



Blood stains after attack on church in Alexandria, 2011. Photo: CSW

EGYPT

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The Jubilee Campaign, together with Christian Solidarity Worldwide (CSW), seeks to draw the Human Rights Council's attention to the situation of freedom of religion or belief (FoRB) in Egypt.

The domestic legislative framework governing the right to FoRB is established in the Egyptian constitution, accepted by referendum in January 2014, with the right to FoRB enshrined in basic form in Article 64: 'Freedom of belief is absolute. The freedom of practicing religious rituals and establishing places of worship for the followers of revealed religions is a right organised by law.' Egypt is also party to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, as well as the International Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women.

The present reality of this freedom in Egypt however is fragile, with conditions varying throughout regions in country. Since the election of then Field Marshall Abdel Fattah al-Sisi as president in 2014, a central priority of government has been increased efforts to combat the terrorist threat the country faces. While the country has experienced significant terrorist violence, particularly in the Sinai peninsula, increased security has increasingly been used as justification for restricting civil society as well as the rights to freedom of expression, association, and religion or belief.

FoRB is also violated when individuals are arrested and the courts issue convictions of 'blasphemy', insulting Islam, contempt of religion and other related charges. As well as those belonging to the major religious groups, there have been notable efforts to target atheists, both in person as well as monitoring through social media.

With regards to the security situation, since the ouster of the then President Mohammad Morsi in July 2013, Egypt has faced an increased threat from violent terrorism. This is most concentrated in the Sinai peninsula where the jihadist group Ansar Bayt al-Maqdis, who recently pledged allegiance to the group calling themselves IS in

Iraq and Syria, has been increasingly active. There have also been increased incidents of terrorism in the capital with regular bomb explosions targeting government, judicial and security buildings.

This has led to heightened tensions and a common acceptance of a constant battle against a real threat of terrorism. Under this auspice however, the right to freedom of religion or belief, the right to freedom of expression and the right of association have been curtailed, among others.

In an effort to limit the use of religion for radicalisation and political discourse, the new Law of Orator and Unified Friday sermon imposed by the Ministry of Awqaf (Religious Endowments) meant hundreds of small mosques have been closed and religious oration is limited to Al-Azhar graduates who also have to hold a permit from the Ministry of Awqaf. While efforts by the state to tackle radicalisation and politicisation through extremist preaching are welcomed and absolutely necessary, this monopolisation and unification of sermons violates both freedom of expression and freedom of religion or belief. We would encourage the Egyptian government together with its religious institutions to implement a policy which effectively stamps out radicalisation and Islamism through extremist preaching, while ensuring freedom of expression and freedom of religion or belief.

In November 2014, in the absence of a parliament, Cabinet approved a draft anti terror law that gave blanket powers to ban groups on charges ranging from harming national unity to disrupting public order. As well as Islamist opposition, state forces have used this legislation to particularly crack down on secular groups.



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Legislation has formed part of the wider pressure put on secular groups and those with no religious belief. Writer Karam Saber has been sentenced to five years for 'contempt of religion' as his book *Where is God?* was judged to promote atheism in the country. Karim Ashraf Mohamed al-Banna, a student from Cairo, was sentenced to three years in prison for announcing on Facebook that he was an atheist, thereby 'insulting Islam'. He was arrested as part of an operation to close then demolish an 'atheist cafe' in Abdeen, Cairo. The regional police chief remarked after the operation, "We have destroyed the café of the devil worshipers in Falaki Street for being illegal and for having a number of atheists spreading their thoughts."

Dar al-Ifta published results of regional polling that stated Egypt had exactly 866 atheists. This very precise number means atheists would account for just 0.001% of the estimated population of 80 million.¹ This announcement is synonymous with the national campaign lauding the 'Dangers of Atheism', launched by the Ministry of Awqaf in partnership with the Ministry of Sports and Youth in Egypt. Nuamat Sati from the Ministry of Youth outlined that the dual aims of the campaign were to "spread awareness concerning the dangers of atheism and how it creates a threat to society, and to treat this phenomenon by having a dialogue with atheists and giving them a chance to reconsider their decisions and go back to their religion."

There are also numerous cases of sentences handed down for the contempt of religion or blasphemy. Although these tend to be from courts away from Cairo, there is a worrying trend of fines and prison sentences being issued for those judged guilty of religious defamation. Demiana Emad Abdel Nour, a Christian school teacher, was sentenced without possibility of appeal to six months in jail for contempt of religion, and was fined EGP100,000 (approximately GBP8,510). She had presented a comparison between religions in ancient, middle and modern ages. Kerolos Shouky Attallah, a 29-year-old Coptic Christian from Luxor, was sentenced to six years' imprisonment for blasphemy and contempt of religion when he 'liked' a Facebook page run by converts from Islam. Fatima Naoot, a 50-year-old Sunni Muslim writer, posted a tweet in November 2014 criticising the annual ritual of sacrificing animals during the festival of Eid al-Adha. She is being charged with contempt of Islam, spreading sectarian strife and disturbing public peace, and is facing three years' imprisonment.

According to Article 98 of the Egyptian penal code, 'exploiting religion in spreading, either by words, in writing, or in any other means, extreme ideas for the purposes of inciting strife, ridiculing or insulting [the Abrahamic faiths] or a sect following it, or damaging

national unity', is punishable with prison sentences of between six months to five years and fines of EGP500-1,000 (approximately £42-£85). Although Article 2 of the constitution stipulates that Islam is the religion of the state, General Comment 22 on the ICCPR's Article 18 states 'The fact that a religion is recognized as a state religion...shall not result in any impairment of the enjoyment of any of the rights under the [ICCPR] ...nor in any discrimination against adherents to other religions or non-believers.' We would recommend therefore that Egypt amend Article 98 of the penal code to ensure those of all beliefs and none enjoy the freedoms laid out in Article 64 of the constitution and Article 18 of the ICCPR, noting General Comment 22.

RECOMMENDATIONS

Progress has been made in protecting religious minorities, especially from physical attacks by Islamist groups. President al-Sisi has also been encouraging national unity through a number of speeches, most recently when he became the first Egyptian President to attend a Coptic Christmas Mass. He addressed the gathered worshippers, saying, "Let no one say, 'What kind of Egyptian are you'. It is not right to call each other anything but Egyptians."

We also welcome Al-Azhar and the Coptic Orthodox Church of Egypt launching the 'Egyptian Family Home' initiative to reinforce the values of citizenship for all. The Egyptian Family Home launched, in cooperation with civil society partners, a campaign to restore 46 churches that had been affected by acts of violence following the June 30 revolution.

However, we have a number of recommendations to ensure Egypt upholds the rights of all its citizens under the constitution.

- Amend Article 98 of the penal code to ensure those of all beliefs and none enjoy the freedoms laid out in Article 64 of the constitution and Article 18 of the ICCPR, noting General Comment 22.
- The Egyptian government together with its religious institutions should create and implement a policy which effectively stamps out radicalisation and Islamism through extremist preaching, while ensuring freedom of expression and freedom of religion or belief.
- Review all cases in which prisoners are facing charges relating to 'blasphemy' or 'insulting religion', including a review of court practices and judges where these charges have been brought.
- Take steps to destroy a culture of impunity in Egypt, proactively ensuring that all crimes against any religious group, especially religious minorities, are not tolerated and are thoroughly investigated to ensure justice.
- Cease any state sponsored initiative to promote any religion or belief system over another, including the programme raising the dangers of atheism.

1 UN data 2012 <https://data.un.org/Search.aspx?q=egypt>