

EGYPT

The Egyptian transitional government continues to engage in and tolerate systematic, ongoing, and egregious violations of freedom of religious freedom. Despite claims by the Supreme Council of Armed Forces (SCAF) that it dismantled the state security apparatus, partially lifted the state of emergency, and addressed some ongoing religious freedom concerns, discriminatory and repressive laws and policies remain that restrict freedom of thought, conscience and religion or belief. For the second year in a row, USCIRF recommends in 2012 that Egypt be designated a “country of particular concern,” or CPC, under the 1998 International Religious Freedom Act (IRFA).

Background

On February 11, 2011, President Hosni Mubarak was ousted from power, and the SCAF took control of the country. The SCAF has appointed a civilian cabinet; conducted a referendum approving constitutional amendments; issued a constitutional declaration to govern the country through the transition; and issued laws governing the formation of political parties and the structure of parliamentary elections. The lower house of parliament (People’s Assembly) was elected through a three-stage process that concluded in January 2012. Elections for 180 of the 270 seats in the upper house (Shura Council) concluded in February 2012, followed by the convening of its first session. Egypt’s next president will appoint the remaining 90 seats of the Shura Council. In March, the parliament named a 100-person constituent assembly to draft a new constitution, although the new assembly’s work has been suspended by an administrative court. As of this writing, Presidential elections are expected to occur on May 23-24 and conclude in June.

Although the parliamentary elections, despite some irregularities, were the most free and fair in decades, the SCAF tightened its grip on opposition groups. It used deadly force against public protestors, including Coptic Christians; arrested, tried, and imprisoned democracy activists; raided pro-democracy NGOs and imposed travel bans on their American and European personnel; and fostered anti-Western xenophobia through state-run media. Over the past year, human rights groups have accused the military of arresting thousands of demonstrators and holding trials that lack due process, convicting and sentencing many to three-to-five-year prison terms.

During the transition, there have been some positive religious freedom developments. In January 2012, the Interior Ministry stated publicly that it worked with the SCAF on an extensive security plan to protect all churches around the celebration of Coptic Christmas. In May 2011, the government began to reopen more than 50 churches. In the aftermath of the October Maspero violence, the government took steps to reduce discrimination in the Penal Code.

Religious Freedom Conditions

Serious problems of discrimination, intolerance, and other human rights violations against members of religious minorities and disfavored Muslims, remain widespread. The transitional government has failed to protect religious minorities from violent attacks even though religious minorities are increasingly vulnerable. The high level of violence and lack of accountability continued to foster a climate of impunity, making further violence more likely.

Concern for Law and Order: Human rights activists inside Egypt are concerned that extremist groups will continue to advance causing detrimental impacts on democratic reform and religious freedom. During the transition period, the decrease in police and security presence has led to an increase in crime and lawlessness, with some Islamist militant groups being able to impose extra-judicial punishments. Early in the transition, Islamist militant groups increased their attacks on and harassment of Sufi Muslims, as they deem heretical a number of Sufi religious practices, including the veneration of saints. In 2011, extremists in Alexandria targeted at least 16 historic Sufi-led mosques and attempted to deface and destroy tombs of important Sufi Islamic scholars.

Blasphemy Laws and Violations against Muslims and Dissidents: 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 the three “heavenly religions,” Judaism, Christianity, and Islam. In addition to Sunni Muslim dissidents, religious groups negatively impacted in recent years include Ahmadis, Qur’anists, Christians, and Shi’a and Sufi Muslims.

Christian-Muslim Tensions: Violent sectarian attacks targeting Coptic Orthodox Christians and their property increased significantly throughout the year. Military and security forces used excessive force and live ammunition targeting Coptic Christian demonstrators, resulting in dozens of deaths and hundreds of injuries. Reportedly, in 2011, more than 40 sectarian incidents, resulting in nearly 100 deaths mostly of Coptic Christians, surpassed the death toll of the previous 10 years combined. Just prior to the November 2011 elections, Egyptian media and government-funded mosques helped incite violence between Muslims and Coptic Christians. Authorities typically conduct “reconciliation” sessions between Muslims and Christians as a means of resolving disputes. In some cases, authorities compel victims to abandon their claims to legal remedy. This ongoing violence and failure to prosecute continued to foster a climate of impunity. Christians also face official and societal discrimination.

Baha’is: Egypt has banned all Baha’i institutions and community activities since 1960, and authorities have arrested and imprisoned Baha’is on account of their religious beliefs. In 2009, the Supreme Administrative Court required that national identification documents issued to Baha’is contain a dash or other mark in the space designated for religious affiliation of one of three officially approved faiths, Islam, Christianity, or Judaism. Baha’is also face societal violence with impunity. Over the past year, Baha’i community representatives have had discussions with the SCAF and transitional government, with no long-term resolutions to their ongoing concerns.

Jehovah Witnesses: A 1960 presidential decree banned all Jehovah’s Witness activities. While government interference into the activities of the small community has abated somewhat since former President Mubarak stepped down, Egyptian authorities continue to conduct surveillance and sometimes impede their private worship.

Jews: Material vilifying Jews continues to appear regularly in the state-controlled and semi-official media. Officials claim that anti-Semitic statements in the media are a reaction to Israeli government policy toward Palestinians and do not reflect historical anti-Semitism. Human rights groups cite persistent and virulent anti-Semitism in the education system.

Recommendations for U.S. Policy

In addition to designating Egypt a CPC, the U.S. government should:

- Pursuant to the Consolidated Appropriations Act of 2012 (P.L. 112-74), do not certify the disbursement of the appropriated \$1.3 billion in Foreign Military Financing (FMF) until the Egyptian government demonstrates that it is using FMF funds to implement policies that protect freedom of religion and related human rights; once the government so demonstrates, ensure that a portion of the funding is used to help the police implement an effective plan for dedicated police protection for religious minority communities and their places of worship;
- Urge the transitional government and newly elected parliament to ensure that a new constitution has robust protections for the right to freedom of religion or belief consistent with international human rights law;
- Urge the Egyptian government to repeal fully the Emergency Law, in existence since 1981;
- Press the transitional 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 unified law for the construction and repair of places of worship;
- Press the Egyptian government to prosecute perpetrators of sectarian violence, including creating a special unit in the Office of the Public Prosecutor; and
- Press the Egyptian government to ensure that responsibility for religious affairs is not placed under the jurisdiction of the new domestic security agency.

The U.S. Congress should:

- Require the Departments of State and Defense to report every 90 days on the transitional government’s progress on issues including compliance with international human rights standards – including freedom of religion or belief, protection of religious minorities, and the prosecution of perpetrators of sectarian violence, as well as on the U.S. government’s progress in directly funding Egyptian NGOs without prior Egyptian government approval.

Please see USCIRF’s 2012 Annual Report for a more extensive review and recommendations on Egypt.