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Annual Report 2010



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United States Commission on International Religious Freedom**

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Front Cover: URUMQI, China, July 7, 2009 – A Uighur Muslim woman stands courageously before Chinese riot police sent to quell demonstrations by thousands of Uighurs calling for the government to respect their human rights. The Uighurs are a minority Muslim group in the autonomous Xinjiang Uighur region. Chinese government efforts to put down the ethnic and religious protest resulted in more than 150 dead and hundreds of arrests. (Photo by Guang Niu/Getty Images)

Back Cover: JUBA, Southern Sudan, April 10, 2010 – School children participate in a prayer service on the eve of Sudan's first national elections in more than two decades. Those elections are called for under the Comprehensive Peace Agreement between North and South Sudan, the full implementation of which is widely believed to be essential to averting another bloody civil war marked by sectarian strife. Although the elections were deeply flawed, many Southern Sudanese saw them as a necessary milestone on the road to a January 2011 referendum on Southern Sudan's political future--the final major step in the peace agreement. (Photo by Jerome Delay/Associated Press)

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Egypt

FINDINGS: Serious problems of discrimination, intolerance, and other human rights violations against members of religious minorities, as well as disfavored Muslims, remain widespread in Egypt. The reporting period marked a significant upsurge in violence targeting Coptic Orthodox Christians. 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. Implementation of previous court rulings – related to granting official identity documents to Baha’is and changing religious affiliation on identity documents for Christian converts – has been limited and subject to onerous delays. Disfavored Muslims continue to face discrimination and repression. The government has not responded adequately to combat widespread and virulent anti-Semitism in the government-controlled media. On a positive note, there was increased public space to discuss and debate a wide range of religious freedom concerns, including sectarian violence, in the media and other public fora, which, in previous years, was discouraged or prevented by Egyptian authorities.

Due to persistent and serious concerns, Egypt remains on USCIRF’s Watch List in 2010. Egypt has been on the Watch List since 2002.

USCIRF traveled to Egypt in January 2010 to assess religious freedom conditions in the country. The visit took place just weeks after six Coptic Christians and one Muslim were killed outside a church on Coptic Christmas eve in the town of Naga Hammadi. This incident served as a wake-up call to many Egyptians about the government’s inadequate response to growing sectarian tensions and other religious freedom issues. USCIRF concludes that there is a window of opportunity for the Egyptian government to conduct thorough investigations and to bring to justice perpetrators of sectarian violence before societal and government attention shifts to the upcoming parliamentary elections later in 2010 and presidential elections in 2011. Other needed reforms also should be immediately implemented, such as removing religion from official identity documents and passing a unified law for the construction and repair of places of worship.

PRIORITY RECOMMENDATIONS: U.S. policy towards Egypt does not adequately prioritize human rights and religious freedom. Despite documenting widespread abuses in the annual human rights and religious freedom reports, the United States has not pressed the Egyptian government sufficiently in numerous areas of concern. The U.S. government should establish a timetable with Cairo for implementation of human rights and religious freedom reforms. If deadlines are not met, the U.S. government should reconsider its allocation of its assistance to the Egyptian government. The United States should more aggressively press the Egyptian government to prosecute perpetrators responsible for sectarian violence and to remove *de facto* responsibility for religious affairs from the state security services, with the exception of cases involving violence or the advocacy of violence. The U.S. government also should do more to support, without vetting by the Egyptian government, Egyptian civil society groups who are pressing for political and democratic reform. Additional recommendations for U.S. policy towards Egypt can be found at the end of this chapter.

Religious Freedom Conditions

General Concerns

Egypt has a poor overall human rights record, including repressive practices that seriously violate freedom of thought, conscience, and religion or belief. Human rights groups inside Egypt are concerned that extremism continues to advance in the country, with detrimental effects on the prospects for democratic reform, religious tolerance, and the rights of women, girls, and members of religious minorities. Some believe that the government is not acting to counteract this problem, especially in the areas of public education and the media, where extremist influence is growing. Many are concerned that if the Egyptian government does not implement reforms and address a range of democracy and human rights issues immediately, the status quo will remain up to and through the parliamentary elections in June and November 2010 and presidential elections in 2011.

The Emergency Law, which has been in effect since 1981 and was renewed for another two years in May 2008, restricts many human rights, including freedom of religion or belief as well as freedom of expression, assembly, and association. Under the Emergency Law, security forces arbitrarily arrest and detain persons, hold detainees in prolonged pretrial detention, mistreat and torture prisoners, and occasionally engage in mass arrests. Thousands of persons have been detained without charge on suspicion of illegal terrorist or political activity; others are serving sentences after being convicted on similar charges. Egyptian and international human rights groups have asserted that the primary purpose of the State Emergency and Military Courts is to punish political activism and dissent, even when that dissent is peaceful. These courts also are used to detain and try individuals deemed by the state to have “unorthodox” or “deviant” Islamic or other religious beliefs or practices. Since 2005, Egypt’s National Human Rights Commission (NHRC) has called for the Emergency Law to be lifted.

Majority and Minority Muslims

The government maintains tight control over all Muslim religious institutions, including mosques and religious endowments, which are encouraged to promote an officially sanctioned interpretation of Islam. According to Egyptian officials, the government regulates these Muslim institutions and activities as a necessary precaution against religious extremism and terrorism. The state appoints and pays the salaries of all Sunni Muslim imams, all mosques must be licensed by the government, and sermons are monitored by the government.

The government-funded Al-Azhar University is one of the preeminent Sunni Muslim centers of learning in the region. The Islamic Research Center (IRC) of Al-Azhar has legal authority to censor and, since 2004, to confiscate any publications dealing with the Koran and *hadith* (oral traditions). In recent years, the IRC has ruled on the suitability of non-religious books and artistic productions. Al-Azhar also has the legal right to recommend confiscations, but must obtain a court order to do so. The Egyptian government consults Al-Azhar on a wide range of religious issues impacting Muslims in the country. Over the years, clerics and scholars at Al-Azhar have issued discriminatory *fatwas* (religious edicts) and delivered controversial sermons about some non-Muslim faiths, particularly the Baha’i faith, as well as disfavored or dissenting Muslims. Non-Muslims are prohibited from attending Al-Azhar University. Grand Sheikh of Al-Azhar Muhammad Sayed Tantawi died suddenly in March 2010 while visiting Saudi Arabia. Days later, President Mubarak appointed the former Mufti of Egypt, Ahmed Al-Tayeb, as the new Grand Sheikh.

Egyptian law prohibits blasphemy through Article 98(f) of its Penal Code, which prohibits citizens from “ridiculing or insulting heavenly religions or inciting sectarian strife.” This provision has been applied to

detain and prosecute members of religious groups whose practices deviate from mainstream Islamic beliefs or whose activities are alleged to jeopardize “communal harmony” or to insult the three “heavenly religions:” Judaism, Christianity, and Islam.

These include Muslim groups, such as the Koranists—a very small group in Egypt that accepts only the Koran as the sole source of religious guidance and thus has been accused by the Egyptian government of deviating from Islamic law. Many from the Koranist community report discrimination in employment and continue to suffer from harassment and surveillance by security services. Some members are prevented from leaving the country by authorities. In November 2009, authorities detained Koranist Abdel Latif Said for one week after his attempt to travel to Sudan. Earlier in April, security officials at Cairo International Airport prevented Said from traveling to the United States to attend a conference. In October 2008, Reda Abdel Rahman, an Egyptian blogger affiliated with the Koranist movement, was arrested and charged with “insulting Islam,” reportedly because his blog called for political and religious reform in Egypt. After nearly three months in detention, during which he alleges he was physically abused, Rahman was released in January 2009.

Over the years, the small Shi’a Muslim community has faced periodic discrimination, harassment, and arrests. There are approximately 300 Shi’a Muslims living in Egypt. In June 2009, a Shi’a Muslim cleric, Hassan Shehata Moussa, was arrested, along with 11 other Shi’a Muslims, after reportedly being charged by authorities with using Friday sermons to promote Shi’a ideals, recruiting “foreign elements,” leading a banned group, receiving financial support from foreign governments, and possessing books defaming Sunni Islam. Egyptian human rights groups have been prevented from closely monitoring developments in this case. The status of those detained is unknown.

Hani Nazeer, a Coptic Christian blogger from Upper Egypt, has been detained since October 2008 under a succession of administrative detention orders issued by the Interior Minister using powers provided by the Emergency Law. Reportedly, Nazeer has been held because of posting on his blog a cover of a book deemed insulting to Islam. Although his lawyers have obtained at least four court orders mandating his release, most recently in January 2010, Nazeer remains in prison near Alexandria. According to his lawyers, Nazeer has been mistreated while in prison and pressured to convert to Islam by prison officials. In February 2007, a court in Alexandria convicted and sentenced Abdel Karim Suleiman, a 22 year-old Internet blogger and former student at Al-Azhar University, to four years in prison, three years for blaspheming Islam and inciting sectarian strife and one year for criticizing Egyptian President Hosni Mubarak. Suleiman had used his blog to criticize some activities of Al-Azhar University and attacks on Coptic Christians in Alexandria in October 2005. In March 2007, an appeals court upheld his sentence. He currently is serving the remainder of the four-year prison term.

The Muslim Brotherhood and other Islamist political groups which advocate or seek to establish an Islamic state in Egypt based on their interpretation of Islamic law are illegal organizations under a law prohibiting political parties based on religion. Despite these restrictions, the Muslim Brotherhood has become much more visible in Egypt’s political landscape. In fact, more than 100 members of the Muslim Brotherhood ran as independent candidates in the December 2005 parliamentary elections and won 88 seats, up significantly from their previous 15. The Muslim Brotherhood and other Islamist political groups have used violence in the past to achieve their aims, including the assassination of President Anwar al-Sadat in 1981 and attacks on foreign tourists. Some of these groups persist in advocating violence. Egyptian security forces continue to arrest hundreds of suspected Islamists every year, and some are subject to torture and/or prolonged detention without charge. Human rights groups that closely monitor the detention of such individuals claim that the vast majority are in prison as a result of their political beliefs or activities, and not on the basis of religion.

Violence Targeting Christians

During the past year, there has been a significant increase in violent attacks targeting Coptic Orthodox Christians and their property. In most cases, perpetrators have not been convicted. In other cases, the alleged perpetrators have been briefly detained but eventually released without charge. This increase in violence, and the failure to prosecute those responsible, fosters a growing climate of impunity, especially in Upper Egypt. In recent years, in response to sectarian violence, Egyptian authorities have conducted “reconciliation” sessions between Muslims and Christians as a way of easing tensions and resolving disputes. However, reconciliation efforts should not be utilized to undermine enforcement of the law and punishing perpetrators for wrongdoing. In fact, in its 2009 annual human rights report on Egypt, the State Department concluded that reconciliation sessions not only “prevented the prosecution of perpetrators of crimes against Copts and precluded their recourse to the judicial system for restitution” but also “contributed to a climate of impunity that encouraged further assaults.” Below is a sample of recent violent incidents impacting the Coptic Orthodox community, who comprise 10-15 per cent of the Egyptian population of 80 million people.

On March 12, 2010 in Marsa Matrouh, northern Egypt, the prayer leader of the Al-Rifayah mosque allegedly incited some 250 Muslims worshippers to demolish a wall that was under construction by the nearby Coptic Church. The wall reportedly encroached on part of a road leading to the mosque. The Muslim worshippers left the mosque after Friday afternoon prayers and approached the Coptic Church compound and began throwing Molotov cocktails and stones at and over the wall. Approximately two dozen Coptic Christians inside the compound were injured. There were reprisal attacks by some Christians from inside the compound. According to the State Department and media reports, police and security forces responded adequately and arrested approximately 14 Copts and 16 Muslims. The compound suffered damage and at least two vehicles and three homes owned by Copts were set on fire. To date, no charges have been filed as police continue to investigate the incident.

In February 2010, four Muslim men were acquitted of murdering a Coptic Christian man, Farouk Attallah, in October 2009 in the Upper Egypt town of Dairout. The murder reportedly was witnessed by a number of individuals. According to reports, Attallah’s Christian son was involved in a romantic relationship with a Muslim girl. The defendants allegedly had planned to attack the young man, but when they could not find him, they killed his father. The court stated the reason for the acquittal was insufficient evidence.

On January 6, 2010 in the town of Naga Hammadi, Qena Governorate, three men with automatic weapons shot Coptic churchgoers leaving midnight Christmas Mass. At least seven people were killed – six Christians and one off-duty Muslim police officer – and several others wounded. Some argued the attack was in retaliation for a November incident in which a 12-year-old Muslim girl was rumored to have been raped by a Christian man in a nearby town (see below); others suggested that a political vendetta could have been a factor. Three suspected perpetrators have been arrested and their trial started in February in a state emergency court and is ongoing. For days following the January 6 incident, riots ensued as Christians destroyed and burned the shops and property of private Muslim business-owners. At least 42 individuals were arrested as a result of the riots; approximately 28 Christians and 14 Muslims. At least 12 Christians and nine others remain in detention. Magdi Ayoub, the Qena Provincial Governor, and the only Coptic Christian Governor in the country, testified before parliament that the Naga Hammadi incident was not sectarian in nature, which drew the ire of Christian parliamentarians and Coptic Bishop Kyrollos of the Naga Hammadi Diocese. President Mubarak and Muslim and Christian religious leaders have spoken out repeatedly to condemn the January 6 killings and have called for bringing the perpetrators to justice. The killings also outraged many Egyptian citizens throughout the country and prompted a robust and wide-ranging debate in the press about the broader context and measures to prevent future incidents.

In November 2009, in Farshout and other villages in the Qena Governorate, rumors that a 20-year-old Coptic man had raped a 12-year-old Muslim girl sparked massive violence by Muslims against the Coptic Christian community. Rioting ensued for five days, resulting in millions of dollars in damage to Christian-owned businesses. Many Christian families were forced from their homes. The assailants also attacked the police station where the accused Christian man was being detained. Some eyewitness and media reports stated that security forces arrived hours after being called and did little to stop the attacks. Bishop Kyrollos denounced the security forces' failure to restore calm and alleged that the attacks were pre-planned. The rape case against the Christian man has not yet gone to trial. Bishop Kyrollos had been receiving threats since the November incident, and after the January 6 shootings in Naga Hammadi, police asked him to stay at home for fear of further violence.

On June 21, 2009, Muslim villagers looted and attacked private homes and a building used for Christian gatherings and religious services in Ezbet Boshra-East. According to reports, a group of Christians from Cairo were visiting a pastor who lives in the building. This apparently caught the attention of local residents and a group of Muslims reportedly soon began looting. Several Christians and Muslims sustained injuries and some of the homes and the building were damaged. In addition, crops on property owned by Christian farmers were uprooted by Muslim rioters. Christians remained in their homes for several days for fear of additional attacks. Some reports claimed that state security services did little to prevent the violence from occurring. To date, no one has been brought to justice for the violence.

In January and May 2008, armed Muslim Bedouins attacked the Abu Fana monastery in Minya province. In the May attack, one Muslim died, at least three Christians were wounded, and several monks were abducted and abused. Three abducted monks reportedly were rescued by Egyptian security services. Even though ownership of the land at issue is disputed, advocacy groups claim that Egyptian authorities' repeated characterization of the incident as a "land dispute" ignores the severity of violence faced by Coptic Orthodox Christians. Following the May incident and other previous attacks on the monastery, Egyptian authorities organized "reconciliation meetings" between the local Bedouin population and the monks. In August 2009, two Christians who were held in detention without charges since May 2008 were released; they alleged physical abuse while in detention. The two were accused of killing a Muslim during the armed attack by Muslim Bedouins on the Abu Fana Monastery. Their release reportedly followed an agreement in which the monastery dropped criminal charges against the attackers. Two Muslims, also held since the May 2008 attack, were also released.

In September 2008, six Christians in Port Said were arrested after local authorities raided their café because it remained open during the Muslim fasting period of Ramadan. The six were charged with resisting arrest and assaulting authorities and were sentenced in January 2009 to three years in prison. The accused also alleged physical abuse while in custody.

In 2004, the Court of Cassation upheld the acquittal of 94 of 96 persons suspected of involvement in the killing of 21 Christians in Al-Kosheh in late 1999 and early 2000. Some Egyptian human rights advocates believe that Egyptian authorities should still investigate claims of police negligence and inadequate prosecution of those involved in this violence.

On a positive note, in February 2010 in the Qena Governorate of Upper Egypt, a court convicted and sentenced to life in prison five Muslim men for the murder of two Christian men in the spring of 2009. The Christian men themselves had just been released from prison after serving sentences for murdering a relative of the Muslim men. Although this case fits the pattern of an Upper Egypt vendetta killing and reprisal, the Christian men were reportedly shot outside a church, which created a sectarian overtone.

Discrimination against Christians

In addition to violence, Christians face official and societal discrimination. Although Egyptian government officials claim that there is no law or policy that prevents Christians from holding senior positions, the Coptic Orthodox Christian community faces *de facto* discrimination in appointments to high-level government and military posts. There are only a handful of Christians in the upper ranks of the security services and armed forces. There is one Christian governor out of 28, one elected Member of Parliament out of 454 seats, no known university presidents or deans, and very few legislators or judges. According to the State Department, public university training programs for Arabic-language teachers exclude non-Muslims because the curriculum involves the study of the Koran. Under Egyptian law, Muslim men can marry Christian women but Muslim women are prohibited from marrying Christian men. Contacts between such persons are often a source of tension between Muslim and Christian communities in Egypt.

For all Christian groups, government permission is required to build a new church or repair an existing one, and the approval process for church construction is time-consuming and inflexible. President Mubarak has the authority to approve applications for new construction of churches. Although most of these applications were submitted more than five years ago, the majority have not received a response. Even some permits that have been approved cannot, in fact, be acted upon because of interference by the state security services at both the local and national levels.

In 2005, President Mubarak signed a decree transferring authority for granting permits to renovate or repair existing churches from the president to the country's 28 governors. At the time, observers welcomed this step as a major improvement, but several years later, some churches continue to face delays in the issuance of permits. The Egyptian government claims most such requests are approved. According to government statistics received after USCIRF's January 2010 visit, between 1998 and July 2009 67 permits for new churches were approved and 2,475 existing churches were granted permission to expand or make repairs. However, even in cases where approval to build or maintain churches has been granted, many Christians continue to complain that local security services prevent construction or repair, in some cases for many years.

A positive development in June 2009 concerned the granting of custody to Kamilia Lotfy of her 14-year-old twin sons, in a ruling that overturned a September 2008 Alexandria Appeals court decision giving custody to the boys' father following his conversion from Christianity to Islam. This ruling marked the first time a non-Muslim was granted custody of children under the age of 15 following the conversion of a spouse to Islam.

Converts and Reconverts to Christianity

Although neither the Constitution nor the Penal Code prohibits proselytizing or conversion, the State Department has observed that the Egyptian government uses Article 98(f) of the Penal Code to prosecute any alleged proselytizing by non-Muslims. Known converts from Islam to Christianity generally receive scrutiny from the state security services; most conversions therefore are done privately. In some instances, converts, who fear government harassment if they officially register their change in religion from Islam to Christianity, reportedly have altered their own identification cards and other official documents to reflect their new religious affiliation. Some individuals have been arrested for falsifying identity documents following conversion. Other converts have fled the country for fear of government and societal repercussions.

In December 2008, an administrative court in Alexandria awarded Fathi Labib Yousef the right to register as a Christian after spending 31 years officially identified as a Muslim. Yousef was raised Coptic

Orthodox Christian but converted to Islam in 1974 in order to divorce his Christian wife. He returned to Christianity in 2005, but the local civil registry office refused to acknowledge his change of religion. Despite the favorable court ruling, however, Yousef has not been able to obtain his new documents by the end of the reporting period. In recent years, many local government registry offices have not changed official identity documents to reflect new religious affiliations, citing various excuses, despite judicial rulings that legally mandate such action.

In February 2008, Egypt's Supreme Administrative Court ruled that 12 individuals who were born Christian could not be legally prohibited from returning to Christianity after converting to Islam. However the court ruled that their identity documents must list them as "formerly declared Muslim," thus potentially making them subject to continued discrimination in the provision of public services, police harassment, and societal violence. In March 2008, an Egyptian judge appealed the ruling to the Supreme Constitutional Court. The appeal is pending. According to a lawyer for many of the plaintiffs, the government will not take any action until the Supreme Constitutional Court rules on more than 100 other reconvert cases, which may take years. In addition, several non-governmental entities have opposed the ruling. They argue that since Article 2 of the Egyptian constitution makes Islamic law the principal source of legislation, Muslims cannot have the right to convert from Islam.

In addition, reports during the last year supported claims that there were cases of Muslim men forcing Coptic Christian women to convert to Islam. The State Department has asserted that such cases are often disputed and include "inflammatory allegations and categorical denials of kidnapping and rape." Nevertheless, in November 2009, one human rights group found that there were credible cases where Coptic women were "deceptively lured" into marriages with Muslim men and forced to convert to Islam. According to the report, if a woman returns or escapes from the marriage and wants to convert back to Christianity, she faces the same legal hurdles in changing her religious affiliation on official identity documents discussed above.

In contrast to the re-conversion cases, the Egyptian government generally does not recognize conversions of Muslims to other religions. Egyptian courts also have refused to allow Muslims who convert to Christianity to change their identity cards to reflect their conversions. In the first such case, brought by Muhammad Hegazy, a lower court ruled in January 2008 that Muslims are forbidden from converting away from Islam based on principles of Islamic law. The court also stated that such conversion would constitute a disparagement of the official state religion and an enticement for other Muslims to convert. Hegazy, who has been subjected to death threats and is currently in hiding, has appealed the ruling.

The second such case was filed in August 2008 by Maher El-Gohary, who also is in hiding because of threats from extremists. In June 2009, the Seventh Circuit Court of Administrative Justice ruled against El-Gohary, finding that a convert must prove his conversion to the state and that El-Gohary's behavior contradicted his claim to be a Christian. The court also ruled that, because Egypt had ratified the International Covenant on Civil and Political Rights "taking into consideration the provisions of Islamic Law and the absence of contradiction between these provisions and the Covenant," sharia takes precedence in the event of a contradiction. El-Gohary, with whom the USCIRF delegation met during its January 2010 visit, is seeking asylum for himself and his 15 year-old daughter.

Baha'is

All Baha'i institutions and community activities have been banned since 1960 by a presidential decree. As a result, Baha'is, who number approximately 2,000 in Egypt, are unable to meet or engage in group religious activities. Over the years, Baha'is have been arrested and imprisoned because of their religious beliefs, often on charges of insulting Islam. Almost all Baha'i community members are known to the state security services, and many are regularly subject to surveillance and other forms of harassment. Al-

Azhar's Islamic Research Center has issued *fatwas* in recent years urging the continued ban on the Baha'i community and condemning Baha'is as apostates.

Intolerance of Baha'is has increased in both the independent and government-controlled media in recent years. In March 2009, several Baha'i homes in a village in the Sohag province were vandalized by Muslim villagers. Egyptian human rights groups immediately condemned the violence and contended that a contributing factor to the attacks was incitement by a media commentator who, during a television program, labeled an individual member of the Baha'i faith an apostate and called for her to be killed. According to the Egyptian Interior Ministry, several alleged perpetrators were arrested; however, it is unclear if they were released. More than one year after the incident, there has been no investigation or prosecution related to the attacks.

In March 2009, the Supreme Administrative Court rejected a final legal challenge to a 2008 lower court ruling that required the Egyptian government to issue national identification documents to three Baha'i plaintiffs containing a dash or other mark in the space designated for religious affiliation. Until this ruling, identification documents permitted registration in only one of the three officially approved faiths—Islam, Christianity, or Judaism—thereby effectively preventing Baha'is from gaining the official recognition necessary to have access to numerous public services, and without which it is illegal to go out in public. Since the 2008 decision, the government has issued birth certificates to at least 120 Baha'is, documents which it previously refused to issue. In addition, approximately 20-30 single male and female Baha'is have received identity cards. However, no married couples have been able to receive identity cards because the Egyptian government does not recognize Baha'i marriages. Over the past few years, some Baha'is lost their jobs and a few young Baha'is were dismissed from universities because they did not have identity cards.

Anti-Semitism and the Jewish Community

Material vilifying Jews—with both historical and new anti-Semitic stereotypes—appears regularly in the state-controlled and semi-official media. This material includes anti-Semitic cartoons, television programming such as a 24-part series based on the notorious anti-Semitic “Protocols of the Elders of Zion,” and Holocaust denial literature. Egyptian authorities have not taken adequate steps to combat anti-Semitism in the media, despite official claims that they have advised journalists to avoid anti-Semitism. According to the State Department, in 2009 anti-Semitism in the media was common but “less prevalent than in recent years.” Human rights groups cite persistent, virulent anti-Semitism in the education system, which is increasingly under the influence of Islamist extremists, a development the Egyptian government has not adequately addressed.

The small Jewish community of approximately 125 people owns its property, and finances required maintenance largely through private donations. In 2007, Egyptian authorities, including the Minister of Culture and the head of the Ministry's Supreme Council of Antiquities, pledged to move forward over the next few years with the restoration of at least seven synagogues, as well as the possible development of a Jewish museum. Restoration of the Maimonides synagogue in Cairo, named after a 12th century rabbinic scholar, was completed in March 2010.

Jehovah's Witnesses

A 1960 presidential decree banned all Jehovah's Witnesses activities. According to the State Department, there are between 800 and 1200 Jehovah's Witnesses living in Egypt. Over the past year, Egyptian authorities continued to monitor the homes, phones, and private meeting places of members of this small community. For years, the Jehovah's Witnesses pursued legal recognition through the court system. In

December 2009, the Seventh Circuit Administrative Court handed down a verdict denying Jehovah's Witnesses legal status. The local community is appealing the verdict.

Other Developments Internationally and in Egypt

In February 2010, Egypt underwent its Universal Periodic Review (UPR) at the UN Human Rights Council (HRC). The U.S. delegation issued a strong statement which included several religious freedom concerns and recommendations. The head of Egypt's delegation, Mufid Shihab, Minister of State for Legal and Parliamentary Councils, stated that freedom of religion and worship are guaranteed in the constitution and are not limited by law. Despite such constitutional protections, in practice, the law is arbitrarily and inconsistently applied. The Egyptian delegation also characterized relations between Muslims and Coptic Christians as "healthy and positive," attributing recent sectarian tensions to extremism and asserting that the law is implemented whenever violent incidents do occur. This assertion by the UPR delegation is contrary to repeated public statements by President Mubarak in the weeks after the Naga Hammadi incident in which he acknowledged a "sectarian problem" in the country and pledged that the state would ensure the application of constitutional provisions on citizenship and equal rights for all Egyptian citizens without discrimination.

Among the recommendations that the Egyptian delegation supported at the UPR included those that urged the government to take all necessary measures to guarantee religious freedom, prevent discrimination that affects this freedom, and promote inter-religious dialogue and tolerance. The delegation rejected recommendations which urged the Egyptian government to remove any categorization of religion on official government documents, as well as to eliminate the legal and bureaucratic restrictions that complicate an individual's right to choose his or her religion.

In February 2010, the annual dialogue between the Vatican's Joint Committee for Dialogue and the Permanent Committee of Al Azhar for Dialogue among the Monotheistic Religions was held in Cairo. The dialogue focused on understanding sectarian violence, its causes, and possible resolutions to end the ongoing violence. In 2009, Al Azhar also held its annual interfaith dialogue with the British Anglican Church.

In May 2009, the National Council for Human Rights (NCHR), a government-appointed advisory body, released its fifth annual report. The report expressed serious concern about rising sectarian tensions. It also recommended ways to resolve official recognition of Baha'is and criticized religious textbooks both in schools and the Ministry of Higher Education's Imams' Institution for failing to address human rights topics. The report also encouraged the Egyptian government to pass a law for all religious groups addressing the construction of new places of worship. The NCHR also called for the formation of a permanent national anti-discrimination league and an end to the state of emergency. In the days following the Naga Hammadi incident, the NCHR dispatched a team of researchers to investigate the killings and sent a private letter to President Mubarak with its findings and recommendations.

In addition, over the past few years the Egyptian government has adopted several measures to acknowledge the religious pluralism of Egyptian society, including increased efforts to promote interfaith activity. In 2008, the first national conference of the organization Egyptians Against Religious Discrimination was held in Cairo.

U.S. Policy

U.S. policy toward Egypt focuses on fostering strong bilateral relations, continuing security and military cooperation, maintaining regional stability, and sustaining the 1979 Camp David peace accords. Successive administrations have viewed Egypt as a key ally in the region. Until a few years ago, Egypt

was the second largest recipient of U.S. aid; however, it now ranks fifth behind Afghanistan, Iraq, Israel, and Pakistan. In recent years, the U.S. government and Congress have increased efforts to urge the Egyptian government to make more expeditious progress on economic and political reforms, including on human rights and religious freedom issues. Following President Obama's visit to Egypt in June 2009 to deliver his historic speech to the Muslim world, the United States and Egypt held their annual strategic dialogue.

U.S. assistance reflects the recognition of Egypt's continued and crucial role in ensuring Arab-Israeli peace. While Foreign Military Financing (FMF) assistance has remained at approximately \$1.3 billion for 30 years, Economic Support Fund (ESF) assistance has declined significantly over the last decade pursuant to a 10-year agreement reached in the late 1990s known as the "Glide Path Agreement." As a result, economic aid to Egypt has decreased approximately \$40 million each year from \$815 million in FY1998 to approximately \$411 million in FY2008. In FY 2009, total ESF assistance was \$250 million and for FY2010, the Administration again requested \$250 million. In FY 2008, \$54 million was allotted for democracy and governance whereas in FY 2009, only \$20 was budgeted for such programming. According to the State Department's FY2010 Congressional Budget Justification, ESF funds will support democracy promotion programs designed to increase public participation "while promoting human rights, civic education, and administration of and access to justice." Over the past year, observers have expressed serious concern that due to the overall decrease in ESF funding, human rights and religious freedom programming has decreased proportionally to an inconsequential amount.

According to the State Department's 2009 *Advancing Freedom and Democracy Report*, the U.S. government seeks, through programming and advocacy, to "build a more robust civil society, address human rights problems, promote the rule of law, increase democratic local governance, and encourage the growth of democratic institutions, including an independent media and judiciary." Only a small portion of U.S. programming supports initiatives in areas related to religious freedom, including funding for programs of the Coptic Evangelical Organization for Social Services that work with Coptic and Muslim community groups in Upper Egypt, as well as support for NGOs that monitor the country's media for sectarian bias.

In addition, there is concern about the degree of Egyptian government control over U.S. funding of civil society and human rights groups in Egypt. According to the USAID Mission in Cairo, direct grants to registered Egyptian NGOs are vetted by the Egyptian government. As a consequence, many Egyptian NGOs do not seek formal registration, and instead form as a civil corporation, to avoid unnecessary government interference and oversight. However, the Egyptian government recently has claimed that even U.S. funding of civil corporations is a violation of Egyptian law, which casts doubt on the ability of the U.S. government to continue to support the programs and activities it already funds.

In recent years, Congress and others have urged that U.S. aid to Egypt should be conditioned on improvements in Egypt's human rights and religious freedom record. In fact, some members of Congress and other experts have argued that U.S. assistance has not been effective in promoting democracy and human rights reform and that foreign assistance must be renegotiated to include benchmarks that the Egyptian government must meet to continue to receive aid.

For three consecutive years, the State Department has concluded that religious freedom conditions in Egypt have declined. This assertion has not resulted in any significant change in U.S. policy towards Egypt other than a few public comments and statements. For example, in January 2010, Assistant Secretary of State for Democracy, Human Rights and Labor Michael Posner publicly raised in Cairo concerns about a growing "atmosphere of intolerance" days after the incident in Naga Hammadi. In addition, the State Department issued some statements in early 2010 expressing concern about some troubling human rights and religious freedom developments following the Naga Hammadi incident.

Nevertheless, the United States continues to give insufficient priority to religious freedom in the bilateral relationship.

USCIRF Activities

In January 2010, USCIRF traveled to Cairo on a fact-finding visit to assess religious freedom conditions throughout Egypt. The delegation's visit took place just weeks after the Naga Hammadi incident in Upper Egypt in which six Copts and one Muslim were killed. The USCIRF delegation intended to visit Upper Egypt to meet with the victims of the violence, but the Egyptian government threatened to cancel the trip unless USCIRF confined its visit to Cairo. Meetings with high-ranking Egyptian officials also were canceled. Despite these restrictions, USCIRF met with a wide range of civil society actors and religious leaders, as well as the Minister of Islamic Endowments, the Grand Sheikh of Al-Azhar, and human rights officials at the Ministry of Foreign Affairs.

In March, a USCIRF delegation met with Egyptian Ambassador to the United States, Sameh Shoukry, in Washington, DC to discuss the possibility of an expanded follow-up visit to Egypt, as well as to raise religious freedom concerns. Regrettably, the Egyptian Ambassador was inflammatory and rejected every concern raised by USCIRF. In January 2010, USCIRF wrote a letter to U.S. Secretary of State Hillary Clinton calling for U.S. representatives to the United Nations office in Geneva to raise questions about violations of religious freedom and related human rights during the UN Human Rights Council's UPR of Egypt in February. In September 2009, USCIRF urged the U.S. government, through a letter to Secretary Hillary Clinton, to vigorously oppose the candidacy of Farouk Hosni of Egypt to be Director General of the United Nations Educational, Scientific, and Cultural Organization (UNESCO) due to concerns about past discriminatory public comments and statements. In August 2009, USCIRF wrote to President Obama urging him to raise a number of religious freedom issues during Egyptian President Hosni Mubarak's visit to the United States later that month. The letter also urged the Administration to establish a timetable with the Egyptian government for implementation of specific political and human rights reforms. In June 2009, USCIRF issued a press release expressing concern over attacks on Coptic Orthodox Christians in the small Egyptian village of Ezbet Boshra-East. In May 2009, USCIRF wrote President Obama urging him to raise concerns about religious freedom and related human rights in his meetings with President Mubarak during President Obama's visit to Cairo to deliver his June 4 speech to the Muslim world.

In March 2009, USCIRF wrote to U.S. Ambassador to Egypt Margaret Scobey urging her to raise specific religious freedom issues with Egyptian officials. In February 2009, H.Res. 200, a resolution calling on the Egyptian government to respect human rights, was introduced in the U.S. House of Representatives; the resolution includes findings and recommendations from the USCIRF's May 2008 annual report. Throughout the past year, USCIRF continued to meet with representatives of the various religious communities in Egypt, as well as with human rights organizations, academics, and other experts.

Recommendations

I. Taking Most Responsibility for Religious Affairs Out of the Jurisdiction of the Egyptian Security Services

The U.S. government should urge the Egyptian government to:

- remove *de facto* responsibility for religious affairs from the state security services, with the exception of cases involving violence or the advocacy of violence, including conspiracy to commit acts of terror;

- repeal the state of emergency, in existence since 1981, in order to allow for the full consolidation of the rule of law in Egypt;
- implement procedures that would ensure that all places of worship are subject to the same transparent, non-discriminatory, and efficient regulations regarding construction and maintenance, such as the passage of a unified law, and take special measures to preserve Coptic Orthodox and other Christian properties and antiquities, which too often are subject to societal violence and official neglect; and
- repeal Article 98(f) of the Penal Code, which “prohibits citizens from ridiculing or insulting heavenly religions or inciting sectarian strife”; allow for full access to the constitutional and international guarantees of the rule of law and due process for those individuals charged with violating Article 98(f); and release Abdel Karim Suleiman and other individuals convicted under Article 98(f) on account of their religion or belief.

II. Implementing Additional Reform in Order to Comply with International Human Rights Standards

The U.S. government should also urge the Egyptian government to:

- facilitate a USCIRF visit to Egypt that would include meetings with high-level government officials;
- discontinue the use of reconciliation sessions as a bypass for punishing perpetrators, commensurate with the gravity of the crime and in accordance with the rule of law;
- promptly investigate sectarian violence against Egyptian citizens, particularly Coptic Orthodox Christians, vigorously prosecute and bring to justice perpetrators, and ensure compensation for victims;
- address incitement to violence and discrimination against disfavored Muslims and non-Muslims by:
 - prosecuting government-funded clerics and other officials who incite violence against Muslim minority communities or individual members of non-Muslim religious minority communities;
 - dismissing or disciplining government-funded clerics who espouse intolerance;
 - publicly and officially refuting incitement to violence and discrimination by clerics and the government-controlled media against Muslim minority communities, such as the Koranists, and members of non-Muslim religious minorities, such as Baha’is; and
 - rescinding any previous fatwas issued by Al-Azhar that are discriminatory toward or incite violence against Muslim minority communities or non-Muslim religious minority communities;
- repeal 1960 presidential decrees banning members of the Baha’i faith and Jehovah’s Witnesses from practicing their faith;
- cease all messages of hatred and intolerance, particularly toward Jews and Baha’is, in the government-controlled media and take active measures to promote understanding and respect for members of these and other minority religious communities;

- take all appropriate steps to prevent and punish acts of anti-Semitism, including condemnation of anti-Semitic acts, and, while vigorously protecting freedom of expression, counteract anti-Semitic rhetoric and other organized anti-Semitic activities;
- ensure that every Egyptian is protected against discrimination in social, labor, and other rights by modifying the national identity card either to omit mention of religious affiliation or make optional any mention of religious affiliation;
- fully implement the January 2008 ruling of the Court of Administrative Justice, which overturned the ban on providing official identity documents to members of the Baha'i faith;
- remove the designation "formerly declared Muslim" from identity cards for those Christians who have converted back to Christianity from Islam, which makes the persons involved vulnerable to official harassment and societal violence;
- exclude from all educational textbooks any language or images that promote enmity, intolerance, hatred, or violence toward any group of persons based on faith, gender, ethnicity, or nationality, and include in school curricula, textbooks, and teacher training the concepts of tolerance and respect for human rights, including religious freedom, ensuring that textbooks meet the standards set out in the Universal Declaration of Human Rights;¹⁸
- permit any Egyptian citizen to learn voluntarily the Coptic language in the public school system; and
- investigate claims of police negligence and inadequate prosecution of those involved in the Al-Kosheh case, as well as other recent instances of violence targeting individuals on account of their religion or belief, particularly members of the vulnerable Coptic Orthodox Christian community.

III. Ensuring that U.S. Government Aid Promotes Prompt and Genuine Political and Legal Reforms and is Offered Directly to Egyptian Civil Society Groups

The U.S. government should:

- establish a timetable for implementation of political and human rights reforms, including steps described in the recommendations above; if deadlines are not met, the U.S. government should reconsider the appropriate allocation of its assistance to the Egyptian government;
- provide direct support for human rights and other civil society or non-governmental organizations (NGOs) without vetting by the Egyptian government;
- urge the Egyptian government to ensure that NGOs engaged in human rights work can pursue their activities without undue government interference, and monitor and report to what extent this is accomplished; and
- expand support of initiatives to advance human rights, promote religious tolerance, and foster civic education among all Egyptians, including support for:

¹⁸ Criteria for reviewing textbooks and other educational materials have been developed by several international bodies, including UNESCO. For the UNESCO criteria, see http://www.unesco.org/education/pdf/34_71.pdf.

- civic education and public awareness programs that reflect the multi-confessional nature of Egyptian society and the diversity of Egypt's religious past;
- efforts by Egyptian and international NGOs to review Egyptian educational curricula and textbooks for messages of hatred, intolerance, and the advocacy of violence, and to monitor equal access to education by girls and boys regardless of religion or belief; and
- the preservation and restoration of Egyptian Jewish properties and antiquities in publicly accessible sites, such as a museum, so that all Egyptians can better understand past and present Jewish contributions to their history and culture.

The U.S. Congress should:

- in the context of the annual congressional appropriation for U.S. assistance to Egypt, require the State Department to report every six months on the government of Egypt's progress on the issues described in this chapter, as well as on the U.S. government's progress in offering funding directly to Egyptian NGOs without prior Egyptian government approval.

IV. Promoting Freedom of Religion and Belief and Related Human Rights in Multilateral Fora

The U.S. government should:

- call on the Egyptian government to comply with and fully implement recommendations from the UN Human Rights Council's February 2010 Universal Periodic Review of Egypt, including those related to freedom of religion or belief;
- urge the Egyptian government to invite, provide specific dates, and admit UN special procedures mandate holders who are waiting for an invitation, including the UN Special Rapporteur on Freedom of Religion or Belief, the UN Special Rapporteur on Human Rights Defenders, and the UN Special Rapporteur on Torture;
- urge the Egyptian government to halt its practice at the UN Human Rights Council and other international fora of introducing and supporting the so-called "defamation of religions" resolution, which violates the internationally-guaranteed rights to freedom of religion and expression; and
- urge the Egyptian government to implement the 2002 recommendations of the UN Committee Against Torture, as well as other relevant international human rights treaties to which Egypt is a party.