-Semitic "Protocols of the Elders of Zion," and spurious Holocaust denial literature.

Egyptian authorities have not taken adequate steps to combat anti-Semitism in the media, despite official claims that it has advised journalists to avoid anti-Semitism.

Human rights groups also cite persistent, virulent anti-Semitism in the education system, which is increasingly under the influence of Islamic extremists, a development the Egyptian government has not adequately addressed.

The small Jewish community maintains and owns its property and performs required maintenance largely financed through private donations. However, state security services continue to regulate and approve those permitted to make repairs, which, in some cases, has created problems and delays.

After several years of close surveillance, authorities had increased repressive measures in late 2005 and early 2006 against the small community of Jehovah's Witnesses, who are not recognized by the Egyptian government.

In the past year, however, Jehovah's Witnesses reported improved conditions and a significant decrease in harassment and abuse by government officials. Moreover, Egyptian Jehovah's Witnesses are currently pursuing legal recognition.

The Muslim Brotherhood and other Islamist political groups, which advocate or seek to establish an Islamic state in Egypt based on their interpretation of Islamic law, are considered illegal organizations by the Egyptian government under a law prohibiting political parties based on religion. Despite these restrictions, the Muslim Brotherhood has become more visible in Egypt's political landscape. In fact, more than 100 members of the Muslim Brotherhood ran as independent candidates in the December 2005 parliamentary elections and won 88 seats, up significantly from their previous 15.

The Muslim Brotherhood and other Islamist political groups have used violence in the past to achieve their aims, including the assassination of President Anwar al-Sadat in 1981 and attacks on foreign tourists. Some of these groups persist in advocating violence. Egyptian security forces continue to arrest hundreds of suspected Islamists every year, and some are subject to torture and/or prolonged detention without charge.

According to Egyptian and international human rights groups, there are several thousand political detainees, including members of the Muslim Brotherhood and other Islamist political groups, in administrative detention at any given time whose cases are not being investigated. Most groups that closely monitor the detention of such individuals claim that the vast majority of these prisoners are in prison as a result of their political beliefs or activities, and not on the basis of religion.

On a positive note, in November 2005, the National Council for Human Rights (NCHR) announced the formation of a sub-group, the "Citizenship Committee," to focus on religious freedom issues. As a result, the NCHR's 2006 annual report contained increased reporting on religious freedom concerns.

Issues addressed in the recent report included the situation of Baha'is; problems facing Jehovah's Witnesses; violence targeting Christians; and the need for the government to pass a law on the construction of new places of worship for all religious groups. In July 2004, a Commission delegation travelled to Egypt. While there, the delegation met with senior government officials, religious leaders, human rights groups, scholars, educators, legal specialists, and others active in civil society. In June 2005, the Commission released a Policy Focus brief on Egypt at an event at the Woodrow Wilson Center in Washington.

The Policy Focus on Egypt provides details about the Commission's visit to Egypt and presents recommendations for U.S. policy. In November 2006, the Commission issued a statement calling for the Egyptian government to reverse its discriminatory policy on national identity cards.

In December, the Commission expressed deep regret over a decision by the Supreme Administrative Court of Egypt to uphold the Egyptian government's discriminatory policy of prohibiting Baha'is from obtaining national identity cards.

In January 2006, the Commission wrote to Secretary of State Rice requesting that the United States urge President Mubarak to prevent the imminent deportation of hundreds of refugees and asylum seekers back to Sudan, where many of them reportedly faced religious persecution. Approximately 3,000 Sudanese had been staging a peaceful protest in Cairo since September 2005.

In late December 2005, Egyptian police attempted to disperse the assembly by firing water cannons at the protesters and beating many; at least 25 men, women, and children died. In July 2005, Commission Vice Chair Felice D. Gaer testified before a Members' Briefing of the Congressional Human Rights Caucus entitled, "The Human Rights Situation in Egypt: An Overview." In November 2005, Commissioner Elizabeth Prodromou testified before the Congressional Human Rights Caucus at a hearing entitled "Religious Freedom in Egypt." Also in July 2005, House Resolution 413 was introduced, expressing the concern of the House of Representatives that the amount of U.S. foreign assistance provided to Egypt over the past 25 years has increased despite the lack of any meaningful political reforms by the government of Egypt. The resolution contains a significant number of the Commission's recommendations with regard to Egypt. Throughout the past year, the Commission and its staff met with Egyptian government officials, members of non-governmental organizations representing various religious communities in Egypt, as well as civil society and human rights groups, and other Egypt experts.

I. Taking Most Responsibility for Religious Affairs Out of the Hands of the Egyptian Security Services

With regard to Egypt, the Commission recommends that the U.S. government should urge the Egyptian government to:

- remove de facto responsibility for religious affairs from the state security services, with the exception of cases involving violence or the advocacy of violence;
- repeal the state of emergency, in existence since 1981, in order to allow for the full consolidation of the rule of law in Egypt;
- implement procedures that would ensure that all places of worship are subject to the same transparent, non-discriminatory, and efficient regulations regarding construction and maintenance;
- repeal Article 98(f) of the Penal Code, which "prohibits citizens from ridiculing or insulting heavenly religions or inciting sectarian strife";
- allow for full access to the constitutional and international guarantees of the rule of law and due process for those individuals charged with violating Article 98(f); and
- release Internet blogger Abdel Karim Suleiman and any individuals convicted under Article 98(f) on account of their religion or belief.

II. Implementing Additional Reform in Order to Comply with International Human Rights Standards

- repeal a 1960 presidential decree banning members of the Baha'i community from practicing their faith;
- exclude from all educational textbooks any language or images that promote enmity, intolerance, hatred, or violence toward any group of persons based on faith, gender, ethnicity, or nationality, and include in school curricula, in school textbooks, and in teacher training the concepts of tolerance and respect for human rights, including religious freedom, ensuring that textbooks meet the standards set out in the Universal Declaration of Human Rights;
- cease all messages of hatred and intolerance, particularly toward Jews and Baha'is, in the government-controlled media and take active measures to promote understanding and respect for members of these and other minority religious communities;
- take all appropriate steps to prevent and punish acts of anti-Semitism, including condemnation of anti-Semitic acts, and while vigorously protecting freedom of expression, counteract anti-Semitic rhetoric and other organized anti-Semitic

activities;Ây ensure that every Egyptian is protected against discrimination in social, labor, and other rights by modifying the national identity card either (a) to omit mention of religious affiliation from identity documents, or (b) to make optional any mention of religious affiliation on identity documents, since currently, individuals must identify themselves as adherents of one of the three faiths recognized by the state: Islam, Christianity, or Judaism;Ây more actively investigate religious-based violence against Egyptian citizens, particularly Coptic Christians, prosecute perpetrators responsible for the violence, and ensure compensation for victims;Ây investigate claims of police negligence and inadequate prosecution of those involved in the Al-Kosheh case;Ây request the National Council for Human Rights to investigate allegations of discrimination against Coptic Orthodox Christians as a human rights issue and to publish its findings and recommendations; andÂy implement the 2002 recommendations of the UN Committee Against Torture.

III. Ensuring that U.S. Government Aid Promotes Prompt and Genuine Political and Legal Reforms and is Offered Directly to Egyptian Civil Society Groups In addition, the Commission recommends that the U.S. government should:

- establish a timetable for implementation of political and human rights reforms, including steps described in the recommendations above; if deadlines are not met, the U.S. government should reconsider the appropriate allocation of its assistance to the Egyptian government;
- continue direct support for human rights and other civil society or non-governmental organizations (NGOs) without vetting by the Egyptian government;
- urge the Egyptian government to ensure that NGOs engaged in human rights work can pursue their activities without undue government interference, and monitor and report to what extent this is accomplished; and
- expand support of initiatives to advance human rights, promote religious tolerance, and foster civic education among all Egyptians, including support for:
 - civic education and public awareness programs that reflect the multi-confessional nature of Egyptian society and the diversity of Egypt's religious past;
 - efforts by Egyptian and international NGOs to review Egyptian educational curricula and textbooks for messages of hatred, intolerance, and the advocacy of violence, and to monitor equal access to education by girls and boys regardless of religion or belief; and
 - preservation of Egyptian Jewish properties and antiquities in a publicly accessible site, such as in a museum, so that all Egyptians can better understand past and present Jewish contributions to their history and culture. In the context of the annual congressional appropriation for U.S. assistance to Egypt,

Congress should require the State Department to report to it annually on the extent to which the government of Egypt has made progress on the issues described in this chapter, as well as on the progress of the U.S. government on offering funding directly to Egyptian NGOs without prior Egyptian government approval.

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