

EGYPT

VIOLATIONS OF FREEDOM OF RELIGIOUS BELIEF AND EXPRESSION OF THE CHRISTIAN MINORITY

The Egyptian Constitution proclaims Islam the state religion, but also guarantees to all citizens freedom of belief and freedom to practice religious rites. The Egyptian government's obligations under international law further require that the follower of any faith be afforded freedom of religion, including the freedom "either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching." These rights are set forth in Article 18(1) of the International Covenant on Civil and Political Rights, which Egypt has ratified.

Egyptians do not all have equal enjoyment of these rights, however. Muslims cannot convert legally to another faith, while Christians can legally convert to Islam. The children of Muslim converts to Christianity remain Muslims on official documents such as identity cards. Marriages between Muslim women and Christian men are not legally recognized. Christians suspected of proselytizing Muslims are dealt with harshly by security forces, while efforts by Muslims to convert citizens to Islam are unimpeded -- if not encouraged -- by the state.

Construction and repair of churches in Egypt is unreasonably restricted by the state. Special regulations -- applied only to churches and not to mosques -- require permission of the president of the republic in order to build a church or carry out even the most minor repairs, pursuant to a nineteenth-century Ottoman imperial edict that remains in force. Christian congregations have faced inordinate delays in securing this permission. In some cases, the lack of action over long years on requests for authorization to build or repair churches has amounted to arbitrary denial of permission and thus, indirectly, of freedom to worship. Mosque construction, in contrast, is regulated by completely different and less complex procedures.

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This singling-out of Christian places of worship for discriminatory treatment has had serious consequences. Applying special rules to some but not all religious institutions brings with it the inevitable stigma of unequal status, reinforcing arguments made privately by Christians that they are treated as second-class citizens.

The policy also contributes to a climate of religious intolerance, and renders churches prime targets at times of strained intercommunal relations. Churches have been attacked and sometimes burned down in suspicious fires, in discrete acts of violence by known or suspected Islamist extremists, or during full-fledged sectarian riots when other Christian property has been destroyed as well. "If you have a decree that so obviously treats churches differently from mosques, it gives a signal, a green light, to those who want to make trouble," a Coptic lawyer from Upper Egypt warned in 1992.¹ Violence also has been precipitated when Christians, in the absence of a local church, use private homes as substitute places of worship. In 1992, six suspected Islamist extremists were arrested and accused of setting fire to a Christian house in the town of Hawsh 'Isa, in Buhayrah province northwest of Cairo in Lower Egypt, because it was being used for religious purposes. The town does not have a church.²

Egyptian human rights advocates concur that, by clinging to the old Ottoman edict, the government fuels intolerance and – intentionally or not – sets the stage for anti-Christian violence by Islamist militants, who have attacked churches and also violently halted unauthorized repair work. "If restoration of church toilets requires a special decision by the president of the republic, and if Christians, having started to restore their churches after long years of waiting, find themselves confronted by Central Security [Forces] soldiers, why should we be surprised when the calls of some Islamic groups to attack churches are received positively by simple people, resulting in sectarian strife?" asked Bahey el-Din Hassan, then secretary-general of the Cairo-based Egyptian Organization for Human Rights, in 1992.³

Persuasive testimonial evidence also indicates that the General Directorate of State Security Investigation (SSI), the powerful internal security force attached to the Ministry of Interior, has harassed, interrogated and detained Christians for exercising freedom of expression on religious subjects – that is, discussing religion with or proselytizing to Muslims. SSI officers have summoned and questioned Christians – most notably, Muslim converts to Christianity – about their personal religious beliefs, and their conversations, contacts, and other activities with non-Christians. In some cases, the interrogations have been lengthy and abusive, involving threats and violence, including torture. A major purpose of such interrogations is to obtain specific information about Christians, including priests, suspected of proselytizing or converting Muslims.

¹HRW/ME interview, Aswan, February 1992.

²*Al-Ahram Weekly*, August 6, 1992, as reported in Foreign Broadcast Information Service, *Near East and South Asia Daily Report* (hereinafter FBIS), August 11, 1992, p. 11.

³"Freedom of Thought and Belief: Between the State's Anvil and the Islamic Groups' Hammer," speech opening ECHR's Third Intellectual Seminar on Freedom of Thought, Belief and Expression," Cairo, May 1-2, 1992.

BACKGROUND

With almost fifty-nine million people, Egypt is the most populous nation in the Arab world. Although the overwhelming majority of Egyptians are Arabic-speaking Sunni Muslims, other citizens are members of religious, ethnic, linguistic and cultural minorities,⁴ whose existence the government does not recognize. "Egypt has not promulgated any special legislation concerning minorities, which do not exist in Egyptian territory," its September 1992 submission to the United Nations Human Rights Committee stated.⁵

Christians constitute the largest religious minority in Egypt. They often can be identified by their family and first names.⁶ Many have a small dark blue cross tattooed on the inside wrist, which traditionally is applied to children at a young age. Some Christian houses prominently display crosses over the doorways, often permanently affixed in *bas-relief* to the facades. This practice is evident in metropolitan Cairo as well as in outlying towns in Upper Egypt. Religion is noted on the identity card that every Egyptian must carry.⁷

Most Egyptian Christians are followers of the Coptic Orthodox Church, known officially in Arabic as the Church of St. Mark, and in church history as the Alexandrian Church. The church has its roots in Egypt and the earliest days of Christianity, when the pagan population lived under Roman occupation.⁸ In addition to Orthodox Copts, other Christians in Egypt include members of the Greek Orthodox Patriarchate, headquartered in Alexandria; the Roman Catholic Church (which includes Coptic, Armenian, Chaldean, Melkite, Latin, Maronite and Syrian rite churches); the Protestant Churches of Egypt; the Anglican Church in Egypt (part of the Episcopal Church in Jerusalem and the Middle East); the Armenian Apostolic Church; the

⁴In addition to Christians, religious minorities include 5,000 to 10,000 members of the Bahai faith, about 5,000 Shiite Muslims, and a small Jewish community of about 1,000. Ethnic, linguistic and cultural minorities include an estimated 160,000 Nubian Muslims; 500,000 to one million Arabic-speaking Bedouin; about 6,000 Berber-speaking Muslims in the Western Desert region; 350,000 Greeks concentrated in Alexandria, Egypt's second-largest city; and some 12,000 Armenians.

⁵United Nations Human Rights Committee, "Second periodic reports of States parties due in 1988, Addendum, Egypt" (hereinafter Egypt's Addendum to Second Periodic Report to the U.N. Human Rights Committee), CCPR/C/51/Add. 7, September 2, 1992, p. 96.

⁶Although some Egyptian Christians give their children Arabic first names widely used by Muslims, others choose distinctively Christian names such as Edward, George, Samuel, William, Marcelle and Marie. Indigenous Christian names include Karmar and Dimana for women, and Anastasius, Boulos (Paul), Boutros (Peter), and Macarios for men. Abd'el-Messih is an example of an Arabic Christian name given to males.

⁷Egyptian passports, in contrast, contain no information about religion.

⁸"The Coptic church is one of the oldest in Christendom. According to hallowed tradition, Saint Mark the Evangelist – author of the oldest of the four canonical gospels – preached in Egypt in the first century A.D. and founded churches in Alexandria. Coptic tradition also holds that Saint Mark heads the list of patriarchs of Alexandria, and today's spiritual leader of the Coptic community, Pope Shenuda III, is his 117th successor." (Jill Kamil, *Coptic Egypt*, American University in Cairo Press: 1987, p. xv.)

Union of Armenian Evangelical Churches in the Near East; and the Coptic Evangelical Church (Synod of the Nile).

The size of the Christian population in Egypt is a matter of considerable dispute. Government statistics from 1986 count Christians at about three million: two million Copts and one million adherents of other Christians faiths.⁹ But Egyptian Christians claim that the state has consistently and deliberately underestimated the size of the community. Some Christians claim that their numbers have reached twelve million, while others offer lower estimates. A Christian member of Parliament stated that no one knows the number of Christians in Egypt, but estimated it at eight to ten million.¹⁰ Some Western journalists report the size of the Christian population at six to eight million, while others say it is close to ten million.

The Egyptian government refuses to acknowledge Christians as a minority group. "Egyptian Christians are not a 'minority' in the sense in which this concept is commonly used since they do not constitute an ethnic, linguistic, social, cultural or geographical distinct entity," the government wrote in a statement sent to Human Rights Watch/Middle East in June 1994 that offered comments on the conclusions of this report. "Accordingly, applying the term minority even from a strictly numerical viewpoint to describe Christians in Egypt has negative connotations which we resent."¹¹

The government's statement notably -- and erroneously -- omitted religion as one of the defining characteristics of a minority group. International human rights instruments specifically recognize ethnic, linguistic *and*/religious minorities, and the distinct set of rights conferred on individuals belonging to such groups.¹² The U.N. Human Rights Committee made this clear in comments it adopted on April 6, 1994: "The terms used in [Article 27 of the International Covenant on Civil and Political Rights] indicate that the persons designed to be protected are those who belong to a group and who share in common a culture, a religion and/or a language."¹³ The Human Rights Committee further noted that the existence of a minority in a country must be determined by objective criteria; a state cannot refuse to recognize a minority group if

⁹Europa Publications Ltd., *The Middle East and North Africa 1992*, London: 1991, p. 421.

In a letter to the Egyptian Ministry of Foreign Affairs dated February 10, 1994, Human Rights Watch/Middle East requested the government's most current estimate of the Christian population. This letter has gone unanswered as of the date of the publication of this report.

¹⁰HRW/ME interview, Cairo, February 1993.

¹¹"Egyptian Government's Response to the Report of the Human Rights Watch on the Condition of Egyptian Christians," undated, received with a cover letter dated June 6, 1994 from Ambassador Ahmed Maher El Sayed, Embassy of Egypt, Washington, D.C. The full text of the government's response is appended to this report.

¹²For example, Article 27 of the International Covenant on Civil and Political Rights states: "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language."

¹³U.N. Human Rights Committee, "General Comment Adopted by the Human Rights Committee Under Article 40, Paragraph 4, of the International Covenant on Civil and Political Rights, Addendum, General comment No. 23(50) (art.27)," CCPR/C/21/Rev.1/Add.5, April 26, 1994, p. 2.

objective evidence establishes that such a group exists.¹⁴

It is not only the Egyptian government that remains highly sensitive to categorizing Christians as a minority. In April 1994, a three-day conference scheduled for May in Cairo on ethnic and religious minorities in the Middle East – sponsored by two nongovernmental organizations, the Cairo-based Ibn Khaldoun Center for Development Studies and the London-based Minority Rights Group – came under vigorous attack by a number of Egyptian Muslim and Christian intellectuals and other prominent figures from across the political spectrum for including Egyptian Christians on the agenda. Even Pope Shenuda, the spiritual leader of the Coptic Orthodox Church, added his voice to the mounting criticism by stating that Egyptian Copts are not a religious minority.¹⁵ Many of the critics argued that classification of Christians as a minority would be divisive to the historical and highly valued concept of Egyptian national unity and encourage sectarianism. Some saw it as a continuation of Western colonial powers' divide-and-rule strategies in the Arab world that could lead to outside interference in Egyptian affairs in the name of protection of minority rights.

The Ibn Khaldoun Center termed the controversy that raged in the pages of Egyptian newspapers and magazines "the biggest public debate on a single issue since the Gulf Crisis and Desert Storm (1990-1991)." The center said that the "massive uproar...rendered the Egyptian capital an unhealthy venue to engage in objective and rational deliberations." The conference was relocated to Limassol, Cyprus, where it took place on May 12-14, the dates originally scheduled for Cairo, with fifty Arab and international representatives in attendance.

FREEDOM TO ADOPT A RELIGION

Religious conversion is an extremely sensitive issue in Egypt. Some Muslim conservatives have long advocated that conversion from Islam should be punishable by death.¹⁶ Suspicions that Christians are

¹⁴"The existence of an ethnic, religious or linguistic minority in a given State party does not depend upon a decision by that State party but requires to be established by objective criteria." *Ibid*, p. 3.

¹⁵"We are Egyptians and a part of the Egyptian people," the pope said in an interview published in April. "We are not a minority in Egypt. We do not like to consider ourselves a minority and do not like others to call us a minority. The terms minority and majority indicate segregation and discrimination. This does not befit the sons of a single homeland, especially if this homeland is beloved Egypt...If the Copts have some problems or demands, these matters can be solved in a spirit of amity in the same homeland without the use of the terms minority and majority. These matters can be solved without psychological sensitivities. The attempts, even if they are well meaning, by some to defend the Copts does not necessarily require them to call us a minority." *Al-Musawwar*, April 29, 1994, as reported in FBIS, May 6, 1994, p. 23.

¹⁶"[I]n Egypt since the 1970s there have been insistent demands by Muslim conservatives for a revival of the death penalty for apostasy from Islam. These have met energetic resistance and condemnation on the part of Egypt's large Coptic population and have also been opposed by liberal Muslims and secular elements." (Ann Elizabeth Mayer, *Islam and Human Rights: Tradition and Politics* [hereinafter Mayer], Westview Press: Boulder and San Francisco: 1991, p. 169).

involved in conversion of Muslims can trigger interrogation and detention by security forces. And mere rumors about conversions from Islam to Christianity, or from Christianity to Islam, have been sufficient to spark intercommunal tension and violence.¹⁷

In 1993, the conversion of a twelve-year-old Coptic girl -- who had married her Muslim cousin -- led to bloodshed and communal violence in several villages in Upper Egypt. According to Copts interviewed by Agence France-Presse (AFP), after the girl was married, her in-laws pressured her to convert to Islam. On September 12, the girl and her mother-in-law were killed in the village of Bahjurah, near the town of Naj Hammadi. "Figuring the Copts were behind the double murder," AFP reported, "the village's Muslims reacted immediately by setting fire to several houses and shops owned by Copts after first looting them." The disturbances spread to six surrounding villages and towns, and dozens of Copts reportedly were injured before security forces restored order.¹⁸

Pressure on Christians to convert to Islam reportedly is sometimes accompanied by promises of jobs, promotions, wives and apartments. "There are hundreds of these cases," a highly placed source in the Coptic Orthodox Church said. "They make promises to poor Christian girls and boys, use forged birth certificates for youths under the age of twenty-one, and prevent the parents from seeing the child."¹⁹

A Christian activist from Imbaba, the sprawling district of one million people in metropolitan Cairo, told the story of a teenager, eighteen or nineteen years old, who had converted to Islam. "He was promised a wife and an apartment. He became involved with the Islamic Group in Imbaba. They used him. He would get on the microphone and insult our religion." Christian activists managed to convince the teenager to return to the church.²⁰ The convert then faced risk at the hands of security forces; the state often appears to penalize converts to Islam who later recant.²¹ For the teenager's safety, the Christian activists

¹⁷In 1972, intercommunal rioting in Alexandria, Egypt's second largest city, was precipitated by one Coptic priest's reported proselytizing. (Anthony McDermott, *Egypt From Nasser to Mubarak: A Flawed Revolution*, Croom Helm, London: 1988, p. 189) In March 1972, pamphlets were distributed anonymously in the city, alleging that Coptic Pope Shenuda had instigated a missionary campaign to convert Muslims and was conspiring to bring about a Coptic takeover of Egypt. (Nadia Ramses Farah, *Religious Strife in Egypt: Crisis and Ideological Conflict in the Seventies*, Gordon and Breach Science Publishers, New York: 1986, p. 2) Protest demonstrations and riots ensued, and a church and a mosque were destroyed.

¹⁸Agence France-Presse, September 15, 1993, as reported in FBIS, September 17, 1993, p. 16.

¹⁹HRW/ME interview, Cairo, February 1993.

²⁰Despite the risk of arrest, some Christian activists in Egypt readily compete with their Muslim counterparts in a determined battle for converts. The individuals who are the targets of such efforts can experience extreme pressure from both sides.

²¹"In the Middle East, conversions from one religion to another -- and sometimes switches from one Islamic sect or school of law to another -- have long been used to change the applicable law in personal status issues...Non-Muslim men have converted to Islam for reasons of expediency, in order to get the benefit of its more favorable personal status rules." (Mayer, pp. 166-67) One longstanding cause for concern has been Christian men who convert to Islam in order to marry Muslim women and then, in case of divorce or prior to death, convert back to Christianity. (John Waterbury, *The Egypt of Nasser and Sadat: The Political Economy of Two Regimes*, Princeton University Press, Princeton: 1983, p. 361.)

This was cited as one of the reasons for the introduction in the People's Assembly, Egypt's parliament, in

temporarily housed him at a monastery, where "SSI found him and took him. This was about six weeks ago. They brought him to Abu Za`bal prison (located northeast of Cairo) and accused him of playing with religion."²² Human Rights Watch was unable to obtain additional information about this case.

Muslims and Christians alike told Human Rights Watch/Middle East that the state clearly favors conversions to Islam. "When a Christian converts, they put it on the front page of the newspaper," one prominent Cairo-based Muslim journalist said.²³ But when a Muslim adopts the Christian faith, it is virtually impossible for the change to be reflected on the identity card that every Egyptian must carry. The U.S. State Department has noted that "Egyptian courts have upheld the principle that Muslims may not change their identity papers to reflect their conversion to a new religion."²⁴

This lack of recognition "puts tremendous pressure on people, because on paper they remain Muslims," a Christian psychiatrist noted. "We want the right to be recognized as Christians, but if we tried to fight for this right publicly, the Islamic groups would kill us," said a convert in his thirties who lives in Cairo. "Anyone should be allowed to change his religion and speak openly about his faith, but this is only my wish. It is very difficult to realize this in Egypt. There is a saying here: either Islam or execution."²⁵

The children of Muslims who convert to Christianity remain, officially, Muslims. A Christian couple, both former Muslims, married legally under Islam but also had a subsequent ceremony in their church. The couple's first child was born in 1992. Because the parents are not recognized as Christians, the child legally remains a Muslim. "This will be a big problem for us when he goes to school," the father explained. "Because he is a Muslim on paper, he will be taught Islam with the other Muslim students."²⁶

INTERNATIONAL LEGAL STANDARDS

Under international law, every individual has the right to change his or her religion. Article 18(1), of the International Covenant on Civil and Political Rights (ICCPR), to which Egypt is a party, states:

Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom *to have or to adopt* a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his

August 1977 of a draft law proposing the death penalty for apostasy. Following protests by the Coptic Orthodox Church, including a five-day fast in September 1977, the draft law was withdrawn; a senior government official admitted that it "was a mistake and will be put aside." (Marvine Howe, "Egypt Is Said To Give Assurances To Copts," *The New York Times*, September 15, 1977.)

²²HRW/ME interview, Imbaba, February 1993.

²³HRW/ME interview, Cairo, February 1993.

²⁴U.S. Department of State, *Country Reports on Human Rights Practices for 1993* (Washington, D.C.: 1994), p. 1171.

²⁵HRW/ME interviews, Cairo, February 1993.

²⁶HRW/ME interview, Cairo, February 1993.

religion or belief in worship, observance, practice and teaching. (Emphasis added.)

The inability of Egyptian Muslims to obtain legal recognition of a change of religion in practice constitutes state coercion against conversion to another faith, and thus a violation of Article 18(2) of the ICCPR, which states: "No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice."

The state policy of not permitting the children of converts to be registered in the religion of their parents runs counter to Article 18(4) of the ICCPR, which notes:

The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

FREEDOM TO MARRY

Christian men and Muslim women who wish to marry in Egypt face difficult choices. Islamic law permits the marriage of a Christian woman to a Muslim man, but a Christian man cannot marry a Muslim woman.²⁷ Under Islamic law as applied to Muslim personal-status matters in Egypt, it is legally impossible for a Muslim woman to marry a Christian. "Couples who find themselves in this dilemma may go outside the country to get married, to places like Cyprus. Then, either they never return to Egypt or come back with a marriage that is not legally recognized," the Christian psychiatrist said.²⁸ Alternatively, Christian men sometimes "solve" the problem by converting to Islam, which permits the marriage to go forward legally.

INTERNATIONAL LEGAL STANDARDS

The ICCPR sets forth the right of men and women to marry, irrespective of their religion. Article 23(2) states: "The right of men and women of marriageable age to marry and to found a family shall be recognized." The denial of this right to Christian men and Muslim women in Egypt who wish to marry also contravenes the equal protection guarantees of the ICCPR by making distinctions on the basis of religion. Article 26 states:

²⁷Abdullahi an-Na'im, a Sudanese Muslim lawyer who has written extensively on Islamic law, notes that "this is the position of all major schools of Islamic jurisprudence," but that "it is not based on direct Qur'anic prohibition of such marriages." (Abdullahi Ahmed An-Na'im, *Toward An Islamic Reformation: Civil Liberties, Human Rights and International Law*, Syracuse University Press, Syracuse: 1990, p. 229)

Explaining the premodern Islamic-law rule from which this prohibition derives, American law professor Ann Elizabeth Mayer has written: "(T)he assumption is that, just as Muslims are placed above non-Muslims, so men are placed above women, meaning that wives are necessarily subordinated to their husbands. Therefore, the Muslim man who marries a female *dhimmi* [a non-Muslim who adheres to one of the monotheistic religions] does not infringe the hierarchy of status, since by virtue of her sex the non-Muslim wife will be subordinate to her husband, who as a Muslim and a male ranks above her on two counts. In contrast, the Muslim woman who marries a *dhimmi* violates the rules of status, since as a wife she has lower status than the man to whom she is married even though by virtue of her adherence to the Islamic religion she should rank above him." (Mayer, p. 152.)

²⁸HRW/ME interview, Cairo, February 1993.

All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

FREEDOM TO WORSHIP IN COMMUNITY WITH OTHERS

Churches cannot be built in Egypt, or even repaired, without the written permission of the country's ruler, pursuant to an 1856 Ottoman imperial decree -- *Khatt Hamayouni*-- that remains in force. It is the only Ottoman edict that has not been abolished in Egypt. In 1934, an ordinance issued by the Ministry of Interior laid out ten conditions under which churches could be constructed.²⁹ The ordinance further specified "that no church should be built or repaired without a decree from the king, and after the abolition of the monarchy in 1953 the term king was changed to president."³⁰ The application of the regulations to minor church repairs is particularly unreasonable. A priest in Upper Egypt expressed exasperation as he pointed out the dingy, peeling interior walls of his church: "I cannot even paint without the permission of [President] Hosni Mubarak!"³¹

In contrast to churches, the construction of mosques is regulated by separate, less complex procedures. Judge Said Ashmawy, a prominent Egyptian jurist, has pointed out the differences: "For the construction of mosques...no more than a license from the local Engineering Department is required, and the only prior condition is that there must be a designated space between places of worship, be they mosques, churches or synagogues."³² Judge Ashmawy also noted that there are tens of thousands of mosques and about 150,000 smaller prayer rooms (*zawaya*, in Arabic) that have been built in Egypt since the 1970s without meeting even these minimum requirements. "[T]he government has not applied laws of mosque construction over the last twenty-four years...a sign that the government is appeasing the militant wave," he argued.

Some Egyptian lawyers and academics have publicly criticized the nineteenth-century decree on churches as anachronistic. In 1991, lawyer `Adel `Eid and al-Azhar University professor Muhammed Reda Muharram offered such criticism in *al-Ahali*, an Egyptian weekly opposition newspaper. Professor

²⁹Said Ashmawy, "Constructing Places of Worship in Egypt," *Middle East Times*, February 28-March 6, 1994 (hereinafter Ashmawy).

³⁰Ashmawy.

In a letter dated February 10, 1994, Human Rights Watch/Middle East requested copies of the Ottoman decree and the Ministry of Interior guidelines from the Ministry of Foreign Affairs. As of the date of the publication of this report, we have not received a reply.

³¹HRW/ME interview, Assyut, February 1993.

³²Ashmawy.

Muharram wrote that the time had come to "establish justice in the area of freedom of belief and worship." Also in 1991, lawyer Abdel Aziz Muhammed wrote in the opposition daily *al-Wafd* that the Ottoman decree was unconstitutional, and violated human rights conventions ratified by Egypt. He called on the parliament to "erase this blemish from Egyptian law and devise a law founded on the principle of the equality of all citizens without distinction."³³ In 1994, Judge Ashmawy wrote:

Many Muslims, including myself, have asked the president for this situation to be changed, deeming that the spirit of Islam encourages tolerance for non-Muslims and upholds their right to build and maintain places of worship to practice their religion....I believe that Egypt and her government should reexamine the phenomenon of construction of places of worship and establish an equitable and modern law to regulate their licensing.³⁴

The Egyptian government has justified the requirement of a presidential decree as necessary to safeguard the security of churches. "This should be viewed in the context of the State's commitment toward guaranteeing protection thereof[,] ensuring their freedom and security in the conduct of services in accordance with the Constitution, and providing a permanent legal basis for their existence to avoid becoming the object of a dispute with any party, governmental or non-governmental, which would endanger their existence or their security," the government wrote to Human Rights Watch/Middle East in June 1994.³⁵

UNREASONABLE DELAYS IN PERMISSION TO CONSTRUCT OR REPAIR CHURCHES

The process of obtaining presidential authorization to construct or repair a church is cumbersome³⁶ and can take years. Some Christian congregations have been forced to wait a decade or longer for the signature of the president, or have never received the required go-ahead, even for simple repairs. The U.S. Department of State has acknowledged in its annual country reports on human rights practices that in Egypt authorization to construct and repair churches is difficult to secure. In the 1993 country report, the State Department noted that the number of permits increased dramatically for repair of existing churches, but not for new construction.³⁷

³³Agence France-Presse, "Campagne Pour Lever un Obstacle Anachronique a la Liberte de Culte des Coptes," August 16, 1991.

³⁴Ashmawy.

³⁵See "Egyptian Government's Response to the Report of the Human Rights Watch on the Condition of Egyptian Christians."

³⁶A Christian member of Parliament pointed out that there are numerous steps in the approval process – involving sign-offs by the police, State Security Investigation, and the security directorate at the provincial level (*mudiriyat al-`amma*) – prior to the application's presentation to the office of the President. (HRW/ME interview, Cairo, February 1993.)

³⁷"In 1992 and 1993 the Government increased the number of building permits issued to Christian communities to an average of more than 20 a year, compared to the average of 5 permits a year issued in the 1980's. Most permits appear to be for the repair of existing structures and not for construction of new churches." U.S. Department of State, *Country Reports on Human Rights Practices for 1993* (Washington, D.C.: 1994), pp. 1171-72.

In the worst case recorded by Human Rights Watch/Middle East, a church in Biba, a town of 50,000 on the west bank of the Nile, south of Cairo, that was firebombed by Islamist extremists in 1989 has been unable to secure permission for repairs. When a representative of Human Rights Watch visited the town almost four years after the attack, the congregation was still waiting for permission to repair the damaged, closed church.

On May 13, 1989, according to residents, a fourth-year university student led an attack on the church while a meeting was in progress. He hurled and then ignited flammable liquid inside the building. The ensuing blaze killed two members of the congregation, Atiyya Arian, a sixty-two-year-old retired teacher, and Eid Nassif Ghally, a forty-year-old agricultural engineer. Sami Boutros, a thirty-two-year-old municipal worker, survived but sustained severe burns all over his body. The student himself was burned to death in the attack.

The church suffered cracks in its walls and substantial interior damage as a result of the fire. "This is an old church," one resident said, "built without permission. The authorities insisted that we needed approval before we could repair it." Rev. Samuel Habib, head of the Coptic Protestant Union in Cairo, visited Biba, inspected the damage, and submitted a written application to the Ministry of Interior for permission to undertake repairs so that the church could be reopened. The parishioners, still waiting for authorization in February 1993, said that they conducted religious services at another church in town.³⁸

A combination of frustration at the unreasonably long approval process, and the belief that most applications ultimately will be rejected, has led Christians to construct churches secretly, in defiance of the law. As long ago as 1972, there was evidence that almost two-thirds of the total number of churches in Egypt were "illegal." The Ministry of Interior counted an estimated 500 churches in the country, while a parliamentary committee, working from Census Bureau information, put the number of churches at 1,442. The interior ministry reportedly did not include in its count the churches that had been constructed without official permission.³⁹

Christians continue to build churches secretly, without authorization. "In my village in Upper Egypt, one church has been constructed without permission and another one is being built, as a factory," said one middle-aged Christian who now lives in Imbaba.⁴⁰ In February 1993, a Human Rights Watch representative visited, unannounced, a walled-off compound on a highly trafficked major road that runs through a town in Upper Egypt. Inside the compound were unmistakable signs of a church under construction, although the families living on the site insisted that they were building a poultry farm.

"You are immediately arrested if you are caught building a church without permission, but still we

³⁸HRW/ME interviews, Biba, February 1993.

The attack on the church generated fear among Biba's Christian community of 10,000, and tensions remained high for almost a year. Residents said that there was talk in mosques about avenging the death of the student who had died, and that one pharmacy and several other stores, all owned by Christians, were burned down.

³⁹Hameid Ansari, "Sectarian Conflict and the Political Expediency of Religion," *The Middle East Journal*, Summer 1984, p. 399.

⁴⁰HRW/ME interview, Imbaba, February 1993.

take the risk," a Christian activist who has participated in clandestine church-building said matter-of-factly.⁴¹ And security forces have responded by closing and sealing such "illegal" churches, threatening parishioners with arrest if they attempt to re-open and use the buildings. Churches have been closed not only in remote villages along the Nile but also in metropolitan Cairo.

Even if presidential permission is obtained, congregations can still face additional obstacles.⁴² "A church may not be built near a mosque, but a mosque may be built near a church; reportedly when fundamentalists hear a new church will be built, they convert property near the site into a mosque, which means the Christian parishioners must find a new location," the U.S. State Department reported in 1992.⁴³

Christians also feel aggrieved by the state's selective enforcement of the existing dual set of regulations, particularly the ban on church construction near mosques, which in practice sometimes does not apply in the reverse. A Coptic lawyer provided an example. "In the desert northwest of Assyut is the Burned Monastery. It is over twenty kilometers from any urban area. A mosque was built right in front of it. No Muslims live in the area," he said.⁴⁴

Congregations sometimes undertake renovation without authorization and, if possible, secretly. The only alternative is to wait years for permission to add a bathroom or replace a floor. This is maddening for Christians, who provided examples of unreasonable behavior by the authorities intended, they believe, simply to harass peaceful congregations. A 100-year-old church in Assyut submitted a written request in 1972 for presidential permission to build a new bathroom to replace its ancient water closet. The application languished for almost fifteen years until, in 1986, then-interior minister Zaki Badr gave oral, but not written, approval for the work to go forward.⁴⁵ According to a prominent Christian who requested anonymity, the windows in another Assyut church had been removed, without permission, in order to paint them. The work was noticed, and the authorities barred the reinstallation of the painted windows. There

⁴¹HRW/ME interview, Imbaba, February 1993.

⁴² See Institute for Religious Minorities in the Islamic World (a division of Christian Solidarity International), *Christians in Egypt: Church Under Siege* (Zurich, London, Washington: 1993), pp. 26-31. The report provides the names and locations of churches in Egypt with construction applications pending since the 1960s and 1970s, and about churches that received presidential permission for construction or repair but have since encountered additional obstacles.

⁴³1991 *Country Report*, pp. 1381-2.

⁴⁴HRW/ME interview, Aswan, February 1992.

The Burned Monastery, *Deir el-Muharrag* in Arabic, is visited by thousands of Coptic pilgrims each year. One of the churches on the site is the Church of the Blessed Virgin (also known as St. Mary's Church), built over a cave where Mary and Jesus are believed to have lived for six months and ten days. The monks at the monastery say that the Church is perhaps the oldest in Egypt, built after St. Mark arrived and established the See of Alexandria in the first century A.D.

On March 11, 1994, five Christians, two of them priests, were shot by gunmen at the gates of the monastery. One of the priests and three visitors died immediately; the other priest died from his injuries the next day. The gunmen escaped, but Egyptian police officials said that Islamic extremists were responsible for the attack. ("5 Egyptian Christians Killed; Muslim Radicals Are Blamed," *The Washington Post*, March 13, 1994.)

⁴⁵HRW/ME interview, Assyut, February 1993.

was a three-year impasse, until Zaki Badr personally intervened, following pressure from a Christian member of parliament, and allowed the windows to be put back.

In Aswan, Egypt's southernmost city, the rear wall of the century-old Coptic Orthodox church of St. Mariam was removed to incorporate two adjacent storage rooms owned by the church. A new wall was constructed, adding about five-by-eight meters of space to the church's interior. "We just did it, because we knew that we would never get permission," one parishioner said. The city council then took action against the church, ordering that the new wall be torn down. "They don't want our church to grow one centimeter," the Copt said, shaking his head. "With a regular building," according to an Aswan lawyer, "the owner simply is fined for constructing without a permit. In the case of churches, the judge can issue an order to demolish what was built and to pay double the cost of the work as a fine."⁴⁶

Even when a church has complied with the state regulations and received authorization to undertake repairs, harassment can come from local politicians. It took one church in Assyut only two years to obtain permission to construct a bathroom, a print shop and a library.⁴⁷ But one of the church's lay officials reported that he was sued by the local City Council "because we built two bathrooms instead of one." An eighteen-month court battle ensued. "I was sentenced to one month in jail, but the appeals court tossed out the conviction in 1992."⁴⁸

In Assyut, the largest city in Upper Egypt, the son of a priest pointed out recently-made repairs of large cracks that ran along an exterior wall of his father's church. He described how parishioners had brought in tiny bags of cement over a period of days so that suspicions would not be raised and the "illegal" work reported to the police or discovered by militant Islamists.⁴⁹ Such caution is justified. In 1990, in the village of Manshiat Nasser, near Dayrut, members of the Islamic Group -- the most high-profile clandestine organization battling to overthrow the Mubarak regime -- found workers replacing old floor tiles in the local church. The militants attacked the men, forced them to stop their work, and then smashed some of the church's windows and doors.⁵⁰ Less than two years later, in May 1992, thirteen Christians were killed in the village, in a series of assaults by members of the Islamic Group.⁵¹

The Egyptian government does not acknowledge the long delays that are often experienced by congregations seeking presidential permission to build or repair churches. In its response to this report, it stated: "The procedure required for a Presidential decree to be issued on such matters is well defined by law, which defines conditions and documentation on the basis of which the Presidential decree is issued

⁴⁶ HRW/ME interviews, Aswan, February 1993.

⁴⁷ The print shop and library subsequently were demolished because of a road-widening project, parishioners said.

⁴⁸ HRW/ME interview, Assyut, February 1993.

⁴⁹ HRW/ME interview, Assyut, February 1993.

⁵⁰ See Egyptian Organization for Human Rights, "Urgent Report on the Sectarian Massacre in Dairout," Cairo, May 7, 1992.

⁵¹ *Ibid.*

*at once.*⁵² The government also stated that between 1981 and 1992, some 350 churches were constructed or repaired, and added: "During the last two years this number amounted to 42, not including Christian institutes and religious colleges."⁵³

CLOSURE OF "ILLEGAL" CHURCHES IN METROPOLITAN CAIRO

"We are forced to present the government with a *fait accompli*," said one Christian who has participated in clandestine church-building. "We construct a church, start praying, and then the Ministry of Interior comes and closes the church. Three churches have been closed in Imbaba and four in Rod el-Faraj in Shobra," he added, naming two densely populated districts in metropolitan Cairo.⁵⁴ The three "illegal" churches in Imbaba – Mari Mena (Coptic Orthodox), L'Eglise Chamseniyya (Anglican), and St. Mary's (Coptic Catholic) – were all closed within a few weeks of one another, around the time of the Christian religious holiday of the Epiphany in December 1988, according to local residents.

Members of the closed Coptic church, a sizeable one-story structure surrounded by a high wall, recounted their experiences. "We started and finished building the church in 1988," one of the construction workers said. "We said that we were making a factory. We did not tell everyone in the community what we really were doing, but those who did know kept it a secret, even the women. If the authorities had found out, they would have stopped us."

Another Copt described the closure of the church: "After a mass ended and the people left, security forces came. They wrapped a piece of cloth around the door, and then sealed it shut with wax. They made the priest sign a pledge that he would not hold another mass or open the church." After the building was sealed and parishioners threatened with arrest if they reopened the premises, one of the workers who had participated in the church's construction was summoned for questioning by SSI. He was asked why he had not notified the local SSI office about the illegal activity of his co-religionists, but managed to convince his interrogators that he had believed he was building a factory and was released. "No one has been inside the church since. If we went in, we would be arrested," another resident said. The church is located in a section of Imbaba that is home to some 15,000 Christians. The nearest "legal" Coptic Orthodox church is a twenty-minute walk away.⁵⁵

The Coptic Catholic congregation in Imbaba faced greater inconvenience when the authorities sealed its church. "For four years I have not been able to pray in Imbaba," a priest who lives in the neighborhood said. "This was the only Catholic Coptic church, and the nearest one is six kilometers away in Giza. All the Catholic Copts now go to the Orthodox church."⁵⁶

⁵² See "Egyptian Government's Response to the Report of the Human Rights Watch on the Condition of Egyptian Christians." Emphasis added.

⁵³ *Ibid.*

⁵⁴ HRW/ME interview, Imbaba, February 1993.

⁵⁵ HRW/ME interviews, Imbaba, February 1993.

⁵⁶ HRW/ME interview, Imbaba, February 1993.

In 1993, a member of the closed Anglican church told about a foiled attempt to reopen the building:

Once we tried to open our church because the other churches are too far away. This happened about a year ago. A police car came. They took me and the priest to the prosecutor, where we stayed for one day. He wanted to know why we had opened the church. We said that we wanted to pray there. He told us that we could not pray in it. He let us go, but said that we would be detained if we tried to open the church again.⁵⁷

All of these Christians in Imbaba provided information to Human Rights Watch/Middle East with obvious trepidation, and did not want their names disclosed. "If the authorities knew you were here, tonight they would be at my door. A dialogue like this is forbidden," an old man stated as his younger neighbors nodded in agreement.

CHURCH CLOSURES IN UPPER EGYPT

Christians in Upper Egypt provided examples of churches built decades ago that have recently been closed by security forces. "The police go to small villages and ask to see the presidential permission," said a middle-aged pharmacist from Assyut who is active in his local church. He elaborated:

If a church does not have permission, they force the priest to sign a document promising not to use the church again until the permission is received. Priests are afraid, so they sign. In Kombush, a small village near Beni Suef (in Middle Egypt), a priest was made to sign this statement about five years ago. His church had been built twenty or thirty years ago, without permission. In Zawiya, near Assyut, a Coptic church was closed about five years ago because it did not have a license. It is a small church in a village near the Virgin Monastery, and it had been there for forty years. When they started to make repairs, it was closed.⁵⁸

Mahmouddiya, a village of some 15,000 residents located near Dayrut, is too small to appear on most maps. About one-third of the village's population is Christian, served by a small two-room church. According to a twenty-eight-year-old resident who traveled to Cairo to provide testimony, about forty years ago a Christian had donated land to construct another church in the village, but it had been impossible to secure permission to build from the authorities. In 1987, Christians began construction of a church on this site, under the guise of constructing a poultry farm. The work was completed that year, and one Sunday the Coptic Orthodox church of St. Girgis opened for its first mass. That night, the village police chief visited the church and ordered it closed, forbidding parishioners from praying there again. Several citizens complained in writing about the closure to the Interior Ministry and the provincial governor's office. Four of the men who signed the complaint were summoned to the Dayrut police station. Physical abuse, threats and insults followed. "We were slapped across the face," one of them said. "We were told that we would be detained if we tried to open the church again. The police officer slapped me on the head and said that our

⁵⁷HRW/ME interview, Imbaba, February 1993.

⁵⁸HRW/ME interview, Assyut, February 1993.

priest was sleeping with my mother."⁵⁹ The church remained closed as February 1993.

IMPACT OF CHURCH CLOSURES ON COMMUNITY SOCIAL SERVICES

The shut-down of churches built without presidential authorization affects the delivery of community-based social services. When a church is closed by authorities, ancillary activities conducted on church property—such as nursery schools, and after-school and summer programs for children—are suspended as well, depriving the community of vitally needed voluntary services.

A small Protestant church in the Shobra section of Cairo that was closed in 1988 had operated a club in the summer for children. "Both the church and its activity rooms were sealed shut," a parishioner said.⁶⁰ Another small Cairo church, opened illegally in 1986 but sealed shut in 1988, had operated a half-day nursery school for seventy children aged four to six years old, according to the priest.⁶¹

The regulations with respect to church repairs are also applied to repairs of church-owned property used for non-religious community services, such as medical care. Doctors at an eight-room medical clinic located on church property in Assyut pointed out needed repair work that could only be undertaken with written presidential permission. This clinic, staffed by eighteen doctors and open daily except Sunday, was established in May 1983 and is registered with the Ministry of Health. It is located in one of the poorest and most densely populated sections of Assyut. In 1992, it provided services to 25,000 Muslim and Christian patients, most of them from the neighborhood, according to one of the doctors.⁶²

GOVERNMENT SENSITIVITY TO PUBLIC CRITICISM

In April 1993, a senior government official denied that church-building was restricted in Egypt. In an interview with *al-Wafd*, then Interior Minister Gen. Abdel Halim Musa was asked about restrictions on building and repairing churches. He replied:

This is untrue. The rights of the Copts are safeguarded. Copts are treated exactly as Muslims...We do not restrict the building of churches. How can we do this to places of worship? *The accusations these [human rights] organizations make are groundless. These organizations must not make charges based on hearsay by disaffected individuals who want to harm Egypt and its democracy.*⁶³

But earlier that year, a Christian university student publicly raised the issue of closed churches with the interior minister, who was forced to concede that an unlicensed church had been closed. Aiman

⁵⁹ HRW/ME interview, Cairo, February 1993.

⁶⁰ HRW/ME interview, Cairo, February 1993.

⁶¹ HRW/ME interview, Imbaba, February 1993.

⁶² HRW/ME interviews, Assyut, February 1993.

⁶³ *Al-Wafd*, April 11, 1992, as reported in FBIS, April 16, 1993, p. 12. Emphasis added.

Ramzy, the twenty-two-year-old son of a priest, publicly challenged General Musa during a seminar on January 29, 1993, at the Cairo International Book Fair, a highly publicized and widely attended two-week annual event.

Aiman said that his father's Anglican church, on the ground floor of a three-story building in the Shobra section of Cairo, was closed five years ago by security forces who arrived in two vans and sealed the door with red wax tape. "The church had moved to this location twenty or thirty years before, from somewhere else," Aiman said. "What is the logic behind closing it after so many years? We were amazed. Our area was quiet. There were no clashes, and we had very good relations with our neighbors. We felt that our rights were taken away when they closed the church."

Aiman attended the Book Fair seminar with his father and brother. He submitted a written question to the interior minister about the closure of churches, with full knowledge that the issue was politically sensitive. "The moderator of the seminar panel did not ask the question the way I wrote it," Aiman said. "I had asked why our church had been closed five years ago, and wrote down its name and address. But the moderator only asked the minister if he was against churches, and the minister said that of course he was not. So I stood up and told the minister that his answer was wrong, and I gave the example of our church." The interior minister rebuffed Aiman by asking if the church had a permit from the authorities. The priest's son had to concede that it did not.⁶⁴

At the end of the seminar, as Aiman was leaving the room, he was apprehended by someone who appeared to be a security officer.

A man in plainclothes, with something in his jacket that looked like a radio, pulled me from the back of my sweater and said that he wanted to have a word with me. He did not identify himself but, from his behavior and the questions he asked, we understood that he was from SSI. I gave him my identity card to save time. He asked my father if he was a Copt. He took out a piece of paper and wrote down all the details: my name and address, my identity card number and where it was issued, my religion and my occupation. Then he left.⁶⁵

INTERNATIONAL LEGAL STANDARDS

The right of private parties to construct and repair property, including religious institutions such as mosques and churches, is subject to reasonable legal regulation by the state. To be reasonable, such regulation should be applied in an equitable fashion, without discrimination with respect to religion or other grounds. Article 26 of the International Covenant on Civil and Political Rights (ICCPR) sets forth this basic principle:

⁶⁴On January 30, 1993, a leading pro-government daily newspaper included an article about the seminar, and reported Aiman's question this way: "The interior minister denied that a church has been closed in Rod al-Faraj (in Shobra), saying that no such thing has happened regarding churches that have received licenses from the state. He affirmed that the Rod al-Faraj church has not received a license, which is against the law. The minister promised to consider the matter to grant it the necessary license." (*al-Ahram al-Masriyya*, as reported in FBIS, February 4, 1993, p. 11.)

⁶⁵HRW/ME interview, Cairo, February 1993.

All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

The vastly different legal procedures applied in Egypt to mosque-building on the one hand, and church construction on the other hand, are inequitable and discriminatory in nature, and thus a violation of the spirit of Article 26.

Egyptian authorities have also engaged in a policy of selective enforcement of existing laws and regulations with respect to church construction and mosque-building. There are tens of thousands of mosques constructed and operating without adherence to the requirements set forth in the law, and the government has appeared reticent to take action against them, much less shut and seal them, as has been done with "illegal" churches.

The special rules that govern church construction and repair have been unreasonably applied in practice. The inordinately long periods that some congregations have been forced to wait for presidential permission creates the inevitable suspicion that the state may be purposefully using such procedures to thwart the legal construction and repair of churches that serve Christian worshippers, abridging their right to worship in community with others. Egypt's obligations under international law require the state to guarantee all citizens the freedom to worship publicly in community with others (Article 18 of the ICCPR), and for religious minorities in particular to profess and practice their religion (Article 27 of the ICCPR).

In addition, the requirement that presidential authorization is needed to carry out simple repairs on existing churches -- such as painting windows, replacing floor tiles, or renovating bathrooms -- appears totally unreasonable.

FREEDOM OF RELIGIOUS EXPRESSION

In Egypt, Muslims are permitted to speak freely about Islam to Christians and actively to encourage conversion. Christians, however, are not permitted to proselytize Muslims. They have been arrested and detained for peaceful, private religious speech and expression to Muslims. In the absence of any specific legal ban, authorities typically cite a provision in the penal code to accuse non-Muslims of proselytizing.⁶⁶ In addition, the broad powers of arrest and detention under Egypt's emergency law⁶⁷ permit suspects to be held without charge on orders of the interior minister.

Security forces have targeted Egyptian Christians suspected of proselytizing Muslims, with the consequences ranging from informal yet threatening questioning by officers to detention for varying periods, sometimes accompanied by physical mistreatment and torture.⁶⁸

Christian suspects have experienced human rights abuses at the hands of State Security Investigation (SSI). SSI operatives and officers have placed suspect Christians under surveillance, and have harassed, intimidated, and threatened them, specifically with regard to their religious identity and activity. Summoned to SSI offices, these suspects have been questioned – usually harshly, and sometimes accompanied by threats – about their personal religious beliefs, peaceful religious activities, and the names and activities of other Christians with whom they associate, including members of the clergy.

Among these detainees have been young Muslim converts to Christianity and individuals suspected of speaking about their religion to Muslims or working in lay ministry. Some of these Christians have been tortured in SSI custody, in attempts to coerce confessions or obtain information about others. Converts also have provided testimony about misconduct by state-security prosecutors, who in several cases dictated confessions and then pressured the unsophisticated young victims, who were unaided by lawyers, into signing the documents.

⁶⁶Article 98(f) of the Penal Code "stipulates that it is a criminal offence to exploit religion in order to promote or advocate extremist ideologies by word of mouth, in writing or in any other manner with a view to stirring up sedition, *disparaging or belittling any divinely-revealed religion or its adherents or disrupting national unity and social harmony.*" Egypt's Addendum to Second Periodic Report to the U.N. Human Rights Committee, p. 81. Emphasis added.

⁶⁷The emergency law has been continuously in force since October 1981, when President Anwar Sadat was assassinated. On April 11, 1994, the People's Assembly gave its assent to Presidential Decree No. 116 (1994), which extends the state of emergency for three years, until May 31, 1997.

⁶⁸This prohibition is also applied to foreigners, who have been arrested and detained on suspicion of proselytizing. In February 1993, three Americans, a New Zealander, and an Egyptian – Robert Cunningham, Richard Dugan, Brian Eckheart, Thomas Martin and Abdel Hamid Abdel Nefa, respectively – were arrested in Cairo by security forces and held in detention pending the outcome of an investigation by state prosecutors. According to the U.S. State Department, the prosecutor told U.S. consular officials that the men were arrested for proselytizing Christianity without a license, "but when they were brought before a judge on March 3, [1993] the prosecutor changed the accusation to 'exploiting religion to debase Islam and to foment sectarian sedition' – essentially a charge of inciting a religious riot." (Undated letter to Congresswoman Olympia P. Snowe from Acting Assistant Secretary of State for Legislative Affairs Robert A. Bradtke.)

The four Westerners were ordered released by President Hosni Mubarak on May 9, 1993, and left the country soon thereafter. But the Egyptian was confined to a mental institution until his lawyer finally secured his release on April 21, 1994.

HARASSMENT, INTERROGATION AND DETENTION

Testimonial evidence gathered by Human Rights Watch/Middle East indicates that SSI operatives closely monitor Christians suspected of involvement in peaceful religious activities with respect to Muslims, including lay ministry. The testimony further reveals that SSI personnel -- at least since 1986 -- have been involved in the time-consuming harassment and interrogation of such Christian suspects, including women. Two cases are those of a twenty-six-year-old convert threatened with physical abuse by her SSI interrogators in October 1992, and a twenty-three-year-old threatened with rape by an SSI officer in February 1993.

"The Officer Gave Me Lectures, Trying to Discredit and Insult Christianity"

Mona,⁶⁹ a twenty-six-year-old college graduate who was born a Muslim but converted to Christianity, recounted an experience in 1992 that took her from a detention room at Cairo International Airport to SSI headquarters in Cairo, where she was interrogated for fifteen hours and then released. For the next ten days, Mona was pressured repeatedly by a senior SSI officer.

Mona was detained at the airport in October 1992. Her Egyptian passport had been stamped with the necessary exit visa, and she was waiting to board a flight to France. "All of a sudden, I was surrounded by thirty to forty uniformed soldiers and two high-ranking SSI officers, a major and a lieutenant general. The lieutenant general told me that I was not allowed to leave Egypt on orders of SSI," Mona said.⁷⁰

She was brought to a room at the airport, where she was held with three male detainees, two Sri Lankans and a Palestinian. An SSI officer harassed her while she was in this room, coming in periodically to inform her that her flight was about to leave. He asked her what books she read. The officer appeared to have knowledge of her family, because at one point, referring to a relative who is a known leader of a militant Islamist group, he remarked: "Your cousin goes one way, and you go the other."

Mona was held at the airport until 5:00 PM, and then was brought to the Mugamma, the large government building on Tahrir Square in central Cairo, where her passport was checked and her permission to leave the country, which had been stamped in her passport, was cancelled. At 8:00 PM, Mona was moved to a central holding facility in Cairo -- where detainees are distributed to other prisons -- and held overnight. The next morning, she was transferred to SSI headquarters in a security forces vehicle with male detainees. Mona said that inside the vehicle a soldier beat her on the shoulder and asked for cigarettes and money.

⁶⁹In this section of the report, names have been changed to protect the victims' identities.

⁷⁰"Ministry of Interior Decision No. 975 of 1983 gives non-judicial administrative bodies the right to include people on blacklists of those banned from travelling abroad...They are: the Socialist Prosecutor, which is a political and not a judicial office, the director of general police intelligence, the director of the military intelligence administration, the director of the personnel affairs and social services administration of the armed forces, the military prosecutor general, and the director of the department of public security." Egyptian Organization for Human Rights, "Comments on the Second Periodical Report of the Egyptian Government," Submitted to the U.N. Human Rights Committee, July 1993, p. 51.

She was brought to a detention area on the ground floor of the SSI building, where she asked a short, stout officer about the charges against her. "Backsliding Islam," was his brief reply. She then was brought before three SSI officers: Hamad 'Uqaily, Hatem Qassab, and Atef Shoer.

I was very nervous, and I asked for the charges against me. One of the officers said: "Do you want to hear a list? Joining an extremist organization. Disrupting national unity." And something else that I don't remember. I was out of my nerves completely. I could not speak. They told me that if I did not answer their questions, there would be a detention order.

The interrogators then showed Mona photographs of four men and asked if she knew them. Mona said that she knew three of the men, Egyptian Muslims who had converted to Christianity, but did not know the fourth. "Whenever I said that I did not know, they threatened to beat me," Mona said. The officers then provided information that indicated to Mona that she had been under surveillance. "They started to describe places that I had visited with other converts, details about where I had coffee, about where I had bought a dress," she said. The officers named two churches and wanted to know why she visited them. She was questioned intermittently from approximately 10:00 AM until 1:00 AM the next morning: "I had no water, no food. There was no bathroom. I was never left alone -- two security policemen were with me the entire time."

Mona's family was summoned by SSI. She was brought to an office, where her Muslim father and older brother were told that she had converted to Christianity. They also were provided with what Mona described as "false accusations":

They were told that I knew a convert who was the madam of a prostitution network, and that an Egyptian I knew in Holland was affiliated with a Christian proselytizing organization and had given me money. My father was shocked. My brother said that I was raised wrong and should be killed...My brother is very religious -- he is a fanatic -- but he cannot have a beard because he is a police officer. My father had to sign a piece of paper, promising that I would not leave the house or use the telephone for one year.

Mona said that she was required to report to SSI every two or three days, where she was forced to sit with Gen. Ahmed Abdel Wahab. "He gave me lectures, trying to discredit and insult Christianity," Mona said, explaining that at the end of each meeting the general informed her of the time of her next appointment. She was summoned to SSI five times in the ten days following her release. During these sessions, she was questioned about the books she read, her contacts with Christians, and whether she knew specific individuals. "They were trying to get names, but I told them nothing," Mona said. "One time, I had to visit the general at his house, with my father. I had a big argument with him that lasted for about five hours. He terrorized me, shouting when I said things that he did not like."

Mona's ordeal ended on her fifth visit to SSI, when her father reported that she had started to pray as a Muslim again. The informal "house arrest" order was lifted, and she was able to return to her job. Mona is convinced that her name remains on the black list at the airport, prohibiting her from leaving Egypt.⁷¹

⁷¹HRW/ME interview, Cairo, February 1993. Name on file at Human Rights Watch/Middle East.

"The Officer Wanted to Know If My Friends Talk to Muslims"

Rania, a twenty-three-year-old Christian college student from Cairo, was harassed and threatened by SSI officers in 1992 and 1993 because she was suspected of speaking about her religion to students at her university and associating with Muslims who had converted to Christianity. In February 1993, an SSI officer threatened Rania with rape if she would not provide information about contacts and relationships between Christians and Muslims at her university.

Her ordeal began in July 1992, when she was summoned to the SSI office in her Cairo neighborhood through her church, where she was an active member. Rania was questioned on the fourth floor by officer `Atef Mas`oud, who was dressed in plainclothes. "He was kind to me," she said. "He brought me lemonade. He asked how I was doing and asked about my life." The officer inquired if Rania knew someone named Khalid. She said no.

Then he asked about another name, and I said that I knew this person. He said that this was the same person as Khalid. The officer asked me if I knew that Khalid had converted [to Christianity] and I said no. He asked if I knew any converts and I said no. Then he asked about Hani. I told him that I knew many Hanis -- and that this was my brother's name too. The officer got angry. He told me: "You know the Hani I'm talking about." [Hani is a convert to Christianity.]

The officer then told Rania that she was a "bad girl" to be associating with Muslims who had converted to Christianity. He threatened her with sexual abuse if she "continued to walk with them." He reminded her of her "accidents" in Ain Shams⁷² and then warned her with the following words: "We could easily get rid of you."

Two days later, Rania was walking in the street and a tall man, in his forties, caught her hand and told her: "If you don't stay away from these guys, we'll kill you." Rania believed that he was referring to friends of hers who had converted to Christianity. In September 1992, she was summoned twice to the SSI office but did not appear.

Rania said that she was involved in a group at her university that "talked to people about Christianity." One of the students Rania had had discussions with was Sayida, the daughter of a sheik. Sayida had decided to convert to the Christian faith but had not yet been baptized. Suddenly, Sayida stopped coming to the university. [Sayida reportedly had raised her parents' suspicion when they found a Bible and noticed a change in her behavior; it appears that she named Rania as the person responsible for her conversion.]

"About forty-five days ago," Rania told Human Rights Watch/Middle East in February 1993, "a man entered our house and threatened me. It was about 10:00 in the morning and no one else was home. The man said that he had papers about fees for the building. I wanted to telephone my father, but the man

⁷²Rania said that twice in May 1992, she had been struck by cars in the Ain Shams section of Cairo -- once by a police car and once by a regular car. Both times she fell to the ground but escaped injury.

entered and closed the door. He grabbed me and said: 'What do you think you are doing with Sayida?' At that point, a neighbor knocked at the door and the man left." Two weeks later, the same man grabbed Rania on a street near her house. He told her that he would kill her if she did not sever ties with Sayida.

On February 22, 1993, Rania had a third "accident" in Ain Shams (see footnote 72). She was walking on the street with friends, in front of her university building. They started to cross the street when a black and white taxi pulled out of its lane of traffic and started moving very fast toward Rania. She was hit and fell down. The taxi sped away.

On February 23, 1993 -- the day before her scheduled interview with Human Rights Watch -- Rania received a telephone call at about 1:00 PM from a friend who is active in another church. He told her that he had been taken from his house on the morning of February 21 and brought to the SSI office in Rania's neighborhood. He told Rania that SSI would not release him unless she appeared. Rania then went to the SSI office at 2:00 PM that day.

She was seen by 'Atef Ma'soud, the same officer who had questioned her in July. He asked why she had not responded to SSI's requests to see her, and inquired about her activities at the university. When Rania did not provide the officer with any information, he gave her a paper to sign. When she started to read it, he cursed her. "I told him that I had to read it before signing it. There were paragraphs of writing and then blank spaces. I crossed out the blank spaces. He held me strongly at the back of my neck. I tore up the paper after I told him I would not sign anything with empty spaces," Rania said.

The officer then left. He returned about twenty minutes later, and asked about Sayida, the daughter of the sheik. When Rania told him that she knew many Sayidas, the officer provided her full name. Rania admitted that she knew Sayida but said that she no longer came to school. The officer said that Sayida had complained to SSI, charging that Rania had "played with her mind." The officer's mood then changed, and he became angry:

He acted as if he was about to hit me. He banged his fist on the desk. He told me that I was courageous and that I should tell him everything that happened at the university. I told him that I do not see or hear anything. "No, you will go and hear and tell us," he told me. I said that I could not promise. He wanted to know if my friends talk to Muslims. He told me that if I didn't do this, they would bring me back and rape me in front of everyone.

Rania said that after this encounter with SSI, she decided that it was best to limit her church activities to attending Sunday school. As of the date she provided her testimony to Human Rights Watch, she had not informed her family about the events that had transpired because she was afraid that, if she did, they might prevent her from continuing her studies at the university.⁷³

"The Officer Said That I Had Entered Churches"

In January 1991, a large force, most of them dressed in plainclothes, came to the house of a soldier in his early twenties who had converted to Christianity. They told his family that he was wanted. The soldier, who was not at home at the time, later reported to an officer at the local SSI office. The officer

⁷³HRW/ME interview, Cairo, February 1993. Name is on file at Human Rights Watch/Middle East.

questioned him about Sami, a close friend and another convert, who had been arrested several months earlier.

The officer wanted to know how we met, and about our relationship. I told him that we used to study together. He asked if I knew where Sami was. I did not answer his questions directly, and he became very angry. He accused me of lying, and I insisted that I was not. He telephoned my parents and said to them things that I had not said, to get them to admit to these things, but they did not.⁷⁴ The officer said that he had evidence that I was a Christian, and that I had entered churches.

The soldier's father was summoned to the SSI office and warned that it was his responsibility that his son "behave well." The officer then told the young soldier that he would be "watched" for two years.

The soldier later learned that for the next six months, Military Intelligence submitted reports about his activities to SSI. Toward the end of this period, he was questioned by two officers from Military Intelligence, who threatened to remove him from the army if he did not talk. "They wanted a confession, because SSI could not get one," the soldier said. "They had my SSI file -- they asked the same questions that SSI had asked me." After the soldier completed his military service and began working at a private company, SSI put pressure on his employer: "They sent a plainclothes detective to tell the owner that an officer in SSI wanted me. The owner became afraid and I had to leave."⁷⁵

"The Prosecutor Dictated My Confession"

John,⁷⁶ a convert suspected of proselytizing who was tortured in SSI custody, described the behavior of a state security prosecutor, whom he named as Muhammed Andil, in Cairo when he was questioned in December 1990 and pressured to sign a fabricated confession.

They took me upstairs to the prosecutor, who immediately started to shout at me. I had no idea that I could have requested a lawyer. The prosecutor was trying to get a confession very fast. He slapped me across my face once. He was trying to frighten me. I just kept quiet. Then he dictated my confession. Someone sitting next to me was writing it down. He wrote a lot of pages. Then the prosecutor left the room and came back with another

⁷⁴The soldier's parents knew about his conversion to Christianity, which had taken place three years earlier.

⁷⁵HRW/ME interview, Cairo, February 1993. Name withheld on request.

It is not unusual for SSI to put pressure on employers by letting them know that one of their employees is being watched or is wanted by SSI. Because ordinary Egyptians fear SSI, this typically is all it takes for a targeted individual to be dismissed or to be asked to leave his job. Another Christian convert who ran afoul of SSI lost his job at a private company in 1991. "They put pressure on the owner and I was asked to leave," he said. "If I stay in Egypt, I will live under the control of SSI. They can prevent me from working in my field by going to the owners wherever I work and threatening them." (HRW/ME interview, Cairo, February 1993.)

Human Rights Watch has previously documented SSI pressure on the private employers of suspected Islamist activists. See Human Rights Watch, *Behind Closed Doors: Torture and Detention in Egypt* (hereinafter *Behind Closed Doors*), New York: July 1992, pp. 106-109.

⁷⁶Egyptian Muslims who convert to a Christian faith often adopt non-Arabic names.

prosecutor, Hisham Abdul Nabi. Abdul Nabi said that the papers were not useful. Then they wrote another confession. I did not know what they were writing.

John said that he was asked by the first prosecutor to sign the confession. Then:

Another prosecutor came in, who seemed more important, higher, than the first two. They seemed respectful to this guy. He asked me to sign the confession and told me that I was just a witness, that this is nothing, just routine, and that I would be released. I felt that everyone around me were just monsters. I was tired. I did not read the confession, it was over thirty pages. I just signed it.⁷⁷

"The Prosecutor Asked the Name of the Person Who Had Converted Me"

A Christian convert, twenty-three years old at the time of his interview, told of his arrest and detention in 1991 in a provincial city north of Cairo while he was on leave from army service. The prosecutor who questioned him, and the SSI officer who interrogated him, sought specific information about individuals and churches involved in converting Muslims to Christianity.

At about 4:00 one afternoon, about fifty plainclothes security men arrived at the soldier's home in three vans; a small car carried four uniformed officers. He was told that they wanted to talk to him for only ten minutes. He was brought to the local SSI office and held in a dungeon-like cell for about thirty minutes. "Then they opened the dungeon and said they were taking me to Cairo, where I would say everything." He was not blindfolded, and was taken by car first to SSI headquarters in Cairo and then to the office of the state security prosecutor. There, he was questioned for three hours:

The prosecutor wanted to know if I really had converted and asked the name of the person who had converted me, and named a name. They asked if I had been given money to convert, and wanted to know the relationship between me and the church. They asked about the books I read, and if I had been baptized.

The prosecutor found no basis for holding the soldier and said that he should be released. The officer who had accompanied him to the prosecutor said that he had to be returned to SSI headquarters. He was held in the basement for fifteen days, and was removed only to be photographed.⁷⁸ He was told by a high-ranking SSI officer, whom he named as Col. Hamed `Uqaily, that he would be released if he identified a specific individual. The officer named this individual as the person leading conversion activity in the soldier's city. The officer also sought a statement that a specific church, which he named, played a large role in conversion. "When I refused to do this, he hit me and threatened to put me in prison. He punched me in the jaw and gave me hard slaps to the head."

The soldier did not see the officer again until he came to inform him that he was being released. He was moved from Lazoughly to a central detention facility in Cairo, and then transported to the SSI office in his city, where he was released. He was told to return that evening to finish his paperwork. "I went that

⁷⁷HRW/ME interview, Cairo, February 1993.

⁷⁸The problem of incommunicado detention in Egypt is documented in *Behind Closed Doors*, pp. 43-68.

night and the officer was not there. When I returned the next day, the officer told me: "You saw what ten minutes are like. The next time, you will not see the sun."

The soldier encountered additional problems with his army unit after his release, because of his absence from duty. Although his lawyer was able to obtain a copy of the niyaba's release statement, this did not account for the fifteen days that the soldier had been held incommunicado at SSI headquarters. It was impossible for him to prove to his commanding officer that he had been detained in the custody of Egyptian authorities without a letter of explanation from SSI to present to the army. "I went back to SSI for a letter. I was seen by three officers. One of them held my hands behind my back while the other two hit and slapped me. They refused to give me a letter," the soldier said.⁷⁹

When he returned to civilian life after completing his military service, the soldier was harassed several times by SSI. "They summoned me once from work and once from my house. They wanted to know if I was still associating with Christian converts and asked me to inform them about one specific person's activities. This was in November 1991." Since this time, he said that he has not been harassed.⁸⁰

"Say That Ahmed Baptized You"

In a separate interview, Edward, another Christian convert in his twenties, provided similar testimony. In January 1991, he was taken from his home by a large force of about forty security men, about half of whom were armed. They had arrived in five vehicles. He recalled that two officers, a general and a colonel, were in charge of the operation. He was transported to the local SSI office and held for over two hours in solitary confinement. Then Edward was informed that he was being held as a witness in a case against Ahmed, another convert. He was moved to SSI headquarters in Cairo, where he was held overnight. The next day, he was brought to the prosecutor.

The prosecutor asked about books Ahmed had given me and churches he had taken me to. The prosecutor wanted to know if I knew a certain pastor, and if Ahmed talked to Muslims about Christ. I said that I knew nothing. The prosecutor told me that if I was a nice guy, they would release me. I asked for a lawyer and the prosecutor told me that I did not need a lawyer because I was a witness.

"Say that Ahmed baptized you," the prosecutor told me. I told him no. I told him that I went to churches on my own and that Ahmed never forced me to go. The prosecutor told the secretary to write that I said that Ahmed had done these things. I just kept quiet. All I would say was that I knew nothing. The secretary slapped me once on the face after I kept saying that I did not know.

Edward was returned to Lazoughly and, that night, was taken upstairs to an SSI colonel who instructed him

⁷⁹The inability of the soldier to provide documentation of his absence caused additional problems in the army, with Military Intelligence. He requested that Human Rights Watch/Middle East withhold from publication this portion of his testimony because he feared possible prosecution in the military justice system if he provided any information about the actions of the Military Intelligence unit with respect to his case.

⁸⁰HRW/ME interview, Cairo, February 1993. Name withheld on request.

to "tell everything, from the beginning."

I told him that I had said everything to the prosecutor. He said that he had the prosecutor's file, and asked again about the things Ahmed did. I told him nothing. Another officer in the room asked me my name. Then he slapped me, hard, sending me one meter across the room. The colonel then told me that the prosecutor ordered my release but that he would not release me. "Your file is in front of me -- if you do not say what we want about Ahmed, no one will see you."

After being left to sit alone in the office with a guard for three hours, Edward was brought downstairs. He was returned to the same office the next day, where the colonel told him that there were only two possibilities. "Either you say that Ahmed converted you and took you to church, or I'll send you to prison for the rest of your life," he said the officer told him. At that moment, the officer received a telephone call. "Yes, he's in front of me right now," he said into the telephone. "Yes, I'll let him go." To Edward's surprise, he was released.

Soon after, Edward was summoned again to the local SSI office in his city. There, an officer whom he had not previously met threatened that if he "moved among Christians" or went to church again, his sister would be dismissed from her job.⁸¹

"The Officers Wanted to Know Why I Believed in Christ"

Joseph, a convert who was baptized when he was fourteen years old, reported that he was subjected to harassment by local SSI officers every other day for the entire school year in 1986, when he was a high school student. He first was summoned by SSI after someone informed the security service that he was attending a church in the city where he lived. He was questioned by SSI officers about his religious beliefs, and threatened: "They wanted to know why I believed in Christ. They would discuss Islam. They threatened to beat me up, force me to leave school, send me to prison." Joseph said that he knew of three or four other young converts in his city who were similarly treated by SSI. At the end of the year, members of the Islamic Group repeatedly tried to assault Joseph on the street and threatened to kill him. He is convinced that SSI had passed on his name.⁸²

TORTURE

Some Christians suspected of involvement in peaceful expression of their religious beliefs to Muslims have been tortured while in custody.⁸³ Egyptian government officials have routinely dismissed

⁸¹HRW/ME interview, Cairo, February 1993.

⁸²HRW/ME interview, Cairo, February 1993.

⁸³Baha'a Fuaad Buktur Hanna, a Christian merchant from the Ain Shams section of Cairo, was tortured in May 1991 while in custody at a police station in Heliopolis. His interrogators also threatened to rape his wife, and to provide his name to extremist Islamic groups. The forty-year-old father of four was informally accused of converting Muslims to Christianity. His plainclothed interrogator sought a confession to this effect. The details of this case, including the results of forensic medical examinations of Buktur's injuries by physicians from the Ministry of Justice, were published in *Behind Closed Doors*, pp. 144-150.

reports of systematic torture of detainees held in SSI custody as unfounded, self-interested allegations by known or suspected Islamist extremists, in fact the overwhelming majority of torture victims in Egypt today. But Christians too have been tortured in SSI custody, and their testimony reveals the use of methods that consistently have been reported by Islamist detainees. The testimonies that follow indicate that torture has been used primarily during the interrogation of Christians suspects to elicit confessions and obtain information – the same purposes for which torture is applied to others in custody, including suspected Islamist militants.

"Who Told You to Print These Books?"

A Christian printer from Cairo, a deacon in his church, was repeatedly detained and tortured by SSI over the period from August 1990 to March 1992. His ordeal began when a dozen security men dressed in plainclothes arrived at his printing shop in a Cairo neighborhood in August 1990. "They showed no identification, but I assumed that they were from SSI," the printer said. They seized machinery and samples of books on religious subjects that the shop was in the process of printing.⁸⁴ The printer was taken into custody and brought to Tora Liman prison outside Cairo.

He said that he never asked why he was being detained because "there was no one to ask, only the guards." He was never shown a warrant for his arrest. The printer was held with forty-eight other men, in an extremely crowded cell that measured about three-by-five meters.⁸⁵ He languished in this cell for over one month, and was never shown a warrant for his arrest. In early October 1990, he was called by name and brought by three men in plainclothes from the prison to SSI headquarters in Cairo. He was not blindfolded, and was taken into the building by way of a side door. At a reception area manned by two officers, the printer's escorts handed over their guns. He then was led down two flights of stairs, and placed in a small room with twenty-two other men. Some of them told him that they had been held in this room for three days.

At 10:00 PM that night, the printer was blindfolded and taken up two flights of stairs. He was stripped of his clothes. "There were a number of people in the room with me, three, maybe more...I could hear voices coming from different corners," he said. His interrogators concentrated on three questions.

They asked me: "Who gave you the money to do the printing? Who told you to print these books and who was going to take them after they were printed? Who was going to distribute the books?" They were looking for names -- of bishops, other Christians -- to fabricate an organization.

When the printer did not provide names to the interrogators, he was beaten and subjected to electric shocks. He was also hanged by one arm from a high window, with a gas canister attached to his

⁸⁴The printer said that he had been hired to print about 1,000 copies of eight books, each one about 116 pages long, for a Coptic seminary. One of the volumes, a copy of which he showed to Human Rights Watch, was titled "The response of Priest Sergius [a popular political and religious figure who died in 1960] to what the two sheiks said about the incarnation of God and Christian theology." The printer claimed that this volume had been legally printed in Egypt in 1946.

⁸⁵This type of overcrowding in Tora Liman and other Egyptian prisons is documented in Human Rights Watch, *Prison Conditions in Egypt*, New York: February 1993, pp. 42-46.

foot to weigh it down, although his foot did not touch the floor. He was brought twice a day for interrogation and torture until November 26, 1990. Once, he said, his ear bled for three days as a consequence of the torture, but he was never seen by a doctor. "Sometimes I fell to the floor and was sick for two to three days. After that, they would start the process again.

"They asked the same questions every day. They would ask the questions, then change the subject, then ask the same questions but using a different approach," he said, adding that the interrogators had background information about his [two] children, and his church activities. The night before his release, an officer told him: "We can't get anything from you." The next day, he was set free.

The printer said that he had been devastated by the experience: "I stayed home, sick in bed. The telephone or doorbell ringing made me nervous. The door and windows had to be closed because the light bothered me." But his ordeal was not over. He was detained five more times, and tortured during three of these detentions. The first detention was on January 9, 1991, when "they came and took me back to Lazoughly [SSI headquarters in Cairo] for two days." He was blindfolded, taken to the same location up two flights of stairs, and asked the same questions. He was detained again in May or June 1991. He was unable to remember the other subsequent dates, but he was certain that the last detention was on March 21, 1992. He noted that after his first release he was followed by undercover agents. He left Egypt for the United States, where he now lives, in April 1992. Since this time, his wife, who remained behind in Cairo, has been harassed by SSI officers. The printer was reluctant to provide more details, but said that his wife had most recently been visited at home by SSI agents on November 15, 1992.⁸⁶

"Whom Did You Convert?"

Peter, a convert to Christianity, told of his arrest in 1990 in a provincial city, which was followed by torture during interrogation at an SSI office in metropolitan Cairo. "It was about 2:30 in the morning, and I was asleep in the house. About thirty soldiers came, commanded by SSI officer Omar Sharawi. They woke me up and told me to get dressed. They searched everywhere in the house. They searched calmly. They knew my family and they knew me," he said. Peter was brought to the local SSI office and questioned there until the morning by two SSI officers; one of them, Muhammed Abdul Wahab, he knew. "They used psychological pressure. They threatened to beat me and to electric-shock me. They used sexual threats," he stated.

Peter then was brought before the SSI officer who had commanded the arresting force. "I was with him until about noon. I was psychologically exhausted. He tried to force me to give him names of other converts in the city, and promised that if I did he would release me. He also wanted to know about the activities of a specific church in Cairo, and wanted information about its pastor," Peter said. When it became clear that Peter would not provide information, he was told that he was being taken to Cairo for questioning.

He was transported to the SSI office in Giza, in metropolitan Cairo, where he was held in a wooden shed used by the guards. "There were a lot of Islamic Group members and Palestinians there. I was told not to speak to them, and they were told not to ask me any questions." He was blindfolded and handcuffed behind his back, and instructed to sit. After fifteen minutes, he was moved to an upstairs room where he

⁸⁶HRW/ME interview, New York, January 1993. Name on file at Human Rights Watch/Middle East.

"felt that there were a lot of people inside."

They started to beat me with their hands. "Did you convert to Christianity, you son of a [expletive]?" they said. "Your [secret Christian] name is Peter. We know all about you. Your friends told us everything." I did not say anything, and they continued to beat me.

The interrogators then removed Peter's clothes, and asked for the names of the people in his city whom he had converted to Christianity.

They forced me to lie down, and for two hours they beat me with their hands and with sticks. They would make me stand, and I fell down many times. I almost fainted. They raised my legs and beat me with sticks on the soles of my feet. I was too tired to shout -- I had no voice. I *felt* that I was going to die, and they thought that I had died. All of a sudden, it stopped. It seemed as if someone had told them to stop. They left me alone for about thirty minutes.

Then an officer ordered someone to abuse me sexually. I waited to be raped. Every time someone came into the room, I was afraid that I was going to be raped. This was worse than the beating.

Peter was not raped, and after one hour he was interrogated by the officer who had ordered the rape:

He kept pushing me for names and other information. He wanted me to implicate others. He got angry, and started to curse me and beat me with his hand. I felt that I was dying. It had been twenty-four hours without any rest at this point.

Peter then was returned to the guards' shed, where the Palestinians and Islamic Group members cursed him after they were told that he had abandoned Islam and converted to Christianity.⁸⁷

"They Electric Shocked Me While I Was Totally Naked"

A college graduate who converted to Christianity told of his violent arrest in Cairo in September 1990 and his subsequent torture while in custody at SSI headquarters. He said that a large force commanded by officers from three branches of the security forces arrived at his apartment at 2:00 AM. When he opened the door, they rushed inside.

They asked my name and then began to beat me. They used sexual and religious curses. They spent ninety minutes in the house and totally ransacked it.⁸⁸ They removed all my

⁸⁷Subsequent details omitted to protect the identity of the victim. HRW/ME interview, Cairo, February 1993.

⁸⁸He provided photographs of the condition of the apartment following the search, taken after the force left. Photos on file at Human Rights Watch/Middle East.

books, all kinds of books, and took boxes of cassettes. There were three officers in charge – one from SSI, one from Central Security Forces, and the head of investigation from the local police station.

He first was brought to the local police station, where he was held for almost three days and given no food. From there, he was transferred to the Cairo headquarters of SSI, where he was photographed, beaten with strong slaps to the side of his neck, and placed in a small room occupied by about forty other detainees. Then he was blindfolded, put in an elevator, and taken upstairs, where he endured a regimen of torture for eleven days, while continuously blindfolded. "They boxed me on the side of my face and nose," he said, pointing to the small scars that were still evident on the bridge of his nose.

They electric-shocked me while I was totally naked. They put me on the floor, raised my legs, and beat me on the soles of my feet. I was forced to stand for five days – for two days, standing with my hands cuffed in front, and for three days with my hands tied above my head and my toes touching the floor, in front of a window while I was totally naked.

He said that three or four times a day, he had "conversations" with an interrogator:

He asked me questions about everything. There was only one interrogator but I sensed that there were others in the room. Seven times he asked for my life story. He wanted every detail from the day I was born.⁸⁹

High School Students Blindfolded, Hanged and Beaten

In December 1991, five Christian high school students were arrested in Assyut. Three of them were tortured while held in SSI custody, according to members of their church. The students – three boys and two girls – were arrested and accused of placing Christian religious literature in the bookbags of Muslim students.

"This was impossible because these students knew nothing of religion," one church member said. The two girls were sent home on the night of their arrest, but the boys – sixteen and seventeen years old – were held in the SSI office for two days and tortured to extract a confession. "They were blindfolded. Their feet were tied and they were hanged upside down. They were beaten with leather. Members of our church saw the boys," a senior parishioner said. He added that then governor of Assyut province and now Egypt's Interior Minister, Hassan el-Alfi, intervened after the students confessed. He met with them in his office and arranged for their transfer to another school.⁹⁰

INTERNATIONAL LEGAL STANDARDS

Egyptian security forces have routinely abused the rights of Egyptian Christians by interrogating and detaining them for peaceful and private religious expression and association. The right to freedom of

⁸⁹Subsequent details omitted to protect the victim's identity. HRW/ME interview, Cairo, February 1993. Name on file at Human Rights Watch/Middle East.

⁹⁰HRW/ME interviews, Assyut, February 1993.

thought, conscience and religion, set forth in Article 18(1) of the International Covenant on Civil and Political Rights (ICCPR), has been abridged each time that intelligence officers have questioned Christians about deeply-held personal religious beliefs. In addition, arrest and detention for peaceful religious expression and association violates the right to be free from arbitrary arrest and detention, guaranteed in Article 9(1) of the ICCPR.

The state may restrict the right to freedom of religion only if the observance of a religious practice or other form of religious expression constitutes a genuine threat to public safety and public order, and it may do so only to the extent necessary to prevent such a disturbance. The interrogation and detention of Egyptian Christians appears designed solely to harass them for peaceful expression and association with others, which most typically has occurred in private -- not public -- settings. Such measures are unwarranted under international law.

Disparaging remarks to converts about the Christian religion and accompanying threats by SSI officers during interrogation sessions violate Article 18(2), which specifies that no one "shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice."

The policy of harassment, interrogation and detention by security forces has also violated the right of Christians to associate freely with others, including persons of religions other than their own. This right is set forth in Article 22 of the ICCPR. The state may not restrict this right unless it is necessary to protect national security, public safety and public order. Peaceful freedom of expression and association by Egyptian Christians with Muslims -- in private and with the consent of the parties involved -- does not meet the test for restriction of these rights by the state.

The torture of Christians held in SSI custody is an egregious violation of both Egyptian law and international law.

RECOMMENDATIONS

Human Rights Watch/Middle East recommends to the Egyptian government that it:

- 1. Acknowledge the existence in Egypt of religious and other minorities.**
- 2. Resolve to protect the rights of persons in Egypt belonging to religious and other minorities.**
- 3. Encourage conditions for the promotion of the identity of these minorities, including the adoption of appropriate legislative and other measures.**
- 4. Appoint a special independent commission -- with adequate representation of all minorities in Egypt -- to examine the steps that need to be taken to bring Egyptian law and state policy into conformity with the standards set forth in the International Covenant on Civil and Political Rights and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities, and make specific recommendations to the president of the republic and the People's Assembly.**
- 5. Take the following steps to bring state policy and practice in conformity with international human rights standards and ensure respect for the rights of the Christian religious minority:**

- * **Afford full legal recognition of an individual's adoption of a religion of his or her choice, without distinction or discrimination. Similarly, allow parents full legal recognition of the religion of their children in conformity with the religious convictions of the parents.**
- * **Allow individuals of marriageable age to marry legally, without distinction as to their religion.**
- * **Abolish the 1856 Ottoman decree and related government directives with respect to the special regulation of church construction and repair.**
- * **Grant legal status to operating churches that were built without permission, in order to end the harassment and arbitrary closure of these institutions by security forces.**
- * **Formulate new legislation and related administrative rules with respect to the construction and repair of places of worship in Egypt, without discrimination based on religion. Enforce such legislation and rules vigorously, without discrimination.**
- * **Allow individuals of all religious faiths the freedom of peaceable expression and association with others, irrespective of religious differences, and end SSI harassment and interrogation of Egyptian Christians for the peaceable exercise of these rights.**
- * **End arbitrary arrest and detention of Egyptian Christians for peaceful exercise of freedom of expression and association.**
- * **End torture and mistreatment of all suspects held in SSI custody.**

* * *

This report was written by Virginia N. Sherry, associate director of Human Rights Watch/Middle East. It was edited by Cynthia Brown, program director of Human Rights Watch. Juan E. Mendez, general counsel of Human Rights Watch, and Abdullahi an-Na'im, director of Human Rights Watch/Africa, provided guidance on the international legal standards. Historical citations in the report were researched and written by Joel Campagna, a consultant to Human Rights Watch/Middle East.

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Human Rights Watch/Middle East (formerly Middle East Watch)

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