



USCIRF Annual Report 2014 - Countries of Particular Concern: Egypt

Publisher [United States Commission on International Religious Freedom](#)

Publication Date 30 April 2014

Cite as United States Commission on International Religious Freedom, *USCIRF Annual Report 2014 - Countries of Particular Concern: Egypt*, 30 April 2014, available at: <http://www.refworld.org/docid/5369e5c214.html> [accessed 12 August 2014]

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Key Findings

Despite some progress during a turbulent political transition, the Morsi-era government and the interim government failed or were slow to protect religious minorities, particularly Coptic Orthodox Christians, from violence. While the new constitution includes improvements regarding freedom of religion or belief, the interpretation and implementation of relevant provisions remain to be seen. Discriminatory and repressive laws and policies that restrict freedom of thought, conscience, and religion or belief remain in place. For example, Egyptian courts continue to prosecute, convict, and imprison Egyptian citizens for blasphemy. As a consequence, for the fourth year in a row, USCIRF recommends in 2014 that Egypt be designated a "country of particular concern," or CPC, under the 1998 International Religious Freedom Act (IRFA). Previously, Egypt was on USCIRF's Watch List from 2002 to 2010.

Background

During 2013, Egypt continued to experience substantial political and societal turmoil. After growing popular discontent and mass demonstrations started on June 30, democratically-elected president Mohamed Morsi was removed from office by the military on July 3 after one year in power. The military, led by General Abdel Fattah al-Sisi, appointed an interim government and released a roadmap to amend the constitution and hold parliamentary and presidential elections. In August, security forces dispersed two sit-ins resulting in the deaths of more than 600 pro-Morsi supporters and nearly 700 civilians in the days that followed. Approximately 100 police and security personnel were killed during this period. After being appointed in September by interim

president Adly Mansour, a "Committee of 50" completed a new constitution in December, which was approved overwhelmingly in a January referendum.

Both during and after Morsi's tenure, there were violent attacks against Coptic Orthodox Christians, including an unprecedented level of violence in August. While the Coptic Church has been more optimistic about its future after Morsi's removal, the situation remains precarious for Copts. Most perpetrators of sectarian attacks have not been convicted, including from large-scale incidents that occurred in 2011 and 2012. During the first half of 2013, sectarian rhetoric and incitement by Islamist clerics against Copts, Shi'a, and Baha'is increased. Both before and after the Morsi era, blasphemy cases continued to be leveled against dissident Muslims and religious minorities. The small communities of Baha'is and Jehovah's Witnesses remain banned, and anti-Semitism persists in state-controlled and semi-official media.

Religious Freedom Conditions 2013-2014

Violence and Incitement Targeting Christians and Other Religious Minorities

In 2013, violent sectarian attacks, targeting primarily Copts, occurred both during and after Morsi's tenure. Clerical supporters of President Morsi and some other extremists often used incendiary, sectarian rhetoric and incitement without consequence or accountability. For example, in April 2013, police failed to prevent an attack on St. Mark's Cathedral during a funeral. The funeral was being held for five Copts who were killed, along with a Muslim, after sectarian attacks two days earlier. This was the first violent incident on the seat of the Coptic Orthodox Pope in centuries. In June, five members of the Shi'a community were removed from a private home outside Cairo where they were commemorating a religious holiday and were lynched in the street by an angry mob chanting anti-Shi'a slogans. At the end of the reporting period, investigations are ongoing.

Following President Morsi's ouster from office on July 3, there was a significant increase in violent attacks against Christians in July and August. On August 14, the day the Egyptian security forces dispersed pro-Morsi protesters, violent religious extremists and thugs launched a coordinated series of attacks on Christians and their property throughout the country. At least seven Copts were killed and more than 200 churches and other Christian religious structures, homes, and businesses attacked. A commission of inquiry was formed and an investigation is ongoing. In October, four Copts were killed, including two sisters aged eight and 12, when gunmen on motorcycles opened fire at a wedding party outside a church near Cairo. There were a number of other violent attacks on Christians and their property in 2013, particularly in Upper Egypt. USCIRF received reports alleging that police have not investigated many cases, sometimes due to fear of retribution against them by violent extremists. The inability to protect Copts and other religious minorities, and successfully prosecute those responsible for violence, continued to foster a climate of impunity.

Blasphemy Law

Article 98(f) of the Egyptian Penal Code prohibits citizens from "ridiculing or insulting heavenly religions or inciting sectarian strife." Authorities use this blasphemy law to detain, prosecute, and imprison members of religious groups whose practices deviate from mainstream Islamic beliefs or whose activities are alleged to jeopardize "communal harmony" or insult Judaism, Christianity, or Islam (see blasphemy prisoners list in appendix). There has been an increase in these cases since 2011. The trend continued in 2013. The bulk of the charges target Sunni Muslim entertainers,

prominent personalities, and journalists. Yet the majority of those sentenced by a court to prison terms for blasphemy have been Christians, Shi'a Muslims, and atheists, mostly based on flawed trials. Some 40 percent of the defendants were Christians, a high percentage when compared to the approximately 10-15% Christian population.

Baha'is and Jehovah's Witnesses

Baha'is and Jehovah's Witnesses have been banned since 1960 by presidential decrees. As a result, Baha'is living in Egypt are unable to meet or engage in public religious activities. Al-Azhar's Islamic Research Center has issued *fatwas* over the years urging the continued ban on the Baha'i community and condemning its members as apostates. Al-Azhar is one of the preeminent Sunni Muslim centers of learning in the world. During the constitutional drafting process, representatives of the Baha'i community met with Amr Moussa, chairman of the "Committee of 50," yet the new constitution did not include recognition or protections for Baha'is. Since Baha'i marriage is not recognized, married Baha'is cannot obtain identity cards, making it impossible to conduct daily transactions like banking, school registration, or car ownership. In recent years, the government has permitted Jehovah's Witnesses to meet in private homes in groups of fewer than 30 people, despite the community's request to meet in larger numbers. Jehovah's Witnesses are not allowed to have their own places of worship or to import bibles and other religious literature. Over the past year, security officials stepped up harassment and intimidation of Jehovah's Witnesses by monitoring their activities and communications and by threatening the community with intensified repression if it does not provide membership lists.

Anti-Semitism and the Jewish Community

In 2013, material vilifying Jews with both historical and new anti-Semitic stereotypes continued to appear in Egypt's state-controlled and semi-official media. This material included anti-Semitic cartoons, images of Jews and Jewish symbols demonizing Israel or Zionism, comparisons of Israeli leaders to Hitler and the Nazis, and Holocaust denial literature. Egyptian authorities failed to take adequate steps to combat anti-Semitism in the state-controlled media. The small remnant of Egypt's Jewish community, now consisting of fewer than 50 people, owns communal property and finances required maintenance largely through private donations.

Egypt's New Constitution

There are some encouraging changes in the new constitution that could bode well for religious freedom. Several problematic provisions from the 2012 constitution were removed: a provision that narrowly defined Islamic Shari'ah law; a provision potentially giving Al Azhar a consultative role in reviewing legislation; and a provision that effectively banned blasphemy. In addition, a new provision, Article 235, requires the incoming parliament to pass a law governing the building and renovating of churches. This would potentially lift the longstanding requirement of governmental approval for building or repairing churches, which has served as a justification for sectarian-related violence targeting Christians. While Article 64 provides that "freedom of belief is absolute," like the 2012 constitution, this article limits the freedom to practice religious rituals and establish places of worship to only the "divine" religions: Islam, Christianity, and Judaism.[1]

Recommendations for U.S. Policy

Egypt continues to experience both progress and setbacks during its transition, the success of which hinges on full respect for the rule of law and compliance with international human rights standards, including freedom of religion or belief. In addition to recommending that the U.S. government designate Egypt as a CPC, USCIRF recommends that the U.S. government should:

- Ensure that a portion of U.S. military assistance is used to help police implement an effective plan for dedicated protection for religious minority communities and their places of worship, and provide direct support to human rights and other civil society or non-governmental organizations to advance freedom of religion or belief for all Egyptians;
- Press the Egyptian government to undertake immediate reforms to improve religious freedom conditions, including: repealing decrees banning religious minority faiths; removing religion from official identity documents; and passing a law for the construction and repair of places of worship once a new parliament is formed;
- Urge the Egyptian government to revise Article 98(f) of the Penal Code, and, in the interim, provide the constitutional and international guarantees of the rule of law and due process for those individuals charged with violating Article 98(f);
- Press the Egyptian government to prosecute perpetrators of sectarian violence through the judicial system, and to ensure that responsibility for religious affairs is not under the jurisdiction of the domestic security agency, which should only deal with national security matters such as cases involving the use or advocacy of violence; and
- In its annual reporting to Congress on human rights and religious freedom, place particular emphasis on the Egyptian government's progress on the protection of religious minorities, prosecution of perpetrators of sectarian violence, and the ability of Egyptian non-governmental organizations to receive outside funding from sources including the U.S. government.

[1] For a detailed analysis of religious freedom provisions in Egypt's new constitution, see USCIRF's December 2013 Policy Focus:

<http://www.uscifr.gov/sites/default/files/resources/Egyptian%20Constitutional%20Review%20Policy%20Brief%20FINAL%2012-17-2013.pdf>.

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