

EGYPT

The charge of blasphemy and contempt of religion has been used in Egypt to criminalize the freedom of thought: the right to have doubts about some religious teachings, to express them publicly and to share them with others.

From 2011 to 2013, courts convicted twenty-seven of forty-two defendants on charges of contempt for religion, according to the Egyptian Initiative for Personal Rights (EIPR). Judges acquitted three defendants and rejected charges against eleven others for lack of standing.

In March 2014, the Interior Ministry official in charge of security in Alexandria said he would form a task force to arrest atheists. In June 2014, following the election of President Abdel Fattah al-Sisi, Egypt's youth and religious endowments ministries announced a joint campaign to confront the spread of atheism.

On 10th December 2014, the Dar al-Ifta, a Justice Ministry wing that issues religious edicts, released a survey claiming that Egypt was home to 866 atheists, the highest number of any country in the Middle East. Two aides to the Grand Mufti – the head of the Dar al-Ifta – described the supposed increase in atheism as “a dangerous development” that “should ring alarm bells,” *Mada Masr* reported.

Coptic Orthodox

Kirollos Shawki ATALLAH

Age: 19 years

Date and place of arrest: At a café in the Beheira governorate in November 2014.

Charges: Posting photos on Facebook deemed defamatory to Islam.

First court decision: 17th June 2014

Last court decision: He was sentenced by a minor offenses court to three years in prison on 10th January 2015.

Bishoy Armia BOULOUS (Before his conversion: Mohammed Hegazy)

Age: 32 years

Date of arrest: On 2nd December 2013, in a café at the Agricultural Association in Minya.

Charges: Disturbing peace by broadcasting false information to “cause harm or damage to the public interest.”

Statement of the defendant: He was filming demonstrations against Christians.

First court decision: He was sentenced to five years in prison by Minya Criminal Court on 18th June 2014.

Last court decision: He was declared non-guilty by the appeals judge on 28th December 2015. However, he remained in prison for charges of blasphemy filed against him in 2009.

After Bishoy was sentenced to five years, it was later reduced to one year. After eight months in prison, he was ordered for release in July 2014, but in the early hours of his release he was taken to another prison on the outskirts of Cairo. He was brought before the prosecution who charged him with religious blasphemy for a case dating back to 2009. The court dismissed the five-year statute of limitations for this case and Bishoy was sent to Tora prison, where his temporary detention is renewed every forty-five days until his case is brought before the courts again. His last hearing was on 11th January 2016, and his lawyer Nayera El Sayed briefly saw him behind a heavily fortified glass cage. At this hearing his detention was renewed for forty-five days and he did not get a chance to speak with his lawyer.

Place of detention: Tora Prison in Cairo

Date of release: 23rd July 2016 after recanting his Christian faith and going back to Islam

Other information: In 2008, Mohammed Hegazy was the first Egyptian citizen to attempt a legal change of his religious identity from Muslim to Christian. In Egypt, government-issued identity cards include a required notation of the person's religion. Changing the notation to "Islam" is a simple administrative procedure; asking the government to approve a Muslim's request to change to a different religion is unprecedented.

In 2007 Hegazy took his request to court. He was targeted by furious Muslim clerics, lawyers and journalists, demanding his execution as an apostate from Islam. For months afterwards, his name hit the headlines repeatedly, and his court case filed with the Interior Ministry came under heated public debate on television. More details at: <http://bit.ly/1Ik2gvq> and <http://bit.ly/1PjyFDR>.

Source for updated information: <http://www.ibtimes.co.uk/egypt-fears-grow-christian-convert-held-captive-brutal-cairo-prison-his-religious-beliefs-1541454>

Makram DIAB

Age: 49 years

Date of arrest: February 2012

Charges: Insulting the Prophet and provoking students

Statement of the defendant: He told a Salafi Muslim that Muhammad had more than four wives, which resulted in an argument.

Article of the criminal code: Article 98 of the Egyptian Penal Code, which prescribes a sentence of six months to five years and a fine of 500 to 1,000 Egyptian pounds for anyone who uses religion to propagate "extremist ideas" to incite strife, insult a monotheistic religion, or damage national unity.

First court decision: Sentenced to six years in prison on 29th February 2012.

Last court decision: On 16th March and 4th April 2012, two appeals were rejected.

Place of detention: Assiut General Prison

Other information: The first trial lasted only ten minutes and no defense attorney was present. The first appeal process triggered a massive riot by Muslim attorneys. The judge doubled the sentence to appease an angry mob, 2,500 strong, which had surrounded the courtroom demanding Diab's death.

Bishoy Kameel GARAS

Age: Late twenties

Place of residence: Asyut (370km south of Cairo)

Date and place of arrest: Garas was jailed in September 2012.

Charges: Posting cartoons deemed defamatory to Islam and the Prophet Mohammed on Facebook as well as insulting President Mohamed Morsi and his family.

Statement of the defendant: That he was hacked out of malice by someone named Michael.

Article of the criminal code: Article 98 of the Egyptian Penal Code which prescribes a sentence of six months to five years and a fine of 500 to 1,000 Egyptian pounds for anyone who uses religion to propagate “extremist ideas” to incite strife, insult a monotheistic religion, or damage national unity.

First court decision: In July 2012, he was sentenced to six years in prison (three years for defaming Islam and the Prophet Mohammed, two years for insulting the president and one year for insulting Mohamed Safwat who made the allegations against him).

Last court decision: On 13th March 2016, the higher court declared Garas innocent. The court ruled that the defendant will have his three years in jail as credit to be debited in case he is sentenced for any future offenses.

Other information: Bishoy Kamel is a Christian school teacher. After the cartoons were posted on his Facebook he posted warnings that his page had been hacked and alerted the cyber police. Despite claims of a named hacker and cyber investigation reports attesting to his innocence, he was still sentenced and the hacking was not investigated.

Source: <https://www.worldwatchmonitor.org/2016/04/4386751/>

Gad Youssef YOUNAN

Age: 42 years

Date and place of arrest: 7th April 2015

Charges: Contempt of Islam

Statement of the defendant: The video was not intended to insult Islam but was rather a mocking of the infamous beheading videos carried out by Daesh (ISIS) militants.

Article of the criminal/civil/administrative code: Article 98 of the Egyptian Penal Code which prescribes a sentence of six months to five years and a fine of 500 to 1,000 Egyptian pounds for anyone who uses religion to propagate “extremist ideas” to incite strife, insult a monotheistic religion, or damage national unity.

First court decision: Three years in prison but he was freed on bail pending an appeal against his sentence.

Other information: Younan was charged of contempt of Islam after filming a video on his cell phone of four of his teenage students, Ashraf, Daoud, Hanna, and Youssef acting out a beheading. Those students were sentenced to a prison term but fled to Switzerland before being imprisoned. After his release on bail, Younan was forced to leave his village, with his family and three children. He is currently not working, and his school has refused to pay his salary.

Source: <http://m.state.gov/md256263.htm>

<http://www.middleeasteye.net/news/egyptian-mp-bids-rein-contempt-religion-cases-416431754>

Sunni Muslim

Islam AL-BEHAIRY

Date of arrest: April 2015

Charges: Blasphemy and “contempt of religion” by insulting Islam.

Statement of the defendant: He was not insulting Islam because he was not talking about Allah or the Koran. He was discussing religious opinions of some old preachers in the context of reforming the religious discourse.

First court decision: In May 2015, he was sentenced to five years in prison.

Second court decision: He was acquitted in June 2015 of the blasphemy charge.

Last court decision: On 29th December 2015, his sentence was reduced to one year in prison on appeal on the charge of “contempt of religion”.

Other information: Al-Behairy ran a TV programme "With Islam", in which he called for reforms in "traditional Islamic discourse", and tackled controversial issues such as punishments for apostasy, early marriage, and different interpretations of the Hadith, the sayings and teachings of Islam's Prophet Mohamed. The show was cancelled in April and up to 48 complaints were filed in relation to his views. Egypt's constitution outlaws insults against the three monotheist religions recognised by the state: Islam, Christianity and Judaism.

Fatima NAOOT

Age: 50 years

Date and place of arrest: Unknown

Charges: Insulting Islam and contempt of religion.

Statement of the defendant: Naoot said that on 15th October 2015 she had posted the messages on Facebook to congratulate Muslims for Eid al-Adha but ‘urged them to respect the offering and not humiliate it by flooding the ground with animal blood’. She denied that her aim was to insult Islam.

Article of the criminal code: Article 98 of the Egyptian Penal Code which prescribes a sentence of six months to five years and a fine of 500 to 1,000 Egyptian pounds for anyone

who uses religion to propagate “extremist ideas” to incite strife, insult a monotheistic religion, or damage national unity.

First court decision: On 26th January 2016, Naaot was sentenced to three years in prison, effective immediately as well as a fine of LE20,000 (over \$2550).

Other information: Naaot is a writer, poet and broadcaster. Naaot made a comment on her Facebook page on 15th October 2015 that said the tradition was the ‘greatest massacre committed by human beings’ and wrote ‘Happy massacre, everybody’. Naaot is a former parliamentary candidate. She intends to appeal the 26th January 2016 court decision although her sentence is already underway.

Sources: (1) <http://english.ahram.org.eg/NewsContent/1/64/185963/Egypt/Politics-/Egyptian-writer-Fatima-Naaot-sentenced-to--years-i.aspx>

(2) <http://www.ibtimes.co.uk/egyptian-writer-fatima-naoot-gets-3-year-sentence-insulting-islam-1540503>

(3) <http://www.france24.com/en/20141227-egyptian-columnist-be-tried-insulting-islam>

Shia Muslim

Amr ABDALLAH

Date and place of arrest: 14th November 2013

Charges: Blasphemy and defamation of the Prophet Muhammad’s companions.

Article of the criminal code: Article 98 of the Egyptian Penal Code which prescribes a sentence of six months to five years and a fine of 500 to 1,000 Egyptian pounds for anyone who uses religion to propagate “extremist ideas” to incite strife, insult a monotheistic religion, or damage national unity.

First court decision: He was sentenced to five years in prison by the Gamaliya Misdemeanor Court on 26th February 2014.

Other information: Amr Abdallah, was forcibly removed from al-Hussein Mosque in Cairo while trying to celebrate the Shiite holiday of Ashoura. The case was highly criticized by rights group.

Atheist

Karim Ashraf Mohamed AL-BANNA

Age: 21 years

Date and place of arrest: November 2014 at a cafe in Cairo

Charges: Insulting Islam

First court decision: He was sentenced to three years of prison. He was given bail and paid 1,000 Egyptian pounds to suspend the sentence until the verdict of the Appeal Court.

Other information: Al-Banna had announced over Facebook that he was atheist previous his arrest. The café where he was arrested has been closed by authorities.

Karam SABER

Charges: "Insulting the divine, writing short stories which call for atheism, defame divinity, incite strife and spill of blood."

Statement of the defendant: "[In the stories], I expose the fake religious discourse and detect the scale of contradictions in a patriarchal society that claims religiousness while it practices the opposite, especially in terms of oppressing women. I pose simple questions that seek God amid all this absurdity we are living in," Saber said.

Article of the criminal code: Article 98 of the Egyptian Penal Code which prescribes a sentence of six months to five years and a fine of 500 to 1,000 Egyptian pounds for anyone who uses religion to propagate "extremist ideas" to incite strife, insult a monotheistic religion, or damage national unity.

First court decision: Saber was sentenced to five years imprisonment and a fine of 1,000 Egyptian pounds (\$140) by a criminal court in Beba on May 7th 2013.

Last court decision: The court of appeals in Beba upheld the conviction and five-year sentence on 5th June 2014.

Other information:

Sources: <https://www.hrw.org/news/2014/06/04/egypt-repeal-laws-used-convict-author>
<http://www.cihrs.org/?p=6825&lang=en>