Australian Government

Refugee Review Tribunal

Country Advice

Egypt

Egypt – EGY37380 – Muslim converts to Christianity – Discrimination – State protection – Religious practice

10 September 2010

1. Are converts to Christianity discriminated against?

Egypt's constitution provides for freedom of belief and the practice of religious rites, but the government is reported to restrict the exercise of those rights. Under the constitution, Egypt's official state religion is Islam and the primary source of legislation is Shari'a (Islamic law). Religious practices that are in conflict with the Egyptian government's interpretation of Shari'a are prohibited.[1]

Conversion and proselytising are not prohibited under Egypt's constitution and penal code.[2] Egypt's government, however, reportedly does not recognise conversions to other religions by Muslim-born citizens.[3] The refusal of local officials to recognise such conversions legally is reported to constitute "a prohibition in practice."[4] While there is no Egyptian law against converting to Christianity from Islam, there is also no legal precedence for officially recognising those conversions. Under many interpretations of Islamic law, conversion from Islam to another religion is considered apostasy, but Egypt reportedly has not prosecuted ex-Muslims on grounds of apostasy.[5]

The government reportedly "continued to detain, harass, and deny civil documents, including national identity cards, birth certificates, and marriage licenses, to citizens who convert from Islam to Christianity", and some converts from Islam to Christianity were pressured by government authorities to revert to Islam.[6] Muslim-born citizens suspected of conversion to Christianity are reportedly also subject to regular and sometimes hostile surveillance by the government.[7]

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[1] US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Egypt*, March, Section 2(c) – Attachment 1

[2] United States Commission on International Religious Freedom 2010, 'Annual Report 2010', USCIRF website, May, p. 232 http://www.uscirf.gov/images/annual%20report%202010.pdf – Accessed 31 May 2010 – Attachment 2

[3] US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Egypt*, March, Section 2(c) – Attachment 1

[4] US Department of State 2009, *International Religious Freedom Report for 2009 – Egypt*, October, Section II – Attachment 3

[5] 'Egypt court rejects ex-Muslim convert's case' 2009, *Al Arabiya*, 13 June – Attachment 4

[6] US Department of State 2009, *International Religious Freedom Report for 2009 – Egypt*, October, Introduction & Section II – Attachment 3

[7] US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Egypt*, March, Section 2(c) – Attachment 1

Egyptian courts are reported to have refused to permit Muslims who have converted to Christianity to alter the religious affiliation on their identity cards.[8] In 2007, Mohamed Ahmed Hegazy, who had converted from Islam to Christianity in the 1990s, commenced a legal case against the Egyptian government after the civil status authority refused to change the religious affiliation on his official documents.[9] In January 2008, an Egyptian lower court ruled that Muslims were not permitted to convert from Islam based on the principles of Islamic law. Hegazy appealed the ruling.[10] In April 2010, his case was adjourned by the Administrative Court.[11] In July 2010, Hegazy's lawyer said that he would be filing an appeal with the Administrative Court demanding that the court apply the same legal grounds and standards for all converts after the court issued a verdict in favour of a female convert from Christianity to Islam being issued with an identity card which showed Islam as her religious affiliation. The lawyer said that the court did not use the same legal grounds for persons who converted from Islam to Christianity.[12]

Another case was filed in August 2008 by Maher El Gohary, a Muslim convert to Christianity, who sought government recognition of his conversion and the changing of his religious affiliation on his identity card. On 13 June 2009, the Seventh Circuit Court of Administrative Justice ruled against him. The verdict was appealed.[13] In November 2009, El Gohary filed a case against Egypt's Prime Minister and Minister of Interior after he and his daughter were banned from travelling abroad.[14] The case was postponed until November 2010 by the Administrative Court in June 2010.[15]

Several laws are reported to "negatively affect the personal status of Christians from Muslim background." Persons who convert while married to a Muslim in Egypt are reported to risk the annulment of their marriage and the loss of rights over their children.[16]

2. Would the Egyptian Government protect Sunni Muslim converts to Christianity?

Please see the information in Question 1 above on the Egyptian government's treatment of converts from Islam to Christianity. As previously mentioned, Egypt's government reportedly does not recognise conversions to other religions by Muslim-born citizens.[17] While there is no Egyptian law against converting to Christianity from Islam, there is also

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[8] United States Commission on International Religious Freedom 2010, 'Annual Report 2010', USCIRF website, May, p. 233 http://www.uscirf.gov/images/annual%20report%202010.pdf – Accessed 31 May 2010 – Attachment 2

[9] 'Case of convert to Christianity referred to Constitutional Court' 2010, *Daily News Egypt*, 28 April – Attachment 5

[10] United States Commission on International Religious Freedom 2010, 'Annual Report 2010', USCIRF website, May, p. 233 http://www.uscirf.gov/images/annual%20report%202010.pdf – Accessed 31 May 2010 – Attachment 2

[11] 'Case of convert to Christianity referred to Constitutional Court' 2010, *Daily News Egypt*, 28 April – Attachment 5

[12] 'Lawyer demands equality between all converts' 2010, *Daily News Egypt*, 18 July – Attachment 6

[13] US Department of State 2009, *International Religious Freedom Report for 2009 – Egypt*, October, Section II – Attachment 3

[14] 'Christian convert banned from travel after seeking religious asylum' 2009, *Daily News Egypt*, 10 November – Attachment 7

[15] 'Christian convert case postponed due to feud between his lawyers' 2010, *Daily News Egypt*, 30 June – Attachment 8

[16] Christian Solidarity Worldwide 2009, 'Egypt – Religious Freedom Profile', CSW website, September, p. 8 http://dynamic.csw.org.uk/article.asp?t=report&id=118 – Accessed 20 November 2009 – Attachment 9

[17] US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Egypt*, March, Section 2(c) – Attachment 1

no legal precedence for officially recognising those conversions. Egypt reportedly has not prosecuted ex-Muslims on grounds of apostasy.[18]

The chapter on Egypt in the US Commission on International Religious Freedom 2010 annual report indicates that:

> Known converts from Islam to Christianity generally receive scrutiny from the state security services; most conversions therefore are done privately. In some instances, converts, who fear government harassment if they officially register their change in religion from Islam to Christianity, reportedly have altered their own identification cards and other official documents to reflect their new religious affiliation. Some individuals have been arrested for falsifying identity documents following conversion. Other converts have fled the country for fear of government and societal repercussions.[19]

The US Department of State 2009 report on religious freedom in Egypt refers to occasional reports of police mistreatment of converts from Islam to Christianity.[20] Reports on the treatment of converts from Islam to Christianity by the Egyptian authorities include the following:

In April 2009, a lawyer for a 21 year old woman who had converted from Islam to Christianity and married her Coptic Christian husband when she was still a minor at 18, said she had fled her parents home with her husband after she had been forcibly returned to the custody of her parents by the police. The woman, who had been arrested the previous week, claimed she had been abused by state security when in custody.[21]

A female convert from Islam to Christianity who was arrested on 13 December 2008 and charged with carrying a false identification document, subsequently told U.S. officials that she had been raped multiple times and subjected to other physical and mental abuse by state security officials while in detention to pressure her to revert to Islam. She was granted bail and released on 22 January 2009 by a judge who reportedly told her that if the law permitted, he would have killed her. Upon release, she was reportedly thrown from a moving vehicle. The convert went into hiding. A male convert from Islam to Christianity also reported to U.S. officials that he had been detained on multiple occasions over several years by state security agents, and had been subjected to severe physical and mental abuse and pressured to revert to Islam. He showed officials scars he said had been inflicted by his interrogators in prior years. He also said that his wife had been beaten on the abdomen by state security officers while she was pregnant, causing haemorrhaging.[22]

On 12 October 2008, Coptic Christian priest Mita'us Wahba was sentenced to five years in prison with forced labor after officiating at a wedding between a Muslim convert to Christianity and a Copt. The Giza criminal court court found Father Wahba was criminally liable for accepting an allegedly false identification document presented by the convert. Father Wahba appealed the sentence. It has also been reported that Emad Adib

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[18] 'Egypt court rejects ex-Muslim convert's case' 2009, *Al Arabiya*, 13 June – Attacrhment 4

[19] United States Commission on International Religious Freedom 2010, 'Annual Report 2010', USCIRF website, May, p. 232 http://www.uscirf.gov/images/annual%20report%202010.pdf – Accessed 31 May 2010 – Attachment 2

[20] US Department of State 2009, *International Religious Freedom Report for 2009 – Egypt*, October, Section II – Attachment 3

[21] 'Convert flees with Christian husband' 2009, *Daily News Egypt*, 27 April – Attachment 10

[22] US Department of State 2009, *International Religious Freedom Report for 2009 – Egypt*, October, Section II – Attachment 3

Atiya Suleiman, who is a Christian married to a convert to Christianity, remained in administrative detention despite the Supreme State Security Emergency Court on 16 August 2008 revoking a 2007 detention order based on his relationship with a Muslim woman.[23]

Siham Ibrahim Muhammad Hassan al-Sharqawi, a Muslim convert to Christianity who had been in hiding since 2003, was detained by police on 22 November 2007, interrogated for four days and released. On 15 July 2007, Shaimaa Muhammad al-Sayed, a female convert from Islam to Christianity, was rescued by police after she was beaten in public. Police then arrested her after learning she was a convert to Christianity from her father, who was one of the assailants and had previously filed a missing persons report on her. She was held on charges of falsifying a government document after a counterfeit identity card listing her religion as Christianity was found in her possession. On 22 July 2007, she was released and her original and counterfeit identity cards were confiscated. Following her release, her father reportedly beat her in front of the police station.[24]

3. Would they be able to openly practise their new faith in Egypt?

While members of non-Muslim religious minorities which are officially recognised by the government in Egypt reportedly "generally worshipped without harassment",[25] there are reports of government authorities detaining and harassing some converts from Islam to Christianity and pressuring them to revert to Islam.[26] Generally, there is scrutiny of known converts from Islam to Christianity by the state security services, and most conversions are reportedly therefore done privately. There are reports of some converts altering their own official documents to show their new religious affiliation as they feared government harassment if they officially registered their change in religion. Some converts have been arrested over falsification of identity documents following conversion. Other converts are reported to have fled the country, fearing government and societal repercussions.[27]

The previously mentioned convert Mohamed Hegazy, who had brought legal proceedings seeking to change the religious affiliation on his identity card to reflect his conversion to Christianity, was reported in May 2010 to have been subjected to death threats and to be in hiding. Maher El-Gohary, who also brought a legal case, was also reported to be in hiding following threats from extremists.[28] Some of the extremists reportedly attempted to influence the outcome of El Gohary's case, demanding that a charge of apostasy be brought against him. According to media reports, in February 2009, a government official at a local registry office berated El Gohary, following which El Gohary was verbally

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[23] US Department of State 2009, *International Religious Freedom Report for 2009 – Egypt*, October, Section II – Attachment 3
[24] US Department of State 2009, *International Religious Freedom Report for 2009 – Egypt*, October, Section II – Attachment 3
[25] US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Egypt*, March, Section 2(c) – Attachment 1
[26] US Department of State 2009, *International Religious Freedom Report for 2009 – Egypt*, October, Introduction – Attachment 3
[27] United States Commission on International Religious Freedom 2010, 'Annual Report 2010', USCIRF website, May, p. 232 http://www.uscirf.gov/images/annual%20report%202010.pdf – Accessed 31 May 2010 – Attachment 2
[28] United States Commission on International Religious Freedom 2010, 'Annual Report 2010', USCIRF website, May, p. 233 http://www.uscirf.gov/images/annual%20report%202010.pdf – Accessed 31 May 2010 – Attachment 2

assaulted and shoved by some patrons, and struck with a broom.[29] In June 2009, he was reported to have claimed that his conversion had been the cause of harassment, vandalism and death threats he had received from strangers and family members alike.[30] In August 2009, Gohary indicated that it was conservative Muslims who worried him and he received police protection when attending court.[31]

The previously mentioned female convert from Islam to Christianity who was arrested on 13 December 2008 and charged with carrying a false identification document, was also reported to have gone into hiding after her release on bail.[32]

Attachments

1. US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Egypt*, March.

2. United States Commission on International Religious Freedom 2010, 'Annual Report 2010', USCIRF website, May http://www.uscirf.gov/images/annual%20report%202010.pdf – Accessed 31 May 2010.

3. US Department of State 2009, *International Religious Freedom Report for 2009 – Egypt*, October.

4. 'Egypt court rejects ex-Muslim convert's case' 2009, *Al Arabiya*, 13 June. (FACTIVA)

5. 'Case of convert to Christianity referred to Constitutional Court' 2010, *Daily News Egypt*, 28 April. (FACTIVA)

6. Lawyer demands equality between all converts' 2010, *Daily News Egypt*, 18 July. (FACTIVA)

7. 'Christian convert banned from travel after seeking religious asylum' 2009, *Daily News Egypt*, 10 November. (FACTIVA)

8. 'Christian convert case postponed due to feud between his lawyers' 2010, *Daily News Egypt*, 30 June. (FACTIVA)

9. Christian Solidarity Worldwide 2009, 'Egypt – Religious Freedom Profile', CSW website, September http://dynamic.csw.org.uk/article.asp?t=report&id=118 – Accessed 20 November 2009.

10. 'Convert flees with Christian husband' 2009, *Daily News Egypt*, 27 April. (FACTIVA)

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[29] US Department of State 2009, *International Religious Freedom Report for 2009 – Egypt*, October, Section II – Attachment 3
[30] 'Egypt court rejects ex-Muslim convert's case' 2009, *Al Arabiya*, 13 June – Attachment 4
[31] Fleishman, J. 2009, 'A Christian convert's life as a fugitive in Egypt; Muslims can't fathom, or accept, the decision of Maher El Gohary. And a court has refused to recognize it', *Los Angeles Times*, 23 August – Attachment 11
[32] US Department of State 2009, *International Religious Freedom Report for 2009 – Egypt*, October, Section II – Attachment 3

11. Fleishman, J. 2009, ‘A Christian convert’s life as a fugitive in Egypt; Muslims can’t fathom, or accept, the decision of Maher El Gohary. And a court has refused to recognize it’, *Los Angeles Times*, 23 August. (FACTIVA)