

Freedom of Religion and Belief in Egypt

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This Report

This report documents the most significant developments for freedom of religion and belief seen in Egypt in the months of January, February and March 2009. While observing a relative decline in incidents of sectarian violence between Muslims and Christians in the period under review, Minya continued to occupy the lion's share of sectarian incidents and the report documents two separate disputes that acquired sectarian overtones, both of which took place in villages in the Abu Qurqas district of Minya in February and March. The report also notes a new, distressing development in sectarian violence—the widening of the scope of collective violence to include Egyptian Baha'is—and documents the unprecedented attacks on the homes of Baha'is living in the village of al-Shuraniya in Sohag in late March.

The report also examines the continuing official discrimination against Copts seeking to practice their religious rites, in violation of decrees regulating this aspect of religious practice. In this regard, the report discusses the ruling handed down in a lawsuit filed by church officials in the Akhmim district of Sohag, after they failed to obtain a permit to hold services in a church there despite having repeatedly applied for a permit since 1989. The report also looks at the case of another church in the Maragha district of Sohag where officials have been seeking a renovation permit since 1979. The permit was only granted in February 2009, after one of the church walls collapsed, which destabilized houses adjacent to the church and ultimately led to the death of eight people.

Regarding violations by security services, the report documents the illegal detention of two Christians in February. The two young men were tortured with beatings and electroshocks in the Assyout State Security headquarters after they were arrested at the Book Fair in Cairo for allegedly distributing copies of the Bible to visitors at the fair.

On a more positive note, the report notes a ruling handed down by the Supreme Administrative Court in March upholding the right of Egyptian Baha'is to obtain official identification documents without compelling them to claim affiliation with one of the three officially recognized religions (Islam, Christianity or Judaism). The report also examines the Minister of Interior's decision to enforce the ruling by revising the Implementing Regulations of the Civil Status Law to include specific provisions for Egyptians who are not adherents of an officially recognized religion.

In another positive development, the report examines in detail the appeal filed by the Public Prosecutor's Office before the Court of Cassation challenging a court decision to revoke Kamilia Lutfi Gaballah's custody of her two children, Mario and Andrew Ramsis, after the children's father converted to Islam. The ruling, which is expected to be issued on 15 June, will constitute a legal precedent for future cases involving custody rights of children born as Christians in cases where one parent converts to Islam.

As is customary, the report also provides an overview of the most significant legal rulings issued in the period under review, in addition to relevant bills and legislation, political developments, pertinent Egyptian or foreign reports and civil society activities related to religious freedom in Egypt.

FRB Quarterly Reports

The aim of the Freedom of Religion and Belief Quarterly 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 17 January 2009, the Supreme Administrative Court, headed by Judge Ismail Siddiq, issued a ruling upholding the Court of Administrative Justice's decision to annul the dismissal of Adli Mikhail Yaqub from clerical service in the Nahdat al-Qadasa churches. After Yaqub was dismissed from his position as a pastor at the Fayyoun Nahdat al-Qadasa church and defrocked, he filed a suit against Munir Hakim Gindi, the president of the General Synod of the Nahdat al-Qadasa Church of Evangelical Copts in the Arab Republic of Egypt, and Safwat Nagib al-Bayadi, the head of the evangelical community, to which the Nahdat al-Qadasa church belongs. Yaqub contested the decision to fire him, issued in 2000, arguing that the decision was unjustified and was not issued by the competent authority. The Court of Administrative Justice ruled in his favor on 12 April 2005, in two petitions (14314 / 54 and 8005 / 58), ordering the defendants to compensate Yaqub in the amount of LE5,000. The president of the General Synod appealed the ruling before the Supreme Administrative Court.

The ruling issued by the Supreme Administrative Court in appeal no. 14275 / 51, a copy of which was obtained by the EIPR, states that the administrative court system has the authority to monitor the legality of church decisions on the grounds that "the recognized evangelical churches, including the Nahdat al-Qadasa churches, are considered a party legally empowered to administer a public service, for which purpose they enjoy some measure of the competency of public authorities. As such, the decisions of the General Synod of the Nahdat al-Qadasa churches are equivalent to administrative decisions that can be appealed." Regarding the legal statute that regulates the contested church decision, the court stated that the High Order of 1902 concerning evangelical Christian nationals contains no article regulating decisions to dismiss clerical personnel from service in the church, leading the court to turn to provisions found in the charter of the Nahdat al-Qadasa church. Applying these provisions to the facts of the case at hand, the court found that "the cleric was not allowed a fair, impartial hearing as mandated by the charter of the Nahdat al-Qadasa church." In turn, the Supreme Administrative Court upheld the lower court's ruling to annul the church's decision to dismiss Yaqub.

2. On 27 January 2009, a Khalifa misdemeanor court headed by Judge Walid Tuyur moved to reject the civil and criminal suits filed by a Coptic lawyer against Max Michel Hanna, which demanded that Hanna be charged under those sections of the Penal Code that criminalize fraudulence and impersonation. The lawsuit, no. 7788 / 2008, stated that in April 2008, during an appearance on an Orbit satellite channel program, Max Michel claimed to be the archbishop of an Orthodox Christian denomination calling itself the Holy Assembly of the Church of St. Athanasius, and he showed his official identity card on the program, which identified him as "his eminence the archbishop." The plaintiff argued that this was tantamount to intentionally deceiving "simple-minded Egyptian Copts." The court rejected the petition on the grounds that the plaintiff had no legal standing to file the case.

Notably, on 6 July 2008 the Supreme Administrative Court upheld a decree issued by the Ministry of Interior that refused to recognize the new denomination led by Max Michel. The court reasoned that “the state’s obligation to respect the freedom of religious practice by a particular religious group does not entail an administrative recognition of the group” (see paragraph 2 of the Third Quarterly Report, 2008).

3. On 2 February 2009, the Court of Cassation in Cairo began considering an appeal filed by the Public Prosecutor contesting a ruling revoking Kamilia Lutfi Gaballah’s custody of her twin sons, Mario and Andrew, and transferring custody to their father, who had converted to Islam from Christianity. The Public Prosecutor filed appeal no. 15277 / 78 based on the right to contest judicial rulings that cannot be appealed by the parties to the case “in the general interest of the law...if the ruling is based on a violation of the law or an error in its application or interpretation”, as stipulated by Article 250 of the Code of Civil Procedures. Since the law establishing the family courts does not allow parties to the case to contest appellant rulings, on 5 November 2008 Gaballah filed a request with the Public Prosecutor (no. 18308 / 2008) asking him to contest the ruling.

In his brief to the court, a copy of which was obtained by the EIPR, Public Prosecutor Abd al-Megid Mahmoud asked the court to overturn the ruling issued on 24 September 2008 by the Alexandria Appeals Court which granted custody of Mario and Andrew (aged 14) to their father, who converted to Islam in 2000 and changed his children’s religion in 2006. In issuing its ruling, the Alexandria court relied on its own interpretation of Islamic law, although Article 20 of the Personal Status Law states that children are to remain in the custody of their mother until the age of 15 and makes no mention of the mother’s religion (see paragraph 8 of the Third Quarterly Report, 2008).

In his brief, the Public Prosecutor argued that the absence of a legal text specifying cases in which custody is to be denied to mothers required the court to turn to the preponderant opinions in the Hanafi school of law, according to Article 3 of Law 1 / 2000, which regulates certain situations and legal procedures in matters of personal status. The Public Prosecutor said that the court’s interpretation of the application of law in the Hanifi school was flawed and that before revoking custody from the mother, the court needed to show cause, rather than simply citing the fact that the children had reached the age of seven. (In the Hanifi school of law, seven is the age at which children obtain the ability to distinguish between religions.)

At the same time, the Public Prosecutor argued that the court should have left the choice to the children themselves since they were seven years of age at the time, which is considered the age of religious maturity by the Hanafi school of law “so that the children could exercise their role as defended by Islamic law [to choose] between remaining in the faith on which they were raised or voluntarily accepting the conversion to Islam.”

It is worth noting that the Court of Cassation’s ruling in this case will constitute a legal precedent for future cases involving custody rights over children born as Christians in the event that one parent converts to Islam. The ruling in the case is expected on 15 June 2009.

In November 2008, the African Union's African Commission on Human and Peoples' Rights decided to accept a petition on the children's case filed by the EIPR in conjunction with the London-based International Center for the Legal Protection of Human Rights. The petition accuses the Egyptian government of violating the African Charter on Human and Peoples' Rights, which was ratified by the government and the People's Assembly in 1984 (see paragraph 4 of the Fourth Quarterly Report, 2008).

4. On 3 February 2009, the Court of Administrative Justice, headed by Judge Mohamed Atiya, rejected a petition filed by Saad Baligh Abd al-Malak on behalf of the Assembly of the Churches of the Welcoming Brethren, part of the evangelical community, against the President, the Prime Minister, the Minister of Interior and the governor of Sohag. The petition, no. 17281 / 61, contested the state's refusal to issue a presidential decree granting a license to worship in the denomination's church, located on Mahrous Island in the district of Akhmim, Sohag governorate. The plaintiff stated that the evangelical community had repeatedly applied for a permit since 14 October 1989, to allow worship and religious services in the church and had also filed several petitions with successive interior ministers, but to no avail. According to the petition, "The people of the church tried to exercise their constitutional right to worship in the church, but security shut it down."

The ruling, a copy of which was obtained by the EIPR, stated that the petition argued that decrees regulating the establishment of churches in Egypt are unconstitutional because they are inconsistent with human rights conventions and "impose restrictions on Christian citizens' ability to establish churches and engage in their religious practices, in violation of Article 40 of the Constitution, which guarantees equality for all citizens." Nevertheless, the court ruling did not address the merits of the petition, rejecting it on formal grounds alone since the suit was not filed by an official representative of the evangelical community, as is required by the internal bylaws of the General Evangelical Council.

5. On 10 February 2009, the Court of Administrative Justice in Cairo, headed by Judge Mohamed Atiya, rejected a petition to reconsider a previous ruling rejecting a request from Habil Tawfiq Said to establish a new Christian denomination under the name of the Independent Orthodox Confession of St. Paul the Apostle in Egypt and to recognize him as the head of the group under the name Pope Habil II. An official recognition would give the group the right to build churches in Egypt. The court rejected the petition (no. 28658 / 62), which was filed against the President, the Minister of Interior, the Minister of justice and others, on the grounds that "it did not meet the qualifications for reconsideration as elaborated by the Code of Civil Procedures."

On 25 December 2007, the Court of Administrative Justice had rejected petitions no. 19777 / 60 and 24279 / 60, both filed by Habil Tawfiq, contesting the state authorities' refusal to recognize his new religious denomination. At the time, the court reasoned that although freedom of belief is absolute, the freedom to practice religious rites is dependent on legal regulation, which is governed by the principles of public order and morals within a legislative framework that regulates and oversees the right. As such, the court stated that the plaintiff had not met the legal conditions required to occupy the office of patriarch and

there had been no action taken to nominate him as such within the Orthodox Coptic confession since the Orthodox rite in Egypt does not recognize the legal personality of independent churches. The plaintiff argued in his petition seeking a reconsideration of the ruling that the bylaws established to choose the Orthodox Coptic patriarch are irrelevant to his request since he is seeking to establish a new Orthodox confession, independent of the Orthodox Coptic Church headed by Pope Shenouda III.

6. The Eastern Cairo criminal court on 14 February 2009, began hearing the case of a crime committed in Cairo's Amiriya district in October 2008 when a Christian youth, with the help of his uncle, used an automatic weapon to shoot his sister's family. His sister had converted to Islam two years before and married a Muslim man and the couple had a ten-month-old daughter at the time. The Muslim man died following the assault, the child was wounded and the murderer's sister was severely injured in the left arm, after which doctors decided to amputate it (see paragraph 9 of the Fourth Quarterly Report). In the first session of case no. 298 / 2009, the court heard witnesses' statements; the case was still pending at the time this report was issued.

7. On 10 February 2009, the Court of Administrative Justice in Cairo began hearing a suit filed by Sister Evelyn Alphonse Fahmi against Father Yuannis, a bishop and the secretary to Pope Shenouda III. The plaintiff, who works at the House of the Virgin Mother convent in Omraniya, is seeking the suspension of a decree issued by Father Yuannis that deprives her of the church sacraments for "legal and financial" violations. In her suit (no. 8382 / 63), the plaintiff stated that the decision to deny her the sacraments violates the set of church laws known as the Didascalia, which regulate investigations into religious infractions and punish them. The case was still pending before the court at the time this report was issued.

8. On 17 February 2009, the Court of Administrative Justice headed by Judge Mohamed Atiya rejected the Minister of Defense's request (no. 63544 / 62) for the suspension of a court order requiring the Ministry of Defense to issue a Baha'i university student a deferral for compulsory military service (Form 6) without requiring the student to obtain a national identity card. In 2006, Baha'i student Nayer Nabil al-Hamamsi found that he could not register for the final year of his studies at the School of Physical Education at the Suez Canal University until he showed proof of his military service status. The Ministry of Defense declined to issue him the relevant paperwork without a national identity card, refusing to accept the student's paper ID and birth certificate. His parents being Baha'is, al-Hamamsi was unable to obtain a national identity card since the Ministry of Interior had refused since 2000 to issue any official identity documents to Egyptian Baha'is if they did not register their religion as Islam, Christianity or Judaism. On behalf of the student, the EIPR filed a lawsuit (no. 37774 / 60) with the Court of Administrative Justice in August 2006, naming the Minister of Defense, the Minister of Higher Education, the president of the Suez Canal University, and the dean of the School of Physical Education as parties to the suit. The suit asked that the student be given his military service card and be allowed to re-register at the university. On 29 May 2007, the court ruled in favor of the Baha'i student, prompting the Ministry of Defense to seek a suspension of the order, which the court refused (see also paragraph 11 of this report).

9. On 3 March 2009, the Court of Administrative Justice in Cairo began hearing petition no. 15358 / 63, filed by Butros Faltaos, the head of the First Baptist denomination, against the Minister of Interior and Dr. Safwat al-Bayadi, the head of the General Evangelical Confessional Council in Egypt. The petition contests the administrative decision to cease treating the First Baptist Church as an independent Christian denomination.

On 24 November 2008, the plaintiff filed complaints with the President's Office, the Ministry of Interior, State Security, and the National Council for Human Rights stating that the president of the General Evangelical Council had made several attempts to bring the First Baptist Church in Alexandria's Ibrahimiya area under the umbrella of the evangelical confession and had managed to convince Alexandria security office to issue an order suspending recognition of the denomination and official Baptist seals. In the complaint, a copy of which was obtained by the EIPR, the plaintiff stated that the Baptists are an independent denomination not subject to the authority of the evangelical church in Egypt or any of its 17 denominations. He added that the refusal to recognize the church constituted a material and administrative obstacle for the church that prevented it from carrying out its business. The complaint also referred to Presidential Decree 99 / 1999 licensing the Baptist Church in Alexandria, which constitutes a recognition that the group is independent of the Evangelical Council, according to the complaint. The case was still pending before the court at the time this report was issued.

10. On 10 March 2009, the Court of Administrative Justice headed by Judge Mohamed Atiya rejected petition no. 11298 / 58, filed by Samuel Mashriqi Rizq against the Minister of Interior and the head of the General Evangelical Confessional Council contesting an order issued by the council revoking the Pentecostal Assembly of God's status as an evangelical church. The petition states that the Pentecostal Church of God was approved as a denomination of the evangelical church in Egypt in 1946 before the General Evangelical Confessional Council issued an order in 1959 revoking the denomination's status as an evangelical church.

In issuing its ruling, the court noted that the same dispute was the subject of a lawsuit in 1962, in which the court ruled that the law gives the confessional council the right to revoke official status from its subsidiary denominations. The court also noted that the previous ruling upheld the confessional council's decision on the grounds that "the Pentecostal church has split and its members have been divided into two camps, each of which claims leadership for itself." As such, the Court of Administrative Justice ruled that Father Samuel Mashriqi no longer has the legal standing that allows him to file a new lawsuit on behalf of the Pentecostal Assembly of God, which in turn has lost the legal personality that gives it the right to file suit. Thus, the court rejected the petition due to the plaintiff's lack of standing.

11. On 16 March 2009, the Supreme Administrative Court headed by Judge Mustafa Said Mustafa put an end to a five-year legal battle waged by Egyptian Baha'is against the Ministry of Interior policy that requires them to claim affiliation with one of the three officially recognized religions—Islam, Christianity or Judaism—in order to obtain official, compulsory personal documents such as national identity cards and birth certificates. In

appeal no. 10831 / 54, the Supreme Administrative Court's Commissioners' Authority upheld the ruling of the Court of Administrative Justice issued on 29 January 2008 (in cases no. 18354 / 58 and 12780 / 61) requiring the Interior Ministry's Civil Status Authority to place a dash (—) in the space allotted for religious affiliation on the official documents of Baha'i citizens (see paragraph 1 of the First Quarterly Report, 2008). Although the Interior Ministry—against which the ruling was issued in 2008—did not appeal, several lawyers contested the order and filed for suspensions. For more than a year, the Interior Ministry used the appeals pending before the court to refuse to implement the ruling of the lower Court of Administrative Justice when issuing official documents to Egyptian Baha'is, who number roughly 2,000. The Baha'i community has suffered gravely since the policy was instituted in 2000, since without these official documents they have been unable to register births or inoculate their children, enroll in schools or register at universities and obtain jobs and many other basic services.

Three days after the Supreme Administrative Court issued its ruling, the Minister of Interior issued a decree revising the Implementing Regulations of the Civil Status Law to conform with the ruling (see paragraph 28 of this report).

The Court of Administrative Justice itself rejected two appeals filed by several citizens seeking a suspension of the 29 January 2008 ruling issued in favor of Baha'is on the grounds that it violates the principles of public order. On 17 January 2009, the court rejected appeal no. 15866 / 62 and on 24 February 2009, it rejected appeal no. 61992 / 63.

12. The Court of Administrative Justice, headed by Judge Mohamed Atiya, ruled on 17 March 2009 to annul a decision dismissing Atef Fuad Mitri from the executive committee and general assembly of the General Pentecostal Synod, part of the evangelical confession in Egypt, and stripping him of his clerical title. According to the ruling in the case (no. 42974 / 59), a copy of which was obtained by the EIPR, the plaintiff explained that he is a pastor at the Pentecostal church in Shubra, part of the Pentecostal Synod of Evangelical Copts and also the president of the regional synod for Cairo and the Delta. He accused Father Girgis Murgan Baqtar (known as Aziz Murgan), the president of the General Pentecostal Synod in Egypt, of dismissing him and stripping him of his clerical rank "after the defendant learned that the plaintiff intended to nominate himself for the presidency of the synod against him." In its ruling, the court stated that Baqtar's decision, which was based on alleged administrative and financial infractions, had violated the bylaws and procedures of the basic charter of the Pentecostal Church of Evangelical Copts. The court added that the decision to dismiss Mitri without an investigation violated the Constitution "insofar as the Constitution states explicitly that the accused is innocent until he is convicted in a court of law in which he is allowed to defend himself."

II. Sectarian tension and violence

13. The village of Nazlat Roman, located in the district of Abu Qurqas in the governorate of Minya, witnessed clashes between Christians and Muslims on 16 February 2009, following disputes related to a feud. Members of the family of Safwat Asaad, Christians, and the family of Nadi Siddiq, Muslims, fought with clubs and stones in the Christian-majority village, during which seven people on both sides were injured. After the clashes, police arrested some 20 people, both Muslims and Copts. Eyewitnesses say that the clashes began when a Muslim verbally harassed a Christian girl while she was walking with her brother in the village, after which members of both families intervened, but the sources agreed that there have been tensions between Muslims and Christians in the village over the last three years as a result of a blood feud involving the death of a Coptic man at the hands of a village Muslim in 2006. The case was closed for insufficient evidence.

Information gathered by EIPR researchers indicates that all those detained were released, with the exception of two Copts, who are being held under the provisions of the Emergency Law in the Borg al-Arab prison near Alexandria, and a Muslim who is being held at Cairo's Abu Zaabal prison.

14. On 26 February 2009, reportedly 500 Copts assembled in front of the Orthodox Coptic Bishopric in the city of Mallawi in Minya to protest the disappearance of a 17-year-old Christian girl after rumors spread that the girl ran away with a Muslim from the city. A church source told EIPR researchers, "The girl was not abducted. She was convinced by a Muslim boy to leave school and she ran away with him. She went to his house and refused to return. After the people assembled, State Security intervened upon receiving a call from a priest, fearing that the situation would devolve. Security forces took the girl from the young man's house to the Naga Hamadi police station, and the crowd of Christians moved from the bishopric to there, waiting for her to be returned to her family. The security forces turned the girl over to her family at about midnight the same day, and they took her to live outside the Mallawi district." EIPR researchers were unable to obtain independent information regarding the condition of the girl or her family or their place of residence.

15. On 28 February 2009, the village of Damas, located in the district of Miyyit Ghamr in the Daqahliya governorate, was the site of clashes following rumors of a romantic relationship between a Christian boy and a Muslim girl in the village. One Muslim in the village, suspecting that his sister was involved with an 18-year-old Christian boy, poured kerosene on him and lit it. The Christian managed to jump in a canal to put out the flames, but villagers assembled and there were clashes between members of the two families involving knives. The fight left the father of the Christian boy dead and his brother with a head injury. Security forces arrested the perpetrator (24 years old) and transferred him to the prosecutor's office. The case had not yet been referred to trial at the time this report was issued.

16. On 6 March 2009, a call went out over the internet to boycott Coptic businesses in Egypt. The message, titled A Boycott of Egypt's Christians, was posted on several websites and sent out through email, accompanied by a list of companies that the perpetrators, whose identity is unknown, claimed were owned by Egyptian Christians. Those responsible said they launched the campaign after the Egyptian government "turned over Muslim women to the prisons of the Coptic church," a reference to Christian women who had converted to Islam before the security apparatus returned them to their families or the church following demands by Copts. The electronic campaign sparked several angry reactions and criticisms from both Muslim and Christian writers.

17. A Muslim and a Christian family were involved in a fight on the evening of 24 March 2009, in the village of Harif al-Sheikh Tami, located in the Abu Qurqas district of Minya. The local Church of the Archangel Michael was pelted with rocks during the fight and some of its windows were broken. According to information obtained by EIPR researchers from villagers, the fight between the Muslim Sharqawi family and the Christian Barsoum family began when Muslim children were playing soccer and the ball landed in agricultural land owned by the Christian family. Information gathered by the EIPR indicates that there was an ongoing dispute between the two families about where to install a water pump. Sources say that members of the two families fought with clubs and stones, as a result of which four people were injured. The police arrested some ten people from both sides and questioned them before releasing them all on 29 March 2009, after they agreed to reconcile.

18. In late March, the governorate of Sohag saw unprecedented sectarian assaults on Baha'i citizens. On the evening of 28 March 2009, dozens of residents of al-Shuraniya, located in the Maragha district of Sohag, gathered outside the homes of Baha'i families in the village after a television program was aired that featured a local Baha'i resident. The people assembled began chanting "There is no god but God, the Baha'is are the enemies of God," after which they pelted the houses with stones, broke windows, and attempted to enter. According to statements given to EIPR researchers by the victims, the police who arrived in the village after being called by the victims dispersed those assembled and arrested six people, although they quickly released them after forcing one victim to reconcile with them following promises from security and the detainees that the incident would not be repeated. Similar, though less serious attacks followed on 29 and 30 March.

On 31 March, at about 7 pm, the attacks escalated when several villagers, who are known to the victims, threw improvised firebombs and Molotov cocktails at the homes of the five Baha'i families in the village, as a result of which the homes were partially burned. The residents of the houses said that the assailants disabled the water connections to their homes to prevent them from putting out the fires. According to the victims, the assailants also broke into the homes, vandalized the contents, and stole some electrical appliances and livestock. There were no injuries or loss of life in the attacks, but they prompted some Baha'i families to flee their homes and hide in the surrounding fields until the morning.

The police arrived during the attacks and stopped the assailants, although there is no indication that they arrested anyone. On the morning of 1 April the police ordered the remaining Baha'is in the village to leave immediately, without allowing them to return to their homes to pick up clothing, medicine, schoolbooks, money or other necessities. Information indicates that not one Baha'i remained in the village as of the evening of 1 April.

The assaults on Baha'is in al-Shuraniya began after an episode of the program, "al-Haqiqa," aired on Dream 2 on Saturday evening, 28 March 2009; the episode focused on Baha'i celebrations for the holiday of Nawruz on 21 March and featured a Baha'i resident of al-Shuraniya, the Baha'i activist and dentistry professor Dr. Basma Gamal Musa. Also participating in the program was Gamal Abd al-Rahim, a journalist at the state-owned *al-Gomhouriya* newspaper and a member of the Press Syndicate. During the broadcast, al-Rahim referred to Dr. Musa saying, "This one should be killed." On 31 March, only hours before Baha'i homes were torched, *al-Gomhouriya* published an article by Gamal Abd al-Rahim in which he commended the residents of al-Shuraniya for throwing stones at the homes of Baha'is in the previous days, considering these crimes evidence of their "protectiveness of their religion and faith."

On 2 April, the EIPR and five other rights organizations filed a complaint with the Public Prosecutor's Office regarding the events in al-Shuraniya, asking the office to launch an immediate investigation to identify those responsible for the assaults and refer the perpetrators to criminal courts. The organizations also demanded that the investigation identify those responsible for directly inciting to these crimes and hold them criminally accountable. The Public Prosecutor did indeed begin an investigation into the assaults in al-Shuraniya on 4 April, and following the accusations leveled by the rights organizations at Gamal Abd al-Rahim, the Giza prosecutor's office began an independent investigation on charges of incitement to murder against Dr. Musa by the journalist. Neither of the two cases had been referred to court at the time this report was issued.

On 5 April, the National Council for Human Rights issued a press release concerning the events, saying that what the Baha'is experienced was "a regrettable testament to the absence of a bare minimum of a culture of rights and a lack of proper understanding of the Islamic faith, its laws, and its manner of treating those who disagree with it. This absence promises negative repercussions that could harm the very essence of democracy and the sovereignty of law. These are the two pillars of our constitutional and political system, give true expression to our Arab and Islamic culture, and are the foundation of the principle of citizenship, which was affirmed by Article 1 of the amended Constitution." The Council urged "preachers and intellectuals to address the public with the spirit of tolerance, faith in the freedom of thought and belief, and acceptance of others, in accordance with the law, public order and morals and the actions of state authorities. This is what the entire media should focus on."

III. Prosecutions and other security interventions

19. In the first half of January during the Israeli war on the Gaza Strip, several press outlets reported that the security apparatus had imposed severe restrictions on large mosques with the goal of preventing worshipers from using them to demonstrate against the war. Reports also discussed the intervention of security to prevent special prayers being conducted for the victims of the war in Gaza. These measures reportedly targeted the Azhar Mosque and the Fath Mosque in Cairo in particular, where police searched everyone who entered on Friday 9 January, checking identification and preventing all journalists from entering either mosque.

20. On 22 January 2009, the Ministry of Interior released Qur'anist blogger Reda Abd al-Rahman after 88 days in administrative detention under Emergency Law because of his religious beliefs. The Emergency Supreme State Security Court issued a ruling on 6 January 2009, ending Abd al-Rahman's detention, thus upholding a previous ruling issued by the same court on 14 December 2008. On 8 January 2009, Abd al-Rahman was brought before the State Security Prosecution, which ordered his release, although the blogger remained arbitrarily detained for another 14 days in the State Security headquarters in al-Zaqaziq before he was ultimately released.

State Security forces in the governorate of Sharqiya arrested Abd al-Rahman at dawn on 27 October 2008, after raiding his home in Abu Hereiz, located in the Kafr Saqr district of Sharqiya. He was arrested for holding Qur'anist beliefs and expressing them on his blog, titled Justice, Freedom, Peace. Abd al-Rahman was questioned by a State Security prosecutor during his administrative detention on charges of "showing contempt for Islam" after the prosecutor asked him about his beliefs and opinions on religious matters, including his faith in the Prophetic Sunna and his manner of praying (see paragraph 22 of the Fourth Quarterly Report, 2008).

In a press release issued on 25 January 2009, the EIPR asked the Public Prosecutor's Office to issue an order to end the investigation and drop the charge of showing contempt for Islam, as well as investigate those responsible for his arbitrary arrest and illegal detention. The EIPR further called for an end to the State Security policy of arresting people because they exercise their rights to freedom of expression and belief.

21. The Northern Cairo Appellate Court of Misdemeanors ordered the release of Martha Samuel, George Hanna Morqos and Masoud Girgis Masoud on 22 January 2009. The three were arrested on 13 December 2008, on charges of forging an identity card for Martha Samuel showing that she had converted to Christianity, as well as helping her marry a Christian man and obtaining a passport with the same false information (see paragraph 23 of the Fourth Quarterly Report, 2008). The Public Prosecutor's Office contested the release order, but a Cairo criminal court rejected the appeal and upheld the release order on 24 January. State Security in Alexandria released the detainees on 29 January 2009.

22. On 1 February 2009, the police arrested Mina Adel Shawqi and Essam Qiddis Nasif at the Cairo International Book Fair, accusing them of distributing copies of the Bible to fair-goers with the goal of proselytizing Christianity. According to information obtained by EIPR researchers, upon arresting the two young men, the police took them to the Nasr City police station (station no. 2), where they spent two days in a cramped cell. On 3 February they were taken to the State Security headquarters in Assyout. According to information obtained by the EIPR, when they arrived at 8 pm policemen blindfolded and tortured them, beating them on the back, side, neck and face; police also employed electroshocks on their wrists, head and chins. During the torture, the two men denied involvement in proselytizing, saying that they worked with a Christian association in Dayrut, located in Assyout, and that they had visited the book fair to buy copies of the Bible at a reduced cost. They were released at dawn on 5 February 2009, after being moved to the State Security headquarters in Dayrut; they were never brought before any judicial body.

23. On 23 February 2009, the Minister of Interior issued a new administrative detention order under the Emergency Law for Rifaat Fawzi Abduh and his brother Ibrahim Fawzi Abduh, who are suspected of involvement in the murder of a Muslim farmer that took place during an attack on the Abu Fana monastery in Minya in May 2008 (see paragraph 10 of the Second Quarterly Report, 2008). In November 2008, a Minya criminal court ordered their release on bail of LE3,000 each pending an investigation into the incident, but the Minister of Interior issued a detention order for them immediately afterwards. Although the detainees received another court order for their release in January, the Ministry of Interior moved them from the New Valley prison to the Minya security directorate where they were kept for several days until a new administrative detention order could be issued.

Zakhari Kamal, the detainees' lawyer, told EIPR researchers that he strongly suspects the Ministry of Interior is using the arrest of the two brothers to pressure the Coptic church to withdraw its complaints and reconcile with those accused of attacking the monastery. On 31 May 2008, the St. Abu Fana monastery, located in the Mallawi district of Minya, came under armed attack by some 60 Bedouins from the village of Qasr Hur, which is adjacent to the monastery. The attack left one Muslim farmer dead and seven monks injured, including three monks who were abducted and tortured by the Bedouin before being released a few hours later. The small church located on the monastery's farm was also destroyed and its contents vandalized; several monks' cells were torched and items were stolen from the monastery and its farm. The Public Prosecutor's Office has referred none of those accused of these crimes to court in the intervening year.

24. On 4 March 2009, the Supreme Emergency State Security Court rejected a petition filed by the Minister of Interior challenging a previous order by the same court to release Coptic blogger Hani Nazir Aziz, issued on 7 February 2009 (complaint no. 423 / 2009). Nevertheless, the Arab Network for Human Rights Information, which is representing the detained blogger, stated that after the court order was issued, the Ministry of Interior moved the blogger from the Borg al-Arab prison in Alexandria to the Qena district

security directorate, where he was detained for several days until a new administrative detention order could be issued under the Emergency Law.

On 3 October 2008, Hani Nazir turned himself over to the Abu Tisht police in the governorate of Qena after the police detained his brother for three days as a hostage. Rumors had spread in the al-Eila village, where he resides, that he had published material defaming Islam on his blog (see paragraph 20 of the Fourth Quarterly Report, 2008).

IV. Discrimination on the basis of religion or belief

25. Officials with the Church of the Virgin in the village of Sheikh Yusuf, located in the Maragha district of Sohag, held provincial administrative and security agencies responsible for the death of eight Copts on 19 February 2009, after they arbitrarily delayed renovation permits for the church. Father Bakhoun, the bishop of Sohag, al-Mansh'a and Maragha, told EIPR researchers that since 1979 various cracks had appeared in the church requiring repair. Since he had assumed the position of bishop in 1986, he had repeatedly asked officials for legal permits necessary to rebuild the mud-brick church, which had come to pose a danger to the lives of worshippers. On 16 January, one of the church walls, built more than 100 years ago according to the bishop, collapsed, after which church officials obtained a permit to demolish the church and rebuild it. The church was demolished and the digging was completed in preparation for laying a new foundation, but the authorities ordered the priest in charge of the church to halt the construction until the necessary permits were obtained from Cairo, despite warnings from the priest that delays in laying the foundation constituted a danger to the adjacent buildings due to the nature of the soil.

According to the bishop, on 19 February four houses adjacent to the church—also built of mud brick—collapsed as a result of cracks in their walls caused by the excavations on the church building site. Eight people died and four others were injured; Father Bakhoun issued a statement on 20 February on the internet containing the names of the deceased. The Maragha prosecutor's office launched an investigation into the causes of the accident, but the findings had not yet been issued at the time this report was released. The EIPR did learn that the security apparatus had allowed church officials to resume construction and that construction on the new church had indeed begun at the time this report was issued.

26. On 5 February 2009, Mervat Rizqallah Fahmi had her three-year-old daughter, Parthenia Fadi Farahat, returned to her after her ex-husband took the child in July 2008 and prevented Fahmi from seeing her since. According to statements given to EIPR researchers by Fahmi, she had received an order from the Prosecutor General's Office allowing her to take charge of her daughter in August 2008, but the police refused to implement it because her ex-husband converted to Islam in May 2006. Farahat said that when she approached the police asking them to implement the court order, one officer told her that he will not take a Muslim child from her father and give her to a Christian mother to raise.

On 15 February 2007, Farahat's ex-husband received a court order allowing him to see his daughter once a week. While exercising his visitation rights on 11 July 2008, he took his daughter with him and refused to return her to her mother until Farahat agreed to reunite with him or renounce her financial rights. Farahat turned to the Tanta Family Prosecutor's Office, which issued an order, a copy of which was obtained by the EIPR, on 2 August 2008, ordering that Parthenia be temporarily placed in her mother's care.

The child's father filed a lawsuit before the Tanta Family Court (no. 664 / 2008) asking for legal custody of the child "to care for her, protect her and give her a proper religious upbringing," citing his fears that she would not be brought up as a Muslim. On 25 December 2008, the court rejected his petition on the grounds that the child had not yet reached the age where she is capable of distinguishing between religions and that the father had not proven that the child would be harmed if her mother raised her.

Farahat said that she was finally able to take custody of her daughter but only after giving up all her financial rights in the divorce, signing a pledge that the child would not travel abroad, and allowing visitation rights to the father for three hours each week.

V. Laws, decrees and political developments

27. The EIPR documented two presidential decrees issued for the renovation of already existing churches in the months of January, February and March. The details of the decrees follow:

- a. Decree 97 / 2009, issued 24 March 2009, for the Orthodox Coptic community at the Archangel Michael Church, located in Bani Magd, Manfalout district, Assyout governorate.
- b. Decree 98 / 2009, issued on 24 March 2009, for the Catholic Coptic community at the Catholic Coptic church of al-Tuweirat, Qena district, Qena governorate.

28. On 19 March 2009, the Minister of Interior issued a decree amending the Implementing Regulations of the Civil Status Law in response to a ruling issued by the Court of Administrative Justice in January 2008 that obligates the Ministry of Interior to issue official identity documents for Egyptian Baha'is without requiring them to claim affiliation with a particular religion (see paragraph 11 of this report). The decree was issued three days after the Supreme Administrative Court handed down a ruling on 16 March 2009, rejecting the last appeal filed challenging the 2008 ruling. The ministerial decree is the first statute introduced to the Egyptian legal system that regulates the state's treatment of citizens not belonging to one of the three Abrahamic faiths in matters of civil status. The decree (no. 520 / 2009) amends decree no. 1121 / 1995 that issued the Implementing Regulations of the Civil Status Law, appending the following paragraph to the end of Article 33 of the regulations:

“A dash (—) shall be placed in the slot allotted for religion in the case of Egyptian citizens who have already been documented, or who have received, through themselves or their parents, identification documents that do not claim affiliation with one of the three revealed religions or have a dash placed in the slot for religious affiliation, or pursuant to enforceable court orders. This applies to all other forms and issued documentation appended to this statute, on the condition that an application is made with the Assistant Minister of Interior for the Civil Status Authority or his deputy and is filed at the appropriate register.”

The decree also states that the amendment shall go into effect the day after publication; the decree was published on 14 April, 2009, in no. 87 of the Official Gazette (*al-Waqa'ia al-Misriya*), the supplement to the official state periodical where all laws and official decrees are published.

29. On 26 January 2009, the Proposals and Complaints Committee in the People's Assembly approved a bill submitted by independent MP Mustafa Abd al-Aziz al-Gindi that would “criminalize the issuance of fatwas by anyone other than specialists from al-Azhar in the Arab Republic of Egypt.” The bill, a copy of which was obtained by the EIPR, seeks to amend Section 10 of the Penal Code regarding the misappropriation or fraudulent use of professional credentials and titles by adding Article 155 *bis*, and which would read as follows:

“Anyone who issues a legal opinion [fatwa] in religious matters through any form of media, be it aural, written or visual, without possessing an official credential from the competent authority shall be punished by a term of imprisonment no less than one year and not to exceed three years.”

The MP who drafted the bill stated in the explanatory memo accompanying it that the bill aims to respond to a phenomenon that has gained ground in the media and some books whereby legally uncertified persons are issuing religious legal opinions for which they are unqualified. The bill was forwarded to the parliament’s Constitutional and Legislative Committee, which had not yet discussed it at the time this report was issued. Nevertheless, the bill sparked a debate in the media between supporters, who believe it is a proper means to regulate the issuance of fatwas, particularly those issued through satellite channels, and opponents, who see it as an unconstitutional and illegal restriction on the freedom to demand and issue religious opinions without licensing from any official body.

30. In a meeting held on 26 March 2009, the Islamic Research Council of al-Azhar rejected the tithe (*zakat*) bill forwarded to it from the People’s Assembly for an opinion. Press reports stated that the council rejected the bill—drafted by Alam al-Din al-Sakhawi, a Muslim Brotherhood MP—on the grounds that it would cause “severe difficulty for Muslims by requiring them to reveal their charitable donations and the names of beneficiaries while restricting their freedom to distribute the tithe as they see fit.” The council added that many years ago it had publicly rejected the idea of imposing any of the pillars of Islam through force of law.

The bill, a copy of which was obtained by the EIPR, contains 79 articles that require and regulate the imposition of the tithe on every Muslim, the scope of the duty, the assets that must be included in calculating the tithe and the administration of tithe funds, including the specification of administrating bodies and the measures necessary to determine, collect and disburse the tithe funds. The bill also contains a section on penalties, stating in Article 63c that “a fine not to exceed twice the value of the tithe or twice the value of assets illegally acquired shall be imposed...on anyone who does not pay the tithe without an acceptable excuse after the required amount has been definitively established.” The bill also addresses the relationship between the tithe and taxes, stipulating that the amount Muslims pay in the tithe shall be deducted from their income tax and vice-versa. In the explanatory brief accompanying the bill, the MP explained that regulating the tithe is necessary to defend against the impact of the global financial crisis and that the tithe can be used as a means to redistribute wealth and income in society.

31. In the period under review, the dispute over the position of supreme sheikh of the Sufi orders continued. The conflict began with the death of Sheikh Ahmed Kamel Yassin, the head of the Descendants of the Prophet Association, the head sheikh of Sufi orders and the sheikh of the al-Rifaiya Sufi order on 21 November 2008, approximately five months after he was appointed to the post (see paragraph 25 of the Third Quarterly Report, 2008). After

the Supreme Council of Sufi Orders nominated al-Sayyid Abd al-Hadi al-Qasabi for the post in January 2009, Mohamed Ala al-Din Madi Abu al-Azayim, the sheikh of the al-Azamiya Sufi order, filed a suit (no. 9589 / 63) with the Court of Administrative Justice, which began hearing the petition on 4 January 2009. The plaintiff asked that Abd al-Hadi al-Qasabi's nomination be rejected and that 11 Sufi orders be abolished and their headquarters closed on the grounds that they are not registered as required by law.

Article 7 of Law 118 / 1976 on Sufi orders states that "the supreme sheikh for Sufi orders is appointed by presidential decree from among the elected members of the Supreme Council of Sufi Orders after consultation with the Council." No presidential decree had been issued at the time this report was issued.

32. On the evening of 6 February 2009, Egyptian television aired an interview on the "Hadith al-Madina" program with Interior Minister Habib al-Adli in which he addressed several outstanding religious issues in Egypt. Asked about the extent of "Shi'ite influence" in Egypt, the minister stated that "there are Shi'ites in Egypt, but there is no active Shiite influence or movement. Shi'ites in Egypt engage in their regular activities and there are no problems. But this issue, as a result of other considerations in the region, has raised another very serious issue because the difference between religious sects is a very serious matter. It gives rise to extremism and terrorism and sows the seeds of strife in society."

The minister also addressed the shooting that took place at a gold shop owned by a Copt in Cairo's Zeitun area in June 2008 (see paragraph 14 of the Second Quarterly Report, 2008) and the robberies of some gold shops owned by Copts saying, "I look at all that is being raised about events unfolding between Muslims and Christians with great sensitivity. It is regrettable that some interpret these as a conflict between Muslims and Christians or the persecution of Christians. In fact, based on my position, responsibility and my own analysis of events, these are run-of-the-mill disputes involving misunderstandings and a certain inflexibility of thought." Regarding the thefts at some gold shops, he added, "The gold trade is widespread among Christians," explaining that there were 57 cases of robberies of gold shops, 34 of them involving stores owned by Muslims and 23 stores owned by Christians. And therefore, he said, "The target is the gold."

33. The Proposals and Complaints Committee of the People's Assembly witnessed an argument with sectarian overtones on 9 February 2009. The meeting was devoted to a discussion of a bill submitted by MP Ibtisam Habibi Mikhail, a Christian MP appointed by the President. The bill would amend the documentation law to make it legally compulsory to document all marriages, with the objective of limiting the spread of *urfi*, or customary, marriage. During the meeting, the head of the assembly's Agricultural Committee, NDP MP Abd al-Rahim al-Ghul, objected to the bill on the grounds that "it should have been submitted by those directly concerned—that is, Muslim MPs." MP Ibtisam Habib objected in turn noting that there is no difference between Muslim and Christian MPs. The incident was widely covered in the daily and weekly press.

34. The Religious Affairs Committee of the People's Assembly met on 9 February 2009, to discuss an urgent request for information submitted by Muslim Brotherhood MP Baha al-Din Atiya regarding statements made by the Minister of Culture urging the acceptance of adherents of "earthly religions" in October 2008 (see paragraph 27 of the Fourth Quarterly Report, 2008; "earthly religions," or *al-adyan al-ardiya*, normally refers to religions or beliefs other than Islam, Christianity and Judaism). The press reported that during the meeting Muslim Brotherhood MPs launched a scathing attack on the minister because of the statements, which the MPs considered an affront to Muslim sensitivities. The minister's representative, Dr. Saber Arab, the head of the National Library and Archives Agency, said that the minister did not urge anyone to adopt these beliefs, but rather was stressing the need to interact with adherents of these beliefs, since they constitute more than half the world's population.

35. The Vatican-Azhar Joint Committee for Dialogue held its annual meeting in Rome, Italy on 24 and 25 February 2009. This year's topic was the promotion of a pedagogy and culture of peace with a focus on the role of religions. The final declaration of the meeting contained several points, among them that "a culture of peace should permeate all aspects of life: religious formation, education, interpersonal relations and the arts in their diverse forms. To this end, scholastic books should be revised in order not to contain material which may offend the religious sentiments of other believers, at times through the erroneous presentation of dogmas, morals or history of other religions." The declaration also stressed the strong relationship between peace and human rights and urged special attention be paid to a defense of human dignity and rights, particularly as it concerns freedom of religion and belief. The joint committee was founded in 1998 by the Pontifical Council for Interreligious Dialogue and al-Azhar's Permanent Committee for the Dialogue with Monotheistic Religions.

36. In its edition of 24 February 2009, the weekly *al-Yom al-Sabia* published statements by Dr. Yusri Afifi, the director of curricula development at the Ministry of Education, in which he announced that "the ministry has given its preliminary approval for increasing the material devoted to Coptic history in history textbooks, as part of the ministry's two-year curricula development plan." Afifi said that the only obstacle to such a change was the divided opinions of experts at the ministry. Some believe that an entire chapter on Coptic history should be introduced to high-school history textbooks while others propose selecting figures from Coptic history and having students study them as public figures from Egyptian history rather than as part of a separate historical era.

37. Several press reports carried the remarks of Ambassador Mushira Khattab, the Secretary-General of the National Council on Childhood and Motherhood, made on 25 February 2009, during a meeting of the Council on the role of the media in supporting children's rights. Khattab stated that teachers who wear the full-face veil (*niqab*) should not teach children in schools because it prevents human contact between teacher and

pupil. Mushira Khattab was appointed Minister of State for Family and Population in March 2009.

38. On 26 February 2009, Republican Representative Frank Wolf resubmitted a resolution to the US House of Representatives “calling on the Egyptian Government to respect human rights and freedoms of religion and expression in Egypt” (House Res. 200). The resolution was referred to the House Foreign Affairs Committee with support from 20 other representatives, Republicans and Democrats. Wolf submitted a similar resolution in June 2008 that was referred to the same committee, which did not set a date for a discussion of the resolution before the end of the House session (see paragraph 25 of the Third Quarterly Report, 2008).

The resolution, very similar to the one submitted last year, criticizes the Egyptian government for numerous violations of human rights and basic liberties. Regarding freedom of religion and belief, the resolution mentioned the harassment and arrest of Shi'ites, Qur'anists, Jehovah's Witnesses and other religious minorities, in addition to the discrimination faced by Egypt's Baha'i minority when attempting to obtain official documents and bans on official Baha'i institutions and activities in place since 1960. The resolution also discussed anti-Jewish sentiment in the official and semi-official press. Regarding the situation of Copts in Egypt, the resolution mentioned the various forms of discrimination faced by Copts in Egypt, such as issues involving appointment to senior public offices, inadequate representation in both houses of parliament, the difficulties involved in building and renovating churches, the lack of protection for victims of sectarian violence and the lack of accountability for perpetrators of such violence, government harassment of Christian converts and encouragement to convert to Islam, and bias against Christians in child custody cases involving couples of different faiths. The resolution also mentions the imprisonment of blogger Karim Amer on charges of defaming Islam and criticizing President Mubarak. It urges the US President and Secretary of State to put human rights and religious freedom at the top of the agenda in any talks with Egyptian officials.

39. The High Mufti Dr. Ali Gomaa again called on the UN “to issue an international law criminalizing the defamation of religions or prophets, affirming that freedom of expression does not justify defamations of religion.” His statements, published in the press on 5 March 2009, came in response to reports that Israeli Channel 10 was broadcasting material disparaging of Islam and Christianity.

40. On 10 March 2009, President Hosni Mubarak gave his annual speech to mark the Prophet's birthday, again calling for a renewal of religious discourse. He added, “The stagnation of religious discourse leads to extremism, and extremism is the beginning of the road to terrorism.” The president urged religious scholars and imams to stand up to “attempts to divide Egypt's Muslims and Copts,” citing the fact that the Prophet Mohamed “forbade harming priests in their cells and churches” and noting that Mohamed died “while his armor was being mortgaged by a Jew.”

41. In a statement issued by his office on 29 March 2009, Foreign Minister Ahmed Abu al-Gheit welcomed the UN Human Rights Council's approval of a resolution submitted by Islamic states, in the forefront Egypt, on the illegitimacy of using freedom of expression to defame sacrosanct beliefs and religions. He added, "Egypt rejects the claim that freedom of opinion allows the reviling of peoples' sacrosanct beliefs insofar as such practices represent incitement to hatred and constitute a form of racism and bigotry." The minister asked "Western nations not to falter in facing this growing phenomenon, which obstructs efforts to build bridges of trust and understanding between peoples." In its tenth session, held in Geneva, Switzerland from 2 to 27 March 2009, the Human Rights Council approved the resolution Combating Defamation of Religions, submitted by Pakistan on behalf of the Organization of the Islamic Conference (OIC), in a vote of 23 for and 11 against, with 13 nations abstaining.

42. In its 31 March 2009 issue, the state-owned daily *al-Ahram* carried statements made by Dr. Muhammed Sayyid Tantawi, the Sheikh of al-Azhar, during a seminar at Helwan University discussing the problem of Muslim women who live in countries that prohibit the headscarf in some situations. "The headscarf is an Islamic duty required by Islamic law," he said. "Any women who is prohibited from wearing the headscarf in any non-Islamic country must seek recourse with the courts." He added, "If the judiciary does right by these women, all the better, but if it does not, they must seek out another country that allows them to wear the headscarf." It should be noted that in 2004, commenting on the French law that bans displays of religious symbols in public schools, Tantawi urged Muslims to respect the laws of the countries in which they lived.

VI. Reports, publications and activities

43. The National Council for Human Rights issued a press release following its meeting with a European delegation of the Jehovah's Witnesses in the Council's offices on 7 February 2009. According to the press release, the delegation was met by Dr. Kamal Abu al-Magd, the vice-president of the Council, and Dr. Said al-Daqqaq, a member of the Council. According to the statement, the delegation reviewed the principles of the Jehovah's Witnesses faith and discussed the current situation of the denomination in Egypt, noting that it faces several problems in achieving acceptance, particularly among the Orthodox Church. The delegates noted that members are considered Zionists and violators of human rights principles, which has obstructed the exercise of their basic rights. The statement said that Dr. Abu al-Magd stressed that the Council "is prepared to engage in efforts to change the group's image with the government authorities" and he affirmed the Council's respect for revealed religions and freedom of belief. The statement also noted that the Council and the delegation agreed "on the importance of correcting the image of the Jehovah's Witnesses and refuting the alleged links of the group with Zionism or the state of Israel, within a framework we hope the delegation will put forth to prove the falsity of this reprehensible charge." The Council's statement also quoted Dr. Said al-Daqqaq as saying that "the competent authorities had been contacted resulting in a reduction of the pressure placed by the authorities on Jehovah's Witnesses, particularly in the governorate of Alexandria."

44. The weekly *Watani* in its issue of 8 February 2009, published an interview with intellectual Dr. Ali al-Samman, during which he spoke about the Group of 15, an informal meeting of intellectuals and clerics who discuss ways of confronting sectarian tensions and offer recommendations to the official authorities. Al-Samman said that the group was formed after the sectarian events in Alexandria in 2005 and its members include Father Basanti, the bishop of Helwan; Munir Fakhri Abd al-Nur, the secretary-general of the Wafd Party; and others. He stated that, keen not to assume an official form and make its activities and recommendations public, the group meets informally every few months in al-Samman's home. He added, "The cabinet heard about the committee's work and was excited about it, so Sami Saad Zaghoul, the cabinet secretary, contacted me and asked me to inform the cabinet about the group's meetings and its recommendations, so that they could be forwarded to the Prime Minister, and which has taken place."

45. On 25 February 2009, the US Department of State released its annual report on human rights throughout the world for 2008, which, as usual, contained a detailed section on Egypt. Regarding freedom of religion, the report addressed several aspects of discrimination against Copts, Baha'is and Jehovah's Witnesses in Egypt as well as restrictions on the right to change one's religion. The report also noted the ban on the headscarf in elementary schools and the fact that it can be worn in middle and high schools only with the consent of the student's father. Discussing sectarian incidents, the report noted the events in Ain Shams in November 2008, when a building used without a permit by Christian students for prayers was attacked. The report also observed that two

Copts continue to be detained on charges of killing a Muslim during attacks on the Abu Fana monastery in May 2008, although no charges have been brought against those who attacked the monastery and the monks.

In an official response to the report, the spokesman for the Egyptian Foreign Ministry said in a press release on 27 February 2009, "Egypt does not accept any other country setting itself up as a guardian of the Egyptian people or a judge in matters of human rights in the country...This stance reflects the Egyptian state's conviction that it is accountable to no one but the Egyptian people." The statement added, "The Egyptian government is obligated to protect and uphold human rights and basic liberties in accordance with the Constitution and the law, as well as comply with international human rights conventions and agreements that Egypt has ratified." The statement went on to say that "the primary motive of Egyptian efforts to improve the national human rights system is the conviction that upholding the rights of the Egyptian citizen is at the heart of the national interest."

46. The Ministry of Awqaf's Supreme Council on Islamic Affairs held its 21st conference in Cairo on 5 to 8 March 2009, attended by representatives from 80 Islamic countries and several global Islamic organizations; this year's title was "Renewing Islamic Thought." Sessions were devoted to several speeches given by participants, among them Dr. Ekmeleddin İhsanoğlu, the secretary-general of the OIC, who stated that "there is a campaign targeting Islam, clearly seen in the phenomenon known as Islamophobia, which has increased since the [11] September events." The conference recommended "taking action to renew Islamic thought, develop the social sciences and humanities, maintain vigilance when issuing fatwas and legal judgments, and uphold quality preparation for preachers," in addition to "making demands for an international resolution criminalizing the defamation of religions."

47. On 26 March 2009, 14 Coptic organizations, among them 13 operating outside Egypt, issued a declaration establishing the International Coptic Council for Organizations and Activists Working on Coptic Rights. According to the charter issued by the organizations, which are active in Europe, the US, Canada and Australia, the new council is composed of "Coptic NGOs working in human rights and individuals interested in the issue, with the objective of discussing issues related to Coptic rights and related issues, plans and activities, as well as coordinating the efforts of these organizations and activists to avoid unnecessary repetition by delegating roles and specializations in this field." The working charter said that the signatories "support the efforts of Copts, in Egypt and abroad, to address the Coptic issue from within the Egyptian home and they seek this first and foremost, but this does not preclude their legitimate right to pursue all legitimate means of attaining this goal given the universal nature of human rights." Regarding the group's relationship with the Egyptian church, the signatories stressed that their organizations "respect clerics and their spiritual leadership" but they believe that the role of the church leadership should be limited to "spiritual matters, in accordance with the principle of separation between religion and state." The signatories include representatives from the

US Copts Association, Egyptian Canadian Organization for Human Rights and the Middle East Christian Association.

48. On 29 March several Copts living outside Egypt issued a statement titled "Renewing Coptic Action." The statement noted that a group of nearly 100 activists and those interested in "the Coptic issue" had met in Virginia, US on 28 and 29 March 2009, to discuss renewing Coptic action. According to the statement, the attendees agreed to "begin steps to establish a Coptic organizational entity." The statement said that "the Copt's fair demands" will not be achieved but "through a system that separates religion from state and politics...in which the public sphere and order is neutral regarding religion, but upholds the rights of its citizens to freedom of belief and adherence to values." Regarding political reform, the statement said, "Elections in and of themselves do not equal democracy, but may indeed lead to the opposite...Real democracy can only be established within a secular system of governance."

The statement gave "President Hosni Mubarak and the political leadership" several recommendations regarding the freedom of religious practice, political participation, discrimination in official posts, education, government media and "violence against innocent Coptic citizens." It also stressed the need to pass the personal status law for Christians drafted by the Egyptian church several years ago. The signatories formed an organizational group as a first step to establishing a new organizational entity for Copts living outside Egypt.