

JUBILEE CAMPAIGN USA ECOSOC Special Consultative Status (2003)

With: SET MY PEOPLE FREE

United Nations Human Rights Council Universal Periodic Review - FOURTH CYCLE

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The Arab Republic of Egypt

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P.O. Box 700 • Addlestone • Surrey, KT15 9BW • United Kingdom JUBILEE CAMPAIGN IS A NON-PROFIT, TAX EXEMPT, CHARITABLE ORGANIZATION IN THE UNITED STATES

United Nations Human Rights Council Universal Periodic Review of the Arab Republic of Egypt

I. Background.

- Jubilee Campaign is a non-governmental organization which holds consultative status with the Economic and Social Council since 2003 and whose work focuses on promoting the rights of religious and ethnic minorities and raising the status of vulnerable women and children to protect them from bodily harm and exploitation. Jubilee Campaign submits this analysis of religious freedom and human rights in the Arab Republic of Egypt as a contribution to the Universal Periodic Review.
- 2. **Set My People Free** is a network of individuals, churches and organizations working for the freedom of converts from Islam to live and practice their new faith, and to experience equality and justice in their home countries.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies.

We urge the Arab Republic of Egypt to:

- 3. Accede to the procedures of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; the Optional Protocol to the Convention on the Rights of the Child on a communications procedure; and the Optional Protocol to the Convention on the Rights of Persons with Disabilities.
- 4. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

III. Violations of human rights obligations, considering applicable international human rights legislation.

A. Freedom of thought, conscience, and religion.

¹ [Egypt] <u>2014 Constitution of the Arab Republic of Egypt</u>, Constitute Project, with translation by International Institute for Democracy and Electoral Assistance and updates by the Comparative Constitutions Project.

- 6. Despite the religious diversity in Egypt, the government refuses to legally recognize other faith communities including Bahá'í, Jehovah's Witnesses, Shiite and Ahmadi Muslims. More specifically, presidential decree Law No. 263 of 1960 instructed that all Bahá'í "forums and centers" be shut down, their activities terminated, and their property confiscated and transferred to state ownership.² Another decree revoked legal recognition of Jehovah's Witnesses. In 1975 the Supreme Constitutional Court reaffirmed the closure of Bahá'í institutions, and throughout the past decades Al-Azhar and Dar Al-Iftaa have issued numerous fatwas (Islamic edicts) censuring the Bahá'í faith and its practitioners who they consider to be apostates. A separate fatwa castigated the Ahmadiyya Muslim Community, claiming it to be "a subversive movement and a malicious colonial game that has nothing to do with Islam and does not belong to it. Rather, it is an independent religion and infidel belief. What followers believe is considered obvious blasphemy".³
- 7. Egypt's Penal Code as of 1992 contains articles contravening the right to freedom of religion or belief by criminalizing faith-based conduct. Article 98(f) stipulates a term of imprisonment between six months and five years for any individual convicted of "exploit[ing] and us[ing] the religion in advocating and propagating by talk or in writing, or by any other method, extremist thoughts with the aim of instigating sedition and division or disdaining and contemplating any of the heavenly religions or the sects belonging thereto, or prejudicing unity or social piece". Numerous United Nations mechanisms and experts have recognized that anti-blasphemy laws such as Egyptian Penal Code Article 98(f) are incompatible with standards of human rights, undermine freedom of religion or belief, curtail faith-based dialogue, and can foment discrimination, persecution, hostility, or violence. Penal Code Article 161 criminalizes the printing, possession, and distribution of books which "pervert" the meaning of religious groups' holy text; it also prohibits "imitating a religious celebration in a public place or public community, with the aim of ridicule".
- Several Egyptians have been arrested and detained on accusations of blasphemy, insulting religious figures and symbols, as well as converting from Islam to Christianity. Nour Fayez Ibrahim Gerges has been imprisoned and forcibly disappeared since late 2021 for creating a Facebook group for Christian converts. The Third Circuit of the Terrorism Criminal Court reaffirmed Gerges' conviction of "leading a terrorist group" and "disrespect[ing] Abrahamic religions" and renewed his detention in 2023.6 Egyptian authorities enforcibly disappeared UNHCR registered Yemeni asylum seeker Abdulbagi Saeed Abdo for ten days before the family found out he was being held in a prison in Cairo under pre-trial detention in December 2021. Authorities nearly refouled him in June 2022 to Yemen for his membership in a Facebook community for Christian converts from Muslim backgrounds. Authorities are allegedly detaining him on charges of "contempt of Islamic religion" and "discrimination against Islam". Abdo had originally fled Yemen to Egypt in 2014 after his Muslim in-laws conspired to fatally burn Abdo's wife after his conversion to Christianity was disclosed. Abdo, currently facing solitary confinement in Egypt, has been forced by prison guards to recite Islamic prayers and engage in Ramadan fasting, and he is repeatedly denied medication for his heart condition, high cholesterol, and hypertension.⁷ Renowned Christian activist Patrick George Zaki received a presidential pardon in 2023, three years after he was originally imprisoned in 2020 on charges of "disseminating false news"; Zaki had written an opinion piece criticizing the Egyptian

² Ishak Ibrahim, "Egypt's Officials Don't See Unrecognized Religious Minorities", The Tahrir Institute for Middle East Policy, 2 June 2021.; Freedom House, The Impact of Blasphemy Laws on Human Rights.

³ Ibid.

⁴ [Egypt] *Penal Code, No. 58 of 1937*, August 1937.

⁵ United Nations, <u>Rapporteur's Digest on Freedom of Religion or Belief: Second Edition (2023)</u>.

⁶ Egyptian Initiative for Personal Rights, "Without guarantees... Detention of more than 1,500 defendants renewed by illegal collective decisions", 3

⁷ Amnesty International, "<u>Urgent Action: Human Rights Lawyer Must Be Released</u>", 7 September 2023.; Morning Star News, "<u>Woman in Yemen Burned to Death for Her Faith</u>", 29 August 2014.; <u>UA EGY 4/2022</u>, 30 January 2022.

government's persecution of Coptic Christians.⁸ Marco Gerges, a Coptic Christian, was charged with "contempt for Islam", "exploiting religion in promoting extremist ideas" and "infringing on the values of the Egyptian family life" after authorities reportedly found illicit sexual images on his phone which they deemed offensive to Islam and Egyptian public morals.⁹ In May 2024, the Misdemeanor Court in the city of Ismailia sentenced YouTuber and blogger Sherif Gaber to five years' imprisonment, accusing him of publishing videos that disdain the Islamic religion and incite atheism.¹⁰

- Egypt supported the specific recommendation from Qatar 31.136 which called on the country to "amend the antiterrorism law to bring it into line with international human rights standards." Egypt has, however, during the reporting period not made any substantial changes and continues to use this law to detain individuals for exercising their freedom of thought, conscience, religion and belief. The Egyptian authorities are detaining religious prisoners of conscience, including Abdulbagi Saeed Abdo and Nour Fayez, with reference to Egypt's anti-terrorism law. The only official notice of the reason for Abdulbaqi's detention by the Egyptian authorities was a letter from the Prosecutor's office, that was only issued to obtain a birth certificate for Abdulbaqi's son; the notice said that Abdulbaqi Saeed Abdo is under investigation and is accused of "being a member of a terrorist organization and knowing its aims [intentionally]." Authorities are equating online Facebook groups promoting freedom of thought, conscience, religion and expression with terrorism, in clear violation of international human rights standards. The UN Human Rights Committee echoed these concerns in March 2023 urging Egypt to revise their "excessively broad and vague definitions of terrorism set out in Act No. 94 of 2015 (Counter-Terrorism Act) and Act No. 8 of 2015 regulating the list of terrorist entities and terrorists (Terrorist Entities Act), including such definitions as 'harming national unity' and 'disturbing the public order', and the expanded range of offenses subject to the death penalty under counter-terrorism laws."11
- 10. Egyptian Christian communities have on several occasions been attacked while attempting to construct and restore churches; similarly, the houses of worship themselves have been vandalized. In January 2023 in Assiut, unknown individuals defaced mosaics of baby Jesus, St. Mary, and St. Joseph at the Convent of the Holy Virgin by spraying black paint. The convent had recently been renovated as part of a project to promote religious tourism.¹² In December 2023, the construction site of a new church in Al-Azeeb, Minya Province, was attacked by local Muslim extremists who launched Molotov cocktails at the house of worship.¹³ In late April 2024 Muslim radicals in the village of al-Fawakher pelted stones at and set fire to nearby Christian homes and storefronts after it was publicly reported that the Christian community acquired a permit to construct a new church building in the locality. Three days later in a nearly identical attack, also in Minya Province, radical Muslims in Al-Kom Al-Ahmar village dismantled the foundations of a new church as well as destroyed the sewage system; the Christian community had recently obtained paperwork permitting the construction.¹⁴ On Christmas Eve a church was attacked by a Muslim mob after the authorities had granted the Christian community permission to repair its collapsed roof; the assailants told the Copts to "pray in the rain".¹⁵

⁸ Associated Press, "Pardoned Egypt activist says he plans to travel to Italy, continue human rights work", 21 July 2023.

⁹ World Watch Monitor, "Egypt: Coptic Christian imprisoned for 5 years for 'blasphemy'", 9 February 2022.

^{.&}quot; بعد فيديوهات على يوتيوب.. السجن لمدون مصري بتهمة ازدراء الإسلام" ,Al Hurra

¹¹ UN Human Rights Committee, Concluding observations on the fifth periodic report of Egypt, CCPR/C/EGY/CO/5, 14 April 2023.; Coptic Solidarity, Set My People Free, & International Religious Freedom Roundtable Africa Working Group, Enforced Disappearance in Africa Targeting Individuals with Regards to Their Exercise of Freedom of Thought, Conscience, Religion and Belief, 14 November 2023.

¹² Watani, "Desecration of Holy Family icon in Assiut", 9 January 2023.

¹³ Rebecca Paveley, "Copts attacked in Egypt, CSW reports", Church Times, 5 January 2024.

¹⁴ Church in Chains, "EGYPT: Christians in two villages attacked over church building projects", 1 May 2024.

¹⁵ Raymond Ibrahim, "'Pray in the Rain!' - Local Governor Tells Coptic Christians Bereft of a Church Roof", Coptic Solidarity, 28 December 2022.

- 11. In January 2023, it was reported that the Court of Cassation had rejected two appeals by elderly Coptic Christian woman Souad Thabet who had filed to object the court's acquittal of three men who had physically assaulted her. The assailants who were exonerated in late 2020 attacked Ms. Thabet four years prior in 2016 as an act of revenge because her Christian son had been in a romantic relationship with a divorced Muslim woman. Coptic Solidarity notes that the acquittal of Ms. Thabet's attackers serves as a reminder that more severe sentences can be rescinded leaving Copts without justice. Additionally, Ms. Thabet never received recompense for lost property as she had been forced to flee her house and her community.
- 12. In June 2023 the First Circuit of the Supreme State Security Court convicted and sentenced to death four ISIS militants two in absentia for their involvement in two terrorist attacks on buses transporting worshipers to St. Samuel Christian Monastery in Minya Province; the two incidents collectively killed 35 civilians. In June 2024 the Court of Cassation issued its final verdict confirming the death sentence of policeman Rabei Mustafa Khalifa for his murder of two Copts in December 2018. Coptic Solidarity has noted that, while certain entities have commended Egypt for its departure from relative clemency towards perpetrators of violence against faith minorities, "judiciary will often give a sentence and once public attention has moved on, the sentence will be lessened or even overturned". In early 2024 it was reported that members of ISIS affiliate group Wilayat Sinai had been clandestinely offered amnesty deals by Egyptian authorities. In exchange for renouncing the terrorist group and turning themselves over to authorities, militants would "be extensively interrogated, but not charged or imprisoned". Wilayat Sinai has on multiple occasions caused Coptic Chritians to flee their home communities by making death threats against the minorities, and the group has claimed responsibility for church attacks in Cairo. Cairo.
- 13. A Jewish organization informed Coptic Solidarity to inform that the Jewish community in Old Cairo had not been invited by local government officials in August 2023 to the inauguration of the Ben Ezra Synagogue. Coptic Solidarity notes that "the exclusion of the very community which restoration of a Jewish synagogue would most benefit, perfectly exemplifies the Egyptian government's efforts to create a positive narrative and media moments around religious freedom, but not to create real or meaningful improvement for actual religious minority individuals". While large portions of public funds are allocated to construct and renovate mosques for Sunni Muslims, the minority Shia Muslim community which the government refuses to recognize are prohibited to establish their own mosques by the Ministry of Religious Endowments.²²
- 14. In 2018, Coptic Christian couple Amal Ibrahim and Farouk Fawsi Boulous, who had been praying for a child were able to adopt a newborn boy who had been abandoned at an empty church, likely due to his being a child out of wedlock. The adoptive parents gave the boy a Coptic name, Shenouda, and raised him for four years in their faith. Egyptian authorities, who were not aware of the adoption, forcibly seized Shenouda, declared him to be Muslim, and renamed him Yusuf according to Islamic naming traditions. Policies of the Ministry of Interior's Civil Status Department stipulate that children who "have no known lineage within the country" were assigned the Islamic faith at birth by default. Shenouda had had his DNA tested in connection with a family dispute over inheritance, which confirmed that he was not of blood relation to his adoptive parents. Notwithstanding the fact that Amal and Farouk had raised Shenouda in a loving home for the

¹⁶ Christian Solidarity Worldwide, "Three men acquitted of assaulting a Christian woman in appeal verdict", 17 January 2023.; International Christian Concern, "Egypt Acquits Men Who Assaulted Christian Woman", 18 December 2020.

¹⁷ Coptic Solidarity, "Coptic Solidarity Analysis of USCIRF's 2024 Egypt", 5 July 2024.

Nader Shukry, "Final death sentence handed to policeman for killing two Copts", Watani, 11 June 2024.; Nader Shukry, "Egypt's highest court approves death sentence for policeman who killed Copts in Minya", Watani, 11 July 2023.

¹⁹ Coptic Solidarity, <u>"Coptic Solidarity Analysis of USCIRF's 2024 Egypt"</u>, 5 July 2024.

²⁰ Human Rights Watch, "Egypt: Questionable Amnesty Deals for ISIS Members", 13 March 2024.

²¹ The Tahrir Institute for Middle East Policy, "Christians Flee North Sinai Violence", 7 March 2017.

²² Minority Rights Group, *Shi'a in Egypt*.

entirety of his young life, authorities placed him in an orphanage, many of which are overcrowded and neglectful, and fail to prepare children for adulthood in Egyptian society. Shenouda's parents filed a lawsuit to regain lawful custody of their child, and their efforts were supported by the National Council for Human Rights whose leadership publicly called for reunification of the family. In March 2023, Amal and Farouk were finally granted custody - albeit temporarily - of Shenouda following a fatwa issued by Grand Mufti and Al-Azhar that "in the case a child is found by non-Muslims, then he should follow the religion of those who found him". The family's case was supported by the observation that Shenouda's prior abandonment at a church implied that his biological mother was a Christian.²³

15. There is a concerning trend in which Muslim men traffick Coptic Christian women and girls who they subsequently forcibly marry; there are an estimated fifty such cases annually, 500 within the past decade, and many victims regrettably still remain disappeared to this day. Radical Muslim men often identify Coptic Christian girls and women who are physically vulnerable and travelling alone, at which point - rather than outright and violently abducting these individuals in broad daylight they fraudulently lure these girls into romantic relationships with the false promise of a loving marriage and economic advancement, when in reality their intentions and eventual actions are to force the victims to renounce their Coptic faith, convert to Islam, and marry their captors against their will. In some horrific cases, the abductors will blackmail their victims by filming their sexual assault and threatening to share it to the victims' relatives and social circle; when such incidents do happen, "shame culture" and "modesty culture" dictates that perpetrators get off relatively scot-free and the victims are blamed for their assault by being sexually promiscuous. Coptic Solidarity notes that "there is ample evidence pointing to organized networks, related to Salafist groups, which are actively engaging in the phenomenon that we call 'jihad of the womb". These trafficking networks will premeditate their crimes, choose women and girls ahead of time based on their vulnerabilities and the probability of success in their kidnappings, monitor the victims weeks prior to the abduction, rent out apartments to conceal their victims, arrange for Islamic officials to certify religious conversions and marriages, and effectively "weave a spider's web around [the girls]". Notwithstanding evidence of coercion, deception, and violence involved in these cases, governments and state actors formalize all conversions to Islam as it is considered a progressive step in expanding Muslim population. Police have refused to arrest those men responsible for the abductions and forced conversions, even when the perpetrators themselves have confessed either their direct commission of the crime or otherwise their secondary involvement thereof.²⁴

Numerous noteworthy cases include, but are not limited to:

18-year-old Nerges Adel Ibrahim, kidnapped on her way home to school by the cousin of her Muslim friend

Pregnant 20-year-old Marina Sami Sahi, abducted while on the way to a prenatal doctor's appointment, after she had repeatedly received threatening text messages from a Muslim man

23-year-old devout Christian student Sara Atef, kidnapped while on her university campus after an exam, and appeared in a video to her family claiming to have accepted Islam and married

39-year-old mother Ranya Abd al-Masih, disappeared and reappeared in a video in which she is emotionally distressed while claiming to have converted to Islam; she was rescued three months later and testified to being subjected to physical and sexual violence

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Raymond Ibrahim, "The Tragic Story of 'Baby Shenouda'", Coptic Solidarity, 6 September 2022.; Amr Mohamed Kandil, "Child Shenouda reunites with adoptive parents after Egyptian prosecution order", Egypt Today, 29 March 2023.; Egyptian Streets, "Egyptian Court Denies Adoptive Family Custody of 'Baby Shenouda', Citing Lack of Jurisdiction", 19 March 2023.; Farah Rafik, "Egypt's Public Prosecution Gives Temporary Custody to Baby Shenouda's Adoptive Family", Egyptian Streets, 2 April 2023.; Samuel Tadros, "His Name is Shenouda", Compact Magazine, 29 May 2023.

²⁴ Coptic Solidarity, 'Jihad of the Womb': Trafficking of Coptic Women & Girls in Egypt, September 2020.

15-year-old Yustina Magdy Attia, abducted and then rescued twenty days later

17-year-old Lisa Romani Mansi, kidnapped while on her way to a lesson and her whereabouts remain unknown

18-year-old Vivian Adel Youssef, failed to return home from school and reported missing by her husband she had married two weeks prior

20-year-old Meray Girgis Sobhi, never returned home from attending a lesson

16-year-old Hoda Atef Ghali Girgis, reported missing after attending an Easter festival

18-year-old Rasha Khalaf Thabet Aziz, abducted while returning from her grandmother's home following an Easter celebration

26-year-old mother of two Christine Lamie who went missing days after receiving a threatening Facebook message stating "I will not leave you...I will take you even on the last day of my life"

These cases continue despite the government of Egypt's commitment to "effectively implement legislation to eliminate discrimination and violence against women and girls", as prescribed in Universal Periodic Review Working Group recommendations 31.338, 31.353, and 31.346.²⁵ Egypt also committed during its last review cycle to: "adopt policies to combat violence against women and girls that ensure access to justice for victims and that include public awareness campaigns". Unfortunately, Egyptian authorities have failed to combat the violence and enforced disappearances of Coptic women and girls and have instead pursued criminal charges against individuals and civil society actors for pursuing justice through their own public awareness campaigns.²⁶ Authorities arrested Coptic attorney Hani Farouk Gedran Guirquis on 4 June 2022 in Case No. 9369 for speaking out against the abduction of Coptic women. Guirguis was charged for "deliberately spreading false news" in addition to other charges for bringing attention to the case on social media.²⁷ In addition, authorities have dispersed peaceful protests by family members of disappeared Coptic girls. In December 2021, the family of a minor Coptic girl gathered in the village of al-'Amoudain in al-Minya to protest the police's lack of action in locating their disappeared daughter Marna; authorities then reportedly broke up the protest using tear gas and arrested 22 Copts, many of whom were relatives of the girl. Family members who have engaged in social media advocacy have also received threats from the traffickers.²⁸

Recommendations.

We urge the Arab Republic of Egypt to:

- 16. Amend existing laws to grant legal recognition to Bahá'í, Jehovah's Witnesses, Shiite, and Ahmadi Muslims. This will ensure these communities can practice their faiths freely and own property. Additionally, repeal or amend Presidential decree Law No. 263 of 1960 and related decrees that inhibit the legal recognition of these faiths;
- 17. Promote and facilitate dialogue between different religious communities to foster mutual understanding and respect;

²⁵ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: Egypt, <u>A/HRC/43/16</u>, 27 December 2019.

²⁶ Coptic Solidarity, Set My People Free, & International Religious Freedom Roundtable Africa Working Group, *Enforced Disappearance in Africa Targeting Individuals with Regards to Their Exercise of Freedom of Thought, Conscience, Religion and Belief,* 14 November 2023.

²⁷ Coptic Solidarity, "Detention Renewed Again for Lawyer Who Protested the Kidnapping of Coptic Women", 21 July 2022.; Coptic Solidarity, "Challenges of Being a Minority Lawyer in Egypt", 8 February 2023.

²⁸ Coptic Solidarity, Set My People Free, & International Religious Freedom Roundtable Africa Working Group, <u>Enforced Disappearance in Africa Targeting Individuals with Regards to Their Exercise of Freedom of Thought, Conscience, Religion and Belief, 14 November 2023.</u>

- 18. Reform Penal Code Article 98(f) to align with international human rights standards, ensuring it does not criminalize legitimate religious expression and dialogue. Revise Article 161 to protect freedom of expression and religious practice, and to ensure protections for scholarly and theological debate;
- Repeal discriminatory legal and administrative hurdles preventing non-Muslims registered as Muslims from changing their religious identity officially in their ID cards, ensure they do not face any administrative or criminal penalties, such as loss of custody rights;
- 20. Provide training for judges and law enforcement officials on human rights and the importance of upholding freedom of religion and belief;
- 21. Release all individuals detained or imprisoned on charges related to blasphemy, insulting religious symbols, and lawful religious conversion;
- 22. Safeguard the rights of asylum seekers and refugees facing religious persecution, ensuring they are not repatriated to countries where they face danger;
- 23. Allocate public funds equitably across all religious communities, ensuring that minority religious groups receive adequate support for constructing and renovating their places of worship;
- 24. Provide adequate security and protection for Christian communities, especially around their places of worship and during construction or renovation projects;
- 25. Conduct prompt, impartial, and thorough investigations into all incidents of violence and vandalism against faith minority communities and their places of worship;
- 26. Move beyond symbolic gestures and media moments to implement substantive policies that improve the lives of individuals in religious minority communities;
- 27. Reassess and regulate the use of amnesty deals for militants to ensure they do not undermine justice for victims of terrorism and religious violence;
- 28. Provide comprehensive support for victims of religious violence and their communities, including psychological, financial, and legal assistance;
- 29. Monitor and report on the abduction in its various forms forced marriage, and forced religious conversion of minority women and girls in Egypt;
- Apprehend and prosecute all individuals, including police, government officials, and Islamic religious groups or authorities, for whom evidence exists of participation or complicity in cases of abductions, forced conversions, and forced marriages;
- 31. Fund and partner with specialized civil society groups to provide aftercare to women who have been recovered and to their families. This should include medical care, both physical and extensive mental health care, relocation assistance if requested, and assistance in establishing a new life including assistance with education and or job placement;
- 32. Amend the Ministry of Interior's Civil Status Department regulations to allow for the adoption of abandoned children by families of any faith, ensuring that the child's welfare and familial bonds are paramount;
- 33. Ensure that the religious background of abandoned children is considered and respected in adoption and custody decisions; develop guidelines that allow for the retention of the child's birth religion or the religion of the adoptive family, particularly in cases where the child's background can be reasonably inferred.