



NGO: EUROPEAN CENTRE FOR LAW AND JUSTICE (ECLJ)

**UNIVERSAL PERIODIC REVIEW
2014**

RELIGIOUS FREEDOM IN EGYPT

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Introduction.

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organisation dedicated to promoting and protecting human rights around the world. The ECLJ also holds Special Consultative Status before the United Nations Economic and Social Council¹. The purpose of this report is to highlight systemic human rights abuses in and by the Arab Republic of Egypt [hereinafter Egypt] for the 2014 Universal Periodic Review (UPR). These abuses primarily result from the Egyptian government's restricting religious freedom, violence and persecution carried out by Egyptian citizens, and the government's inability and/or unwillingness to protect religious minorities.

Despite a Legal and Constitutional Framework that Attempts to Protect Religious Liberties, Religious Minorities Face Persecution and Discrimination in Egypt.

2. Egypt is a party to the International Covenant on Civil and Political Rights (ICCPR)². As a party to the ICCPR, Egypt is subject to Articles 18³ and 27⁴, both of which protect religious freedom. The 2010 UPR noted that Egypt had adopted initiatives to advance religious freedom⁵. However, the same report expressed concerns over continuing discrimination against religious minorities⁶, despite Egypt's assurances that "relations between Muslims and Copts have been healthy and positive"⁷. Unfortunately, the situation in Egypt has not improved and, in recent years, sectarian and religiously-motivated violence has left religious minorities in a vulnerable

¹NGO Branch, U.N. Dep't of Econ. & Soc. Affairs, Consultative Status for the European Centre for Law and Justice (2007), <http://esango.un.org/civilsociety/> (accessed by searching "European Centre for Law and Justice" in the iCSO Database).

²*Status of Treaties, Ch. IV Human Rights, 4. ICCPR Status*, UNITED NATIONS TREATY COLLECTION, (20 Jan. 2014, 12:17 PM), http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&lang=en.

³Article 18 reads as follows:

(1) Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

(2) No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

International Covenant on Civil and Political Rights art. 18, 16 Dec. 1966, 999 U.N.T.S. 171, *available at* <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>.

⁴Article 27 addresses religious minority populations, stating, "In those [s]tates in which . . . religious . . . minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, . . . to profess and practise their own religion." *Id.* art. 27.

⁵Rep. of the Working Group on the Universal Periodic Review, Human Rights Council, 14th sess., 26 Mar. 2010, ¶ 91 U.N. DOC. A/HRC/14/17 [hereinafter 2010 UPR].

⁶*Id.* at ¶¶ 59, 61.

⁷*Id.* at ¶ 18.

position as the Egyptian government fails to protect them⁸ and, in some instances, is complicit in their persecution⁹.

3. Over the last few years, many Egyptian citizens, especially Coptic Christians, have faced increased persecution because of their faith. Christian women are often kidnapped and forced to marry Muslim men; other Christians and their children are kidnapped while their families are forced to pay a ransom¹⁰, Christians are killed while their churches are attacked and burned in political protests¹¹, and the government has done little to stop these attacks and protect the Christian minorities.

Coptic Christian Women are Routinely Drugged, Kidnapped, Raped, and Forcibly Converted to Islam.

4. While the 2010 UPR raised the issues of “domestic violence, marital rape, [and] violence against women” in Egypt¹², it failed to address the problem of forced religious conversion. Coptic Christian women are routinely abducted and forced to convert to Islam and marry Muslim men. Michele Clark, an internationally recognized expert on combating human trafficking and a professor at George Washington University, explained at a hearing on the situation facing Coptic Christian women that Egyptian Muslim “men, women and peers are used to build trust and dispel resistance in young [Christian] women targeted for conversion and marriage”¹³. Young women are often lured to an isolated place, drugged and kidnapped¹⁴. After kidnapping them, Muslim men rape these women in order to shame them and convince them that returning home is not an option¹⁵. The women are then forced to convert to Islam and marry their Muslim captors¹⁶. Once married, “Coptic women experience various forms of psychological and physical abuse including rape, beating, verbal abuse, confinement to their apartments, limited freedom of movement, and isolation from their families”¹⁷. One parish priest in Egypt indicated that in his parish alone, there were fifty cases of young women disappearing in 2010¹⁸. Another bishop, whose monastery has been turned into a safe house, stated at the time of his interview in 2010 that his monastery was housing forty-five young women who had returned from forced marriages¹⁹.

⁸See *infra* ¶ 12.

⁹See *infra* ¶ 5.

¹⁰*Infra* ¶¶ 4–6, 11.

¹¹*Infra* ¶ 12.

¹²2010 UPR, *supra* note 5, at ¶ 67.

¹³Michele A. Clark, Testimony at the Helsinki Commission Hearing (July 31, 2011), *available at* http://www.csce.gov/index.cfm?FuseAction=ContentRecords.ViewTranscript&ContentRecord_id=504&ContentTy pe=H,B&ContentRecordType=H&CFID=5971593&CFTOKEN=19444492.

¹⁴*Id.*

¹⁵*Id.*

¹⁶*Id.*

¹⁷*Id.*

¹⁸*Id.*

¹⁹*Id.* Ms. Clark further substantiated her findings with examples of situations Christian women have faced in Egypt.

Egyptian Authorities Are Complicit when a Christian Woman is Taken, Forced to Convert to Islam, and Given New Birth Certificate to Identify Her as a Muslim.

5. Many of these instances, in which Christian women are abducted, suggest that the government authorities are willing to cooperate with the captors²⁰. In June 2007, a young woman named Mary disappeared on her way home from a restaurant after feeling dizzy from taking a sip of her drink²¹. Following Mary's disappearance, her parents filed a report with the police²². The officers informed Mary's father that they found his daughter²³. She was then escorted into the police station by several women and four Muslim men²⁴. She was covered from head to toe in traditional Muslim dress²⁵. She was not permitted to stop and talk to her father and, when he called her name, one of the Muslim men hit her in the face²⁶. The police officers then restrained Mary's father while she was forced into a van and driven away²⁷. Two months later, police arrived at Mary's parent's home and tried to force them to sign documentation confirming that Mary had converted to Islam²⁸. Her parents refused and, months later, they learned that a new birth certificate identifying Mary as Muslim had been issued²⁹.

Egypt Claims to Promote Religious Freedom in Spite of Abolishing the Law that Prevented Forced Conversions and Maintaining Law that Limits Voluntary Conversion.

Egyptian Government Abolished the Law that Helped Prevent Forced Conversions.

6. In recent years, Egypt has consistently failed to enforce, or has abolished and refused to reinstate, laws in place to confirm voluntary conversions. For example, "the process of conversion of a non-Muslim traditionally included a counseling session consisting of the prospective new convert and a member of the clergy of his/her faith of origin along with Muslim clergy. These sessions were intended to give the potential convert the chance to make an informed decision about his/her conversion after hearing from both sides"³⁰. The former government under Hosni Mubarak halted this process, and the government under Mohamed Morsi refused to reinstate it³¹. Furthermore, where the perpetrators of forced conversion are known, governmental authorities have refused to prosecute them³². While there are rare instances of courts returning a young woman to her family, there are no instances of courts confronting the conduct of the perpetrators³³. The 2014 UPR should encourage the Egyptian government to enact laws that would make forced conversions more difficult and punish those who are responsible.

²⁰Aidan Clay, *Egypt's Lost Daughters; the Abduction of Christian Girls*, ASSIST NEWS SERVICE (10 May 2012), <http://www.assistnews.net/STORIES/2012/s12050044.htm>.

²¹*Id.*

²²*Id.*

²³*Id.*

²⁴*Id.*

²⁵*Id.*

²⁶*Id.*

²⁷*Id.*

²⁸*Id.*

²⁹*Id.*

³⁰Clark, *supra* note 13.

³¹*Id.*

³²*Id.*

³³*Id.*

Egyptian Government Maintains Laws that Prevent Voluntary Religious Conversions.

7. While Egypt supported recommendations put forward in the 2010 UPR that it continue to create an environment that promoted religious freedom and end discrimination against religious minorities³⁴, the Mubarak government refused to support recommendations that it eliminate legal and bureaucratic obstacles affecting an individual's right to choose his or her religion³⁵.

8. The newly adopted Egyptian constitution³⁶ made the important change of making the “Freedom of belief . . . absolute”³⁷. The same constitution also makes “discrimination and incitement of hatred” a punishable offense, and it makes “[a]ll citizens [] equal before the Law . . . without discrimination based on religion [or] belief”³⁸. Additionally, Christians and Jews are granted autonomy to “regulate their respective personal status, religious affairs, and selection of spiritual leaders”³⁹. However, because “[t]he principles of Islamic Sharia are the main source of legislation” in Egypt⁴⁰, and Islamic law does not allow its followers to reject Islam, Muslims looking to convert to Christianity are sometimes prevented from doing so entirely⁴¹. For example, the Egyptian government requires its citizens' identification cards to display their religion. This requirement makes voluntary conversions from Islam to other religions difficult because often the authorities do not honour requests by converts to change their religion on their identity card after their conversion. Thus, the requirement of documenting a citizen's religion under Egyptian law prevents individuals and families from freely adopting a religion of their choosing and encourages religious discrimination.

Mohammed Hegazy Prevented from Converting and Arrested on the Pretext of Inciting Sectarian Strife.

9. In 1998, Mr. Mohammed Hegazy (also known by his Christian name, Bishoy Armia Boulous) converted from Islam to Christianity after a “period of intensive study of religion”⁴². In 2007, Mr. Hegazy attempted to change his registered religion with the Egyptian Interior Ministry, only to have the Ministry officials reject his request⁴³. A citizen's inability to get his conversion registered also affects what education his children receive. In this case, it meant that

³⁴2010 UPR, *supra* note 5, at ¶ 95.

³⁵*Id.* at ¶ 98 (listing recommendations Egypt failed to support because it believed they were factually inaccurate).

³⁶*Egypt Constitution Approved by 98.1 Percent*, ALJAZEERA, <http://www.aljazeera.com/news/middleeast/2014/01/egypt-constitution-approved-981-percent201411816326470532.html> (last updated 24 Jan. 2014, 8:27 AM).

³⁷CONST. OF THE ARAB REPUBLIC OF EGYPT (2014), pt. III, art. 64, *available at* <http://www.sis.gov.eg/Newvvr/Dustor-en001.pdf> (unofficial translation); *see also* Bassem Sabry, *29 Things You Need to Know About Egypt's Draft Constitution*, AL-MONITOR (4 Dec. 2013), <http://www.al-monitor.com/pulse/originals/2013/12/egypts-new-proposed-constitution-sabry.html#>.

³⁸CONST. OF THE ARAB REPUBLIC OF EGYPT (2014), pt. III, art. 53, *available at* <http://www.sis.gov.eg/Newvvr/Dustor-en001.pdf> (unofficial translation).

³⁹*Id.* at pt. I, art 3.

⁴⁰*Id.* at pt. I, art 2.

⁴¹*Infra* ¶¶ 9–10.

⁴²Special Rapporteur on Freedom of Religion or Belief, *Rep. of the Special Rapporteur on Freedom of Religion or Belief: Addendum*, ¶ 82, U.N. Doc. A/HRC/16/53/Add.1 (14 Feb. 2011).

⁴³*Id.*

Mr. Hegazy's daughter would have to be educated in the Muslim faith⁴⁴. As the Special Rapporteur on Freedom of Religion or Belief emphasized in his 2011 report, under international human rights norms, parents have a right to "ensure the religious and moral education of their children"⁴⁵. The Egyptian government noted in its official response to a request from the Special Rapporteur on Freedom of Religion or Belief that its policies on religious identification exist because conversions "for the sake of personal gain can stir up unrest, which threatens security, social peace, and public order"⁴⁶.

10. When Mr. Hegazy later filed a lawsuit in an attempt to have his conversion recognized, he was met with hostility from government officials as well as the Egyptian Islamic community as "two academics from Al-Azhar University demanded his execution, and the minister for religious endowments publically affirmed the legality of executing Muslims who convert to Christianity"⁴⁷. Mr. Hegazy's case was indefinitely suspended in 2010 by an appellate court awaiting a ruling from the constitutional court on a similar issue⁴⁸. While the case is still pending, on 4 December 2013, Mr. Hegazy, was arrested by Egyptian authorities who are "investigating him for several activities, including allegedly inciting 'sectarian strife'"⁴⁹. The authorities alleged that Mr. Hegazy "was contributing to a 'false image' that there is violence against Christians in Minya, Egypt" and that his arrest was not related to his conversion⁵⁰.

Egyptian Christians and their Places of Worship are Routinely Attacked.

Coptic Christians Kidnapped While Families Forced to Pay Ransom.

11. Kidnapping in an attempt to get Coptic Christians to pay a ransom is also commonplace in Egypt. According to Mr. Ezzat Ibrahim, the director of the World Center for Human Rights in Minya and Asyut, Egypt, in the past year alone, "69 Christians were abducted in Minya governorate Four of them were killed because their families were unable to pay the kidnapers that demanded ransoms, four of them were returned by the police, and 61 Christians were returned after their families paid a ransom ranging from fifty thousand Egyptian Pounds (\$7,000) to several million Egyptian pounds"⁵¹. Unfortunately, the Egyptian government does not take appropriate action to track down and prosecute the kidnapers⁵². Instead, the government blames the victims' families for negotiating with the kidnapers⁵³.

Coptic Christians are Murdered and their Places of Worship are Burned.

⁴⁴*Id.* at ¶ 88.

⁴⁵*Id.* at ¶ 98.

⁴⁶*Id.* at ¶ 94.

⁴⁷*Id.* at ¶ 84.

⁴⁸*Noted Convert in Egypt Arrested, Likely Tortured*, MORNING STAR NEWS (6 Dec. 2013), <http://morningstarnews.org/2013/12/noted-convert-in-egypt-arrested-likely-tortured/>.

⁴⁹*Id.*

⁵⁰*Id.*

⁵¹Ryan Morgan, *Egypt: Coptic Christians Kidnapped Weekly, Held for Ransom by Radicals*, PERSECUTION.ORG (23 Jan. 2014), <http://www.persecution.org/2014/01/23/egypt-coptic-christians-kidnapped-weekly-held-for-ransom-by-radicals/>.

⁵²Associated Press, *Kidnappers Target Christians in Egypt*, FOX NEWS (4 Apr. 2013), <http://www.foxnews.com/world/2013/04/04/kidnappers-target-christians-in-egypt/>.

⁵³*Id.*

12. After the removal of Mohamed Morsi from power, Coptic Christians have faced “an unprecedented wave” of attacks carried out by Morsi supporters⁵⁴. “200 Christian-owned properties were attacked and 43 churches were seriously damaged across [Egypt]” as a result of these attacks⁵⁵. In October 2013, masked assailants riding motorcycles burst into a Coptic wedding celebration, “sprayed the celebrants with bullets and roared off into the night, leaving behind a welter of bleeding bodies and shrieking survivors. Four people were killed, including an 8-year-old girl, and 19 [were] injured”⁵⁶. Even more recently, the Archangel Michael Church, sixteen miles from the capital, was attacked by a mob of Morsi supporters after they were driven out of Cairo by security forces⁵⁷. The interior of the church was “scorched and ransacked”⁵⁸. Instances of kidnapping for ransom and attacks on Christians by Muslim citizens show that the government has failed to adequately protect its minorities.

Conclusion.

13. As human rights organisations have noted, “[s]uccessive governments have failed to address discrimination and targeting of religious minorities in Egypt”⁵⁹. In the 2010 UPR, Egypt supported the recommendation that it “[c]ontinue to create [a] conducive environment for the enjoyment of freedom of religion and belief including introduction of further measures for promoting equal rights and social harmony among followers of different religions”⁶⁰. The 2014 UPR must urge Egypt to adopt policies that promote religious freedom and protect religious minorities like the Coptic Christians. The 2014 UPR must stress Egypt’s duty to protect its citizens from senseless attacks against minority groups. Furthermore, it is imperative that the 2014 UPR address the very serious issue of forced conversion facing Coptic Christian women.

⁵⁴*‘How Long are We Going to Live in this Injustice?’: Egypt’s Christians Caught Between Sectarian Attacks and State Inaction*, AMNESTY INTERNATIONAL (Oct. 2013) <http://www.amnesty.org/en/library/asset/MDE12/058/2013/en/3dfdf662-073a-4980-90bd-8027136a72af/mde120582013en.pdf>.

⁵⁵*Egypt: Christians Scapegoated After Dispersal of Pro-Morsi Sit-Ins*, AMNESTY INTERNATIONAL (9 Oct. 2013), <http://www.amnesty.org/en/news/egypt-christians-scapegoated-after-dispersal-pro-morsi-sit-ins-2013-10-09>.

⁵⁶Laura King, *Attack on Wedding is Latest Horror for Egypt’s Coptic Christians*, LOS ANGELES TIMES (21 Oct. 2013) <http://articles.latimes.com/2013/oct/21/world/la-fg-egypt-church-shooting-20131022>.

⁵⁷Matthew DeLuca & Henry Austin, *At Coptic Church Destroyed by Mob, Uncertainty About Egypt’s Future*, NBC NEWS (18 Aug. 2013, 6:16 PM) <http://www.nbcnews.com/news/world/coptic-church-destroyed-mob-uncertainty-about-egypts-future-v20079239>.

⁵⁸*Id.*

⁵⁹*Egypt: Christians Scapegoated After Dispersal of Pro-Morsi Sit-Ins*, *supra* note 55.

⁶⁰2010 UPR, *supra* note 5, at ¶ 95.