

KEY FINDINGS

Despite the government's widespread repression of human rights, religious freedom conditions improved in several areas over the past year. President Abdel Fattah Sisi consistently condemned sectarian attacks and pressed for assistance for victims and accountability for perpetrators, pushed for reform in religious discourse, and attended a Coptic Christmas Eve mass for the third consecutive year. In August, the newly-seated parliament passed a long-awaited law on the construction and maintenance of churches and, by early 2017, the government completed rebuilding and restoring more than 50 churches destroyed by extremists in 2013. While sectarian attacks targeting Christians spiked, particularly in Upper Egypt and North Sinai, and a major suicide bombing occurred near St. Mark's Coptic Orthodox Cathedral in Cairo,

Egyptian courts made some progress in bringing to justice perpetrators of past attacks. In 2016, prosecutions, convictions, and imprisonment of Egyptian citizens for blasphemy and related charges decreased. Some discriminatory and repressive laws and policies that restrict freedom of religion or belief remain in place, but public debates occurred in parliament and civil society on a range of religious freedom concerns. Based on these developments, while still deeply concerned by the deplorable human rights conditions in Egypt, USCIRF places Egypt on its Tier 2, as it did from 2002 to 2010. From 2011 to 2016, USCIRF had recommended that Egypt be designated as a "country of particular concern," or CPC, under the International Religious Freedom Act of 1998 (IRFA).

RECOMMENDATIONS TO THE U.S. GOVERNMENT

Because Egypt's progress and stability hinge on full respect for the rule of law and compliance with international human rights standards, including freedom of religion or belief, the U.S. government should:

- Ensure that a portion of U.S. military assistance is used to help police implement an effective plan for dedicated protection for religious minority communities and their places of worship;
- Press the Egyptian government to undertake further reforms to improve religious freedom conditions, including: repealing decrees banning religious minority faiths, including the Baha'i and Jehovah's Witness faiths; removing religion from official identity documents; and passing laws consistent with Article 53 (creating an independent anti-discrimination body) of the constitution;
- Urge the Egyptian government to repeal or revise Article 98(f) of the Penal Code, which criminalizes contempt of religion, or blasphemy, and, in the interim, provide

the constitutional and international guarantees of the rule of law and due process for those individuals charged with violating Article 98(f);

- Press the Egyptian government to prosecute perpetrators of sectarian violence through the judicial system and to ensure that responsibility for religious affairs is not under the jurisdiction of the domestic security agency, which should only deal with national security matters such as cases involving the use or advocacy of violence;
- Press the Egyptian government to address incitement to violence and discrimination against disfavored Muslims and non-Muslims, including by prosecuting government-funded clerics who incite violence against Muslim or non-Muslim minority communities;
- Press the Egyptian government to continue to revise all textbooks and other educational materials to remove any language or images that promote

intolerance, hatred, or violence toward any group of persons based on religion or belief, and include the concepts of tolerance and respect for human rights of all individuals, including religious freedom, in all school curricula, textbooks, and teacher training;

- Provide support for education reform and teacher training initiatives;
- Provide support to human rights and other civil society or nongovernmental organizations to advance freedom of religion or belief for all Egyptians; and
- Place particular emphasis, in its annual reporting to Congress on human rights and religious freedom, on the Egyptian government's progress on:
 - The protection of religious minorities;
 - Prosecution of perpetrators of sectarian violence; and
 - The ability of Egyptian NGOs to receive outside funding from sources including the U.S. government.

BACKGROUND

Egypt's constitution identifies Islam as the state religion and principles of Shari'ah as the primary source of legislation. While Article 64 of the constitution states that "freedom of belief is absolute," only Muslims, Christians, and Jews can practice their religion publicly and build places of worship. Of the country's estimated 90 million people, 85 to 90 percent are Sunni Muslims and non-Sunni Muslims comprise less than 1 percent. Ten to 15 percent are Christians, the vast majority belonging to the Coptic Orthodox Church, and less than 2 percent belonging to various other denominations, including Catholic, Protestant, Maronite, Armenian Apostolic, Greek and Syrian Orthodox, and Anglican. There are at least 2,000 Baha'is, approximately 1,500 Jehovah's Witnesses, and approximately 20 Jews.

Egypt has seen progress and setbacks during its political transition since 2013. In 2016, Egypt, in effect, completed a political transition following the military's 2013 ouster of former President Mohamed Morsi. In 2014, a new constitution was approved overwhelmingly by referendum, and in May 2014, Sisi was elected president. Parliamentary elections in late 2015 resulted in a newly seated 596-member House of Representatives in January 2016, which includes 36 Christians.

The government's efforts to combat extremism and terrorism continued to negatively affect human rights conditions and civil society activities. Despite some

political prisoners and other dissidents being released from prison in 2016, the government continued to crack down on dissent. Sympathizers and members of the Muslim Brotherhood, journalists, secular and liberal activists, and opposition figures have been harassed, jailed, and given harsh prison terms, including death sentences for Brotherhood members and other Islamists, sometimes on legitimate, though other times on unfounded, security charges. The draconian crackdown on the Muslim Brotherhood has resulted

in the arrests of tens of thousands, and has violated a wide range of human rights, including freedoms of the press, association, speech, and assembly, and given rise to an increased climate of fear. In addition, a crackdown continued on

Egyptian nongovernmental organizations—including human rights groups that monitor religious freedom conditions – which has resulted in criminal investigations, harassment, and travel bans on prominent human rights defenders.

In January 2017, a USCIRF delegation traveled to Egypt to assess religious freedom conditions and met with a range of Egyptian government officials, as well as the chair of the National Council for Human Rights; the Grand Sheikh at Al-Azhar Ahmed El-Tayeb; Pope Tawadros II, head of the Coptic Orthodox Church; the U.S. Ambassador and other Embassy officials; and members of civil society, including religious leaders, human rights defenders, and lawyers.

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RELIGIOUS FREEDOM CONDITIONS 2016–2017

Positive Developments

Since 2014, President Sisi and his government have made significant strides to address a range of religious freedom concerns. President Sisi consistently has made noteworthy public statements and gestures encouraging religious tolerance and moderation, has condemned sectarian attacks and assisted victims, and has urged reform of textbooks and religious discourse in society, an important shift in tone and rhetoric from his predecessors.

In August 2016, in accordance with Article 235 of the constitution, the parliament passed—and in September 2016 President Sisi approved—a new law regulating the construction and renovation of churches (see below in the Progress and Ongoing Challenges for Christians section for a more detailed discussion of the law). The Coptic Orthodox, Catholic, and Anglican denominations publicly supported the law. While some domestic and international human rights groups criticized the law, Egyptian officials saw it as a necessary step to address longstanding concerns. As a consequence of the new law, in January 2017, Prime Minister Sherif Ismail formed a government committee to legalize numerous churches that remain unlicensed since the passage of the law.

During the year, progress continued on bringing to account perpetrators of past attacks targeting individuals or property on the basis of religion or belief. Over the past few years, dozens of perpetrators were convicted for destroying Christian places of worship and other religious structures during the summer of 2013. In February 2017, the Court of Cassation upheld 14-year prison terms for 23 individuals found guilty of killing Hassan Shehata, a Shi'a Muslim cleric, and three of his followers in June 2013.

The Ministry of Education continued to remove and/or clarify passages from primary school textbooks, particularly Islamic education books, deemed to promote extremist ideology. During USCIRF's visit in January 2017, officials stated that revisions to religious education texts would be completed by 2022. With the

assistance of the United Nations Educational, Scientific and Cultural Organization (UNESCO), in 2016 the Egyptian government published new teachers' guides to promote religious tolerance and understanding. These guides are reviewed periodically by the Ministry of Education, which has worked to move the Egyptian education system toward a more tolerant and inclusive curriculum. In 2016, the Ministry of Education and the Egyptian Family House—an interfaith entity created in 2011 by Al-Azhar in cooperation with various Christian churches—worked together to promote a culture of tolerance, including through education reform.

Al-Azhar University—one of the preeminent Sunni Muslim centers of learning in the world—continued to advocate religious tolerance and understanding. It did so in cooperation with the Ministry of Religious Endowments through the training of imams; through education curricula in Al-Azhar's schools, which serve some two million primary and secondary students and 400,000 university students throughout the country; and through hosting approximately 17,000

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students from abroad. Al-Azhar continues to evaluate reforms to its own religious curricula and participates on a committee with representatives from the Egyptian Family House and Ministry of Education, among others, to review and recommend revisions to public school texts. In addition, during the past year, the Grand Sheikh at Al-Azhar sponsored or participated in several interfaith conferences addressing religious freedom, and in May he visited the Vatican and met with Pope Francis.

Regarding reform to religious discourse in society, the Egyptian government actively monitors fatwas (religious edicts) issued by clerics and Dar al-Ifta, a government entity headed by the Grand Mufti, continues to counter fatwas online that espouse radical views. The Ministry of Religious Endowments and Dar al-Ifta continue to train senior imams on the skills of issuing responsible and accurate *fatwas*. In addition, Al-Azhar's Observatory, now in its second year, has expanded its efforts to monitor and refute radical ideas online in at least nine languages.

Attacks by the Islamic State of Iraq and Syria (ISIS) Affiliates

During the reporting period, ISIS affiliates conducted operations in Egypt targeting and killing individuals on the basis of religion or belief. The first known sectarian killing by ISIS in Egypt occurred in June 2016, when it claimed responsibility for the shooting death of Father Raphael Moussa, who had just attended a mass at a church in Arish, the capital of North Sinai. In November, an ISIS affiliate beheaded a well-known Sufi cleric, Suleiman Abu Heraz, in North Sinai, and released a video falsely claiming the cleric was an infidel who practiced witchcraft.

In December, an ISIS affiliate claimed responsibility for the December 11 attack on St. Paul and St. Peter's Church near St. Mark's Coptic Orthodox Cathedral that killed 29 individuals, mainly women and children, and injured approximately 50. In January 2017, at least four perpetrators were arrested and an investigation is ongoing. The Coptic community praised President Sisi for directing government authorities to repair damage to the cathedral in time for Christmas celebrations to be held less than a month later.

Over a three-week period in February 2017, the ISIS affiliate known as the Islamic State in Sinai or Wilayat Sinai killed at least seven Christians in Arish.

As a consequence of the killings, dozens of families fled to Ismailia. By the

end of the reporting period, government authorities and local churches had provided temporary accommodations for those families. Also in February, ISIS released a video online vowing to kill all Christians in Egypt.

Government Control and Regulation of Islamic Institutions

Since the 2013 ouster of former President Morsi, the government has increased its control over all Muslim religious institutions, including mosques and religious endowments. Egyptian officials justify this regulation as necessary to counter extremism and to prevent incitement to violence in mosques. Imams who are not graduates of Al-Azhar licensed by the Ministry of Religious Endowments are not permitted to preach in mosques. Preaching

without a license can result in a prison sentence of up to one year and/or a fine. The Ministry of Religious Endowments regulates and monitors Friday sermons and preachers are expected to follow government-approved content. The government appoints and pays the salaries of all Sunni Muslim imams, and the Ministry of Religious Endowments approves all permits to build new mosques.

Progress and Ongoing Challenges for Christians

During the year, Christian leaders lauded President Sisi's ongoing active engagement with the community, including his attendance for the third consecutive year at a Coptic Christmas Eve mass at St. Mark's Cathedral in Cairo. During that visit, President Sisi announced that the government would build the largest church and mosque in the country in the new administrative capital, New Cairo, by 2018. In addition, by early 2017, the government had completed rebuilding and repairing 56 churches that were destroyed or damaged by extremist attacks in the summer of 2013 following former President Morsi's ouster. Moreover, in some parts of the country, Egyptian

security services increased protection of churches during significant religious holidays, which lessened fear and insecurity among members of the Coptic community.

In August 2016, the Coptic Orthodox, Catholic, and Anglican

denominations welcomed the passage of the new law regulating church construction and maintenance. The new law helps streamline the process for approval, sets out procedures and timelines, and requires governors to act on applications within four months. Some Egyptian and international human rights groups found the law to be restrictive and discriminatory. For example, some groups have stated the law allows governors to deny church-building permits with no clear avenue to appeal; requires that churches be built "commensurate with" the number of Christians in the area; and contains provisions that allow authorities to deny construction permits if granting them would undermine "public safety." Others continue to argue that there should be a unified law passed to govern all places of worship, rather than have separate regulations.

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Despite notable progress in other areas, the number of violent attacks targeting Christians and their property, particularly in Upper Egypt, increased when compared to the previous year. For example, in May in Minya, a mob stripped naked a 70-year-old Christian woman, Soad Thabet, and dragged her through the streets after her son was accused of a relationship with a Muslim woman. In addition, mobs burned several Christian homes. Three men initially were arrested and charged, but were released in January 2017. Following an appeal, prosecutors reopened the case in February and reinstated charges against the three men; the case is ongoing. President Sisi expressed his sympathies in person to Ms. Thabet after her ordeal. In June, a mob assaulted Coptic families in Minya and burned Christian homes and a Christian preschool after rumors spread that they intended to convert the school into a church. In November 2016, a 2,000-member Coptic community in Sohag petitioned to build a church, angering some in the Muslim community. Local residents destroyed and looted Coptic Christian property, injured at least four Christians, cut off water and power supplies, and erected roadblocks to prevent fire trucks from entering the village. Eighteen individuals reportedly were arrested; the case is ongoing.

While the government has made some progress on accountability for some sectarian attacks, other perpetrators of sectarian-related violence continue to go unpunished, which continues to foster an atmosphere of impunity. Furthermore, in some cases, instead of pursuing justice through the rule of law, local Egyptian authorities, particularly in Upper Egypt, continue to conduct “customary reconciliation” sessions between Muslims and Christians. In some cases, local authorities and Muslim and Christian religious leaders have abused these reconciliation sessions to compel victims to abandon their claims to any legal remedy. Human rights groups have argued that reconciliation sessions disadvantage Christians. For example, some Christian families

have been forced to leave their village and sell their property as a consequence of the reconciliation session.

Furthermore, discriminatory laws and policies that remain in place continue to negatively impact Christians, including the blasphemy law (see next section) and limits on conversion from Islam. Egyptian-born Muslims who have converted to Christianity still cannot reflect their change of religious affiliation on identity documents, and in many cases, these converts also face intense social hostility. In addition, while the number of incidents of kidnappings for ransom and extortion of Christians have decreased in recent years, they continue in parts of the country, particularly in Upper Egypt.

Blasphemy Law and Limits on Religious Expression

Article 98(f) of the Egyptian Penal Code prohibits citizens from “ridiculing or insulting heavenly religions or inciting sectarian strife.” Authorities use this “contempt-of-religion,” or blasphemy, law

to detain, prosecute, and imprison members of religious groups whose practices deviate from mainstream Islamic beliefs or whose activities are alleged to jeopardize “communal harmony” or insult Judaism, Christianity, or Islam. In January 2015, President Sisi issued

a decree that permits the government to ban any foreign publications it deems offensive to religion.

During the past year, the number of blasphemy cases decreased when compared to the previous year. While the majority of charges are leveled against Sunni Muslims, most of those sentenced by a court to prison terms for blasphemy have been Christians, Shi’a Muslims, and atheists. A conviction can result in a prison term up to five years and a fine.

For example, in January 2016, Egyptian writer and poet Fatma Naoot was sentenced to three years in prison for “defaming Islam” for a Facebook post criticizing the ritual slaughtering of animals during a Muslim holiday. In November, an appeals court reduced her punishment to a six-month suspended sentence.

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In February 2016, four Coptic Christian teenagers were sentenced to five years in prison for blasphemy for making a short, private video mocking ISIS. They and their teacher had been arrested and charged in April 2015; the teacher was sentenced to three years in prison in a separate trial in December 2015 and was expelled from his village. In April 2016, the four youths fled Egypt and reportedly are seeking asylum in Switzerland.

In November 2016, well-known television show host, Islam El-Beheiry, was released from prison by presidential pardon just before completing his sentence for “defaming religious symbols” for comments he made about Islam on his program. He had been sentenced to five years in prison in May 2015; in December 2015 the sentence was reduced on appeal to one year.

In February 2017, Sunni Muslim cleric Mohamed Abdullah al-Nasr was sentenced to five years in prison for “contempt of religion” for questioning various interpretations of Qur’anic texts on Facebook; he remains in prison while an appeal is pending.

In recent years, Egyptian atheists have seen a rise in blasphemy charges, as well as growing societal harassment and various Egyptian government-sponsored initiatives to counter atheism. For example, in February 2016, online activist Mustafa Abdel-Nabi was convicted in absentia to three years in prison for blasphemy for postings about atheism on his Facebook page. In addition, over the past few years, the Ministries of Religious Endowments and Sports and Youth co-sponsored a national campaign to combat the spread of atheism among Egyptian youth.

Baha’is, Jehovah’s Witnesses, and Shi’a Muslims

The Baha’i and Jehovah’s Witness faiths have been banned since 1960 by presidential decrees. As a result, Baha’is living in Egypt are unable to meet or engage in public religious activities. Al-Azhar’s Islamic Research Center has issued fatwas over the years urging the continued ban on the Baha’i community and condemning its members as apostates. In recent years, the Ministry of Religious Endowments has sponsored public workshops to raise awareness about the “growing dangers” of the spread of the Baha’i faith in Egypt. Since Baha’i marriage is not recognized, married Baha’is cannot obtain identity cards, making it impossible to conduct daily transactions like banking, school registration, or car or home ownership.

In recent years, the government has permitted Jehovah’s Witnesses to meet in private homes in groups of fewer than 30 people, despite the community’s request to meet in larger numbers. Jehovah’s Witnesses are not allowed to have their own places of worship or to import Bibles and other religious literature. Over the past year, security officials continued to harass and interrogate Jehovah’s Witnesses by monitoring their activities and communications.

In recent years, members of the Shi’a community have faced blasphemy charges as well as government campaigns to counter Shi’a Islam in public and in mosques. In addition, in October 2016, the Ministry of Religious Endowments prohibited the Shi’a community from celebrating Ashura in al-Hussein mosque in Cairo.

Anti-Semitism and the Jewish Community

In 2016, material vilifying Jews and other anti-Semitic content continued to appear in Egypt’s state-controlled and semi-official media. According to the State Department, Egyptian authorities have failed to take adequate steps to combat anti-Semitism in the state-controlled and private media. Egypt’s once-thriving Jewish community of tens of thousands in the mid-20th century is now on the verge of extinction. It owns communal property, including synagogues in Cairo and Alexandria, and it finances required maintenance largely through private donations. Although some properties were refurbished during the year, many of the community’s sites are in need of repair and/or renovation.

U.S. POLICY

For many years, U.S. policy toward Egypt has focused on fostering strong bilateral relations, continuing military and counterterrorism cooperation, maintaining regional stability, and sustaining the 1979 Camp David peace accords. Successive administrations have viewed Egypt as a key ally in the region and it remains among the top five recipients in the world of U.S. aid. The Fiscal Year (FY) 2017 Consolidated Appropriations Act provides Egypt with \$1.3 billion in foreign military financing (FMF) and \$150 million in economic support funds (ESF). During the reporting period, in addition to periodic criticism of Egypt’s human rights record, the Obama Administration expressed the view that the denial of fundamental

human rights creates conditions that could fuel the growth of violent extremism.

After the U.S. presidential election in November 2016, President Sisi was among the first heads of state to call and congratulate president-elect Donald J. Trump. During his first week in office, President Trump spoke by phone with President Sisi about deepening the bilateral relationship in several areas, including countering terrorism and extremism in Egypt and the region. President Trump also invited President Sisi for a state visit.

Public Law 114-113, the FY 2016 Consolidated Appropriations Act, placed conditions on U.S. assistance to Egypt related to limits on human rights, including religious freedom. Specifically, it required the secretary of state to certify that Egypt has taken steps to advance the democratic process, protect free speech, and protect the rights of women and religious minorities, among other measures. However, the act also authorized the secretary to provide assistance to Egypt if he or she determines that the assistance is important to the national security interests of the United States. Using the appropriations process, initially in reference to Egypt, Congress has ensured through legislative language that U.S. “democracy and governance activities shall not be subject to prior approval by the government of any foreign country.”

In 2015, the U.S. government announced that it would release an October 2013 hold on the delivery of select weapons systems and continue foreign military financing and economic support funds to Egypt. In May 2015, then Secretary of State John Kerry certified in a report to Congress that the resumption of aid to Egypt was in the national security interest of the United States. Despite the certification, the report concluded that the overall trajectory for human rights and democracy in Egypt was negative. In addition, the report found that the Egyptian government “had taken steps to advance and protect the rights of religious minorities,” although these protections were limited to followers of Islam, Christianity, and Judaism, and that “the government continues to prosecute individuals for ‘denigrating religions,’ and accountability for past sectarian crimes remains problematic.”

According to the State Department, officials at all levels of the U.S. government continue to raise a range of religious freedom concerns with Egyptian counterparts.

The U.S. Embassy supports community development projects designed to encourage religious tolerance and conducts exchange programs and provides direct grant support for projects to promote tolerance among young religious leaders, interfaith understanding and interreligious dialogue, and civic and political participation by marginalized youth.

Additional Statement of Vice Chair James J. Zogby

This year USCIRF recognizes that the Egyptian government is moving simultaneously in two divergent directions. There have been several significant initiatives to be supportive of the country’s Coptic Christian community. At the same time, Egypt has witnessed a massive crackdown on a broad range of human rights, including the freedoms of assembly, press, and speech—targeting not only the now banned Muslim Brotherhood but a number of civic institutions and secular human rights organizations and activists.

In recognition of these developments, I supported our decision to not declare Egypt a CPC, since it no longer fits the definition of a CPC as outlined in IRFA. At the same time, I agree that it is appropriate that this year’s report expresses deep concern with the Egyptian government’s deplorable human rights policies. We recognize that the mass arrests and a crackdown on civil society only serves to foster a climate in which extremism and sectarian violence will grow, ultimately threatening Egypt’s efforts to create a more inclusive and tolerant society.