



UNITED STATES COMMISSION ON  
INTERNATIONAL RELIGIOUS FREEDOM

**Remarks by Nina Shea, Vice Chair  
U.S. Commission on International Religious Freedom**

**Briefing on “Religious Freedom in Egypt: Recent Developments”**

**Before the Task Force on Religious Freedom  
Of the United States House of Representatives**

**May 23, 2007**

On behalf of the U.S. Commission on International Religious Freedom, on which I serve as Vice Chair, I wish to thank the Religious Freedom Task Force for inviting me to testify before you today on the situation of freedom of thought, conscience, and religion or belief in Egypt. Given our limitations on time, I would like to request that the Commission’s chapter on Egypt from our Annual Report, which was released publicly earlier this month, also be submitted into the record.

Mr. Chairman, the Commission has done extensive reporting on Egypt and remains highly concerned about the poor religious freedom conditions there. Violations against religious minorities, as well as non-conforming Muslims, remain widespread in Egypt. While it is true that the Egyptian government has adopted several measures to promote interfaith activities in recognition of the religiously pluralistic nature of Egyptian society, the government has unfortunately not taken sufficient steps to halt repression of and discrimination against some religious believers, or, in many cases, to punish those responsible for violence or other severe violations of religious freedom. These violations include continued prosecution in state security courts and imprisonment of those accused of “unorthodox” Islamic religious beliefs or practices, including those who are not militants; discrimination against, restrictions on, interference with, and harassment and surveillance of members of non-Muslim religious minorities, particularly Christians and Baha’is, by the Egyptian state security services; societal intolerance of and violence against Coptic Orthodox and other Christian denominations by Muslim extremists; and the continued prevalence of material vilifying Jews—with both historical and new anti-Semitic stereotypes—in the state-controlled and semi-official media.

The Emergency Law, which has been in effect since 1981, restricts many human rights, including freedom of religion or belief as well as freedom of expression, assembly, and

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association. Under the Emergency Law, the security forces are given license to 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. Non-Muslim religious minorities, particularly Christians and Baha'is, report discrimination, interference, harassment, and surveillance by these same state security services.

In late December 2006, President Mubarak stated his intention to amend 34 articles of Egypt's Constitution and to replace the Emergency Law with new anti-terror legislation. Of particular concern is amended Article 179, which paves the way for the new anti-terrorism law. In March 2007, the amendments were adopted in parliament and endorsed in a referendum that was boycotted by the political opposition and criticized by independent monitors as fraudulent; indeed, according to independent sources, fewer than 5 percent of the population participated. According to human rights experts, the amendments will give the President and the security forces unprecedented powers by entrenching—and making permanent through legislation—existing practices of unwarranted search and seizure, arbitrary arrest and detention, torture, and unfair trials, thereby further eroding human rights protection. They will also clearly violate Egypt's international human rights obligations.

Under the country's Emergency Law, as well as Article 98(f) of the Penal Code, Egypt's state security courts continue to prosecute and imprison those accused of "unorthodox" Islamic religious beliefs or practices that insult the three "heavenly religions": Judaism, Christianity, and Islam. These courts have arrested and imprisoned—sometimes without charge—Shi'a and other non-Sunnis, as well as other Muslims deemed "deviant." 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 the attacks on Coptic Christians in Alexandria in October 2005. In March of this year, an appeals court upheld his sentence.

The Egyptian 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. All mosques must be licensed by the government, and sermons are monitored by the government, reportedly as a necessary precaution against religious extremism and terrorism. Yet, human rights organizations inside the country are seriously concerned that Islamic extremism is in fact advancing in Egypt, making questionable the prospects for democratic reform, religious tolerance, and the rights of women and girls and members of religious minorities. Despite the state controls, some believe that the government is not acting to its fullest ability to counteract religious militancy, especially in the areas of public education and the media, where extremist influence is growing.

In addition to surveillance and harassment by the state security services, Coptic Orthodox and members of other religious minorities also face societal intolerance and violence by Muslim extremists. Despite draconian efforts on the part of the Egyptian government to fight extremism,

these same Egyptian security entities are often lax in or indifferent to protecting the lives and property of minority groups from extremist violence, as well as in prosecuting those responsible for the violent actions. For example, despite assurances from the Egyptian government, Muslim extremists who killed 21 Christians in Al-Kosheh in late 1999 and early 2000 were never brought to justice. In 2004, the Court of Cassation upheld the acquittal of 94 of 96 suspects who were charged with various offenses in connection with the killings, but no one was convicted or sentenced for killing any of the Christians.

Though arrests have been made in some cases, they are rarely—if ever—followed with prosecutions, and the Egyptian government's record is particularly weak in this regard. In January 2006 near Luxor, more than a dozen Christians and Muslims were injured after clashes broke out when Muslim youths torched a house that Coptic Christians had been using as a makeshift church. Despite the government claim that investigations have been conducted, the results of these investigations have not been made public. In April 2006, three Coptic Christian churches in Alexandria were attacked on Palm Sunday by a Muslim man, resulting in the death of one Christian and the wounding of approximately a dozen others. According to the Interior Ministry, the man who attacked the churches was caught and is being charged. And just under two weeks ago, Egyptian security forces arrested 59 Muslims who were accused of setting fire to Christian homes and shops in clashes over church construction. Prosecutors reportedly ordered the arrests after taking the testimony of 10 Coptic Christians who were hurt in the clashes on Friday in the village of Behma, south of Cairo, in which hundreds of both Christians and Muslims fought with sticks and hurled bricks and firebombs at one another. The 59 Muslims were charged with arson and with spreading sectarian strife. There have been no prosecutions yet in any of these cases.

In addition to violence, Christians face official and societal discrimination. Christians are rarely found in high-level government and military posts, or in the upper ranks of the security services and armed forces. There are only a handful of Christians in the upper ranks of the security services and armed forces; one Christian governor out of 26; one elected Member of Parliament out of 444 seats; no known university presidents or deans; and very few legislators and judges. In addition, for all Christian groups, government permission must still be sought to build a new church or repair an existing church, and the approval process for church construction is time consuming and inflexible. Under Egyptian law, Muslim men can marry Christian women but Muslim women are prohibited from marrying Christian men. In February 2007, Muslim groups reportedly set fire to several Christian-owned shops in southern Egypt due to rumors of a relationship between a Muslim woman and a Coptic Christian man. Seven Muslims and one Coptic Christian were arrested on suspicion of taking part in these attacks. As in other cases, it remains to be seen if justice will be served.

Because the Egyptian government does not recognize conversions of Muslims to other religions, most conversions are reportedly done privately. In 2006, Egyptian authorities re-arrested Baha Al-Accad, a citizen who was born Muslim but converted to Christianity. Al-Accad, who was first detained in April 2005, had been acquitted by a court for "contempt of religion"; he was subsequently released, detained again without charge, and transferred to a prison in Wadi Natroun. He was released only a few weeks ago. In another potentially ominous development, at the end of last month, the Administrative Court ruled to deny the rights of Copts who have

converted to Islam to reconvert back to Christianity and identify themselves as such on identity cards. This ruling has caused confusion, however, since the Supreme Administrative Court has previously issued a contradictory ruling.

Life in Egypt is particularly difficult for members of the Baha'i faith, whose institutions and community activities have been banned since 1960 by a presidential decree, leaving them unable to meet and 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. 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.

The Egyptian government's requirement that religious affiliation be included on national identity cards especially affects the Baha'i community. Since only Islam, Christianity, and Judaism are protected under the Constitution, these are the only choices for religious affiliation, effectively preventing Baha'is from obtaining identity cards, which are needed for many basic transactions, such as opening a bank account, buying a car, or obtaining a driver's license. There was a glimmer of hope in April 2006, when a lower Egyptian administrative court ruled that a Baha'i couple should be permitted to identify their religious affiliation on official government documents. However, this positive development proved short-lived, as the Interior Ministry appealed the ruling following the advice of religious authorities and some parliamentary members. A higher court suspended the original decision in May, creating a sense of insecurity in the Baha'i community. In December of last year, the Supreme Administrative Court ruling upheld the government's discriminatory policy of prohibiting Egyptian Baha'is from obtaining a national identity card. When the Commission visited Egypt in July 2004, we met with representatives of the Baha'i community who expressed to us in very stark terms the ramifications for their lives in Egypt without identity cards—they would essentially be shoved to the perimeters of society and prevented from pursuing normal, everyday functions needed to sustain themselves.

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 spurious 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. Human rights groups also cite persistent, virulent anti-Semitism in the education system, which is increasingly under the influence of Islamic extremists, a development the Egyptian government has not adequately addressed. As is the case for other religious minorities, the small Jewish communities in Cairo and Alexandria face serious difficulties in maintaining their religious properties, including a synagogue that dates back to the eighth century. Although the Egyptian police authorities do protect the buildings from serious vandalism or unauthorized access, no repair or restoration work is able to be carried out.

On a positive note, the National Council for Human Rights (NCHR), a government-appointed advisory body which was formed in 2003, has emerged as an important entity in Egypt. The Commission met with a representative of the NCHR just yesterday, and was encouraged to hear

of some of its new efforts in addressing religious freedom concerns. In November 2005, the NCHR announced the formation of a sub-group, the “Citizenship Committee,” to focus on religious freedom issues. As a result, the NCHR’s 2006 annual report contained increased reporting on religious freedom concerns, including on the situation of Baha’is; problems facing Jehovah’s Witnesses; violence targeting Christians; and the need for the government to pass a law on the construction of new places of worship for all religious groups.

### **Commission Recommendations**

The Commission has made several specific recommendations for U.S. policy which are included in our Annual Report, which was just released three weeks ago. I would like to highlight a few of those recommendations if I may.

The Commission has recommended the U.S. government should establish a timetable for implementation of political and human rights reforms; if deadlines are not met, the U.S. government should reconsider the appropriate allocation of its assistance to the Egyptian government. Finally, in the context of the annual congressional appropriation for U.S. assistance to Egypt, Congress should require the State Department to report to it annually on the extent to which the government of Egypt has made progress on the issues described here and in my written testimony.

The Commission also recommends that the U.S. government urge the Egyptian government to:

- repeal the state of emergency, in existence since 1981, in order to allow for the full consolidation of the rule of law in Egypt, but ensure that the emergency decree is not replaced by other legislation that allows security forces to continue such actions as arbitrary arrest, pro-longed detention without charge, and torture and other ill-treatment;
- remove *de facto* responsibility for religious affairs from the state security services, with the exception of cases involving violence or the advocacy of violence;
- 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 Internet blogger Abdel Karim Suleiman and any individuals convicted under Article 98(f) on account of their religion or belief;
- 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;
- repeal a 1960 presidential decree banning members of the Baha’i community from practicing their faith and ensure that every Egyptian can obtain a national identity card by either (a) omitting mention of religious affiliation, or (b) making optional any mention of religious affiliation;

- cease all messages of hatred and intolerance, particularly toward Jews and Baha'is, in the government-controlled media; and
- more actively investigate religious-based violence against Egyptian citizens, particularly Coptic Christians, prosecute perpetrators responsible for the violence, and ensure compensation for victims.

### **Conclusion**

Mr. Chairman, only a few years ago, our government was an outspoken advocate of democratic reform and human rights in Egypt. Yet, in the past year or so, U.S. policy has shifted and there have been missed opportunities by U.S. officials to express publicly their concerns regarding religious freedom. The U.S. government has become seemingly reluctant to condemn developments in Egypt that clearly signal a backsliding in human rights protections. Yes, Egypt is an important country—to the United States and in the world today. Yes, the Egyptian government appears to be making great efforts to combat extremism; yet, these same security services that work actively against extremists seem unable—or unwilling—to find the perpetrators of extremist violence against religious minorities and hold them to account.

Egypt also receives a substantial amount of U.S. assistance. It is critical that our government hold the Egyptian government accountable for its policies and practices that violate the human rights, including religious freedom, of so many Egyptians.

Thank you Mr. Chairman. I welcome any questions that you might have.