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ON THE COVER: Members of Pakistan's Women Action Forum in Lahore, Pakistan rally against the presence of Taliban and militants in the northwest of Pakistan on Thursday, February 12, 2009. The banners condemn religious extremism, domestic violence, and the burning down of girls' schools in Swat. (AP Photo/K.M. Chaudary)

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. The government has not taken sufficient steps to halt the repression of and discrimination against religious believers, including indigenous Coptic Orthodox Christians, or, in many cases, to punish those responsible for violence or other severe violations of religious freedom. The government also has not responded adequately to combat widespread and virulent anti-Semitism in the government-controlled media. On a positive note, in March 2009, Egypt's Supreme Administrative Court dismissed final appeals to a 2008 lower court verdict which overturned the ban on providing official identity documents to members of the Baha'i faith, thus paving the way for Baha'is to obtain such documents—though it is too soon to tell if this ruling will be implemented. In addition, there was increased public space to discuss and debate a wide range of religious freedom concerns in the media and other public fora, which, in previous years, was discouraged and prevented by Egyptian authorities. Nevertheless, due to persistent, serious concerns, Egypt remains on the Commission's Watch List and the situation will continue to be monitored to determine if it rises to a level that warrants designation as a "country of particular concern," or CPC.

Egypt has a poor overall human rights record, including repressive practices that 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 concerned that Islamist extremism continues to advance in Egypt, with detrimental effects on the prospects for democratic reform, religious tolerance, and the rights of women, girls, and members of religious minorities. Some believe that the government is not acting 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 Koranists—a very small group in Egypt that accepts only the Koran as the sole source of religious guidance and thus has been accused by the Egyptian government of deviating from Islamic law. In October 2008, an Egyptian blogger, Reda Abdel Rahman, affiliated with the Koranist movement, was arrested and charged with "insulting Islam," reportedly because his blog called for political and religious reform in Egypt. After nearly three months in detention, during which he alleges he was physically abused, Rahman was released in January 2009.

In February 2007, a court in Alexandria convicted and sentenced Abdel Karim Suleiman, a 22 year-old 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 attacks on Coptic Christians in Alexandria in October 2005. In March 2007, an appeals court upheld his sentence. He currently is serving the remainder of the four-year prison term.

The Emergency Law, which has been in effect since 1981 and was renewed for another two years in May 2008, restricts many human rights, including freedom of religion or belief as well as freedom of expression, assembly, and association. 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 also are used to detain and try individuals deemed by the state to have "unorthodox" or "deviant" Islamic or other religious beliefs or practices. Since 2005, Egypt's National Human Rights Commission has called for the Emergency Law to be lifted.

Members of Egypt's non-Muslim religious minorities, particularly Christians and Baha'is, report discrimination, interference, harassment, and surveillance by the Egyptian state security services. Over the past few years, there has been an upsurge of attacks by Islamists targeting Coptic Orthodox Christians. Only in very few cases have perpetrators been arrested and convicted. In November 2008, thousands of Muslim protestors attacked a Coptic Orthodox church in a Cairo suburb, burning part of it as well as a nearby shop, and leaving five people injured. In January and May 2008, armed Muslim Bedouins attacked the Abu Fana monastery in Minya province. In the May attack, one Muslim died, at least three Christians were wounded, and several monks were abducted and abused. Three abducted monks reportedly were rescued by Egyptian security services. Even though ownership of the land at issue is disputed, Christian advocacy groups claim that Egyptian authorities' repeated characterization of the incident as a "land dispute" ignores the severity of violence faced by Coptic Orthodox Christians. Several of the Muslim attackers remain in custody, but no charges have been filed against them. Two Christians were detained and accused of killing the Muslim man; they have alleged physical abuse while in detention. Following the May incident and other previous attacks on the monastery, Egyptian authorities organized "reconciliation meetings" between the local Bedouin population and the monks.

In September 2008, six Christians in Port Said were arrested after local authorities raided their café because it remained open during the Muslim fasting period of Ramadan. The six were charged with resisting arrest and assaulting authorities and were sentenced in January 2009 to three years in prison. They also alleged physical abuse. In February 2008, Muslims set fire to Christian-owned shops in the village of Armant in Upper Egypt after reports surfaced of a relationship between a Muslim woman and a Coptic Christian man. Security forces closed shops under a security decree and detained eight Muslims and one Copt, all of whom were subsequently released. In December 2007, in the Upper Egypt town of Esna, a number of Muslims attacked a church and 26 Christian-owned shops. This incident reportedly was sparked by rumors that a Coptic Christian shop owner lifted the veil of a Muslim women he suspected of shoplifting. Local authorities responded by arresting more than a dozen alleged perpetrators. However, the authorities subsequently released them without charges. Instead, the local and national governments agreed to provide compensation to the Coptic victims. The governor of Qena distributed compensation that totaled $230,000 to the shop owners whose property had been destroyed or damaged.

Violent attacks on Christian communities over the years have resulted in very few prosecutions, including the 2004 Court of Cassation decision to uphold the acquittal of 94 of 96 persons suspected of involvement in 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 this 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. There is one Christian governor out of 28, one elected Member of Parliament out of 454 seats, no known university presidents or deans, and very few legislators or 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. Contacts between such persons are often a source of tension between Muslim and Christian communities in Egypt.

For all Christian groups, government permission is required to build a new church or repair an existing one, and the approval process for church construction is time-consuming and inflexible. President Mubarak has the authority to approve applications for new construction of churches, and more than 100 applications to build new churches await his decision. Although 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 a decree transferring authority for granting permits to renovate or repair existing churches from the president to the country's 28 governors. Although this was initially viewed as a welcome step, some 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 Article 98(f) of the Penal Code to prosecute any alleged proselytizing by non-Muslims. Known converts from Islam to Christianity generally receive scrutiny from the state security services; most conversions therefore are done privately. 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. Some individuals have been arrested for falsifying identity documents following conversion. Other converts have fled the country for fear of government and societal repercussions.

In February 2008, in an important case, Egypt's Supreme Administrative Court reversed a lower court's ruling prohibiting citizens from returning to Christianity after converting to Islam. However, the court also ruled that, while the 12 individuals' identity cards could list their religious affiliation as "Christian," the documents also must state that the individual is a "formerly declared Muslim"—opening a new potential justification for police harassment, prejudicial treatment by officials responsible for providing public services, and/or societal violence. The ruling, moreover, may be short-lived. In March 2008, an Egyptian judge appealed it to the Supreme Constitutional Court, arguing that the decision conflicts with the Egyptian constitutional provision that makes Islamic law the principal source of legislation. As of this writing, the appeal is pending. In December 2008, an administrative court in Alexandria awarded Fathi Labib Yousef the right to register as a Christian after spending 31 years officially identified as a Muslim. Yousef was raised Coptic Orthodox Christian but converted to Islam in 1974 in order to divorce his Christian wife. He returned to Christianity in 2005, but the local civil registry office refused to acknowledge his change of religion. Despite the favorable court ruling, however, it is not clear if Yousef has been able to obtain his new documents. In recent years, many local government registry offices have not changed official identity documents to reflect new religious affiliations, citing various excuses, despite judicial rulings that legally mandate such action.

In contrast to these re-conversion cases, the Egyptian government generally does not recognize conversions of Muslims to other religions. In January 2008, an Egyptian court denied Mohammed Hegazy the right to change his identity card to reflect his conversion to Christianity from Islam. Citing the constitutional provision that Islamic law is the principal source of legislation, the judge ruled that, since Hegazy was born Muslim and Islam is the "final and most complete religion," he could not convert to another, allegedly less "complete" belief. Hegazy, the first Egyptian Muslim convert to Christianity to sue the government to recognize such a conversion, has received death threats for trying to exercise the right to change his religion and is in hiding. Hegazy has appealed the January 2008 ruling. In the past year, a second convert from Islam to Christianity, Maher El-Gohary, who also is in hiding because of threats from extremists, has sued to change the religious status on his identity card. Islamist lawyers who are not parties to the case have argued that the court not only should deny the change, but convict El-Gohary of apostasy. In February 2009, when requesting legal documents at the local registry office, a government official berated him, which incited some patrons to verbally assault and shove him, and one individual struck El-Gohary with a broom. Because El-Gohary felt compelled to leave the office without obtaining the desired papers needed for the court hearing in the case, the judge postponed the case citing the lack of documentation.

All Baha'i institutions and community activities have been banned since 1960 by a presidential decree. As a result, Baha'is, who number approximately 2000 in Egypt, are unable to meet or 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. In March 2009, several Baha'i homes in a village in the Sohag province were vandalized by Muslim villagers. Egyptian human rights groups immediately condemned the violence and said that a contributing factor to the attacks was incitement by a media commentator who, during a television program, labeled an individual member of the Baha'i faith an apostate and called for her to be killed. According to the Egyptian Interior Ministry, several alleged perpetrators have been arrested.

In January 2008, Cairo's Court of Administrative Justice overturned the ban on providing official identity documents to members of the Baha'i faith, allowing them to put a dash or a symbol in the space designated for religious affiliation. Until this ruling, identity documents permitted registration in only one of the three officially approved religions—Islam, Christianity, or Judaism—thereby effectively preventing Baha'is from obtaining such documents, which are required in Egypt for many basic transactions and public services, and without which it is illegal to go out in public. However, the ruling only permits Baha'is who were issued identity documents in the past to receive the new version, and does not apply to those who have never been issued such documents. Over the past few years, some Baha'is lost their jobs and a few young Baha'is were dismissed from universities because they did not have identity cards. Because the Baha'i faith is banned, the community also has difficulty obtaining birth and death certificates, as well as obtaining or renewing passports.

Although the Egyptian government did not challenge the January 2008 court ruling within the time period in which a party to the case could appeal, the implementation of the verdict was stalled for more than a year due to lawsuits filed by Islamist groups who were not parties. Finally, in March 2009, the Supreme Administrative Court ruled that it would dismiss all remaining appeals and thus pave the way for Baha'is to obtain government-mandated identity cards. In April, the Egyptian Ministry of Interior

published a decree permitting individuals to obtain government documents without identifying themselves as belonging to any particular religion. As of this writing, however, it is not clear if the decree has been implemented in practice and whether or not any Baha'is in Egypt have been able to secure official identity documents.

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 Holocaust denial literature. Egyptian authorities have not taken adequate steps to combat anti-Semitism in the media, despite official claims that they have advised journalists to avoid anti-Semitism. According to the State Department, in 2008, anti-Semitism in the media was common but "less prevalent than in recent years." Human rights groups cite persistent, virulent anti-Semitism in the education system, which is increasingly under the influence of Islamist extremists, a development the Egyptian government has not adequately addressed. The small Jewish community of approximately 125 people owns its property, and finances required maintenance largely through private donations. In 2007, Egyptian authorities, including the Minister of Culture and the head of the Ministry's Supreme Council of Antiquities, pledged to move forward over the next few years with the restoration of at least seven synagogues under the Council's supervision as well as the possible development of a Jewish museum in Egypt.

After several years of close surveillance, authorities 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. After a period of improved conditions and a significant decrease in harassment and abuse by government officials in 2006, the number of interrogations by Egypt's state security services of Jehovah's Witnesses increased in 2007 and 2008. In particular, one member of the state security services in Cairo increasingly has used intimidation and threats of physical abuse to extract information about co-religionists. Jehovah's Witnesses in Egypt continued to pursue legal recognition but have not made any significant progress with Egyptian authorities in the past year.

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 illegal organizations under a law prohibiting political parties based on religion. Despite these restrictions, the Muslim Brotherhood has become much 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. Human rights groups that closely monitor the detention of such individuals claim that the vast majority are in prison as a result of their political beliefs or activities, and not on the basis of religion.

On a positive note, in 2008 the National Council for Human Rights (NCHR), a government-appointed advisory body, released its fourth annual report in which it documented cases impacting Coptic Orthodox and other Christians, recommended a resolution for official recognition of Baha'is, discussed concerns facing the Jehovah's Witnesses, and criticized both religious textbooks in schools and the curriculum in the Ministry of Higher Education's Imams' Institution for failing to address human rights topics. The report also encouraged the Egyptian government to pass a law for all religious groups addressing the construction of new places of worship. The NCHR also called for the formation of a permanent national anti-discrimination league which would be charged with the elimination of any form of discrimination based on religion, gender, or ethnic origin.

In addition, over the past few years, the Egyptian government has adopted several measures to acknowledge the religious pluralism of Egyptian society, including increased efforts to promote interfaith activity. In April 2008, the first national conference of the organization Egyptians Against Religious Discrimination was held in Cairo. In February 2008, Sheikh Tantawy of Al-Azhar University opened the Al-Azhar-Vatican Inter-religious Dialogue Conference. This conference issued a final communiqué highlighting statements by Pope Benedict on the need for Christianity and Islam to respect each other's religious beliefs and symbols.

Throughout the past year, the Commission continued to meet with representatives of the various religious communities in Egypt, as well as with human rights organizations, academics, and other experts.

In March 2009, the Commission wrote to U.S. Ambassador to Egypt Margaret Scobey urging her to raise specific religious freedom issues with Egyptian officials. In February, H.Res. 200, a resolution calling on the Egyptian government to respect human rights, was introduced in the U.S. House of Representatives; the resolution includes findings and recommendations from the Commission's May 2008 annual report. In October 2008, Commission staff presented on religious freedom conditions in Egypt at the American Islamic Congress' Capitol Hill Distinguished Speaker's Series on "Democracy in Egypt: Can it Wait?" In February 2008, the Commission issued a statement calling on the Egyptian government to respect the judicial rulings discussed above on identity cards for Baha'is and Christian converts.

Recommendations for U.S. Policy

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

The Commission recommends that the U.S. government 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, including conspiracy to commit acts of terror;

- 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, and take special measures to preserve Coptic Orthodox and other Christian properties and antiquities, which too often are subject to societal violence and official neglect; and

- 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 all 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

The U.S. government should also urge the Egyptian government to:

- 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, textbooks, and 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;*

- permit any Egyptian citizen to learn voluntarily the Coptic language in the public school system;

- 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;

- fully implement the January 2008 ruling of the Court of Administrative Justice, which overturned the ban on providing official identity documents to members of the Baha'i faith;

- remove the designation "formerly declared Muslim" from identity cards for those Christians who have converted back to Christianity from Islam, which makes the persons involved vulnerable to official harassment and societal violence;

- ensure that every Egyptian is protected against discrimination in social, labor, and other rights by modifying the national identity card either to omit mention of religious affiliation or make optional any mention of religious affiliation;

- more actively investigate religious-based violence against Egyptian citizens, particularly Coptic Christians, prosecute perpetrators responsible for the violence, and ensure compensation for victims;

- investigate claims of police negligence and inadequate prosecution of those involved in the Al-Kosheh case, as well as other recent instances of violence targeting individuals on account of their religion or belief, particularly members of the vulnerable Coptic Orthodox Christian community;

- implement the 2002 recommendations of the UN Committee Against Torture, as well as other relevant international human rights treaties to which Egypt is a party; and

- halt its practice at the UN Human Rights Council and other international fora of introducing the so-called "defamation of religions" resolution, which violates the internationally-guaranteed rights to freedom of religion and expression.

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

* Criteria for reviewing textbooks and other educational materials have been developed by several international bodies, including UNESCO. For the UNESCO criteria, see http://www.unesco.org/education/pdf/34_71.pdf.

- 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 publicly accessible sites, such as a museum, so that all Egyptians can better understand past and present Jewish contributions to their history and culture.

The Commission also recommends that the U.S. Congress should:

- in the context of the annual congressional appropriation for U.S. assistance to Egypt, require the State Department to report every six months on the government of Egypt's progress on the issues described in this chapter, as well as on the U.S. government's progress in offering funding directly to Egyptian NGOs without prior Egyptian government approval.