

**Universal Periodic Review – 20th Session**  
**CSW – Stakeholder Submission**  
**EGYPT****Introduction**

1. Christian Solidarity Worldwide wishes to draw attention to Egypt's domestic human rights situation, and specifically, its international obligations with regard to the right to freedom of religion or belief, over the period 2009-2013.
2. The Egyptian government participated in its first Universal Periodic Review in February 2010. However, the complex series of political transitions from January 2011 onwards contributed to a deterioration in human rights including, but not limited to, the right to freedom of religion and belief.
3. The mistreatment of religious groups by state and non-state actors worsened during the leadership of the Supreme Council of the Armed Forces (SCAF) and deteriorated further under President Mohamed Morsi. Under the interim government led by Adly Mansour religious minorities suffered at the hands of non-state actors.

**Scope of International Obligations**

4. Egypt is party to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights, as well as the International Convention on the Rights of the Child and the Convention on the Elimination of Discrimination against Women. Egypt has ratified the African Charter on Human and People's Rights, and has acceded to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
5. Egypt has not signed the Optional Protocol to the International Covenant on Civil and Political Rights or the Convention for the Protection of All Persons from Enforced Disappearance.

**Recommendations:**

6. That Egypt signs and ratifies the Optional Protocol to the International Covenant on Civil and Political Rights.
7. That Egypt signs and ratifies the Convention for the Protection of All Persons from Enforced Disappearance.
8. That Egypt upholds the rights outlined in the international statutes to which it is party.

**Constitutional and legislative framework**

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9. A new constitution was accepted by referendum in January 2014. The right to FORB is enshrined in a basic form in article 64: “Freedom of belief is absolute.” However, the article proceeds to stipulate the faiths that enjoy absolute religious freedom: “The freedom of practicing religious rituals and establishing places of worship for the followers of revealed religions is a right organised by law.”
10. Article 2 stipulates Islam as the religion of the state. As outlined in General Comment No. 22, ‘The fact that a religion is recognized as a state religion...shall not result in any impairment of the enjoyment of any of the rights under the [ICCPR] ...nor in any discrimination against adherents to other religions or non-believers.’
11. Equality and non-discrimination are expounded in articles 9, 11, 14, 51, 53. Articles 180, 235, and 244 provide for minority representation and freedom to build and renovate Christian churches.
12. Article 180 provides representation in local councils to “Christians and people with disability”. Furthermore, article 244 stipulates that “Christians, persons with disability and expatriate Egyptians” will be granted appropriate representation in the House of Representatives. Article 235 guarantees Christians the freedom to practise their religious rituals by obliging the House of Representatives to “issue a law to organise building and renovating churches”. While these measures being to address the plight of the Christian community, they must be extended to members of other religious and non-religious communities if freedom of belief is to be “absolute”, as stated in article 64.
13. The right to change religion or belief is not addressed by the constitution, and there is no sign of a change to the longstanding discriminatory practice whereby converts to Islam are easily able to change religion on ID cards, while converts from Islam face bureaucracy and delays in changing religion.
14. The constitution also includes an undertaking to uphold Egypt’s obligations under international law.

**Recommendations:**

15. Amend article 64 to include freedom of belief for members of non-heavenly religions and non-religious communities.
16. Implement article 53 and establish an independent commission to eliminate all forms of discrimination.
17. Ensure the passage of a law governing the building and renovation of churches.
18. Amend articles 180, 235, and 244 to provide for members of other religious and non-religious communities.

19. Ensure that constitutional provisions are in line with international legal statutes to which Egypt is party.

### Interaction with International Human Rights Mechanisms

20. Egypt is party to over 20 international human rights treaties. During its previous UPR, Egypt received recommendations from Belgium, Czech Republic, Ireland, Netherlands, Spain, and Sweden to extend an invitation to UN special mandate holders to visit the country. Furthermore, Egypt partially accepted recommendations pertaining to the issuance of a standing invitation to special procedures.<sup>1</sup>
21. Egypt invited the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism to visit in 2009, though requests for a follow-up visit and reminders in 2011, 2012, and 2013 have not been granted. Egypt received the Special Rapporteur on the situation of human rights in the occupied Palestinian territories in 2011 and 2012. The Special Rapporteur on freedom of religion or belief made a visit request in 2005 and reminder in 2008 which were not granted. The Special Rapporteur on the rights to freedom of peaceful assembly and of association made a visit request in 2011 and a reminder 2013 which have not been granted.

### Recommendations:

22. That Egypt extends a standing invitation to all thematic Special Procedures, including the UN Special Rapporteur on freedom of religion or belief.
23. That Egypt responds positively to all other outstanding visit requests from Special Procedures.

### Freedom of Religion or Belief

24. There are several concerns relating to the right to freedom of religion or belief for religious and non-religious communities.
25. Christian communities suffered discrimination at both structural and societal levels during the Mubarak era. Sectarian violence was rife, the building and renovation of churches was notoriously difficult, and an attempt to pass a unified law on the building of places of worship eventually failed in 2011. The Baha'i community are not formally recognised as a religious group. As such, the Baha'i community have had problems registering as a religious community, building places of worship, and registering their religion on identity cards.
26. Violations, particularly by non-state actors, increased in the aftermath of the 2011 Revolution. Sufi shrines were destroyed by Salafis, who also launched attacks against the Coptic community. Attacks on churches and church demolitions rose significantly. However the signal event was the 2011 Maspero Massacre, when at least 27 people died

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<sup>1</sup> A/HRC/14/17/Add.1 Paragraph 21

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and over 300 were injured in an attack by the security forces on unarmed and peaceful protestors.

27. Under President Morsi, the scale of violations also increased and included an unprecedented attack on St Mark's Coptic Cathedral in Cairo, the seat of Coptic Pope Tawadros II, in April 2013. Abductions and forced marriages of Christian girls continued with impunity, and attacks on Christian homes and businesses rose in frequency, particularly in Upper Egypt. The perpetrators were non-state actors; however, government failure to intervene to protect, even when this was an option, suggested a significant level of state acquiescence.
28. During the review period, the frequency of convictions relating to insulting religion rose, particularly under the Morsi government, including charges of "insulting the prophet", "offending Islam", "contempt of religion", "insulting Islam", and blasphemy. In this context, the removal of article 44 from the constitution is welcomed.<sup>2</sup> Several of these cases remain unresolved. Inequality before the law is also rife. In April 2012, a Coptic man, Ayman Anwar Metry, was forced to drop his case against a group of Salafis who attacked him a year earlier, after the assailants shot at him, tried to burn down his house, and threatened to kidnap his sisters. Similar cases are rife, and this impunity serves as encouragement to those seeking to spread violence and sectarian strife, particularly in a climate of political transition and instability.
29. Hate speech against the Shi'a and Christian communities increased during the Morsi era in particular. A mob attack on a Shi'a gathering resulted in four deaths in June 2013, including that of a prominent cleric. Incitement to violence against Christians from large Muslim Brotherhood sit-ins during August 2013 directly correlated with widespread violence against the Coptic community by extremist Islamist groups.
30. Mob violence against members of religious minority communities also proliferated during the period under review 2009-2013. In September 2012, a mob gathered outside the home of an atheist activist blogger in Cairo. His mother called the police for protection, yet they arrested him, incarcerating him with violent cellmates who proceeded to inflict severe physical abuse. Such mob attacks occurred in a culture of impunity due to a lack of intervention, and even collusion on the part of officials. There are abiding suspicions that security officials may have colluded in the bombing of an Orthodox Church in Alexandria in 2011 that claimed 21 lives.
31. In addition to impunity surrounding violence against religious communities, Egypt set a precedent by arresting and charging the victims of religiously-motivated violence. In February 2012, two Coptic priests appeared before a court on several charges in the wake of the 2011 Maspéro Massacre. In May 2012, 12 Christians in Minya were sentenced to life imprisonment in connection with an outbreak of sectarian violence in April 2011 that left three people dead, while eight Muslims jointly charged in the case were acquitted. Initial

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<sup>2</sup> Insult or abuse of all religious messengers and prophets shall be prohibited. - Article 44, 2012 constitution

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blame for the April 2013 attack on St Mark's Coptic Cathedral was placed on the Coptic community, the victims of the attack.

32. Constitutional provisions stipulating non-discrimination and providing protections for the Coptic community in particular could be used in combating the discrimination that took further root in Morsi's time. Unfortunately, in some senses, implementation is a more serious obstacle to religious freedom than legislation. While the constitution received a strong mandate with a relatively strong turnout, this took place in a climate of repression of opposition voices, with the arrests of anyone campaigning for a 'no' vote. Moreover, the existence of constitutional civil rights provisions was not a priority for many voters, whose primary interests were internal security as well as political and economic stability.
33. Previous constitutions paid lip service to a restricted form of religious freedom, yet successive regimes lacked the political will to combat longstanding systemic and social violations of religious freedom. Official indifference and complicity in discrimination and violence effectively validated societal hostility. Thus although the constitution provides for the construction of houses of worship, and the establishment of an independent commission to eliminate all forms of discrimination, the Egyptian government will have to implement these provisions promptly and respond effectively to cases which contravene them.

**Recommendations:**

34. That Egypt combats impunity in religious violence by fully investigating such incidents as the Alexandria bombing of January 2011, the Maspero Massacre of October 2011, and violence against the Coptic community during August 2013, and holds perpetrators to account;
35. That Egypt establishes a national mechanism for receiving complaints regarding human rights violations
36. That Egypt provides extensive and ongoing training for government and judicial officials dealing with violations of religious freedom.
37. That Egypt invests in training new lawyers specialising in human rights
38. **Freedom of Opinion and Expression; Freedom of peaceful assembly and association**
39. Freedoms of opinion and expression have deteriorated rapidly under successive regimes. A stifling of civil society has also continued, with restrictions placed on sources of funding.
40. President Morsi's government stifled opposition voices within the Shura Council, and journalists, newspapers, activists and entertainers were increasingly charged with "insulting the president. The post-Morsi government has seen a severe crackdown on the Muslim Brotherhood, denounced as disproportionate by observers both in Egypt and internationally, as well as the arrests and trials of several bloggers and rights activists who in November 2013 protested against the continuing subjection of civilians to military trials, two of whom are subject to extended detention.

41. A widely criticised law was passed in November 2013, calling on groups of more than 10 people to seek official permission before gathering. Anyone in violation of this stipulation faces fines of up to USD\$4,300. The law also stipulates a custodial sentence of up to five years for “violations of general security, public order” or seven years for carrying weapons at a protest. This decree was defended by the interim government as a necessary step to combat terrorism. The right to peaceful protest has been constrained by this and other measures, including curfews.

### Recommendations

42. That Egypt lifts restrictions that have prevented Egyptian human rights organisations from receiving funding for their work.
43. That Egypt ends the harassment of peaceful dissent, revises the protest law, ends the use of military courts for civilians, and encourages civil society and peaceful dissent as the necessary checks and balances of a democratic system.
44. That Egypt ensures that national legislation and state practices are in line with international human rights statutes to which the nation is party