

## **RELIGIOUS PERSECUTION IN EGYPT**

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Egypt has long been ruled by authoritarians, and for most of the past century, the state has been led by military men—dictators in suits—who have governed undemocratically. But the past two decades have been particularly repressive. Since 1993, in its annual assessment of political rights and civil liberties called “Freedom in the World”, Freedom House has characterized Egypt as “not free”<sup>1</sup>. Within this context, freedom of religion has been an ongoing problem, especially for Egypt’s non-Muslim minorities. Many had hoped that the 2011 Egyptian revolution that ended Egypt’s thirty-year-long Hosni Mubarak regime would mark a turning point in the nature of governance in Egypt. According to the US Department of State’s latest International Religious Freedom report, however, nearly two years after Mubarak’s departure, Cairo’s “respect for religious freedom remained poor”<sup>2</sup>.

Both politically and in terms of religious freedoms, Egypt has yet to realize gains from the 2011 popular revolt. There is little doubt that the political discourse has changed and that there is an unprecedented exercise of freedom of expression today in Egypt. But at the same time, with the election of Muslim Brotherhood President Mohammed Morsi, these freedoms are in the process of being rolled back. In addition, as part of the Governmental assault on this new freedom of speech—i.e., the arrest of regime critics and the impending passage of an extremely restrictive NGO law—the Morsi regime has passed (undemocratically) a new Constitution that curtails religious freedom in Egypt. This trend has many Egyptians saying that the revolution merely succeeded in “replacing an autocrat with a theocrat”.

### **Prior to the Revolution**

Once a majority, Coptic Christians today constitute but ten percent of Egypt’s population, or about 8 million citizens. The community has long been integrated into Egyptian society, but it suffered political marginalization after Gamal Abdul Nasser’s

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<sup>1</sup>*Freedom in the World*, FREEDOM HOUSE, <http://www.freedomhouse.org/report-types/freedom-world> (last visited 14 June 2013).

<sup>2</sup>*International Religious Freedom Report 2012: Executive Summary*, U.S. DEP’T STATE (last visited 14 June 2013), <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>.

1952 coup. And although Copts have since served in prominent positions such as minister of finance and foreign affairs, they have not held the premiership—a position they did occupy twice prior to 1952—or served as minister of defense or interior. During Mubarak’s tenure, the group was also dramatically underrepresented in parliament, with only six of 444 parliament members belonging to the sect between 2005 and 2009, of whom only one was actually elected rather than appointed by the president.

Many Copts accused the Mubarak regime of persecuting, or at least not protecting, Egypt’s dwindling Christian population, a claim fueled by the absence of any timely and effective official response to the Islamist violence targeting the community in the 1990s. Dozens of Copts were killed in each year of the decade, peaking at more than sixty in 1997. These murders, perpetrated by al-Gamaa al-Islamiyah (Egyptian Islamic Group), were accompanied by a spike in attacks on Egyptian police and foreign tourists, culminating in the November 1997 massacre of sixty-three tourists in Luxor.

After al-Gamaa’s imprisoned leadership renounced violence later that same year and despite some notable incidents, Egypt saw a decade of diminished sectarian violence. In the year before the revolution, however, attacks against Copts once again spiked. In January 2010, six Christians were killed and eleven wounded in an attack on a church in Naga Hammadi, a town in the Qena governorate. The attack was in retaliation for the alleged rape of a twelve-year-old Muslim girl by a Christian man—an allegation that routinely precedes sectarian violence—and marked the worst assault on Copts in Egypt since a January 2000 massacre left twenty dead in Sohag.

The murders in Naga Hammadi did not come without warning. Indeed, in response to threats associated with the alleged rape, the church in question had reportedly been placed under police protection. The day after the attack, thousands of Copts gathered at the morgue to protest the lack of effective protection and to collect the bodies. There, they clashed with security forces, and six more Copts were killed. Police subsequently announced that three suspects had been apprehended in connection with the initial killings, but the news did little to assuage Copts’ anger.

The official response had equally minimal effect. During testimony before a joint meeting of the Defense and National Security and Religious Affairs committees of parliament, Qena’s provincial governor—a Mubarak regime appointee named Magdy Ayoub—claimed that the killings in Naga Hammadi were “not religiously inspired”. Rather, he said, they were motivated by the rape and by anger over reports of Christians downloading pornographic pictures of Muslim women on their cellphones<sup>3</sup>. Equally discomfiting was the suggestion by perennial NDP speaker of parliament Fathi Srour that the killings were not indicative of a local problem but rather evidence of “the presence of foreign hands . . . looking for an opportunity to shake Egyptian security”<sup>4</sup>.

In March 2010, Egyptian Christians were again targeted, this time in Lower Egypt. Some 300 Muslims in Marsa Matruh, reportedly encouraged by a local imam on a government salary, initiated an anti-Christian riot. Apparently, the construction of a church had impeded access to a mosque, leading the cleric to call for jihad against the

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<sup>3</sup>Mahmoud Muslim & Imad Fou’ad, *Muhafith Qena amam majlis al-sha’ab: Al-Kimuni tathir bi ightisab al-tifla’*, AL-MASRY AL-YOUM(12 Jan. 2010), <http://www.almasry-alyoum.com/article2.aspx?ArticleID=240001&IssueID=1648>.

<sup>4</sup>*Id.*

“infidels”. Nineteen Christians were injured and nine homes were destroyed in the resulting melee<sup>5</sup>.

Then, on 1 January 2011—almost a year after Naga Hammadi—twenty-three Copts were killed in a church bombing in Alexandria. Notwithstanding President Mubarak’s forceful condemnation of the act and pledge to bring the perpetrators to justice, Copts staged demonstrations in several cities, demanding not only protection but also an end to institutionalised and legal bias against Copts that created a hostile and often dangerous environment. In short, many Copts concluded that the Mubarak regime—as much as Islamist extremism—was responsible for the increasingly tenuous condition of Egypt’s Christians.

This perception of the regime’s role with respect to the Christian community was shared and documented by several international organizations, including the U.S. Commission on International Religious Freedom, which noted as follows in its 2010 report:

The [Egyptian] government has not taken sufficient steps to halt the repression of and discrimination against Christians and other religious believers, or, in many cases, to punish those responsible for violence or other severe violations of religious freedom. This increase in violence, and the failure to prosecute those responsible, fosters a growing climate of impunity<sup>6</sup>.

Some Christians even blamed Cairo for economic discrimination against the Coptic community. In 2009, for example, responding to a feared outbreak of swine flu, Cairo ordered the slaughter of some 350,000 pigs. The hogs, owned by Christians, had previously served an important role as consumers of Cairo’s organic waste. Unsurprisingly, many Egyptian Christians were incensed at the massacre, which all but ended the livelihood of a community. Adding insult to injury, the government only paid Christians 100 LE or \$20 compensation per pig, well under market value. The worst part of the incident, however, was that the World Health Organization deemed it “entirely unnecessary”<sup>7</sup>. After all, at the time the decision was made, not a single case of swine flu had been reported in Egypt.

Lacking avenues to redress these problems, Egypt’s Copts have traditionally sought to avoid conflict with the state. Indeed, because Coptic Christians viewed the Mubarak regime as preferable to its presumed Islamist alternative, they had, until the revolution, proved a pillar of support for Cairo.

Even during difficult times, the community’s defence of the government has bordered on sycophantic. To wit, in summer 2009, Pope Shenouda III endorsed the presidential candidacy of Mubarak’s son, declaring at one point that “most Egyptians

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<sup>5</sup>U.S. DEP’T ST., INTERNATIONAL RELIGIOUS FREEDOM REPORT 2010: EGYPT(17 Nov. 2010), <http://www.state.gov/g/drl/rls/irf/2010/148817.htm>.

<sup>6</sup>U.S. COMM’N ON INT’L RELIGIOUS FREEDOM, ANNUAL REPORT 2010, at 14 (2010), *available at* <http://www.uscirf.gov/images/annual%20report%202010.pdf>.

<sup>7</sup>Maggie Michael, *Egypt’s Christians See Bias in Pig Slaughter*, BOSTON.COM (5 May 2009), [http://www.boston.com/news/health/articles/2009/05/05/egypts\\_christians\\_see\\_bias\\_in\\_pig\\_slaughter](http://www.boston.com/news/health/articles/2009/05/05/egypts_christians_see_bias_in_pig_slaughter). The United Nations called the pig slaughter “a real mistake”. *Pig Cull in Egypt to Halt Swine Flu*, REUTERS (29 Apr. 2008), <http://www.reuters.com/article/video/idUSTRE53N22820090429?videoId=102867>.

love Gamal Mubarak and they will vote for him ahead of any other candidate”<sup>8</sup>. Perhaps most telling, in early February 2011— during the height of the demonstrations demanding Mubarak’s resignation—Pope Shenouda III issued a statement calling on Egyptians to end the protests<sup>9</sup>.

### **Post Revolution Egypt**

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The revolution has not proved a panacea for Copts or other religious minorities in Egypt. According to the U.S. Department of State’s International Religious Freedom Report for 2012, the Government of Egypt

generally failed to prevent, investigate, or prosecute crimes against members of religious minority groups, especially Coptic Christians, which fostered a climate of impunity. In some cases, government authorities reacted slowly or with insufficient resolve while mobs attacked Christians and their property, or encouraged Christians to leave their homes. Christians, Shiites, Bahais, and other minorities faced personal and collective discrimination, especially in government employment and the ability to build, renovate, and repair places of worship<sup>10</sup>.

Shortly after Mubarak was toppled, it was clear that the revolution did not constitute a watershed on the religious freedom front. Indeed, on 22 February 2011, a state security court in Qena acquitted several of the suspects in the Naga Hammadi massacre, suggesting the culture of impunity would continue. Then in March, a Coptic church in the village of Sol was burned down after a Christian man was alleged to have had an affair with a Muslim woman. During a subsequent demonstration, Copts were attacked by Muslims and thirteen Copts were killed.

Two months later in May 2011, three churches and several businesses and homes belonging to Copts in the Cairo neighborhood of Imbaba were torched—reportedly by Salafis—a melee sparked by the (false) accusation that a Christian woman intent on converting to Islam was being held against her will in one of the sanctuaries<sup>11</sup>. Fifteen were killed, including half-a-dozen Christians, and several hundred persons were wounded in related clashes.

Since then, with the November 2011-January 2012 parliamentary elections that brought into power an Islamist-dominated parliament (that was subsequently invalidated and dissolved) and the May 2012 presidential elections that installed a Muslim Brother as president, the situation has deteriorated. In October 2011, after a church was destroyed by Salafis in Aswan—an incident that the Governor of Aswan refused to acknowledge—Christians gathered to protest at the Maspero television building in downtown Cairo. Demonstrators were attacked by civilians, and, according to the Egyptian military, more than two dozen Copts were killed and more than two hundred were wounded that night.

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<sup>8</sup> Amro Hassan, *Coptic Pope Likes President’s Son*, L.A. TIMES (29 July 2009), <http://latimesblogs.latimes.com/babylonbeyond/2009/07/egypt-pope-shenouda-in-favour-of-succession.html>.

<sup>9</sup> *State TV: Pope Shenouda Calls for an End to Protests*, EGYPT INDEP. (5 Feb. 2011), <http://www.almasryalyoum.com/en/node/309661>.

<sup>10</sup> U.S. DEP’T ST., INTERNATIONAL RELIGIOUS FREEDOM REPORT 2012: EGYPT (2012), [hereinafter 2012 Egypt Report], <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2012&dliid=208386>.

<sup>11</sup> Mohamed Fadel Fahmy & Ian Lee, *Egyptian Copts, Reeling from Violence, Want Protection*, CNN (9 May 2011), <http://edition.cnn.com/2011/WORLD/africa/05/08/egypt.clashes/index.html>.

According to the US Department of State, Cairo “did not investigate and prosecute any military or police commanders responsible”<sup>12</sup>.

More recently, in April 2013, four Christians were killed and Christian businesses were destroyed in the town of Khusus. During the funeral held in the Coptic Cathedral in Cairo—seat of the Coptic Pope—violence erupted, when, according to some reports, Salafis started to attack the mourners and the police did not intervene<sup>13</sup>. Worse, according to the *New York Times*, police joined in the fight against the Christians, which escalated to a full-scale assault on the cathedral<sup>14</sup>. While President Morsi did condemn the attack as “an aggression against me personally” and called the Coptic Pope and pledged to protect the community, Christians understandably have little confidence in the Administration. Indeed, the Pope himself has questioned Morsi’s commitment to protect Copts<sup>15</sup>.

For good reason. In the aftermath of the attack, Morsi’s aid, Issam al Haddad, published a statement on his Facebook page blaming the Christians for provoking the violent clashes that killed two and injured eighty-nine<sup>16</sup>. Indeed, during the past two years, senior Muslim Brotherhood officials have started to routinely accuse Christians for “inciting violence” during protests against the Government. These accusations seem to have become a signal of sorts for regime supporters to attack peaceful protestors.

In addition to the disturbing increase in violence perpetrated against Copts in Egypt, there is also an increase in reports of abductions of young Coptic girls, purportedly by Islamists<sup>17</sup>. And in June 2013, four Shiites were lynched by a mob in a village of Greater Cairo known as Abu Musallim. According to Human Rights Watch, the attack occurred after months of anti-Shiite incitement, at times perpetrated by the Muslim Brotherhood and its Freedom and Justice Party<sup>18</sup>.

Of equal concern has been the proliferation of blasphemy cases in Egypt since 2011. The prohibition on blasphemy has long been a part of Egyptian penal code. The judicial system also incorporates *hisba*—an Islamic principle in which Muslims can bring

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<sup>12</sup> 2012 Egypt Report, *supra* note 10.

<sup>13</sup> Asmaa Waguih & Ulf Laessing, *One Dead, Many Wounded in Cairo Cathedral Clashes*, REUTERS (7 Apr. 2013), <http://www.reuters.com/article/2013/04/07/us-egypt-clashes-idUSBRE93503A20130407>.

<sup>14</sup> David D. Kirkpatrick & Kareem Fahim, *Attack on Christians in Egypt Comes After a Pledge*, N.Y. TIMES (7 Apr. 2013), [http://www.nytimes.com/2013/04/08/world/middleeast/in-egypt-attack-on-christians-comes-after-a-pledge.html?\\_r=0](http://www.nytimes.com/2013/04/08/world/middleeast/in-egypt-attack-on-christians-comes-after-a-pledge.html?_r=0).

<sup>15</sup> Patrick Kingsley, *Egypt’s Coptic Pope Criticizes Islamist President over Sectarian Violence*, GUARDIAN (13 Apr. 2013), <http://www.guardian.co.uk/world/2013/apr/09/egypt-coptic-pope-sectarian-violence>.

<sup>16</sup> *Egypt Presidential Aide Blames Christians for Cathedral Attack, Sparks Fury*, AL ARABIYA (10 Apr. 2013), <http://english.alarabiya.net/en/News/middle-east/2013/04/10/Egypt-presidential-aide-blames-Christians-for-cathedral-attack-sparks-fury.html>.

<sup>17</sup> See, e.g., *Coptic Christian Girl, 14, Abducted by Muslim in Egypt*, ASSYRIAN INT’L NEWS AGENCY (11 Feb. 2012), <http://www.aina.org/news/20121101201755.htm>; *Egypt Christians Face Uncertain Future As Kidnappings Mount*, COPTIC WORLD (7 May 2013), [http://www.copticworld.org/articles/1998:Former\\_Brotherhood\\_MP's\\_Son\\_Kidnaps\\_Coptic\\_Girl\\_Prosecutors\\_Set\\_Him\\_Free](http://www.copticworld.org/articles/1998:Former_Brotherhood_MP's_Son_Kidnaps_Coptic_Girl_Prosecutors_Set_Him_Free); *CHRISTIAN POST* (4 June 2013), <http://www.christianpost.com/news/former-brotherhood-mps-son-kidnaps-coptic-girl-prosecutors-set-him-free-97276>.

<sup>18</sup> *Egypt: Lynching of Shia Follows Months of Hate Speech*, HUMAN RIGHTS WATCH (27 June 2013), <http://www.hrw.org/news/2013/06/27/egypt-lynching-shia-follows-months-hate-speech>.

their coreligionists before a court for religious violations<sup>19</sup>. Not surprisingly, changing one's religion—i.e., converting out of Islam—remains a criminal offence<sup>20</sup>.

Since 2011, the proliferation of blasphemy-related actions seems to be dramatically increasing. Indeed, by some accounts, there are over fifty blasphemy cases being prosecuted at present, the vast majority of which appear to be targeting Coptic Christians. More than a few of these cases have political overtones, involving the leveling of blasphemy allegations against detractors of the Muslim Brotherhood<sup>21</sup>. In June, Egyptian author and human rights activist Karam Sabar was sentenced to five years in prison in connection to his 2011 book, *Where Is God?*<sup>22</sup>. It was the first of what will likely be many convictions under this problematic and sectarian legislation.

## **The Constitution**

Perhaps the crowning achievement of the Morsi Administration—and the most damaging for religious freedom—however, has been the passage of the new Constitution. According to Egyptian law, Egypt's new Constitution should have been a consensus document penned by a pluralistic constitution writing assembly. But in November 2012, President Morsi issued an edict ending judicial jurisdiction over the document, and—bypassing a secular forces boycott—shepherded the revised charter to a national referendum. While the resulting Constitution maintains much of the provisions of the 1971 draft, modifications of several clauses represent a shift toward a more strict approach to the implementation of the sharia, or Islamic law.

For example, like its 1971 predecessor, Article 2 of the Constitution states that the “[p]rinciples of Islamic Sharia are the principal source of legislation.”<sup>23</sup> But the new draft also adds a qualifier, indicating in Article 219 that the “principles of Islamic sharia” include “general evidence, foundational rules, rules of jurisprudence, and credible sources accepted in Sunni doctrines and by the larger community”, a change that narrows the range of interpretations on which legislators can draw. Taken together, Articles 2 and 219 privilege religious doctrines in political debate, and therefore the state's Islamists<sup>24</sup>.

Moreover, the new Constitution specifies in Article 4 that Senior Islamic scholars of the Sunni center of learning of Al Azhar will adjudicate—“are to be consulted”—on

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<sup>19</sup>FREEDOM HOUSE, POLICING BELIEF: THE IMPACT OF BLASPHEMY LAWS ON HUMAN RIGHTS 21 (2010), available at [http://www.freedomhouse.org/sites/default/files/Policing\\_Belief\\_Full.pdf](http://www.freedomhouse.org/sites/default/files/Policing_Belief_Full.pdf).

<sup>20</sup>Benjamin Weinthal, *Egyptian Court Sentences Christian Family to 15 Years for Converting from Islam*, FOX NEWS (16 Jan. 2013), <http://www.foxnews.com/world/2013/01/16/egyptian-court-sentences-entire-family-to-15-years-for-converting-to>.

<sup>21</sup>*Egyptian Rights Groups Condemn Jail Term Against Copt for 'Insulting Islam'*, AHRAM ONLINE (4 June 2013), <http://english.ahram.org.eg/NewsContent/1/64/73168/Egypt/Politics-/Egyptian-Coptic-lawyer-sentenced-to--year-in-priso.aspx>.

<sup>22</sup>Bill Chappell, *Egyptian Author Sentenced to Prison for Book 'Where is God?'*, NPR (12 June 2013), [http://www.npr.org/blogs/thetwo-way/2013/06/12/191091018/egyptian-author-sentenced-to-prison-for-book-where-is-god?ft=1&f=1001&sc=tw&utm\\_source=twitterfeed&utm\\_medium=twitter](http://www.npr.org/blogs/thetwo-way/2013/06/12/191091018/egyptian-author-sentenced-to-prison-for-book-where-is-god?ft=1&f=1001&sc=tw&utm_source=twitterfeed&utm_medium=twitter).

<sup>23</sup>Nariman Youssef, *Egypt's Draft Constitution Translated*, EGYPT INDEP. (2 Dec. 2012), <http://www.egyptindependent.com/news/egypt-s-draft-constitution-translated>.

<sup>24</sup>Robert Satloff & Eric Trager, *Egypt's Theocratic Future: The Constitutional Crisis and US Policy*, WASH. INSTITUTE FOR NEAR EAST POL'Y (3 Dec. 2012), <http://www.washingtoninstitute.org/policy-analysis/view/egypts-theocratic-future-the-constitutional-crisis-and-u.s.-policy>.

matters related to sharia. This clause effectively provides a legislative role to an unelected religious body, presumably at the expense of the judiciary.

In addition to privileging Sunni Muslims—some ninety percent of Egypt’s population—the new Constitution also seemingly limits the practice of religion to Christianity and Judaism, specifically citing these faiths *and no others* in Article 3. Along these lines, Article 43 of the Constitution specifies that “[t]he State shall guarantee the freedom to practice religious rites and to establish places of worship for the heavenly religions [Arabic: *Al adyan al samawiyya*] as regulated by law.” While this formulation seems innocuous, relegating this freedom to “heavenly religions”—Islam, Christianity, and Judaism—effectively excludes Bahais and all others. In addition, as some have pointed out, even Christians and Jews are only guaranteed religious freedom “as regulated by law”, thereby enabling the continuation of discriminatory laws that complicate Christian attempts to build or renovate churches; such provisions are frequently used to justify sectarian violence<sup>25</sup>.

Still other scholars note with concern that Article 212 establishes a High Authority for Endowment Affairs, equipped with power to “regulate, supervise and monitor public and private endowments”. In addition to overseeing Islamic endowments known as *awqaf*, critics warn that the clause “places Christian finances under the Islamist’s control”<sup>26</sup>.

Perhaps the most problematic new addition to the Constitution, however, is Article 44, which states that “[i]nsult or abuse of all religious messengers and prophets shall be prohibited”. This anti-blasphemy clause, along with Article 31, which states that “[i]nsulting or showing contempt toward any human being shall be prohibited”, effectively limits and criminalises a broad swath of freedom of speech. The Morsi Administration is already using these clauses to intimidate its opposition.

## **Recommendations**

In Washington, there is a well-worn post-revolution trope that Egypt is somehow “too big to fail”. Strategically, at least, Cairo continues to be very important, providing routine over-flight permissions for U.S. military aircraft, priority Suez Canal access for U.S. warships, counterterrorism cooperation, and the maintenance of the peace treaty with Israel. For the EU, like Washington, there is also an increasing concern that the economic deterioration in Egypt could lead to an acute crisis or collapse, resulting in unprecedented hardship for the rising number of impoverished and at risk Egyptians.

In the face of potential economic calamity, the United States has been loath to link the Muslim Brotherhood’s performance on human rights and religious freedom to financial or other humanitarian assistance. In March 2013, the EU did pass a resolution threatening to withhold its 5 billion Euro 2012-2013 financial-aid package if Cairo did not start respecting human—and especially women’s and minority—rights. And in June

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<sup>25</sup>*Id.*

<sup>26</sup> Samuel Tadros, *Egypt’s Draft Constitution: Religious Freedom Undermined*, NAT’L REV. ONLINE, (5 Dec. 2012), <http://www.nationalreview.com/corner/334908/egypt-s-draft-constitution-religious-freedom-undermined-samuel-tadros>.

2013, EU auditors, in an incredibly candid public report, admitted that the organisation “was largely unsuccessful” in tackling Egypt’s human rights abuses.

In any event, it is not clear that the EU will follow through on its threat, or if conditioning economic assistance will even be productive. As Egypt’s economy has deteriorated, it has looked to Qatar, Turkey, and Libya to bolster flagging foreign reserves—states which have little apparent problem with deficiencies in religious freedom in Egypt. These states have loaned Cairo enough money to slow the depletion of foreign reserves, forestalling imminent economic collapse. Meanwhile, the Muslim Brotherhood is moving forward with consolidating power, not only passing a newly Islamist-leaning Constitution, but by appointing governors in key electoral districts.

Still, the EU—and Washington—can and should take steps that highlight the importance the West attaches to this particular human rights issue. At the most basic level, EU officials should continue discussing concerns about religious freedoms both privately and during their public representations with their Egyptian counterparts. As the European Court of Auditors’ Karel Pinxten recently said, “the ‘softly softly’ approach has not worked”<sup>27</sup>.

The EU might also consider trying to direct some of its aid to incentivise limited and localised improvements in the standing of religious minorities. One way to do so, for example, might be to provide governorates with better records on the treatment of minorities with more projects.

Regrettably, however, these steps will only have a marginal impact at best in curbing the regime’s excesses. Another area to focus on includes issues like Egypt’s problematic blasphemy law and other provisions that legally insulate elected officials—especially the president—and governmental policies from criticism. These legal measures are being used to politically intimidate and silence religious minorities, who constitute a significant element of the opposition bloc or simply may have differing views than the Islamists.

For individual European states, of course, this is a difficult proposition, as some twenty percent of the forty-five European states already have blasphemy laws on the books, and eighty percent have laws penalizing defamation of religion. Likewise, in 2010, with the impetus of the Organization of Islamic Cooperation, the United Nations Human Rights Council adopted Resolution 16/18, which ultimately seeks to limit freedom of speech—an essential element of freedom of religion.<sup>28</sup>

Fortunately, the European Parliament has, via its June 2013 resolution 2013/2082(INI), taken a firm position against “any attempt to criminalise freedom of speech in relation to religious issues, such as blasphemy laws”<sup>29</sup>. This is a position that

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<sup>27</sup> *Auditors Say EU Aid for Egypt Failed to Stop Abuses*, BBC (18 June 2013), <http://www.bbc.co.uk/news/world-europe-22949616>.

<sup>28</sup> Human Rights Council Res. 16/18, Rep. of the Human Rights Council, 13th Sess., U.N. Doc. A/HRC/RES/13/16 (15 Apr. 2010).

<sup>29</sup> *Proposal for a European Parliament Recommendation to the Council on the Draft EU Guidelines on the Promotion and Protection of Freedom of Religion or Belief*, EUR. PARLIAMENT (5 June 2013), <http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&mode=XML&reference=A7-2013-203&language=EN>.

the EU should press with Egypt and in international fora such as the UN. Washington's stance on the OIC/UN efforts to limit freedom of speech and criminalize blasphemy has, regrettably, not been distinguished.

The problem, ultimately, for Washington and the EU is that, notwithstanding the current difficulties in Egypt, the West has relatively little leverage with the ruling Muslim Brotherhood in Cairo. At the same time, after the new restrictive NGO law is passed, it will be even more difficult to work with local organisations dedicated to human rights and religious freedom in Egypt. For the immediate future then, absent cutting off funding, the task before the EU will be to call out the Islamist Government in Cairo for its ongoing problems on religious freedom. In search of international legitimacy, this tack—coming from Europe—might just help to curb some of the most egregious violations on this front.

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