

**Submission to the UN Special Rapporteur on Freedom of Religion or Belief**

**Report to the UN General Assembly on anti-Semitism**

**June 2019**

MRG would like to call the attention of the Special Rapporteur on Freedom of Religion or Belief to the rise of anti-Semitism in Egypt, that constitutes a barrier to access to justice for the Egyptian Jewish minority. Egyptian Jews were once a thriving minority. Before 1947, the Jewish community had reached around 80,000 people in a total population of 19 million. Anti-Semitic sentiment rose from the mid-1930s and continued with clashes in Israel/Palestine and the creation of the state of Israel. After 1956, about 36,000 were deported after being declared enemies of the state. A new nationality law, 391/1956 forbidding ‘Zionists’ from holding Egyptian nationality was widely interpreted to signify Jews in general, despite the official distinction. This led to the drop of numbers of Jews, and after 1967, there were only around 1,000 Jews remaining. This number steadily dwindled to 300 by 1970. Today, the Egyptian Jewish community reportedly numbers less than a dozen in Cairo and Alexandria<sup>1</sup>.

*Hate speech*

While the penal code protects against use of religion “To provoke sedition or contempt or blasphemy of one of the heavenly religions or sects belonging to it or damage national unity”, in reality this clause has been disproportionately used to protect Islam. Furthermore, this article, has failed to protect from hate-speech against members of religious communities. While article 53 of the 2014 constitution (amended in 2019) bans discrimination and incitement to hatred, providing that they should be “punishable by law”, no legislation has been introduced to define or criminalize hate-speech, including anti-Semitic hate-speech. The same article 53 of the constitution calls for the establishment of an independent commission for combatting discrimination, which has not yet been

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<sup>1</sup> For more background on the Jewish community in Egypt, see Minority Rights Group, “[Justice Denied, Promises Broken: The Situation of Egypt's Minorities Since 2014](https://minorityrights.org/wp-content/uploads/2019/01/MRG_Rep_Egypt_EN_Jan19.pdf)”, January 2019 (Section on *Egyptian Jews* pages 15-16), accessible at: [https://minorityrights.org/wp-content/uploads/2019/01/MRG\\_Rep\\_Egypt\\_EN\\_Jan19.pdf](https://minorityrights.org/wp-content/uploads/2019/01/MRG_Rep_Egypt_EN_Jan19.pdf)

established.

The most notable violation against the Jewish community is hate speech, which is widespread in Egyptian proverbs and jokes. Slanders are also not uncommon, with community members frequently conflated with Israel and Zionism, casting them as potential spies. Anti-Jewish polemic texts such as *The Protocols of the Elders of Zion* are widely found in bookstores and the Cairo International Book Fair.

Holocaust denial is not uncommon, a case in point is a Dr. Hoda Zakariya, a lecturer of political sociology who argued on Egyptian DMC TV channel on February 7, 2019 that the “holocaust is a rumor”. Furthermore, leaders of civil society organizations, such as Hany- al Sadek, who argued on a Facebook video in November 2016 that “Hitler was a great man” and that the Jews have smeared him because “he has exposed the truth about the Jews.” Religious discourse by some Ulema from Al-Azhar (or shaykh of al-Azhar), holding a position of prominence and authority for Sunni Muslims, has contained negative references to Jews. For example, Shaykh Abass Shuman the former deputy of Al- Azhar, has argued in December 2017 that the Quran deems the Jews and Zionists to be liars. This discourse puts the remaining Jews of Egypt in a precarious situation.

Activists that supported the rights of Egyptian Jews faced smear campaigns. Writer Fatma Na’oot faced a media smear campaign in 2018, after she argued in one of her articles published in *al- Masry al- Yaum*, on December 10, 2018 that Egyptian Jews were forcedly displaced in the 1950s and 1960s. A complaint was filed against her in the prosecutor’s office, that accused her of [smearing](#) Egypt’s image. Another complaint was [filed](#) against her in the Supreme Media Council.

### *Cultural and religious rights violations*

There have also been official restrictions on Jewish festivities in Egypt. In December 2014, the Alexandria Administrative Court banned the annual festival commemorating the 19th century Jewish Saint Rabbi Yaakov Abu Hatzeira. The reasoning of the court for this permanent ban was ‘its violation of public order and morality and its contradiction with the reverence and purity of religious rites’. The festival had attracted hundreds of Jewish pilgrims from across the world.

### *Threats to heritage preservation*

In its ruling, the court also used discriminatory language to delist the tomb of the Rabbi from the national monuments list, claiming that the Jewish community did not contribute to the development of Egyptian civilization and so had no place in the country’s cultural heritage. Article 50 of the 2014 Constitution reads that ‘Egypt’s civilization and cultural heritage, whether physical or moral, including all diversities and principal milestones – namely Ancient Egyptian, Coptic, and Islamic – is a national and human wealth. The state shall preserve and maintain this heritage as well as the

contemporary cultural wealth, whether architectural, literary or artistic, with all diversities. Aggression against any of the foregoing is a crime punished by Law. Thee state shall pay special attention to protecting components of cultural pluralism in Egypt.’ Hence, while the article mentions diversity as well as cultural pluralism as important principles, the court chose to interpret this article to exclude the country’s Jewish heritage, based on the argument that ‘Jewish civilization in general and the Jewish religion had no impact on the ancient Egyptian civilization nor the arts’.

This decision failed to take into account the long history of the Jewish community in Egypt and went against the spirit of the Constitution’s protections for diversity and cultural pluralism. It also did not take into consideration the registration of most Jewish antiquities by the Ministry of Antiquities and its role in the renovation of Jewish synagogues that fell into disuse.

Another area where the state has failed in its responsibility to protect the right to culture and the right to freedom of religion or belief is in the desecration of Jewish places of burial. The Jewish cemetery in Basateen, Cairo, is one of the oldest Jewish cemeteries in the world. In the past, it stood at 145 feddans (about 150 acres), though much of the land has been appropriated by slum dwellers and businesses. Today, only 27 feddans remain. The Ministry of Antiquities failed to register the entire cemetery as an antiquity and rebuild the fence around it, as had been promised. In July 2018, the head of the Egyptian Jewish community, Magda Haroun, reported that the Basateen Cemetery, including her father’s grave, had been vandalized. In 21 February 2019, the state responded to some requests of the Jewish community and a cleaning campaign was started by the Cairo governorate to remove piles of rubbish which surrounded and filled the cemetery.

#### *Difficulties accessing citizenship and other civil rights*

Jewish citizens of Egypt face various issues in securing their identity documents. Ms. Haroun, for example, has reported experiencing issues in renewing her identification documents and receiving her birth certificate. State employees have frequently asked about her religion and an official, apparently skeptical about her nationality, reportedly requested her address and other personal details for ‘security reasons’ before he would issue her with a copy of her birth certificate. As identification documents are important in order to gain access to a range of rights, including health and social insurance, it is essential that they are issued without any discrimination based on religion or other factors.

The case of Egypt’s Jewish community is a striking illustration of how a once thriving religious minority with thousands of years of history can effectively become almost extinct in a matter of a few decades as a result of discrimination and exclusion. This makes the protection and recognition of its surviving heritage and the rights of its remaining members all the more urgent.