

Table of Contents

- ***A prestigious Egyptian NGO defends the rights of 'unrecognized' religions***
- ***Jehovah's Witnesses deregistered since 1960 defend their case at the UN Human Rights Committee***

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/348gOiW> - 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.

Jehovah’s Witnesses deregistered since 1960 defend their case at the UN Human Rights Committee

Text of their submission

HRWF/ AAJW & EAJW (12.01.2022) - On the occasion of the upcoming 134th session of the UN Human Rights Committee (28 February – 25 March 2022), the African Association of Jehovah’s Witnesses (AAJW) and the European Association of Jehovah’s Witnesses (EAJW) filed a joint submission about the situation of Jehovah’s Witnesses in Egypt.

I. INTRODUCTION

1. The Christian community of Jehovah’s Witnesses has been present in Egypt since 1912. They obtained official registration in 1951 but were arbitrarily deregistered in 1960.

2. The campaign of misrepresentation and false accusations that led to the banning of the Christian community of Jehovah's Witnesses in Egypt continues to keep these law-abiding citizens from enjoying the fundamental freedoms guaranteed in the Constitution of Egypt and in human rights instruments, including the Covenant, which was ratified by Egypt on 14 January 1982. Although more than 60 years have passed, officials continue to deny the Christian community of Jehovah's Witnesses the opportunity to meet with key authorities in order to resolve the situation.

II. Violations of the provisions of THE COVENANT

A. Loss of Religious Recognition and Denial of Re-registration (articles 18, 21, 22, 26 and 27)

3. In the 1930s, congregations of Jehovah's Witnesses were established in Alexandria and in Cairo. By the post-war years of 1945–1950, there were already a significant number of Jehovah's Witnesses in Egypt.
4. Well into the 1950s, Egyptian Jehovah's Witnesses enjoyed relative freedom of worship. On 3 November 1951, the Cairo Governorate granted recognition to a branch of the Watch Tower Bible and Tract Society of Pennsylvania (Watch Tower Society), a legal corporation of Jehovah's Witnesses. In 1956, the Governorate of Alexandria granted similar recognition to the local congregation of Jehovah's Witnesses.
5. In 1959, a campaign of false accusations labelling Jehovah's Witnesses as "Zionists" caused the police to order the Witnesses to cease holding their religious services.
6. On 20 June 1960, a decree of the Ministry of Social Affairs deregistered the local branch of the Watch Tower Society and effectively banned the activities of Jehovah's Witnesses in all Egypt. The pretext for the ban was an alleged failure to re-register according to Law 384 of 1956. All the property owned by Witness entities was confiscated. Efforts to re-register were rejected for "security reasons".
7. The campaign of anti-Witness articles in the Egyptian press increased, with articles becoming more numerous and increasingly defamatory. The inaccurate portrayal of Jehovah's Witnesses as Zionists caused them to be viewed as a security threat. The Boycott Office of the League of Arab Nations handed down a decree on 12 May 1964, stating that Arab nations would "ban absolutely all dealings with said society [Jehovah's Witnesses], along with all its branches and offices wherever these may be found, including the ensuing closure of its branches and offices in Arab States, and prohibiting the bringing in, and circulation/distribution of its publications and printed material".
8. For many decades Jehovah's Witnesses have been consistently taking a religious stance establishing that they are not Zionists. The organization of Jehovah's Witnesses is entirely religious and does not advocate any political arrangement, which would include Zionism. The political neutrality of Jehovah's Witnesses has been well documented, and in some lands the Witnesses have suffered severe persecution rather than compromise that neutrality. These views are reiterated

today at greater length on the Witnesses' official website and should ensure that there is no ambiguity about their position.^[1]

9. The Administration of Land Registration and Documentation of the Ministry of Justice in Egypt issued three directives (in 1985, 1993 and 1999) that prohibit its agencies from registering any property belonging to the Watch Tower Society or to other entities of Jehovah's Witnesses.
10. A 1985 decree of the Ministry of Justice (Administrative Law No. 9) prevents Jehovah's Witnesses from officially registering both property ownership and marriages. On 23 March 2019, the High Administrative Court of Egypt rejected an appeal (No. 10698) to reverse this decree. This court also refused to refer the case to the Supreme Constitutional Court of Egypt for judgment. The court claimed that the beliefs of Jehovah's Witnesses contradict public order and morals in the country of Egypt.
11. As a result, property cannot be bought or owned in the name of any organized group of Jehovah's Witnesses. As an organization, Jehovah's Witnesses cannot even obtain land to bury their dead but must use privately owned cemeteries.
12. The misunderstanding or misrepresentation that led to the ban in 1960 continues to keep honest, law-abiding citizens who are Jehovah's Witnesses from enjoying the fundamental freedoms guaranteed in their Constitution and in human rights instruments ratified by Egypt, including the Covenant. More than 60 years later, Jehovah's Witnesses have still not been permitted to clarify their position by meeting with the highest authorities in the country.
13. Currently, the National Security Agency (NS) unlawfully interrogates and verbally harasses Witnesses on a monthly basis, summoning them without official authorization on the pretext of protecting national interests.

B. Restrictions on Places of Worship and on Manifestation of Belief (articles 18, 21, 22, 26 and 27)

14. The NS continues to search for and threaten Jehovah's Witnesses who are foreign nationals, especially those believed to be "leading ministers" and those associating with Egyptian Witnesses. During interrogations, agents try to intimidate the Witnesses and often threaten them with arrest in order to obtain information both about fellow believers in Egypt and about how the Witnesses are organized. By way of example:
 - i. March 2020: NS agents forcefully entered the homes of at least two Egyptian Witnesses, without a warrant or consent, in order to interrogate them about a married Witness couple who were foreign nationals lawfully resident in Egypt. Because of the threat of arrest and deportation, the couple fled Egypt and returned to the United States.

^[1] "Are Jehovah's Witnesses Zionists?" Available at <https://www.jw.org/en/jehovahs-witnesses/faq/beliefs-about-zionism/>; Watch Tower Bible and Tract Society of Pennsylvania, "Does Bible Prophecy Point to the Modern State of Israel?" Available at <https://www.jw.org/en/library/magazines/wp20101101/bible-prophecy-modern-state-israel/>.

- ii. April/May 2020: NS agents interrogated two Sudanese Witnesses about their peaceful religious activities.
15. Owing to the now over 60-year ban, Jehovah's Witnesses cannot build or own places of worship. Consequently, they are obliged to hold their peaceful religious meetings discreetly, in private homes. Many Witnesses report continued surveillance of their telephone conversations, their homes and their meeting locations. Additionally, the Witnesses are not permitted to import their religious literature or to manifest their religious beliefs by peacefully sharing a Bible message with persons who wish to receive it.
 - i. On 29 February 2020, two female Jehovah's Witnesses spoke about their faith to a Christian woman at a food court in Cairo. After the conversation ended, a member of the mall staff and a security officer approached the woman and interrogated her about the conversation. The two Witnesses were able to leave the area before they could be questioned.
 - ii. On 28 March 2020, an NS agent visited a Witness family in central Cairo to interrogate them about meetings held in their home.
 - iii. In February 2020, an Egyptian Witness who owns an apartment arranged for it to be completely renovated so as to be suitable for religious meetings and rented it to fellow worshippers. Since Witnesses cannot obtain a zoning permit to use property for their religious meetings, the NS repeatedly attempted to obtain a copy of the rental contract in order to file charges against the Witnesses involved. Despite repeated telephone calls and threats, the Witnesses refused to give the NS a copy of the contract. NS agents then interrogated and harassed the Witness landlord and ordered that the apartment be emptied and closed immediately. Subsequently, Jehovah's Witnesses have not been able to use the property.
16. The above incidents have occurred since the European Parliament's adoption of the 24 October 2019 Resolution on Egypt, which "stresses the importance of guaranteeing the equality of all Egyptians, regardless of their faith or belief; calls for Egypt to review its blasphemy laws in order to ensure the protection of religious minorities ... calls on the Egyptian authorities, including the military and security forces, to respect the rights of Christians, protect them against violence and discrimination and ensure that those responsible for such acts are prosecuted." (P9_TA-PROV (2019)0043)
17. During 2021, owing to Covid-19 precautions, all of Jehovah's Witnesses religious meetings have been held via videoconference. The NS has strenuously investigated who holds licences for a proprietary videoconferencing system, how meeting details are distributed, who the hosts are, the names of the attendees, etc. Such details constituted part of the information sought during interrogations of Jehovah's Witnesses.

III. CONCLUSION AND RECOMMENDATIONS

18. Jehovah's Witnesses in Egypt and as a worldwide organization express concern for the government's refusal to recognize Jehovah's Witnesses as a Christian religion, its over 60-year denial of re-registration and its restrictions on places of worship

and manifestation of peaceful religious beliefs. They respectfully request the Government of Egypt to take the necessary steps to:

- (1) Ensure that Jehovah's Witnesses are able to register their local religious organizations.
 - (2) End the continuous and intrusive surveillance and interrogations of Jehovah's Witnesses.
 - (3) Allow Egyptian and foreign Jehovah's Witnesses to worship peacefully and to associate with one another.
 - (4) Cancel the directives of the Administration of Land Registration and Documentation of the Ministry of Justice in Egypt that prohibit its agencies from registering title to property belonging to legal entities of Jehovah's Witnesses.
 - (5) Abide by its commitment to uphold the fundamental freedoms guaranteed by the Covenant for all citizens, including Jehovah's Witnesses.
19. AAJW and EAJW will consider submitting an additional complementary submission with the CCPR after the list of issues has been adopted.

Photo : istockphoto.com
