

Egypt: EIPR demands reinvestigation into attacks on the Kafr al-Wasilin church in Atfih, re-opening of the church for worship, and the speedy legalization of all unlicensed churches

EIPR (01.02.2018) – <http://bit.ly/2EnAjqe> – The Egyptian Initiative for Personal Rights is deeply concerned about the judgment issued yesterday by the Atfih Misdemeanor Court in the Giza governorate in case no. 11359/2017 in connection with the attack on the Amir Tadros Church in the village of Kafr al-Wasilin in the Atfih district. The court gave 19 Muslim defendants a one-year suspended sentence and fined them LE500, while fining a Coptic citizen LE360,000. The EIPR said that the judgment is consistent with the way other state institutions handle such incidents. The state ceded to demands from some local residents to shut down the church following attacks on it, on the grounds that the church is unlicensed and thus in violation of the church construction law. At the same time, the former owner of the plot of land on which the church is erected was arrested, though he sold the land to the Atfih and al-Saff bishopric in 2014. He was referred to trial on charges of unlicensed construction, and a petition from the Atfih and al-Saff bishopric to join the case was denied, though it submitted proof of ownership and also documents showing that the church had submitted its papers with the ministerial committee tasked with settling the legal status of churches, formed pursuant to Law 80/2016 on the renovation and construction of churches and Prime Ministerial Decree 199/2017

forming the legalization committee.

The Amir Tadros Church in Kafr al-Wasilin was attacked on December 22, 2017 by hundreds of village Muslims after the Friday prayer amid a total absence of security. The assailants chanted religious and anti-Copt slogans and demanded the demolition of the church, saying the church was about to install a bell, which they opposed.

The Atfih prosecution referred 19 Muslims defendants, four of them fugitives, to trial on charges of assembly, exploiting religion with intent to provoke, shouting to foment sectarian strife entailing harm to national unity, premeditated property destruction, entering a property with intent to commit a crime, and assault of Eid Atiyya. Atiyya was also referred to trial on charges of unlicensed construction in violation of the law and operating a kindergarten before obtaining the necessary permits from the competent body. A Muslim juvenile was also referred to trial before the child court.

The EIPR notes that Law 80/2016 on the construction and renovation of churches and their annexes, issued on September 28, 2016, and Prime Ministerial Decree 199/2017 forming a committee to regularize the legal status of churches, issued on January 26, 2017, both bar the closure of unlicensed, operating churches regardless of whether they meet the conditions for legal status. The administrative body has not complied with this provision, shutting down the church on the grounds that it has no official permit, nor has the Atfih prosecution, which dropped the charge of attacking a religious facility against the defendants, thus demonstrating the failure of the church construction law to resolve the sectarian tensions and assaults associated with the

construction and renovation of churches and religious structures.

“The church in Kafr al-Wasilin was well known to the security bodies and local residents for years, and it had filed its papers with the committee settling the legal status of churches. The attacks began following a rumor that a bell was being installed,” said Ishak Ibrahim, an officer on freedom of religion and belief at the EIPR. “Despite all that, state bodies treated the building like an ordinary structure, not a church, for the purpose of permanently shuttering it. The problem with the Kafr al-Wasilin church is likely to be repeated under the current church construction law. The complexities of the law have foreclosed the old avenues by which obstacles were evaded, by praying in a home, for example, and then converting it into a church. It has also encouraged people to stir up problems in order to prevent Christians from worshipping and holding mass in unlicensed churches or homes.”

The EIPR calls for the reopening of the investigation into the attacks on the Amir Tadros Church as an attack on and destruction of a house of worship, while also allowing the church to reopen for worship services. The EIPR also calls for the swift licensing of all churches that have filed their papers with the legalization committee, regardless of whether they meet the conditions set forth in the law, as well as fundamental amendments to the new law regulating the construction of churches, to ensure full equality for Egyptians as they exercise their right to worship.

Background: the attack on the Amir Tadros church in Kafr al-Wasilin, Atfih district

On Friday, December 22, 2017, the Amir Tadros Church, located in the village of Kafr al-Wasilin in the Atfih district of the Giza governorate, was attacked and vandalized by hundreds of local Muslims after the Friday prayer. Most of the assailants had prayed at the Sheikh Abd al-Hamid Mosque, just a few meters from the church, in addition to other mosques around the village. Amid the complete absence of security, the assailants chanted religious and anti-Copt slogans, demanding the demolition of the church. Video footage online shows dozens of people in front of the church chanting, among other things, "Top to bottom and all around, we'll bring the church tumbling down." Other photos online show the magnitude of the damage to the church.

The Amir Tadros Church is situated on a 1,200-m² parcel of land that was owned by a Christian, Eid Ibrahim Atiyya. Since 2001 the building has been used as a church, with the oral consent of the security establishment and the knowledge of local Muslim residents. On March 17, 2014, Eid Atiyya sold the land on which the church sits to Father Zosima, the Atfih bishop, in a preliminary contract of sale. The existing building, which was made of mud brick, was demolished and rebuilt without a tower or any Christian religious markings on the exterior.

"After the attack, the Atfih and al-Saff bishopric issued a statement: "The Amir Tadros Church, located in the village of Kafr al-Wasilin in the Atfih district, was attacked by

hundreds of people, who assembled in front of the building after Friday prayer, chanting hostile slogans and calling for the demolition of the church. They then stormed the church and destroyed its contents after assaulting the Christians inside.”

The statement continued, “When the security forces arrived, they dispersed the assailants and secured the area, after which the injured were taken to the Atfih hospital. It should be noted that the place attacked has been the site of prayer services for some 15 years. After the issuance of the church construction law, the bishopric officially applied to have the church legalized.”

EIPR researchers obtained statements from several eyewitnesses, assault victims, and officials in the Atfih district.

Milad Eid,¹ the son of Eid Atiyya, said, “We’ve been praying in the church since 2001. The place was mud brick at first, with a wood and palm thatch roof, but in 2014 it was renovated. We made two stories to pray in every Saturday and offer services to people. Sometimes we’d organize medical caravans and offer tests and treatment for hepatitis C, for Muslims and Christians.”

“This was confirmed by Hani Samir,² a lawyer for the Atfih bishopric: “The building was sold by Eid Atiyya to the Atfih bishopric in a preliminary contract signed by both parties in 2014. The prosecution confirmed the validity of the signature and the contract. The church filed its papers with the

committee legalizing the status of existing unlicensed churches under the church construction law.”

The village was tense for several days in the run-up to the attacks and there were signs of impending violence, according to various sources that spoke to the EIPR. There was also a Facebook page in the name of village residents that contained several appeals for Muslim residents to demonstrate and attack and demolish the building, which was allegedly being converted into a church. According to the appeals, this was not allowed in the village.³

Ahmed, a teacher at the religious institute in the village, told EIPR, “There can’t be a church operating in our midst. I wish they’d try to do it in a fringe, far-off place—that’d be acceptable, but not in a residential area with a big mosque and Azhari institute. That wouldn’t be right for the people living there, for there to be a church in this urban area.”

Ahmed, who owns a plot of land adjacent to the back of the church, added, “I learned from locals that security agreed to let village residents demonstrate on Friday after the prayer. As far as I know, it was agreed and calls went out by Facebook and mobile phones to get everyone to the Friday prayer in the mosque and then go together to demonstrate in front of the build that’s being converted into a church.”

Seeing these appeals, the Atfih bishopric informed security leaders that it feared a possible attack on the Amir Tadros Church and the homes of Copts, particularly as the calls for attack and incitement increased. Father Morqos, the church

priest, then filed a police complaint saying he had received threats against the church. He confirmed that the building was the property of the Atfih bishopric and under its supervision. Several security officials visited and inspected the site to ascertain that no bell was being installed.

Father Zosima,⁴ the bishop of Atfih, said, "Security knew there were groups on Facebook calling for an attack on the church for some time. Security spoke with us, saying there was a rumor or some people had filed a complaint saying we were installing a bell on the church. We told security, is there even a bell tower for us to put a bell in? And if we installed a bell, who would it bother? But we didn't do it because the site can't accommodate a bell, and there's no truth at all to this rumor. Some people from the district and the city council came and looked around, and they found nothing."

A few hours before the attack, several police personnel were on guard shifts at the church, but they withdrew a few minutes before the end of the Friday prayer and were nowhere to be seen at the time of the attacks. Several Christians in the church and religious officials attempted several times to contact the chief of the Atfih station and security leaders, but to no avail.

Eid Abd al-Shahid⁵ said, "On Friday morning at 10 am, some people from State Security and the district, and from the village chief's guard, came to the church and wandered all around, but five minutes before the Friday prayer ended, they all left—this is all on camera—they just left the church. When security left, there were church officials with us who tried several times to call the police chief, to ask for assistance because people were assembling around the church, but no one

answered. People gathered around the church, then they stormed it and smashed everything inside.”

After smashing the surveillance cameras, dozens of people stormed the church building. They broke down the gate to the two-story church building then stormed the courtyards. They then entered the church, smashing the altar, religious items, and the wooden pews. Some projection screens were also stolen. Although security forces and an ambulance arrived a half hour after the attack began, they were not able to enter the church due to the crowd of local Muslims, who stood chanting and supporting those vandalizing the church inside. Abd al-Wahhab Khalil, the local MP who was in the village when the incident began, urged Copts to carrying the injured outside to the ambulance. Copts refused to do so, asking for security forces to intervene, which happened two hours after the attack began.

The attacks resulted in the injury of Eid Atiyya (the previous owner of the piece of land sold to the church), his son Nadi, and his cousin Saad Ibrahim, all of whom sustained bruises and abrasions.

Milad Eid, Eid Atiyya’s son, said, “People came and broke in on us. They hit my father and knocked him on his head and beat and pushed by uncle. Then they went into the two floors of the church and smashed everything there. We heard before this that people would gather and we filed police reports.”

According to statements from some local Muslims, some Muslims upbraided other Muslims living next to the church, mocking them for not doing anything when the church was built or it

began to be used for worship services for Christians. Several neighbors of the church participated in the attack after smashing the surveillance cameras.

Abd al-Wahhab Khalil, the MP with the Future of a Nation party, called for a customary reconciliation session the following day, on Saturday, December 23, in which Copts would withdraw their police reports. Father Zosima refused.

The Atfih prosecution heard the statements of the three injured parties. It released Nadi Eid and Samir Saad, but detained Eid Atiyya, the former owner of the land sold to the Atfih bishopric, for four days, on charges of converting his property into a church to host ritual practice without a license. Meanwhile, lawyers with the Atfih and al-Saff diocese submitted documents to the chief prosecutor proving the church's ownership of the house and showing it was purchased from its owner in 2014. They also submitted the church's application to the legal status committee as well as the contract of sale.

Father Zosima confirmed that the building is a church, owned by the bishopric, and that it had filed its papers with the committee examining the legal status of churches.

"We submitted the papers for the Amir Tadros Church for legalization with the legal status committee, based on the church construction law, because we've been praying in this place for 15 years and want to legalize it," he said. "The closest church is 2 kilometers away, and if people from Kafr al-Wasilin want to go pray there, they have to walk. It's a

ways, and there's no transit other than toktoks, which means they'll pay LE10 going and LE10 coming. In other words, it will cost LE20 to pray. That's a lot for residents of the village."

The prosecution referred 15 Muslims in custody and four Muslim fugitives to trial, as well as one Copt, Eid Atiyya Saad Ibrahim, the owner of the land sold to the Atfih and al-Saff.

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