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Notice: Undefined index: et_template in /home/hrwfe90/domains/hrwf.eu/public_html/wp-content/plugins/pdf-print/pdf-print.php on line 1216

EGYPT: A prestigious NGO defends the rights of 'unrecognized' religions

A prestigious Egyptian NGO defends the rights of 'unrecognized' religions

Identity papers, marriage and burial places: the absent fundamental rights of citizens of 'unrecognized' religions

Egyptian Initiative for Personal Rights (13.01.2022) – <https://bit.ly/348g0iW> – EIPR presented the government and parliament with executive and legislative proposals to

guarantee the basic rights of people of “unrecognized” religions and beliefs in Egypt.

Today, EIPR launched a policy paper entitled “Identity Papers, Marriage and Burial Places: The Absent Fundamental Rights of Citizens of Unrecognized Religions in Egypt” presenting the government, parliament and decision makers executive and legislative proposals that essentially seek to ensure fundamental rights of Egyptian citizens not affiliated to the three religions, Islam, Christianity and Judaism, namely the right to obtain an identity card without having to write incorrect data in the field of religion, the right to obtain marriage certificates, the right to litigation in personal status matters, and their right to their own burial grounds.

The executive proposals include a decision to be issued by the Minister of Interior to form a special committee in the Civil Status Department to be the authority to register the “dash” (-) for the religion of citizens who are not affiliated with the three religions, at their request and acknowledgment thereof, instead of being forced to register an incorrect religion in which they do not believe; and a decision by the Minister of Justice to appoint delegated notaries to document the marriages of citizens whose religion field contains a dash (-) in their papers instead of the state’s authorities so far refusing to document marriage certificates for them, and decisions issued by governors allocating lands for cemeteries (burial places) for citizens who do not belong to the three religions. In the forties and sixties, the Egyptian state allocated several cemeteries for them in the governorates of Cairo, Alexandria, Port Said and Sharqiya, and only one cemetery remains available from them in Cairo, and in December 27th 2021, The Alexandria Administrative Court ruled by refusing to oblige the Alexandria Governorate to allocate

lands to be used as cemeteries for people other than followers of the three recognized religions.

Legislative proposals include another alternative to allow marriage documentation for citizens who do not belong to the three religions, which requires an amendment to Article 5 of the Civil Status Law (Law No. 143 of 1994) that allows the notary to document the marriage of citizens registered in the religion field with a sign (-), to be accompanied with an amendment to instructions to the notary issued by a decision of the Minister of Justice.

Legislative proposals also include the amendment of Article 3 of the Personal Status Law (Law No. 1 of 2000) that allows the right to litigate in personal status affairs according to the regulations of religious sects, and it is not required that these sects have gained official recognition and have judicial bodies before 1955, as the article states. This amendment allows for a temporary partial reform of the policies of recognition of religious sects, separating the recognition that includes acknowledgment of the practice of religious rites and the establishment of places of worship – which requires broader reforms – and the need to acknowledge the existence of the religious sect and guarantee the basic rights of citizens belonging to it, including the right to register marriages and litigation in personal status matters.

Amr Ezzat, researcher and officer in charge of the freedom of religion, belief and religious policies in EIPR, who prepared the proposals, asserts, “These executive decisions and legislative amendments represent the minimum level to protect some basic rights and remove forms of blatant discrimination that violate the most basic concepts of citizenship and cause

great suffering and troubled legal conditions for citizens trying to obtain an identity card with correct data in the field of religion, obtain marriage certificates, or request the allocation of cemeteries to bury their dead. Therefore, these are urgent and necessary steps, while the broader reform must include constitutional amendments and deeper changes in the state's policies regarding religion, called for by EIPR in the recommendations of its reports, studies and detailed papers on the Legal status of Al-Azhar, Policies of managing mosques and Islamic religious affairs, Regulating the establishment of places of worship, Current status of the application of the law on building churches, Policies to confront sectarian conflicts, Problems of religious diversity and Freedom of expression in the field of religion".

These proposals come against the background of the demands made by citizens who are not affiliated with the three religions, in light of the escalating public debate since 2015 under the titles "Renewal of Religious Discourse," "Religious Reform" and "Religious Revolution," which occupies large areas in the media and is repeated in the speeches of official officials, from the President of the Republic to the officials of religious institutions, politicians, academics and opinion-holders, while practical procedures and policies are still absent.

In November 2018, President Abdel-Fattah El-Sisi, President of the Republic, said in his speech during one of the sessions of the "World Youth Forum" in Sharm El-Sheikh, what can be considered statements that indicate the need for the state to guarantee religious freedoms for all spectrums of religious diversity beyond the three religions: Islam, the state religion, Christianity and Judaism, whose denominations are officially recognized by the state. where he said:

“The Egyptian state did not think before about building places of worship for citizens other than mosques, but now the state is interested in building in every new society (..) churches for its citizens because they have the right to worship as everyone worships, and even if we had other religions in Egypt, we would have built them places of worship; if we have Jews, we will build places of worship for them; and if we have other religions as well.” He also said: “This is the right of a citizen to worship as he pleases, or not to worship at all by the way; this is a matter where we do not interfere.” He also said: “There is no discrimination between one religion and another, all are equal, and this is not just talk, but rather practices that must be implemented, and transformed into sustainable stable policies and work mechanisms.”

These statements were followed by reactions from citizens belonging to these religious diversities. Hatem Al-Hadi wrote on the Tahrir website an article entitled: “Yes, Mr. President, there are other religions in Egypt,” in which he said that he is a Baha’i Egyptian citizen who welcomes these statements and hopes that they will be translated into policies that guarantee religious freedom for all, and pointed out that there are “problems that impede the right of Baha’is to citizenship like other Egyptians, including those related to the personal status law, the failure to allocate lands for graves to bury their dead, and these needs are now urgent (..) before they hope to build their own places of worship as you have stated and as permitted for Baha’is in the 160 countries whose representatives came to the World Youth Forum.”

A number of citizens also signed a “statement from atheist, non-religious, agnostic Egyptians or citizens who prefer to

keep their beliefs private.” The statement says: “These statements are not reflected in any practices and policies undertaken by the state, and we await these practices and policies that emphasize freedom of belief and the right of every citizen to believe what he wants without suffering from discrimination, obstruction or deprivation of the right, and we as citizens and as atheist, religious or agnostic individuals ask for our most basic rights, which is that the state does not lie in the field of religion in our official papers, as they still contain the religions of our fathers if they are among the three religions only available for registration in the religion field (Muslim – Christian – Jew), and attempts to leave it blank or write (-) were rejected by the Civil Status Department in the Ministry of Interior.

EIPR affirms that the rights and freedoms that these proposals aim to guarantee are not linked to joining a religious sect awaiting “recognition” from state agencies, but most of them are personal rights closely related to the right to citizenship, which must be guaranteed to individuals, whatever their belief; and in this case state policies and its legislation should be guarantors of these basic rights, while they currently contain many obstacles to these rights; these proposals aim to remove these obstacles.

Further reading about FORB in Egypt on HRWF website

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