

INTERVENTION

Kholoud Hafez/ Andalus Institute for Tolerance and Anti-violence Studies
(AITAS)
EGYPT

Agenda Item #3 Protection of the existence of and prevention of violence against religious minorities

Thank you Madame chair.

My name is Kholoud Hafez. I represent Andalus Institute for Tolerance and Anti-violence Studies (AITAS) based in Cairo, Egypt.

It is the state's responsibility to provide for de facto and de juri protection for religious minorities and ensure that the latter enjoy their full citizenship rights.

We agree that " the provisions of the declaration should be translated by states into domestic legislation and dedicated attention to religious minorities should be reflected in the national institutional framework for the protection of human rights" as provided in draft recommendation no. 20.

The legislative framework in Egypt only acknowledges the existence of three "heavenly religions" restricting the freedom of worship to followers of Islam, Christianity and Judaism. The 2012 constitution, that is currently being amended, in article (2) stipulated that Principles of Islamic Sharia are the principal source of legislation, whilst the Canon principles of Christian and Jewish would guide on their personal status law and religious affairs according to article (3).¹ This leaves other religious minorities without protection of freedom of worship, for instance the Baha'i minority.

We acknowledge the efforts of the current Committee for Amending the 2012 Constitution to provide for absolute freedom of religion², however indications are not final and do not guarantee a criteria for regulating the practice of religion, given that arbitrary restrictions have been imposed on building and renovating churches. It is also unclear whether the provisions will protect religious sects such as Shi'a and others since they have been long discriminated against³.

A report we conducted with minority representatives in Egypt showed that people with religious minority backgrounds are not often engaged in the decision-making process; they have minimal representation in the parliament and ministries. They are not appointed for high profile posts in the state; vulnerable to discrimination and denied equal opportunity.

¹ Egyptian Constitution 2012, <http://www.sis.gov.eg/newvr/theconstitution.pdf>

² <http://english.ahram.org.eg/NewsContentPrint/1/0/84992/Egypt/0/Egypt-s-new-constitution-to-guarantee-absolute-reli.aspx>

³ Egypt's new constitution limits fundamental freedoms and ignores the rights of women (30 Nov 2012) Amnesty International, <http://www.amnesty.org/en/news/egypt-s-new-constitution-limits-fundamental-freedoms-and-ignores-rights-women-2012-11-30>

Sectarian violence has increased since the 70s, especially against Christians, where offenders are rarely held accountable and adequate investigations are not carried out. Churches, Jewish temples and tombs are frequently attacked. Also Hate speech is used against different religious minorities and such acts are not stopped or punished.

Based on the above we urge the Egyptian state to:

- Protect the existence of religious minorities in the constitution and ensure the latter enjoy full rights to practice their religion and belief.
- Review existing legislation to eliminate laws that discriminate against or incite hatred against religious minorities.
- Take measures necessary for the protection of religious minorities against discrimination and hold those who infringe on the right to religion and belief accountable.