

Freedom of Religion and Belief in Egypt

Quarterly Report

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Freedom of Religion and Belief Program

Egyptian Initiative for Personal Rights

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This report

This report provides a brief overview of a number of significant developments for freedom of religion and belief in Egypt during the months of April, May, and June of 2008. The report reveals an overall escalation of sectarian tensions during the reporting period, which in some cases escalated into the use of collective violence against Copts due to the actions of individual Copts or rumors about such actions, as seen in two separate incidents in the province of Fayyoun in June. The report also provides an account of the armed assault on the Abu Fana Coptic monastery in the governorate of Menya, against a backdrop of a dispute over the ownership of the land surrounding the monastery. The EIPR's First Quarterly Report had documented a similar attack against the monastery in January 2008.

This report also reviews a number of significant court decisions issued during the reporting period. Particular attention is given to the decision by the Court of Administrative Justice last April to withdraw the State Award for Achievement in the Arts from its 2007 winner, renowned poet Helmy Salim because of a poem he wrote that the court considered "an offense to the divine being." It also examines a new law banning demonstrations in or in front of places of worship, as well as a new statute for Dar al-Ifta', amendments to the personal status code of Orthodox Copts, and a ruling from al-Azhar's Islamic Research Council that deprives the family of a Christian man who converts to Islam of their share of the inheritance. The report also reviews several political developments, new Egyptian and international reports, and conferences and seminars related to religious affairs in Egypt.

This Series

The aim of this series of reports is to provide legislators, policymakers, researchers, the media and other stakeholders with a primary source for documented information on the most significant political, legal, and social developments affecting freedom of religion and belief in Egypt. This report does not offer an analysis of the facts, but only documents them as a basis for further analysis.

In preparing this report the Freedom of Religion and Belief Program of the Egyptian Initiative for Personal Rights (EIPR) relies on field research by program staff, complaints received by the EIPR during the reporting period, information gleaned from news reports and confirmed by researchers, and laws and governmental decrees related to freedom of religion and belief as published in the Official Gazette. This report is not a comprehensive overview of all pertinent developments, but is limited to the facts the report's authors view as most significant and were able to confirm.

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I. Court rulings and trials

1. On 1 April 2008, the Court of Administrative Justice headed by Judge Mohammed al-Husseini issued an injunction against the decision to grant poet Helmy Salim the State Award for Achievement in the Arts. The court revoked Salim's prize pending a final decision on the merits of a lawsuit (no. 61/31339) filed by Youssef al-Badri against the Minister of Culture and the president of the Supreme Council for Culture. In the lawsuit, al-Badri demanded that the prize—an annual award worth LE50,000—be revoked from the poet, who received it last year. The plaintiff argued that in early 2007 Salim published a poem, titled "Layla Murad's Balcony," in a journal issued by the General Egyptian Book Organization (GEBO), parts of which offend the divine being. As a result, GEBO halted distribution of the journal and only redistributed it after the lines in question had been removed.

In its ruling on the legality of granting Helmy Salim the State Award, the court stated that in the poem, "Layla Murad's Balcony," Salim had "flagrantly offended the divine being in a way that suggests the utmost debasement." As a result, "The sin that he committed...against God and against society, challenging its traditions and religious beliefs should fail the sum total of his work, rendering him ineligible for any state honor or prize. At the same time, Article 12 of the Constitution makes society responsible for guarding and protecting morals, promoting genuine Egyptian traditions, and ensuring a high standard of religious education, moral values, and public morals. This duty is enjoined by the legislator for society, and the aforementioned did not discharge this duty. In addition, the Penal Code criminalizes contempt of religion, which is entirely inconsistent with the idea of granting the aforementioned a prize or award of any type."

The court rejected the state's attorney's defense that the plaintiff had no legal standing to file such a lawsuit, countering that "an offense against the divine being touches the faith and religion of every believer. His standing and direct authority is realized when he acts to defend [his faith] by any legitimate, legal means, among them preventing the honoring of such an offense with public monies." The court also dismissed the defense that it lacked jurisdiction over the case given that the decision was not awarded by the executive authority but rather by an independent committee of writers and poets. The ruling found instead that the Supreme Council for Culture is administratively subsidiary to the Minister of Culture, which means that the decision to grant the prize is an administrative decree subject to judicial review.

The court also ruled that the monetary value of the award should be revoked from the poet as an urgent matter, before the lawsuit is resolved. "Allowing the aforementioned to keep the State Award despite his offense to the divine being offends society's sensibilities, incites strife and rancor, deprives youth of an example, and shows indifference to accepted mores and beliefs," the court stated. "In turn, this undermines societal stability and safety and entails irreparable consequences." The lawsuit was still pending before the administrative judiciary as of the writing of this report.

2. In a similar case, on 13 May 2008, the Court of Administrative Justice headed by Judge Mohammed al-Husseini rejected a petition filed by an attorney asking that writer Nawal al-Saadawi's citizenship be revoked "to ensure the public welfare as a result of her offenses to Islam and the divine being." The petition also asked that al-Saadawi's name be added to the watchlist of impending arrivals from abroad and that she be questioned immediately upon her return to Egypt in connection with a criminal complaint to the Public Prosecutor filed by the same attorney. In that complaint, the attorney accused al-Saadawi of "contempt of religion" after she published a play in 2007 titled "God Resigns at the Summit Meeting."

In its ruling rejecting the petition, the court argued that "the right of citizens to move, travel, and return to their homeland" is a right enshrined in the Egyptian Constitution and is protected under the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. "The adoption of ideas and their expression in artistic or cultural creation is a free, conscious stance that extends to various arts through which the artist, in a feat of mental and creative effort, conveys them to others, so that they become widespread and influential," the court wrote. "Regardless of one's opinion of the ideas presented by Dr. Nawal al-Saadawi in her many published works—whether one takes a supportive stance and describes them as art, which is part of free expression, or one is an opponent who believes the ideas represent moral depravity and corruption and a distortion of beliefs and values—the ideas and views of the defendant do not merit a request that her Egyptian citizenship be revoked and this does not constitute one of the specific causes found in the law [for such a measure]."

3. On 29 April 2008, the Court of Administrative Justice headed by Judge Mohammed al-Husseini declared inadmissible an appeal filed by a citizen challenging a presidential decree that delegates to provincial governors the authority to issue licenses to Christian confessions for reparations and expansions of existing churches. Presidential Decree 291/2005 eased legal restrictions on licensing for renovations or changes to existing churches, giving provincial governors the authority "to permit Christian confessions to demolish a church and build another on the same site or add a structure or undertake renovations or expansions to an existing church." The decree also permitted "renovations or repairs to existing churches after a church official sends a written notice to the competent administrative body in the province" without the need for a prior license. In its ruling, the court said that the law gives the President, as the head of the executive authority, the power to delegate such decisions to provincial governors and, consequently, the court has no jurisdiction to revoke these decisions.

4. On 4 May 2008, the Court of Administrative Justice rejected an appeal filed by an attorney asking that grades for Islam and Christianity classes in schools, currently graded on a pass/fail basis, be added to the students' final comprehensive grade at all stages of education. According to a report in the daily *al-Ahram* of 6 May 2008, the court said that "the Education Law requires a student to earn at least a grade of 50% in Islam or

Christianity class in order to pass and it does not require factoring this grade into the student's overall grade."

5. On 20 May 2008, the Court of Administrative Justice headed by Judge Ahmed al-Shazli held the first hearing on lawsuit 62/27658, which was filed by an attorney against the Interior Minister and the head of the Civil Status Department of the Ministry. The lawsuit challenges the Interior Ministry's policy of changing the religious affiliation of Christian children to Islam against their will if their father converts to Islam. The case was still pending at the time of this report.

6. On 7 June 2008, the seventh circuit of the Court of Administrative Justice held the first hearing on a motion filed by a citizen asking for an injunction against a ruling issued by the first circuit of the same court on 29 January 2008, which gave Baha'i citizens the right to obtain official identification papers that did not mention their religion (see paragraph 1, First Quarterly Report 2008). The court adjourned the case until 1 November.

In a roundtable discussion organized by the state-created National Council for Human Rights on 5 June 2008, regarding "the implementation of administrative court rulings on religious affiliation in identification documents", a representative of the Ministry of Interior declared that by law the ministry cannot implement the rulings in favor of Baha'i Egyptians while the motion for an injunction is pending and declared that the ministry will implement the rulings immediately once the court decides on the motion.

7. On May 5, 2008, the Sentence Implementation Police of Shubra al-Kheima arrested Bahiya al-Sisi, who had been sentenced to three years in prison in absentia. The Shubra al-Kheima Criminal Court had convicted al-Sisi in case no. 14223/1996 on charges of knowingly using forged documents. It was found that the defendant documented her name and religion as Christian on her personal identity card, first obtained in 1994, although her father converted from Christianity to Islam in 1964. A retrial hearing was set for 20 July 2008, during which the presiding judge ordered her release pending the trial.

Shadiya al-Sisi, the sister of Bahiya al-Sisi, was convicted on the same charge and also sentenced to three years in prison before the Public Prosecutor challenged the verdict before the Court of Cassation and ordered her release pending the appeal. Shadiya al-Sisi had already served four months of her sentence (see paragraph 7, First Quarterly Report 2008).

8. On 8 June 2008, the Giza Criminal Court convened held the first hearing on case no. 4829/2007 (Criminal- Qesm Imbaba). The five defendants, among them a Christian priest, are accused of forging official documents after they obtained a birth certificate for a Muslim girl that falsely identified her as a Christian, in order to enable her to marry a Christian man in 2005. They also allegedly obtained false passports for the couple to ease their flight to Jordan. Of the five defendants, only the Christian priest attended the hearing; the court ordered him released on his own recognizance and postponed the trial to August to allow the calling of witnesses and the capture of the fugitive couple.

Two of the defendants in the case, charged with aiding the couple obtain forged documents, served 18 months in pretrial detention before they were released and referred to trial on 19 April 2008. They were released after the expiration of the legally prescribed period for pretrial detention in criminal trials, as stipulated by the Criminal Procedure Code.

9. On 15 June 2008, the Court of Administrative Justice held the first hearing on petition no. 62/29938, filed by members of Egyptians against Religious Discrimination contesting a decision by the Giza Directorate of the Ministry of Social Solidarity to reject their application for a license to form an NGO, Egyptians in One Nation. The plaintiffs, a group of volunteer activists working for religious tolerance, filed an application to register their group as an official NGO in December 2007, but the social solidarity directorate rejected their application in January on the grounds that it “does not comply with Article 11 of Law 84/2002 [the NGO law] and its implementation statute.” Article 11 of that law outlines the goals and activities that are forbidden for NGOs, including the formation of military groups, threats to national unity, fostering discrimination, practicing any form of political activity that is in the purview of political parties, or operating a for-profit enterprise. The case was still pending before the Court of Administrative Justice at the time of this report.

II. Sectarian tension and violence

10. On 31 May 2008, at approximately 5 pm, monks at the Abu Fana Monastery, located 270 km south of Cairo near the city of Mallawi in the Minya province, came under armed attack by some 60 Bedouin living in Qasr Hur, a village adjacent to the monastery. Shots were fired at the monastery—some reports indicate that there was an exchange of gunfire, but the monks strenuously deny this—for at least four hours, after which security forces arrived to stop the assault.

The clash grew out of a dispute that began several years ago between the monks at the ancient monastery, who have launched a land reclamation effort around the monastery, and Muslim Bedouins living in the adjacent village, who consider the land theirs by right of occupancy; the lands in question are state owned.

During the clashes one Muslim farmer was killed by gunshot whose source remains unrevealed, seven monks were injured, including three who were kidnapped by the Bedouin before being released a few hours later. Information collected by EIPR researchers, also included in a statement issued by the monks, indicates that the assault resulted in the destruction of a small church built on the monastery’s farm and its entire contents. Several monks’ cells were also burned, and a mushroom farm and an apiary were destroyed; several items were stolen from the monastery and the farm, including a tractor, farming tools, and a computer.

According to information obtained by EIPR researchers during a visit to the seven injured monks, who were moved to Cairo hospitals for treatment, the monks sustained shrapnel

wounds after two of them were shot. They also sustained broken bones, muscle tears, and bruises and injuries due to physical blows, whipping, dragging, and pelting with stones. Some of the injured monks who had been kidnapped by the Bedouin were physically abused and their religious beliefs were denigrated. They were forced to spit at the cross under physical duress and cite the *shahada* indicating their conversion to Islam (There is no god but Allah and Mohammed is His messenger).

The Mallawi prosecutor's office launched an investigation into the murder of the Muslim farmer, as well as investigations into attempted murder, aggravated kidnapping, the possession of unlicensed weapons and ammunition, assault on a house of worship and the burning of its subsidiary buildings, and the destruction of crops. Press reports indicated that 15-19 suspects were arrested in connection with the events, among them the Christian contractor who was building a wall around the monastery's land at the time of the attacks, along with his brother. The investigation was still underway at the time of this report and the suspects were detained pending the findings of the investigation.

The day after the attacks, 1 June 2008, hundreds of Coptic worshippers organized a protest demonstration in front of the Mallawi bishopric, which exercises administrative control over the monastery, located some 30 km from the monastery. Demonstrators chanted slogans demanding the resignation of the Interior Minister and asked that those responsible for the attack on the monastery be brought to justice. Eyewitnesses said that police used clubs in an attempt to forcibly disperse the demonstration, injuring at least seven protesters.

On 11 June 2008, the Coptic Orthodox Church issued a statement about the attack on the monastery and the monks in which it stated that church metropolitans and archbishops "were appalled by the treacherous assault on the monks living at the Abu Fana Monastery in Mallawi and the attack on the monastery itself, its church, its buildings, and its property...in an event unprecedented in centuries." The statement urged the President to take six measures to address the situation: "To release unjustly detained Copts; to capture and prosecute the perpetrators to prevent them and others from repeating these assaults, which endanger social peace in Egypt; to expose the true, premeditated nature of the crime and all other details of repeated assaults on the monastery, its monks, and its property; to build a wall around the entire monastery and place it under the protection of state guards in order to prevent future attacks, on the condition that the wall encompasses the ancient structure, the monastery's farm, the cemetery, and the area of the isolated monks' cells; to compensate the monastery for thefts and damages to the monastery and its property, which exceed LE1 million; and to take action to ensure that these types of attacks are not repeated, by studying the causes of the attack and ameliorating them."

A previous report by the EIPR documented how the Abu Fana Monastery was the object of an armed attack by some 20 people on 9 January 2008, which resulted in the destruction of nearly eight monks' cells. A monk was also shot and injured by shrapnel in

his hand. Although monastery officials filed a police report that was forwarded to the prosecutor's office, no one had been arrested or charged as of the later assault in late May and until the writing of this report (see paragraph 10, First Quarterly Report 2008).

11. On 20 April 2008, in the village of Qasr Hur, located next to the Abu Fana Monastery in Mallawi, worshippers coming out of the village church, the Abu Fana Church, were attacked with canes. According to statements given to EIPR researchers by the victims and eyewitnesses, the attack began when a Muslim youth ran his bicycle into a Christian woman on her way to church on Sunday, sparking a dispute that developed into an assault on the worshippers, five of whom were lightly injured. The victims and their lawyers said that they had filed a complaint with the Mallawi police while some Muslims in the village filed a counter-complaint accusing the worshippers of assaulting them. The injured with whom EIPR researchers spoke said that they were pressured by the police and the church priest to withdraw the complaint and seek reconciliation, which they did the day after the incident.

12. On 20 June 2008, hundreds of Muslims in al-Nazla, in the district of Youssef al-Siddiq in the Fayyoun province, south of Cairo, attacked the property and homes of Copts in the village. The attacks took place after a rumor spread that a married woman who had converted to Islam two years earlier was kidnapped with her ten-month-old infant by her Christian family in Cairo. The assaults continued until the early hours of the next day, when it was announced that the woman and her child returned home and after security reassurances that she had visited her family and had not been kidnapped.

The attacks resulted in the vandalizing of several Coptic-owned shops in the village and the theft and destruction of their contents. Several homes were looted, some homes and shops were torched, and a car was vandalized. In addition, the facade of the village church was shattered with rocks and the priest's car was vandalized.

Eyewitnesses said that security forces, who arrived in the village the morning of the assaults as soon as the kidnapping rumor spread, secured the church and shops on the main street, leading the assailants to focus on shops and homes on side streets. Security forces used tear gas to disperse the assailants, lightly injuring some of them.

The Abshway prosecutor's office in Fayyoun began investigating the attacks and, according to press reports, questioned 15 people detained on charges of illegal assembly and destruction of property. A few days after the investigation began, the prosecutor ordered the release of all suspects and no one had been referred to court as of the writing of this report.

Security forces sponsored a reconciliation meeting between the two parties on 1 July 2008, and a delegation of village Muslims visited the church on Friday, 4 July. No agreement for compensation was reached during the reconciliation meeting.

13. In a separate incident several days later, several Muslims in Tamiya, in the province of Fayyoun, attacked the home of a Christian family on 29 June 2008, and tried to burn down a gas station and a store owned by the family after it was revealed that the wife of a Muslim in the town was engaged in an affair with a Christian youth. Police reportedly arrested 23 people. The Tamiya prosecutor's office released five of the suspects and charged the other 18 with illegal assembly, attempted vandalism, and attempted arson. None of the accused had been referred to court as of mid-July 2008.

A reconciliation meeting was held in the home of a Muslim in the town after the attack and, according to press reports, it was agreed in writing that the townspeople would pay damages to the victimized parties in exchange for which the family of the Christian youth agreed to remove him from the town and pay a fine if he returned.

14. On the afternoon of 28 May 2008, two people broke into a jewelry store owned by a Copt in the Zeitoun district of Cairo and opened fire, killing the owner of the store and three of his Coptic assistants before escaping on a motorcycle. Although a press release issued by the Interior Ministry the same day stated that "the incident was linked to criminal motives," it was feared that the murder happened on sectarian grounds because the perpetrators stole nothing from the store before their escape. No suspects had been charged as of mid-July 2008.

15. On 5 June 2008, hundreds of Copts in the Christian-majority village of Dafsh, in the Samalut district of Minya, demonstrated in front of a village church for several hours after a Coptic youth from the village was killed the same day. Security and church sources said later that a Muslim in the village had stabbed the young man in a field as revenge after the young man had spied on the home of the murderer's brother and his wife. Fearing sectarian attacks, security imposed a curfew in the town for several hours and the suspect was arrested for murder; a reconciliation meeting was held about a week after the attack. Reports indicate that during the meeting the family of the murderer agreed to pay an indemnity to the family of the slain man. The suspect had not been referred to court as of mid-July 2008.

16. On 19 May 2008, several Muslim women students living in the student dorms at Minya University demonstrated and tried to assault Christian students in the dorm following unconfirmed reports that a Christian student had written offensive statements about Islam on the door of her dorm room. The dorm management reportedly secured the safety of the Christian students and removed them from the dorm. They were hosted by the Minya archbishopric until the year-end exams were completed.

17. On 26 April 2008, several Muslim female students at a public high school in Abu al-Matamir in Beheira organized a demonstration and tried to assault a Christian teacher at the school after a rumor spread that the teacher was enticing students to convert to Christianity. According to the teacher's statements, the demonstration moved outside the school gates and was joined by several local Muslims. Demonstrators chased the teacher before security intervened to rescue him; he was detained at the police station for several

hours. After the incident, security transferred the teacher, his wife, and their three children to another province, forbidding him from entering Abu al-Matamir again “for security reasons.”

III. Prosecutions and other Security interventions

18. A State Security police inspector in Sohag summoned a resident of the Christian-majority village of al-Kosheh, in the Dar al-Salam district of Sohag, on 31 May 2008. He verbally abused the man and demanded that he remove the crosses painted on his home on the grounds that they might foster sectarian strife in the village, which was the site of assaults on Copts in 2001. EIPR researchers learned that after he was threatened with detention, the owner of the house did indeed erase the crosses from the walls of his home in the presence of a State Security officer. The real reasons for this unusual measure by security remain unknown.

19. On 21 April 2008, a military tribunal in Qena released Gaber Metsholah, an employee at the Qena police post office, who had been held in pretrial detention since 2 March 2008. The military prosecutor questioned the employee, who is responsible for delivering mail between the Qena security directorate and the police station in Naga’ Hammadi, on charges of leaking a copy of a security decree approving renovations to the al-Shahid Abi Fam al-Gindi Church in al-Marashda, located in the Deshna district of Qena. Methsholah's attorney told EIPR researchers that his client had denied the charge during interrogation by the military prosecutor. No decision had been made to refer the accused to a military tribunal as of mid-July 2008.

20. Press reports indicate that State Security Investigation officers in Sharm al-Sheikh arrested three Russians in June 2008 on charges of distributing Arabic-language flyers and magazines proselytizing for the Jehovah’s Witnesses, which is not recognized as a Christian confession under Egyptian law. EIPR researchers could obtain no additional information about the incident.

21. On 24 April 2008, some 40 activists with Egyptians against Religious Discrimination sent a letter to the Interior Minister urging him to release Sami Samir Ghayis, who has been held under the Emergency Law since September 2007. According to the letter, the Coptic detainee is the only person who was not released following clashes between Muslims and Christians in Alexandria’s Sidi Bishr area last year over an alleged affair between a Christian youth and a Muslim woman. Samir Ghayis’s administrative detention had not been ended as of the writing of this report.

22. The weekly *al-Fajr* reported on 30 June 2008 that Samir Hanin Guirguis filed a complaint with the Sharabiya prosecutor’s office against the chief of police and two officers at the Sharabiya station, accusing them of torturing him while he was detained at the station for investigation on a criminal offense. According to the press report, the complaint (no. 1266/Administrative-Sharabiya) charges that Guirguis was forced to curse

his Christian faith, stripped and forced to recite the *shahada* indicating conversion to Islam (there is no god but Allah and Mohammed is His messenger).

IV. Discrimination on the basis of religion or belief

23. In a meeting on 21 April 2008, the Islamic Research Council, al-Azhar's governing body, approved a recommendation from the Council's Jurisprudential Research Committee (JRC) that deprives a non-Muslim woman of her share of her husband's legacy if he had converted to Islam before his death; the same rule applies to adult, non-Muslim children whose father converts to Islam. The head of the JRC, Dr. Abdel-Fattah al-Sheikh, told *al-Masry al-Youm* daily on 22 April that the Council examined the issue after a Coptic youth applied to the Council for a fatwa granting him his share of his father's inheritance after his father converted to Islam before his death.

V. Laws, decrees, and political developments

24. On 6 April 2008, the People's Assembly approved Law 113/2008 on "Preserving the Sanctity of Places of Worship", following a broad public debate between opponents and supporters of the law since the bill was first proposed to the parliament in December 2007. Article 1 of the law bans "demonstrations and the organization thereof for any reason inside places of worship, their courtyards, or their subsidiary buildings." The law punishes offenders with up to one year in prison and/or a fine of up to LE5,000. It penalizes "anyone who takes part in the demonstration" to up to six months in prison and/or a fine of LE2,000. "Anyone who incites to a demonstration or encourages people to join it" faces the same punishment as a person who organizes the demonstration "even if the incitement has no effect."

Observers believe the aim of the law is to stop the anti-government demonstrations that are increasingly organized outside of al-Azhar Mosque and the seat of the Orthodox Patriarchate. The law was supported by the Minister of Awqaf and Islamic Affairs and the head of the Coptic Evangelical Church; it was opposed by Muslim Brother MPs. Pope Shenouda III also expressed his opposition to the law in a televised interview on 8 January 2008, noting that demonstrations are "a legitimate means of conveying problems to the competent authorities as long as such expression of opinion does not cause harm and does not spill into the street."

25. On 6 May 2008, Decree 17/2008 of the Mufti of the Arab Republic of Egypt was published in the Official Gazette, issuing the new Finance and Auditing Statute of the Egyptian Dar al-Ifta'. The new statute makes Dar al-Ifta' "financially, technically, and administratively independent" of the Ministry of Justice and constitutes the implementation of a cabinet decree issued on 1 November 2007. The statute stipulates that Dar al-Ifta' has an independent budget allocated by the state budget. It also lists the four objectives of Dar al-Ifta', including "to strengthen the principle of religious authority (*al-marji'iyah al-deeniya*) in the hearts of the people in light of the many ongoing questions that face the world and their repercussions on the domestic sphere." The objectives also

include training Egyptian and foreign missions in issuing fatwas, offering opinions on death sentences as stipulated in the Criminal Procedure Code, and determining the beginning of the Arab months.

26. The daily *al-Ahram* reported on 1 May 2008, that Minister of Awqaf Dr. Mahmoud Hamdi Zaqzouq had issued a decree bringing 493 community mosques in 24 provinces under the ministry's supervision. With this decree, "the ministry now oversees 100,501 mosques."

27. During the reporting period, EIPR researchers documented four new presidential decrees on churches, all of them regarding already existing churches. Two of the decrees concern the Coptic Orthodox Church, the third was issued for the Coptic Evangelical Church, and the fourth for the Coptic Catholic Church. The details of each decree are as follows:

a. Decree 121/2008, issued 3 May 2008, concerning the already existing Evangelical Nahdat al-Qadasa Church, located in al-Gaouli in the Manfalout district of Assyout.

b. Decree 132/2008, issued 7 May 2008, concerning the already existing Coptic Orthodox Mar Guirguis Church, located in Ballout in the al-Qousiya district of Assyout.

c. Decree 158/2008, issued 22 May 2008, concerning the already existing Coptic Orthodox Church of the Virgin, located near al-Nawamis and al-Marawna in the al-Bedari district of Assyout.

d. Decree 162/2008, issued 28 May 2008, concerning the already existing Coptic Catholic Mar Guirguis Church, located in the hamlet of al-Baqatra, in the village of al-Shuraniya in the al-Maragha district of Sohag.

28. *Al-Masry al-Youm* daily newspaper reported on 23 June 2008 that the Coptic Church had started an electronic database to record the personal information of Copts, including the number of members of each Coptic family, their dates of birth, and their jobs; the database is to be continuously updated. The paper added that the aim of the program is to "ascertain the reliability of information for those seeking marriage permits and seeking to determine the absence of religious barriers to marriage, in addition to the possibilities it offers for conducting a census of Copts." The Egyptian government has refused to reveal the number of Copts in Egypt since the late 1990s.

29. On 20 May 2008, the General Denominational Council (*al-Majlis al-Milli*) of the Coptic Orthodox Patriarchate issued a decree "Modifying the Personal Status Code for Orthodox Copts." The decree introduces several fundamental changes to the Code issued by the Council in 1938, which is used by family courts to resolve disputes between Orthodox Copts. The changes impose further restrictions on the right of Copts to obtain a divorce and permission to remarry after a divorce by reducing the specific cases listed in the Code

under which the family courts are allowed to grant divorces to Copts. Nevertheless, as of the writing of this report, family courts continued to operate in accordance with the old Code.

Since he assumed the papacy in 1971, Pope Shenouda III has refused to recognize articles in the 1938 Code which he believes violate Biblical texts, particularly those allowing divorce for reasons other than adultery. On 1 March 2008, the Supreme Administrative Court issued a final ruling requiring the Coptic Orthodox Church to permit Copts who had obtained a court divorce to remarry. Church leaders declared their refusal to heed the ruling and instead began taking action to amend the 1938 Code, Article 69 of which provided the legal grounds for the Supreme Administrative Court ruling (see paragraph 9, First Quarterly Report 2008).

30. On 9 June 2008, the President issued Decree 168/2008 appointing Judge Nabil Mirhom Morcos Suleiman as head of the State Council (Egypt's administrative judiciary). The decree put an end to speculations circulating on Coptic websites since the former president of the council, Sayed Nofal, died in May that Mirhom would be ruled out because he is a Christian. Judge Mirhom is an elected member of the General Denominational Council of the Coptic Orthodox Patriarchate. Prior to his appointment, he was the first deputy head of the State Council.

31. On 29 May 2008, the Islamic Research Council issued a ruling recommending the banning and confiscation of several books on the ground that they conflict with Islam. Among the books was Islamic thinker Gamal al-Banna's *Muslim Women between the Liberation of the Quran and the Restriction of the Scholars*, which was banned because it contains "juridical ramblings and opinions on women's dress at odds with the rules of Islamic law."

32. In April, May, and June, the Egyptian Ministry of Foreign Affairs continued its efforts to raise the issue of "defamation of religions" in international forums:

a. In the second ministerial meeting of the Asia-Middle East Dialogue, held in Sharm al-Sheikh on 5 and 6 April 2008, Egyptian Foreign Minister Ahmed Abu al-Gheit stressed the importance of Asian-Middle Eastern cooperation to combat common challenges, among them "the defamation of religion." The meeting's agenda included a special panel to discuss the issue, during which a proposal was made to stress "the importance of devising a strategy for joint defense of Islam and its symbols and underscoring the importance of the role played by the Muslims of Asia in this respect." The Action Plan issued by the meeting contained an agreement to conduct a roundtable discussion of the issue in 2008/2009.

b. During the fourth meeting of the European Union (EU)-Egypt Association Council, held in Luxembourg on 28 April 2008, the Egyptian Foreign Minister expressed "Egypt's utmost displeasure at activities by some in Europe to undermine Islam and its symbols and Arab and Islamic culture." He added, "While

Egypt believes in freedom of expression as a fundamental freedom, the exercise of this freedom must be accompanied by maturity and responsibility.”

c. On 11 June 2008, a meeting of senior officials was held in Helsinki, Finland to discuss the final report of the Helsinki Process on Globalization and Democracy, a series of political dialogues started in 2003 on international problem-solving cooperation. According to a statement from the Egyptian Ministry of Foreign Affairs, during the meeting Egypt supported the inclusion of a section in the closing report, which will be presented to the UN Secretary-General, on “the defamation of religion as a hateful phenomenon that harms religions.”

33. On 19 May 2008, the Foreign Relations Committee in the People’s Assembly called on Arab and Islamic countries to work towards the establishment of a treaty to criminalize offense to religion. According to a report in the daily *al-Ahram* on 20 May, the committee also asked Arab and Islamic parliaments to amend their penal codes to criminalize offenses to revealed religions, whether such an offense is committed at home or abroad.

34. On 3 April 2008, the EU Commission issued its first progress report on the implementation of the joint Action Plan adopted in March 2007 in the framework of the European Neighborhood Policy. The report contained no mention of the status of freedom of religion in Egypt, with the exception of one reference to the court ruling issued in January allowing Baha’is to obtain personal identification documents without any mention of religion. In a memorandum submitted to European Commission officials on 7 May 2008, twelve Egyptian rights organizations criticized the weakness of the report and the lack of any cohesive analysis of human rights problems in Egypt, including failures to address religious freedom issues.

35. On 28 April 2008, the fourth meeting of the EU-Egypt Association Council was held in Luxembourg. Regarding freedom of religion and belief, the EU statement issued after the meeting welcomed the ruling issued by the Supreme Administrative Court in Egypt that allowed Christians who had converted to Islam to revert to Christianity, as well as the ruling giving Baha’i Egyptians the right to obtain personal identification documents without mention of religion. The EU called on the Egyptian government “to take all necessary steps to fight discrimination on all grounds and to promote tolerance” including in matters related to religious and belief expressions and minorities.

36. On 2-3 June, 2008, the first meeting of the subcommittee on political affairs, created jointly by the EU and the Egyptian government in 2007, was held in Brussels. Part of the meeting was devoted to a discussion of human rights and democracy. The Egyptian government was represented in the meeting by a delegation from the Ministries of Foreign Affairs, Justice, Interior, and International Cooperation. According to the information report issued by the EU after the meeting, the agenda included a discussion of discrimination, during which the Egyptian government stated that it “takes very seriously” all recommendations on discrimination found in the annual reports issued by Egypt’s National Council for Human Rights, including those regarding a unified law for

the construction of houses of worship and matters related to personal identification documents. The Egyptian government raised the issue of the EU's treatment of Muslim minorities, immigrants, and asylum seekers in Europe. The report stated that both parties expressed a readiness to hold a separate meeting of experts to discuss discrimination in more depth.

37. On 24 June 2008, Republican congressman Frank Wolf introduced a resolution to the US House of Representatives, titled "Calling on the Egyptian Government to respect human rights and freedoms of religion and expression in Egypt." Fourteen other members of Congress from the Republican and Democratic parties sponsored the bill in addition to Wolf, and it was forwarded to the House Foreign Affairs Committee for debate.

The seven-page bill, H. Res. 1303, addresses the issues of torture in police stations, freedom of the press, restrictions on civil society, academic freedoms, the application of the Emergency Law, the status of imprisoned al-Ghad Party leader Ayman Nour, and the treatment of refugees. Regarding freedom of religion and belief, the bill addresses discrimination against Copts and Baha'is, as well as security harassment of Shiites, Qur'anis, Jehovah's Witnesses, and other religious minorities and the vilification of Jews in the official and semi-official media. The resolution asks the Egyptian government to allow the UN Special Rapporteur on freedom of religion and belief to visit Egypt, and it urges the US President and Secretary of State to give priority to issues of human rights and religious freedoms in their meetings with Egyptian officials.

38. In June 2008, hundreds of Copts living abroad organized several demonstrations in European cities to express their solidarity with Egyptian Copts in light of the recent violence against them. The demonstrations began in the Netherlands on 21 June, followed by France the next day, and Greece on 26 June. Similar demonstrations were planned for July in other cities in Europe and North America. Several leaders in the Egyptian church rejected these demonstrations in press statements, asking Copts not to take part in them.

39. In late May 2008, a group of Egypt-born Jews who live in Israel announced that they had cancelled a trip they planned to take to Egypt. The trip organizers said that the visit was cancelled because they could not find a hotel that would accept them; their reservations in one hotel were cancelled after criticisms of the visit in the Egyptian media. Egyptian newspapers and television programs reported that the purpose of the visit was to demand the return of Jewish-owned property confiscated in the 1950s and 60s, which the trip organizers denied. The travel program included a lecture by the Israeli ambassador in Cairo and a visit to the Israeli Academic Center. The head of the Jewish community in Egypt denied any ties between Egyptian Jews and the visit.

VI. Reports, publications, and activities

40. Egyptians against Religious Discrimination organized the first national conference against religious discrimination on 11-12 April 2008, under the slogan "Egypt for all

Egyptians.” The organizers said that the conference aimed “to develop a clear conception of what is meant by religious discrimination and understand the role played by rumor in stoking sectarian conflict and the subsequent rifts in the nation.”

The conference’s closing statement included a review of the papers discussed over the two-day period, which included legal and constitutional discrimination, as well as discrimination in education, employment, and the media. The statement also noted the emergence of anti-discrimination voices in political parties, NGOs, and youth initiatives. Although the statement recognized various types of discrimination among Egyptians—including that based on poverty, gender, and political opinion—it held that religious discrimination was the most dangerous “because it destroys the pillars of the nation and citizenship and shakes the foundations of true progress that have taken root throughout history.”

The conference produced several recommendations. It called on state institutions to protect equality among citizens and called for the amendment of Article 2 of the Constitution, so that the reference to Islamic law is mentioned side by side with the human values contained in all religions and human rights charters as the main source of legislation. It advocated a law that criminalizes discrimination of any kind and a unified law for the establishment and repair of houses of worship. It also proposed that school curricula be cleansed of any materials that further sectarian divisions and encouraged the media to disseminate a culture of tolerance and coexistence.

The conference was held at the headquarters of the leftist Tagammu Party, although it was originally scheduled for a rented hall at the Journalists’ Syndicate. Seven journalists, including at least one member of the syndicate board, closed the doors of the syndicate the morning of the conference and forcibly prevented the holding of the conference, to protest the fact that the conference program included a speech by a representative of Baha’i Egyptians. The protesters also considered the dissemination of “dubious” claims about discrimination against Copts to be a form of sectarian division. Attempts by the chair of the Journalists’ Syndicate to convince the protesters to allow the conference failed, which led to the change of venue. The seven journalists were later referred to the syndicate’s disciplinary committee, which was still considering the case as of the writing of this report.

41. The Secular Coptic Collective—a research group including several Coptic intellectuals advocating reforms to the Coptic Church—held their third conference, titled “Entrenching a Culture of Citizenship,” on 21-22 June 2008, raising the slogan “Full citizenship for a fair, prosperous society.” The conference organizers criticized the fact that the term “citizenship” for some people has become shorthand for Coptic rights “although its significance far exceeds this issue.” This prompted the conference organizers to address ways to reinforce the concept of citizenship in Islamic and Christian religious institutions and the role of the state and educational, cultural, and media institutions in the process.

42. The reporting period saw the organization of several public events to discuss freedom of religion and belief in Egypt. The Middle East Forum for Freedom, an NGO, organized a panel on 4 June 2008, on religious freedoms in Egypt. On 18 June the Democratic Front Party hosted a panel titled "Egypt in the face of sectarian strife." On 24 June 2008, the Cairo Institute for Human Rights Studies organized a panel on "The future of Copts in Egypt in light of successive sectarian incidents." On 29 June 2008, Egyptians against Religious Discrimination organized a seminar titled "Towards a Law to Criminalize Discrimination in Egypt," to discuss an initiative by the National Council for Human Rights advocating for an anti-discrimination and equal opportunity law.

43. On 2 May, 2008, the United States Commission on International Religious Freedom, an official consultative body composed of independent experts appointed by the US President and Congress, issued its annual report, which contained a section on 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 report stated.

The report welcomed certain court rulings that support religious freedom and the expanded public debate on issues of religious freedoms compared to previous years. Nevertheless, it expressed its concern over the state's complete control of Islamic religious institutions, including mosques and charitable endowments (*awqaf*), the use of the provision in the Penal Code for contempt of religion to restrict the freedom of belief, and the continued application of the state of emergency. The report also documented several cases of sectarian violence against Copts during 2007 in Armant, Bamha, Alexandria, and Esna. It examined cases of discrimination against Copts, Bahai's, and Jehovah's Witnesses, and criticized the publication and dissemination of anti-Jewish materials in the media. The report also addressed the legal ban of the Muslim Brothers and the violations of their rights, and it criticized cases of administrative detention and the torture of thousands of Islamist detainees.

The committee continued to place Egypt on its "watch list" with six other countries. The report closed with several recommendations for the American government and encouraged it to urge the Egyptian government to comply. The report recommended that Congress's annual aid package to Egypt include a rider requiring the US Secretary of State to provide an annual report on the progress made by the Egyptian government on the issues raised by the report.

The Egyptian government did not comment on the report, but Egyptian Foreign Minister Ahmed Abu al-Gheit, responding to a reporter's question, said, "Egypt is not concerned with the report. It only listens to Egyptian voices and is only governed by the Egyptian conscience."