

December 19, 2006: Egypt: USCIRF Regrets Court Ruling Upholding Discriminatory National Identity Card Policy

FOR IMMEDIATE RELEASE

December 19, 2006

Contact:

Angela Stephens, Assistant Communications Director,

(202) 523-3240, ext. 114

WASHINGTON-The U.S. Commission on International Religious Freedom (USCIRF), an independent, bipartisan federal agency, deeply regrets the decision by the Supreme Administrative Court of Egypt on Saturday to uphold the Egyptian government's discriminatory policy of prohibiting Baha'is from obtaining a national identity card. A lower court decision in April had allowed members of the Baha'i faith in Egypt to obtain a national identity card and to list their religious affiliation, but the Egyptian government appealed that ruling to the Supreme Administrative Court. "The court's ruling denies Egyptian Baha'is their rights as citizens of Egypt and would subject them to particular hardship in obtaining education, employment, and social services," said Commission Chair Felice D. Gaer. Baha'is are put to the choice of claiming adherence to a religion other than their own or foregoing an identity card and other official documents. Last month, the Commission issued a statement noting that Egypt's policy requires all citizens to carry a national identity card that lists one's religion, permitting only Islam, Christianity, and Judaism as choices for that listing. This policy: runs contrary to Article 40 of the Egyptian Constitution which states that: "All citizens are equal before the law. They have equal public rights and duties without discrimination between them due to race, ethnic origin, language, religion or creed;" violates Article 18 of the International Covenant on Civil and Political Rights (ICCPR), to which Egypt is a party. The UN Human Rights Committee has stated that no one can be "compelled to reveal [his or her] adherence to a religion or belief." Furthermore, in a 2004 report, the UN Special Rapporteur on Freedom of Religion or Belief stated that mention of religion on government identity cards is at "variance with the freedom of religion or belief that is internationally recognized and protected" and that Egypt's policy of excluding "any mention of religions other than Islam, Christianity or Judaism would appear to be a violation of international law;" and is inconsistent with the practice of many other countries in the region where Islam is the state religion and/or a source of legislation. Countries in the region that either do not require religious affiliation or do not list it at all on national identity cards include Algeria, Bahrain, Iraq, Kuwait, Mauritania, Oman, Qatar, Sudan, Tunisia, and the United Arab Emirates.

Felice D. Gaer, Chair • Michael Cromartie, Vice Chair • Elizabeth H. Prodromou, Vice Chair • Nina Shea, Vice Chair • Preeta D. Bansal • Archbishop Charles J. Chaput • Khaled Abou El Fadl • Richard D. Land • Bishop Ricardo Ramirez • Ambassador John V. Hanford III, Ex-Officio • Joseph R. Crapa, Executive Director