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COUNTRY OF ORIGIN INFORMATION
BRIEF REPORT

EGYPT

Situation of Coptic Christians

Preface & Acknowledgments

The objective for this series of country of origin information (“COI”) reports is to provide asylum seekers, legal representatives and decision makers – including Immigration Officers, Adjudicators and Judges handling matters relating to persons seeking non-refoulment protection in Hong Kong – with robust research on up to date information concerning countries from which asylum seekers in Hong Kong come from. It is our hope that the COI reports will equip our readers with substantive and reliable insights to facilitate their accurate and fair decision-making.

Hong Kong Dignity Institute would like to acknowledge and thank Gibson, Dunn & Crutcher for their help in the compiling and producing this series of COI reports.



GIBSON DUNN

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Executive Summary

Coptic Christians have historically been marginalized and subjected to violence and discrimination in Muslim-majority Egypt. Egyptian law has historically, and to the present, imposed substantial roadblocks to establishing, constructing, re-constructing, and renovating churches, limiting Coptic Christians' freedom to practice their religion. Further, Coptic Christians are the primary target of blasphemy laws, restricting their freedom of speech and the practice of their religion, as well as giving grounds for their harassment by other locals. Egypt has also struggled with religious extremist violence and there have been attacks targeting Christians and their property, businesses and churches. In particular, there are also numerous reports on the harassment, assault, kidnapping and forced conversion of Coptic women. Both the European Court of Human Rights and the United Kingdom Upper Tribunal have recognized this unique discrimination, risk of violence, and lack of effective state protection that can permeate life for Copts in Egypt and serve as grounds for valid claims for asylum.¹

¹ This report is not, and does not purport to be, a detailed or comprehensive survey of all aspects of the issues addressed. It should thus be weighed against other country of origin information ("COI") available on the topic.

The report at hand does not include any policy recommendations. The information does not necessarily reflect the opinion of Hong Kong Dignity Institute.

Furthermore, this report is not conclusive as to the determination or merit of any particular claim to refugee status or asylum. Terminology used should not be regarded as indicative of a particular legal position.

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Introduction

This brief report aims at providing updated information about the situation of Coptic Christians in Egypt.

The report contains information about the laws that affect the situation of Coptic Christians. It also covers the authorities' treatment of Coptic Christians and Egyptian society's attitude towards the group.

The present report is based on information from written sources.

The research and editing of this report was finalized on April 10, 2024. The report can be accessed from the Hong Kong Dignity Institute website and is thus available to all stakeholders in the refugee status determination process as well as to the general public.

1. Treatment of Coptic Christians by Society

1.1. Overview

- 1.1.1. The term “Copt” derives from a term (*al-aqbat*) that denoted all Egyptians.² According to the Coptic Network’s ‘Encyclopedia Coptica,’ the modern use of the term ‘Copt’ describes Egyptian Christians generally.³ There are today at least thirteen Christian sects that are engaged in religious activity in Egypt: Orthodox Copts, Catholic Copts, Protestant Copts, Roman Catholics, Roman Orthodox, Armenian Catholic, Armenian Orthodox, Syrian Catholics, Syrian Orthodox, Latin Catholic, Maronite Catholic, Chaldean Catholic, and Anglican Protestants.⁴ While some publications use the term ‘Copt’ specifically in reference to the Orthodox Copts in light of their status as the oldest and largest Christian lineage in Egypt (see paragraph 1.1.2 below), the more common use of the term, and the use employed in this report, refers to all Egyptian Christians.
- 1.1.2. According to the United Nations Population Fund, the total population of Egypt in 2023 is estimated to be roughly 112,700,000.⁵ There is no official census available that provides a reliable figure for the total number of Copts in Egypt. Estimates vary widely, though in most literature on the subject, a rough estimate of 9-10% of the population is assumed.⁶ According to research published by the Pew Research Center and based on an Egyptian Demographic and Health survey, Copts may in fact represent closer to 5% of the total population, however a precise figure is difficult to ascertain with certainty given some respondents to surveys may be uncomfortable reporting their status as Copts in light of discrimination and violence against them.⁷ These estimates represent a range of roughly 6 to 12 million Copts in Egypt.
- 1.1.3. Copts on average have a higher educational attainment level than the Muslim population in Egypt. Copts have a stronger representation in white-collar jobs than do their Muslim compatriots, however a markedly lower representation in law enforcement and security agencies. This divide in educational attainment and professional status may be the long term result, at least in part, of significant educational reform efforts initiated by Patriarch Cyril IV (Pope of the of the Coptic

² Contemporary Arab Affairs Vol. 5 No. 4 October – December 2012, *Copts in Egypt and Their Demands: Between Inclusion and Exclusion*, p. 536, [url](#)

³ The Coptic Network Encyclopedia, *The Christian Coptic Orthodox Church of Egypt*, last updated January 2006, [url](#)

⁴ Contemporary Arab Affairs Vol. 5 No. 4 October – December 2012, *Copts in Egypt and Their Demands: Between Inclusion and Exclusion*, p. 536, [url](#)

⁵ United Nations Population Fund, World Population Dashboard, [url](#)

⁶ See, for example, The Century Foundation, *Excluded and Unequal: Copts on the Margins of the Egyptian Security State*, 9 May 2019, [url](#)

⁷ Pew Research Center, *How Many Christians are there in Egypt?*, last updated 16 February 2011, [url](#)

Orthodox Church) in the 19th century, which came decades earlier than mass educational movements applicable to Egyptians more generally.⁸

- 1.1.4. While Copts are broadly represented across professions in Egypt, there is widespread acknowledgment of discrimination against them in the security and public services spheres:

‘the religious revivalism that has gripped Egypt and the broader Arab world has seen the gradual Islamization of public space and political life, further marginalizing Copts from those spheres.’⁹

1.2. Discrimination and Violence

- 1.2.1. Despite Copts being recognized as Egyptian citizens at law, in reality, they are often subjected to discrimination due to their religious belief, and their legacy as second-class citizens remains today. For example, according to Patrick Alexander Younan, in his paper, *The Coptic Christians of Egypt: Dhimmitude and Discrimination*, inequalities exist in the Egyptian education systems:

‘Koran is taught in the public schools of Egypt, requiring Coptic children to memorize passages. No lessons are given on Christianity...Furthermore, Copts were kept out of medical schools under the reasoning that “some Islamists find treatment of Muslim women by Coptic doctors offensive.”’¹⁰

- 1.2.2. Copts report discrimination as among their largest concerns in life,¹¹ and there are frequent reports of everyday discrimination against Copts. According to Step Feed, in their article, *Interfaith Marriages in Egypt: an Unspoken Taboo*:

‘Usually kept out of the public eye, discrimination against Coptic Christians in Egypt happens on a regular basis. For example, if a manager of a company is a “religious” Muslim, he [will] play favorites and could easily fire a Coptic Christian for little no reason... This discrimination has left Egyptian society divided.’¹²

- 1.2.3. As noted in paragraph 2.3, enforcement of blasphemy laws is focused on criminalizing speech by non-Muslims, or primarily Copts, with respect to Islam. With the rise of blasphemy prosecution, Copts have adjusted to avoid suspicion and violence. According to the Tahrir Institute for Middle East Policy, in their article, *Majority Perceptions of Minor Feelings in Egypt*:

⁸ QScience Connect Vol. 2013 No. 1, *Characterizing the Copts in Egypt: Demographic, socioeconomic and health indicators*, [url](#)

⁹ See, for example, The Century Foundation, *Excluded and Unequal: Copts on the Margins of the Egyptian Security State*, 9 May 2019, [url](#)

¹⁰ Patrick Alexander Younan, *The Coptic Christians of Egypt: Dhimmitude and Discrimination*, 5 January 2014, [url](#)

¹¹ Sarah Mikhail, *Egypt Christians say intolerance grows, close ranks*, 7 October 2010, [url](#)

¹² Step Feed, *Interfaith marriages in Egypt: an unspoken taboo*, 22 August 2015, [url](#)

‘Regardless of minimal legal reforms or institutional changes, the (im)possibility of Coptic equality in Egypt lies in the practices of everyday Copts and their accommodation of injury inflicted upon them by remaining silent or eschewing conflict when anti-Christian rhetoric and conflict erupts in daily interaction.’¹³

- 1.2.4. Apart from ongoing discrimination, Copts have historically also been the target of violence. Much of the violence against Copts can be attributed to the religious tensions between Muslims and Christians, and anti-Christian sentiments in Egyptian society:

‘Since the 1970s, Egypt has seen the growth of Islamist movements, a process of insulation among Copts, and growing sectarian tensions breaking into spasms of violence against Coptic communities...

On May 26, 2017, 30 Egyptian Coptic Christians were killed on a bus headed for St. Samuel’s Monastery near Minya. This attack followed the Palm Sunday bombing of two Coptic Churches in Tanta and Alexandria. In less than six months, more than 110 Copts have been killed in attacks committed by Islamic State. After being targeted in their churches, in their homes, in marked places, and on buses, Egyptian Copts have fled North Sinai, and feel unsafe in other parts of the country.’¹⁴

- 1.2.5. Both the quotidian social forms of discrimination and outright violence against Copts are driven by the political as well as religious and cultural context of Egypt. According to the a report published by the Carnegie Endowment for International Peace, *Violence Against Copts in Egypt* (the “Carnegie Endowment Report”):

‘Anti-Coptic violence during the past forty years emerged from the intersection of religious discourse and authoritarian control. Sadat promoted Islam in public life and rebuilt the Nasserist police state as a means of shoring up his political position. Coptic complaints about Morsi, which grew during his twelve-month tenure, are rightly seen in this light: the rise of the Muslims Brotherhood and allied conservative Islamists exposed the Copts’ political predicament, a predicament that has been produced by the old regime. Thus, the end of Egypt’s first Islamist presidency does not presage a golden age for Muslim-Coptic relations, but merely a return to the subtler, pernicious problems of the Sadat-Mubarak era.’¹⁵

- 1.2.6. As mentioned above, Copts have been vulnerable to killings and church attacks. These attacks were accelerated after Pope Tawadros II of the Coptic Orthodox Church publicly supported then-President Sisi. This public show of support for then-President Sisi fueled political anger towards the Copts. According to the *New Arab*, in their article, *Are Copts at risk because of their Sisi support?*

¹³ The Tahrir Institute for Middle East Policy, *Majority Perceptions of Minor Feelings in Egypt*, 12 August 2022, [url](#)

¹⁴ Middle East Institute, *Egyptian Copts Under Attack: The Frailty of a National Unity Discourse*, 13 July 2017, [url](#)

¹⁵ Carnegie Endowment for International Peace, *Violence Against Copts in Egypt*, 14 November 2013, [url](#)

‘Since then, Egyptian Copts have been the targets of new forms of attacks, with some being killed in their own homes, and others in public places at broad daylight. A wave of killings in the town of Arish was followed by the release of a video by the Islamic State group's local branch.’¹⁶

- 1.2.7. In February 2017, hundreds of Copts were forced to flee the Sinai Peninsula due to threats of violence:

‘Hundreds of members of Egypt’s Coptic Christian minority have fled the Sinai Peninsula to Ismailia city, 115km northeast of the capital Cairo, following a series of killings by a local armed group. The assailants have shot and killed at least seven Christians in separate attacks in Sinai’s El Arish city in February.’¹⁷

- 1.2.8. In November 2018, an Islamic State affiliate attacked a bus carrying Coptic pilgrims. As reported by the Associated Press:

‘Islamic militants on Friday ambushed three buses carrying Christian pilgrims on their way to a remote desert monastery south of the Egyptian capital of Cairo, killing seven and wounding 19, according to the Coptic Orthodox Church and the Interior Ministry. All but one of those killed were members of the same family, according to a list of the victims’ names released by the church, which said among the dead were a boy and a girl, age 15 and 12 respectively.’¹⁸

- 1.2.9. Violence against Copts continues to the present. In December 2023, a new church and home of Copts in Al-Azeeb was attacked by Islamist extremists:

‘The site of a new church and homes of Christians in Upper Egypt were attacked before Christmas, in another outbreak of sectarian violence in the region, Christian Solidarity Worldwide (CSW) has reported...

The village is home to about 3000 Copts. The government had granted permission for the church to be built, and foundations of the building were being laid, when a group attacked the workers and fired Molotov cocktails, which set fire to homes.’¹⁹

- 1.2.10. Despite increasing violence against Copts, the Egyptian state has done little to address such discrimination and violence targeted at Copts. Much of the state’s efforts in supporting Copts are limited to the provision of food and shelter for victims following an attack. At times, the Egyptian state has even enabled such violence against Copts:

‘When Copts are physically attacked, the army and police frequently do not intervene to ensure public safety, enabling the spread of assaults. On occasion, such

¹⁶ New Arab, *Are Copts at risk because of their Sisi support?*, 14 March 2017, [url](#)

¹⁷ Al Jazeera, *Egypt’s Coptic Christians flee Sinai after killings*, 26 February 2017, [url](#)

¹⁸ Associated Press, *IS attack on Christian pilgrims in Egypt kills 7, wounds 19*, 3 November 2018, [url](#)

¹⁹ Church Times, *Copts attacked in Egypt, CSW reports*, 5 January 2024, [url](#)

as an incident at the Egyptian Radio and Television Union (Maspero) in October 2011, security personnel have even used lethal violence against unarmed Copts.’²⁰

1.2.11. Even where convictions result from fatal violence against Copts, the consequences may be minimal. As reported by the U.S. Department of State:

‘The Ministry of Interior pardoned five police officers convicted of torturing a Coptic man to death in 2016 after they had served one year of a three-year sentence.’²¹

1.2.12. Violence against Copts is reported to be particularly acute and frequent in the provinces of Upper Egypt. For example, in the province of Minya, the combination of a relatively high concentration of Islamists, high poverty rates, and low education rates can create greater risks for the Coptic population. As reported in the Australian Department of Foreign Affairs and Trade’s Thematic Report on Egypt:

‘In one particularly high profile incident in May 2016, an elderly Christian woman was stripped and assaulted by a 300-strong mob angered by rumours that her son was in a relationship with a divorced Muslim woman. In July 2016, eight men involved in the incident were released and ordered to pay a fine.’²²

1.3. Interfaith Relationships

1.3.1. The concept of ‘secular’ civil marriage does not exist in many Muslim-majority countries, including Egypt:

‘In Egypt, all marriages are conducted by religious authorities, and standard marriage procedures are both simultaneously “religious” and “civil”... Only interfaith marriages between a Muslim man and a non-Muslim woman is permitted by law; the opposite, a Muslim woman marrying a non-Muslim man, is prohibited. However, and in spite of its legality, the Egyptian state still attempts to limit interfaith marriages between Muslim men and Christian women.’²³

1.3.2. As a result, Coptic men are required to convert to Islam before marrying a Muslim woman under Egyptian law. Even though interfaith couples can choose to get married abroad in a civil marriage ceremony, the Egyptian state will not approve of the marriage and, as a result, will often refuse to register children of the interfaith couple as Egyptians:

‘When a Christian woman goes to a notary to register a marriage with a Muslim man, the officials tell her that she must have a letter of approval from the Church...

²⁰ Carnegie Endowment for International Peace, *Violence Against Copts in Egypt*, 14 November 2013, [url](#)

²¹ United States Department of State International Religious Freedom Report 2022 Egypt, 2022, [url](#)

²² Australian Government, Department of Foreign Affairs and Trade, DFAT Country Information Report Egypt, Section 3.24, 17 June 2019.

²³ Mariam El-Maghlawy, *Law, Love and Violence: Interfaith Romance in Modern Egypt*, September 2018, [url](#)

The Egyptian Church has consistently refused to approve marriages between different Christian sects, let alone different religions.’²⁴

- 1.3.3. Interfaith relationships have been a source of tension in Egypt. For the past decades, many incidents of sectarian violence have been triggered by rumors of interfaith sexual and romantic relationships between Muslims and Copts. On May 12, 2011, rumors of an interfaith marriage between a Christian and a Muslim sparked riots in Egypt, leading to 13 deaths and hundreds of injured.²⁵
- 1.3.4. A similar instance of inter-religious violence broke out on May 20, 2016 following rumors of an interfaith relationship:

‘Inter-religious violence erupted in Minya province after rumours of a love affair between a Christian man and a Muslim woman... The [Coptic Orthodox] Church said that after the Christian man had fled the village, his mother was beaten, insulted, stripped of her clothes and paraded through the streets by a group of people. Egyptian media said there were up to 300 people involved. Muslims torched six or seven Christian homes in the village on the same day. Later, Christians burned down three Muslim homes. Six people were arrested.’²⁶

1.4. Harassment and Status of Coptic Women

- 1.4.1. For Coptic women who suffer abuse in their marriage, family law provides no mechanism to seek divorce:

‘Christian women married to Christian men are only able to access divorce if their husband converts to another religion or is unfaithful, which results in many women being unable to leave abusive relationships.’²⁷

- 1.4.2. As with Muslim women in Egypt, Coptic women are also very frequently subject to genital mutilation/cutting:

‘Female genital mutilation/cutting (FGM/C) is a strongly held traditional practice in Egypt. It is widely practiced in both Muslim and Christian communities, and strong social pressure is placed on young women and girls to undergo the procedure in order to get married... A comprehensive 2013 study by the United Nations International Children’s Emergency Fund (UNICEF) found that over 90 per cent of Egyptian women had been subjected to FGM/C, which had been conducted by a medical professional in around three-quarters of cases.’²⁸

²⁴ BBC, *Egypt: The forbidden love of interfaith romances*, 24 November 2014, [url](#)

²⁵ Christian Science Monitor, *Egypt’s deadly rumors of interfaith marriage*, 12 May 2011, [url](#)

²⁶ BBC News, *Egypt affair rumours spark inter-religious violence*, 26 May 2016, [url](#)

²⁷ Australian Government, Department of Foreign Affairs and Trade, DFAT Country Information Report Egypt, Section 3.77, 17 June 2019.

²⁸ Australian Government, Department of Foreign Affairs and Trade, DFAT Country Information Report Egypt,

1.4.3. Coptic women are often subjected to gendered harassment because of their faith:

‘On May 2016, a video of a Muslim mob stripping and parading naked, Soad Thabet, an elderly 70-year old Coptic woman on the streets of al-Karam village in Minya province circulated social media platforms. The hashtag “Egypt stripped naked” even trended on Twitter following the incident.’²⁹

1.4.4. Another example of this gendered violence against a Coptic woman was reported in April of 2022 when a Coptic woman was assaulted by a Muslim man due to her religion:

‘On April 27, [2022], as Muslims were celebrating the month of Ramadan, the 30-year-old Coptic Christian mother was confronted by Muslim pharmacist Ali Abu Sa’da, who shouted at her for daring to leave her home during Ramadan wearing a short-sleeved T-shirt. When Mrs. Sobhy told him it was none of his business the pharmacist slapped her in the face hard, twice. Mrs. Sobhy claimed that the pharmacist knew she was a Christian...

While Mrs. Sobhy appealed to the National Council for Women, the Minister of the interior, and even the Egyptian President to intervene to protect her and other women from such extremist behavior, the matter ended with pressure for her and her family to reconcile with the perpetrator in a customary reconciliation session, which generally results in impunity for the aggressor.’³⁰

1.4.5. According to a report by Coptic Solidarity, there is a widespread practice of abduction and trafficking of Coptic women and girls in Egypt. It is estimated that there were around 500 cases of abduction in the last decade where elements of coercion were used, which amounted to trafficking. These kidnappings occur against the backdrop of a Coptic minority that is already marginalized in Egypt:

‘According to a priest in the Minya Governorate, at least 15 girls go missing every year in his area alone. His own daughter was nearly kidnapped had he not been able to intervene in time... Women who disappear and are never recovered must live an unimaginable nightmare. The large majority of these women are never reunited with their families or friends because police response in Egypt is dismissive and corrupt. There are countless families who report that police have either been complicit in the kidnapping or at the very least bribed into silence.’³¹

1.4.6. The report further noted:

Section 3.79, 17 June 2019.

²⁹ Mariam El-Maghlawy, *Law, Love and Violence: Interfaith Romance in Modern Egypt*, September 2018, [url](#)

³⁰ Aid to the Church in Need, *Assault on Coptic Christian woman in Egypt goes unpunished* (8 August 2022), [url](#)

³¹ ‘Coptic Solidarity, ‘*Jihad of the womb*’: *Trafficking of Coptic women & girls in Egypt*, 10 September 2020, [url](#)

‘The capture and disappearance of Coptic women and minor girls is a bane of the Coptic community in Egypt, yet little has been done to address this scourge by the Egyptian or foreign governments, NGOs, or international bodies.

According to a former Egyptian trafficker, “one of the strategies they used to gain the girls’ trust was for the kidnapper, a Muslim man, to tell the Christian girl he loved her and wanted to convert to Christianity for her. He explained that “They start a romantic relationship until, one day, they decide to ‘escape’ together. What the girls don’t know is that they are actually being kidnapped. Most of the time they will not marry their kidnapper, but someone else.”³²

- 1.4.7. According to Coptic Solidarity, there are organized networks related to Salafist groups in Egypt which actively abduct Coptic women and girls in Egypt, such abduction cases are not at an all-time high:

‘These networks are often supported by like-minded members (including high-ranking officials) of the police, national security and local administrations. Their roles include refusal to lodge official complaints by the victims’ families, falsifying police investigations, organizing the formal sessions of conversion to Islam at Al-Azhar, or harassing families into silence and acceptance of the de facto trafficking of their loved ones.’³³

- 1.4.8. The United States Department of State summarized reports of abductions:

‘On more than 10 occasions during [2022], Coptic families announced the disappearance of female relatives, several of whom were minors. In some cases, families said the disappearances were related to abductions or forced conversions to Islam.’³⁴

- 1.4.9. The Immigration and Refugee Board of Canada, citing various sources, reported that:

‘...550 Coptic girls have been kidnapped, forced to convert to Islam, and forced to marry their captors. The same source [of the foregoing report] indicates that 40 percent of the girls were raped prior to the conversions and marriages.’³⁵

³² Coptic Solidarity, ‘*Jihad of the womb*’: *Trafficking of Coptic women & girls in Egypt*, 10 September 2020, [url](#)

³³ Coptic Solidarity, ‘*Jihad of the womb*’: *Trafficking of Coptic women & girls in Egypt*, 10 September 2020, [url](#)

³⁴ United States Department of State International Religious Freedom Report 2022 Egypt, 2022, [url](#)

³⁵ Immigration and Refugee Board of Canada, Egypt: Situation of Coptic Christians, including treatment; state protection, 8 May 2015, [url](#)

2. Legislation on Coptic Christians

2.1. Church Construction and Renovation

- 2.1.1. Copts have faced significant hurdles and often practical impossibility in legally establishing, constructing, re-constructing, and renovating churches from the beginning of the modern Egyptian state. According to the Carnegie Endowment Report:

‘In 1934 Deputy Interior Minister El-Ezaby Pasha laid out a list of ten questions that became a loose set of guidelines for when Christians could receive a permit [from the head of state] to build churches... The questions implied, among other issues, that new churches should be a reasonable distance from existing mosques, they should enjoy the consent of the neighboring Muslim population, and they should not be too close to any existing churches.’³⁶

- 2.1.2. This situation remained largely unchanged following the 1952 revolution, as explained in the report:

‘After the July 23 Revolution of 1952, the president of Egypt became the authorizing figure for church construction, renovations, and repairs. However, even as Copts periodically enjoyed favorable attention from the president, the El-Ezaby “conditions” had the pernicious effect of shifting authority back to the local level and even to Muslims in the vicinity of potential construction sites...in practice Copts struggled to obtain the necessary permits to erect new churches or even maintain existing ones. Meanwhile, legal and illicit mosque construction was pervasive.’³⁷

- 2.1.3. This issue was addressed in Article 235 of the new constitution of Egypt adopted in 2014 (the “2014 Constitution”), which provided that within its next legislative session, the legislative body would pass a law to regulate constructing and renovating churches in a manner that guarantees the freedom to practice religious rituals for Copts.

See Annex 1 for a full extract of the English translation of Article 235 of the 2014 Constitution.

- 2.1.4. The law eventually adopted in response to Article 235 delegated authority to approve church construction to local provincial governors. However, it also stipulated that such provincial governors should take into account “the preservation of security and public order” in their approval process, which, it was argued, left sufficient room for permits to be denied on the basis that local Muslim populations

³⁶ Carnegie Endowment for International Peace, *Violence Against Copts in Egypt*, 14 November 2013, [url](#)

³⁷ Carnegie Endowment for International Peace, *Violence Against Copts in Egypt*, 14 November 2013, [url](#)

would be angered by Coptic church presence, according to an article published by the Associated Press:

‘The law “empowers the majority to decide whether the minority has the right to hold their religious practices,” said Ishaq Ibrahim, a top researcher in the Egyptian Initiative for Personal Rights...

Christian activist and researcher Nader Shukry said the security and order provisions connected to the law still mean authorities can still use threats of mob violence as an excuse to ban church construction.’³⁸

2.1.5. In addition to the public order requirements, additional room for arbitrary refusals under the new law can be seen in the requirement that the size of a church be ‘commensurate with’ the number of Christians in the relevant area – given there are no official statistics maintained in Egypt on religious demographics, local governors would assess this requirement without any official assessment available.³⁹

2.1.6. Nonetheless, the number of churches remains quite small, particularly relative to the number of mosques, with only 2,800 registered churches and nearly 110,000 mosques.⁴⁰

2.1.7. As explained by the Tahrir Institute for Middle East Policy, in their report, *The Reality of Church Construction in Egypt*, the issue of church construction is in many places in Egypt pressing:

‘There are many rural villages—hundreds, by some estimates—with no church at all, especially in Upper Egypt, south of Cairo. In an interview, Bishop Macarios of Minya and Abu Qarqas, said that his diocese had about 150 villages and neighborhoods in need of a church or other religious building. Copts may need to travel to a nearby village with a church—though that church may not be large enough to hold them, and there have been instances in which Muslim villagers do not allow Christians from outside the town to attend religious services there.’⁴¹

2.1.8. Reportedly, approval for new churches, or for registering unofficial churches, remains more difficult in areas where there is stronger local Muslim opposition to Christian presence:

‘Local sources report that authorities had refused to grant permits in sensitive areas (including the Upper Egypt cities of Minya, Luxor and Esna) due to strong

³⁸ Associated Press, *Egypt’s new law on churches angers Christian critics*, 31 August 2016, [url](#)

³⁹ Australian Government, Department of Foreign Affairs and Trade, DFAT Country Information Report Egypt, Section 3.18, 17 June 2019.

⁴⁰ Australian Government, Department of Foreign Affairs and Trade, DFAT Country Information Report Egypt, Section 3.17, 17 June 2019.

⁴¹ The Tahrir Institute for Middle East Policy, *The Reality of Church Construction in Egypt*, 27 June 2019, [url](#)

opposition from local Muslims, and had closed up to 12 churches in these cities in defiance of the new law.’⁴²

2.2. Other Key Constitutional Issues

2.2.1. The 2014 Constitution enshrines freedom of belief for Copts:

‘Egypt’s 2014 Constitution states that freedom of belief is absolute. Article 64 sets forth the right to practice religious rituals and establish places of worship for followers of the “revealed religions,” considered to be Islam, Christianity, and Judaism.’⁴³

See Annex 1 for a full extract of the English translation of Article 64 of the 2014 Constitution.

2.2.2. Discrimination is also prohibited under the 2014 Constitution and other legislation:

‘Article 9 of Egypt’s Constitution “ensures equal opportunity for all citizens without discrimination.” Article 53 establishes the equality of citizens before the law; protects them from discrimination, including on the basis of religion and belief; states that discrimination and incitement to hate are crimes punishable by law; and commits the state to “take all necessary measures to eliminate all forms of discrimination.” Article 161(bis) of the Penal Code sets forth a punishment of jail time and/or a fine of between LE 30,000 and 50,000 for whoever takes an action or refrains from taking an action with the intent to discriminate between individuals or a group of people on a number of bases, including religion and creed. The punishment is heightened when the perpetrator is a public official or public servant.’⁴⁴

See Annex 1 for a full extract of the English translation of Articles 9 and 53 of the 2014 Constitution.

2.2.3. Though these provisions are generally viewed as positive steps for Copts, issues persist:

‘Despite clear and welcome provisions setting forth the principles of equality and non-discrimination in multiple places in the Egyptian legal framework, there continues to be discrimination against recognized and unrecognized religious minorities on both the individual and systematic levels, involving the issues described above and others. An anti-discrimination commission, called for by

⁴² Australian Government, Department of Foreign Affairs and Trade, DFAT Country Information Report Egypt, Section 3.19, 17 June 2019.

⁴³ The Tahrir Institute for Middle East Policy, *Egypt’s Religious Minorities: The Legal Framework*, 6 January 2022, [url](#)

⁴⁴ The Tahrir Institute for Middle East Policy, *Egypt’s Religious Minorities: The Legal Framework*, 6 January 2022, [url](#)

Article 53 of the Constitution, remains unformed. Incidents of discrimination and hate speech directed at religious minorities, including in the media, are rarely prosecuted despite protections to the contrary.⁴⁵

2.2.4. According to the Carnegie Endowment Report:

‘The Egyptian Orthodox Christian community...has been the target of violence and discrimination since the 1970s and especially following the revolution that overthrew Hosni Mubarak. The Egyptian state has done little to remedy the situation and has at times enabled the conflict between Muslims and Christians.’⁴⁶

2.3. Blasphemy Laws

2.3.1. According to the Tahrir Institute for Middle East Policy, in their report, Egypt’s Religious Minorities: The Legal Framework:

‘The Egyptian Penal Code criminalizes contempt of religion in three primary provisions. Article 160 criminalizes those who perturb or obstruct the holding of religious rituals; destroy, desecrate, or deface buildings established for religious rites; and violate or desecrate graves and cemeteries. Article 161, criminalizes printing a holy text in a way that perverts its meaning; and imitating a religious ritual for the purposes of ridicule. Finally, Article 98(f), referred to as Egypt’s “blasphemy” provision, sets forth a punishment of between 6 months and five years of jail time or a fine of between LE 500 and LE 1,000 for “any person who exploits religion to propagate, by word, in writing, or by any other means, extremist thoughts with intent to inflame civil strife, defame or show contempt for a revealed religion or its adherents, or harm national unity.”’⁴⁷

See Annex 1 for a full extract of the English translation of Articles 98(f), 160 and 161 of the Penal Code.

2.3.2. Though blasphemy and defamation of religion laws have been in force since prior to the 2011 revolution in Egypt, according to the Australian Government’s Country Information Report on Egypt, the enforcement environment has changed considerably since then:

‘Before the 2011 Revolution, defamation of religion cases were rare. The number and frequency of charges rose considerably under the Morsi government, and this trend has continued under Sisi. A January 2015 decree permitted the government to ban any foreign publications deemed offensive to religion, and Article 98(f) has been used against an increasingly wide range of groups across the country.... The

⁴⁵ The Tahrir Institute for Middle East Policy, *Egypt’s Religious Minorities: The Legal Framework*, 6 January 2022, [url](#)

⁴⁶ Carnegie Endowment for International Peace, *Violence Against Copts in Egypt*, 14 November 2013, [url](#)

⁴⁷ The Tahrir Institute for Middle East Policy, *Egypt’s Religious Minorities: The Legal Framework*, 6 January 2022, [url](#)

increased use of social media has reportedly been a contributing factor in the rise of such cases: more people have had visibility of potentially controversial material, and so the number of complaints has risen accordingly.’⁴⁸

2.3.3. As reported by the Middle East Monitor:

‘Egyptian civil rights lawyer Hamdi Al-Assyouti estimates that 90 per cent of blasphemy charges are filed against Christians.’⁴⁹

2.3.4. According to a report by the Associated Press, the treatment of those accused of blasphemy-related crimes differs significantly between Copts and Muslims:

‘In disputes, authorities tend to side with Muslims, said Nader Shukry, a Copts’ rights advocate. Christians blamed for actions deemed insulting to Muslims often face eviction from their hometown or swift trials with heavy sentences. But if Christians are victims of actions by Muslims, police officers bring the two sides in to informal reconciliation meetings in which the Christians are pressured into dropping any legal action, Shukry said.’⁵⁰

2.4. Conversion Laws

2.4.1. As mentioned above, freedom of religious belief is enshrined in the 2014 Constitution. Nonetheless, the Times of Israel, in their article, *A Tale of Two Egyptian Converts*, noted:

‘Public conversions to Christianity are far rarer [than conversions to Islam]. Technically, it is not illegal for a Muslim to become Christian — though under Islamic law it can be punishable by death. But in the handful of cases the past decade, converts were imprisoned for insulting religion, threatening national security or other charges.’⁵¹

2.4.2. The United States Department of State 2022 Report on International Religion Freedom: Egypt notes that though there is no law prohibiting conversion from Islam to Christianity, in practice the state does not recognize such conversions (subject to exceptions for those converting *back* to Christianity):

‘The government recognizes conversion to Islam, but generally does not recognize conversions from Islam to any other religion, except in the case of individuals who were not born Muslim but later converted to Islam, according to a Ministry of Interior decree pursuant to a court order. Reverting to Christianity requires presentation of a document from the receiving church, an identity card, and finger

⁴⁸ Australian Government, Department of Foreign Affairs and Trade, DFAT Country Information Report Egypt, Section 3.14, 17 June 2019.

⁴⁹ Middle East Monitor, *Egypt university professor suspended for ‘insulting the Quran’*, 5 November 2020, [url](#)

⁵⁰ Associated Press, *Blasphemy cases rise in Egypt and Christians bear the brunt*, 25 March 2016, [url](#)

⁵¹ Times of Israel, *A tale of two Egyptian converts*, 31 May 2013, [url](#)

prints. After a determination is made that the intent of the change – which often also entails a name change – is not to evade prosecution for a crime committed under the Muslim name, a new identity document is issued with the Christian name and religious designation. In cases in which Muslims not born Muslim convert from Islam, their minor children, and in some cases adult children who were minors when their parents converted, remain classified as Muslims. When these children reach the age of 18, they have the option of converting to Christianity and having that reflected on their identity cards.’⁵²

2.5. Personal Status Law

2.5.1. Though the 2014 Constitution provides that for Copts legal matters relating to personal status (e.g. marriage, divorce, inheritance) are governed by Christian laws (rather than Islamic Sharia law), according to research published by the Arab Center for Research and Policy Studies:

‘...Islamic Sharia [law] would apply to non-Muslims in personal status litigations if a husband and wife were of different religions. Naturally, Copts view this text as a form of discrimination between Muslims and non-Muslims, having permitted the application of Islamic laws on non-Muslims. This has many consequences; for instance, the Sharia laws – as applied in Egypt – would force non-Muslim males to convert to Islam in order to marry Muslim women... The same rules also forbid Muslim women from marrying Christian men.’⁵³

2.5.2. According to the Tahrir Institute for Middle East Policy, in their research, *Personal Status of Copts: Crisis Made by State and Church*:

‘When it comes to inheritance, an heir’s agreement is theoretically required for Christian families to carry out equal distribution between males and females. However, over the years, official institutions have applied Islamic Law directly, even if heirs demand the distribution of inheritance according with [sic] Christian law.’⁵⁴

⁵² United States Department of State International Religious Freedom Report 2022 Egypt, 2022, [url](#)

⁵³ Arab Center for Research & Policy Studies, *Can We Speak of a “Coptic Question” in Egypt?*, May 2011, [url](#)

⁵⁴ The Tahrir Institute for Middle East Policy, *Personal Status of Copts: Crisis Made by State and Church*, 12 February 2020, [url](#)

3. Implementation of the Law and Treatment of Coptic Christians by the State

3.1. Church Construction and Renovation

- 3.1.1. Violent destruction of Coptic religious sites, and the practical inability to repair or replace the same, has been a periodic issue in Egypt beginning at the latest with the presidency of Anwar Sadat in the 1970s, as explained in the Carnegie Endowment Report:

‘Regime-church relations deteriorated in the 1970s under the presidency of Anwar Sadat...Sadat embraced Islam and Islamists as a counterweight to the [political] left. The 1971 constitution made the principles of Islamic sharia a principal source of legislation. The president also let Muslim Brotherhood leaders leave prison or return from exile abroad. After nearly two decades underground, the organization once more operated publicly.’⁵⁵

- 3.1.2. The report further noted:

‘During 1971–1972 there were eleven confessional incidents, the majority of which originated in disputes over church construction or renovation. These initial clashes did not garner serious government attention. Then, in November 1972, arsonists in al-Khanka, Qalyubia, torched the local headquarters of a Coptic organization, the Holy Bible Society, part of which was being used, illegally, as a church. Kyrillos’s successor, Pope Shenouda III, ordered an entourage of priests to visit the site and celebrate mass. His instructions, which the priests carried out, incensed Sadat—who perceived Shenouda as challenging his authority—and also aggravated some Muslims in the area. After the priests left al-Khanka, attackers burned half a dozen nearby apartments belonging to Copts.’⁵⁶

- 3.1.3. This violence over church property and construction continued:

‘In June 1981 firefights broke out between Copts and Muslims in the Cairo neighborhood of El Zawya el Hamra. Once more, the precipitant was a controversy over church construction. When a group of Muslims began erecting a mosque on private property slated for a Coptic Church, Copts shot at them. Muslims retaliated, and the Ministry of Interior let the battle rage for three days before intervening. The crisis in El Zawya el Hamra left seventeen people dead (nine of them Copts) and 112 injured. Critics faulted Sadat for cultivating an environment of intercommunal suspicion and not curtailing the violence when it began.’⁵⁷

- 3.1.4. On the first day of 2011, anti-Coptic violence resulted in the death of 23 Copts with the bombing of the Church of Saint Mark and Pope Peter:

⁵⁵ Carnegie Endowment for International Peace, *Violence Against Copts in Egypt*, 14 November 2013, [url](#)

⁵⁶ Carnegie Endowment for International Peace, *Violence Against Copts in Egypt*, 14 November 2013, [url](#)

⁵⁷ Carnegie Endowment for International Peace, *Violence Against Copts in Egypt*, 14 November 2013, [url](#)

‘Barely thirty minutes into 2011, a massive explosion tore through a midnight mass at the Coptic Church of Saint Mark and Pope Peter (also known as the Church of the Two Saints) in Alexandria. The car bomb killed 23 parishioners, injured dozens, and shattered the regime’s pretense of keeping Christians safe. The New Year’s attack exposed Copts’ continuing vulnerability, despite living in a security state with a powerful chief executive and a sprawling Ministry of Interior. Egyptians were horrified and outraged. Security officers had not only failed to intercept the bomber, but they also stood by afterward as Christians and Muslims scuffled in the surrounding area.’⁵⁸

- 3.1.5. By 2017, the presence of Islamic State-related groups had created new risks of violence and bloodshed in attacks against churches:

‘Suicide bombers struck hours apart at two Coptic churches in northern Egypt, killing 44 people and turning Palm Sunday services into scenes of horror and outrage at the government that led the president to call for a three-month state of emergency...

IS [Islamic State] said in a statement that two Egyptian suicide bombers named Abu Ishaq al Masri and Abu al Baraa al Masri carried out the church attacks and vowed to continue attacks against Christians.’⁵⁹

- 3.1.6. More recently, in September 2023, a Muslim mob attacked a Coptic Christian man’s property due to a false assumption that he was building a church. According to the United Kingdom Home Office:

‘The incident occurred in the village of al-Khiyari, in the Abu Qurqas center [in Minya governorate]. The Muslims apparently confused two developments. Because the village has no church, a Coptic priest had been traveling to and meeting with the Christians of al-Khiyari in a certain area near the home of Imad Wajih, the aforementioned Coptic man. In that same area, Christians had submitted a request for a permit to build a church, so they could hold proper worship services, as opposed to meeting with a traveling priest in random spots. In the meantime, Imad began building a smaller private home on his property. Although it had nothing to do with the proposed church, local Muslims began inciting one another, including on social media, where they complained that “the Copts are building a church without a permit!” Accordingly, they attacked Imad’s property and stole building materials, including concrete blocks and reinforced iron.’⁶⁰

- 3.1.7. It is in this context – one of periodic violent and deadly attacks against churches – that the Copts of Egypt have sought to reform the process for obtaining permits to construct new churches and to re-construct or renovate churches. As mentioned in

⁵⁸ Carnegie Endowment for International Peace, *Violence Against Copts in Egypt*, 14 November 2013, [url](#)

⁵⁹ Associated Press, *Suicide bombers kill 44 at Palm Sunday services in Egypt*, 10 April 2017, [url](#)

⁶⁰ United Kingdom Home Office, *Country Policy and Information Note, Egypt: Christians*, December 2023, [url](#)

section 2.1.4 above, while the legislation devolving permit granting to the provincial governors is viewed by some as a step forward in terms of facilitating more approvals, it also obliges the provincial governors to consider “the preservation of security and public order” in deciding whether to permit construction or re-construction. In deciding whether to permit the re-construction of a violently attacked or bombed church, the provincial governor will need to determine whether the church’s presence will lead to the preservation of security and public order, or further violence.

- 3.1.8. Copts often struggle to seek formal redress from their perpetrators under Egypt’s legal system:

‘Rather than aggressively defending the rule of law, Egyptian officials at the national and local levels have favored informal dispute resolution over court proceedings, a bias that advantages Muslim perpetrators over their Christian victims. A similar sense of impunity emboldens mobs committing acts of aggression against Coptic churches.’⁶¹

- 3.1.9. Copts are often pressured into reconciliation sessions by local authorities, including with respect to alleged acts that would otherwise constitute grounds for criminal prosecution and penalties against offenders. Even if they refuse, few crimes against Copts go to trial:

‘Traditionally, instead of filing criminal charges, local authorities pressure Christians into “reconciliation” sessions, in which the opposing parties come together to negotiate a settlement outside of the criminal justice system. Copts are often pressured into surrendering their legal rights and sometimes even forced to leave their communities... Even when Christians refuse reconciliation, few crimes against Copts go to trial and those that do are often dismissed because of a claimed lack of evidence’⁶²

- 3.1.10. As noted by the Immigration and Refugee Board of Canada, these compelled reconciliation sessions can be used by authorities specifically to avoid subjecting Muslim offenders to the court processes and criminal liability they may face at law:

‘Local Egyptian authorities continue to conduct “customary reconciliation” sessions between Muslims and Christians as a way of easing tensions and resolving disputes rather than seeking justice through the courts. In some cases, local authorities and religious leaders have abused these reconciliation sessions to compel victims to abandon their claims to any legal remedy. The fact of the matter is that reconciliation sessions often disadvantage Christians in resolving various disputes, many of which are sectarian related attacks targeting Christians.’⁶³

⁶¹ Carnegie Endowment for International Peace, *Violence Against Copts in Egypt*, 14 November 2013, [url](#)

⁶² France24, *Recent spate of violence against Egypt’s Christians goes largely unpunished*, 23 July 2016, [url](#)

⁶³ Immigration and Refugee Board of Canada, *Egypt: Situation of Coptic Christians, including treatment; availability*

3.1.11. In its report, the Office of the United Nations High Commissioner for Human Rights (OHCHR) pointed out that reconciliation sessions encourage recurrence of attacks against Copts:

‘Another form of discrimination is the extra-legal customary reconciliation sessions that discriminate against Copts. Customary sessions is a way for resolving the intercommunal strife that takes place. Copts are usually victims of attacks by Muslims for a number of reasons, including the practice of religious rites in a house or a construction of a church building. These attacks are resolved by mass arrests from both parties: the offenders and the victims. The victims are then forced to give up their legal claims to the case in order to avoid prosecution and their families are forced to sit in an informal reconciliation session which is attended or supervised by the local security. This way stops the Coptic victims from seeking legal redress. However, this method encourages the recurrence of attacks as the perpetrators evade justice.’⁶⁴

3.1.12. As noted in section 1.4.3, in the assault case concerning an elderly Coptic woman in Minya, who was stripped, beaten and paraded naked because of a rumour that her son was having a relationship with a Muslim woman, she was pushed into reconciliation. According to some news reports, the eight defendants were eventually fined 10,000 Egyptian pounds each and released.⁶⁵

3.1.13. The OHCHR noted a further example:

‘For example, in Kom al- Raheb village, Samalut, Minya, when clashes erupted after Copts took an informal building as a church and 19 people from both sides were taken into custody. The informal reconciliation session that took place afterwards stipulated that the reconciliation would take place and the church is to remain closed. Hence, Copts were prevented from seeking redress to crimes committed against them, including attacks on persons and property, but also their right to freely practice their religion in the village was violated.’⁶⁶

3.2. Blasphemy

3.2.1. As noted in section 2.3 above, enforcement of blasphemy laws is perceived to be focused on criminalizing speech by non-Muslims, or primarily Copts, with respect to Islam. The standards for what constitutes blasphemy against Islam can be extremely broad, as one case reported on by the Associated Press made clear:

of state protection, 20 June 2017, [url](#)

⁶⁴ Office of the United Nations High Commissioner for Human Rights, *Discrimination in Law and Practice Against the Copts in Egypt*, [url](#)

⁶⁵ France24, *Recent spate of violence against Egypt's Christians goes largely unpunished*, 23 July 2016, [url](#)

⁶⁶ Office of the United Nations High Commissioner for Human Rights, *Discrimination in Law and Practice Against the Copts in Egypt*, [url](#)

‘Part of the rise is connected to the spread of social media over recent years, Ibrahim said, with people feeling freer to express controversial opinions online. Many of the cases have originated in comments or videos posted on the Internet that Muslims raised court cases over. One Christian was even sentenced to six years in prison in 2014 for insulting religion after his Muslim neighbors discovered he had “liked” a Facebook page supporting Muslims who convert to Christianity.’⁶⁷

3.2.2. The report further noted:

‘In February, an online activist Mustafa Abdel-Nabi was sentenced to three years in absentia for postings about atheism on his Facebook page. A writer, Fatma Naoot, was sentenced to three years in prison in January over Facebook postings criticizing the slaughter of animals for Muslim holidays.’⁶⁸

3.2.3. The Australian Government, Department of Foreign Affairs and Trade (DFAT) made the following observations with respect to the practical consequences of the application of Article 98(f) of the Penal Code:

‘DFAT understands that those accused of blasphemy rarely have an adequate defence counsel... In some cases, families have reportedly had to leave their homes due to threats received because of defamation of religion cases.’⁶⁹

3.2.4. According to the Minority Rights Group International:

‘The blasphemy law’s main dilemma, in the Egyptian legislative system especially, is that it protects only certain religions and not all faiths, which confirms its discriminatory nature... The contradictions and gaps in this loosely worded article are manifested in the selective application of the article on certain religions and sects. The danger is that this type of legislation could gravely reduce the ability of religious minorities to express themselves freely in public’⁷⁰

3.2.5. Cases involving allegations of blasphemy reflect a deeper friction experienced by Copts in Egypt:

‘Another form of injustice is the prosecution of Copts on allegations of contempt for Egypt’s majority religion. On May 21, a Coptic teacher in the southern province of Luxor, Demiana ‘Ubayd ‘Abd al-Nour, was put on trial on charges of insulting Islam. Her school’s headmaster and ten of her students testified in court that she did no such thing, but at press time the case is still pending on the strength of three

⁶⁷ Associated Press, *Blasphemy cases rise in Egypt and Christians bear the brunt*, Associated Press, 25 March 2016, [url](#)

⁶⁸ Associated Press, *Blasphemy cases rise in Egypt and Christians bear the brunt*, Associated Press, 25 March 2016, [url](#)

⁶⁹ Australian Government, Department of Foreign Affairs and Trade, *DFAT Country Information Report Egypt*, Section 3.16, 17 June 2019

⁷⁰ Minority Rights Group International, *The State of Cultural Citizenship for Egyptian Minorities*, February 2023, [url](#)

other children's accusations. There was a heavy Islamist presence in the courtroom, with one complainant's father emerging to threaten that "a thousand people will die" if the teacher is not punished by law.'⁷¹

3.3. Conversion

- 3.3.1. Although the 2014 Constitution recognizes freedom of religion, as noted in section 2.4 above, the Egyptian state does not in practice recognize the right of Muslims to convert to Christianity, as such matters are governed by Sharia law, which does not recognize a right to convert:

'Egyptian law does not officially prevent Muslims, whether they are former Christians or not, from leaving their religion. While it is relatively easy to convert from any faith to Islam, government officials have taken the view that leaving Islam is apostasy, and therefore is not permitted.'⁷²

- 3.3.2. According to the Hudson Institute, in their report, *Are Egypt's Christians Persecuted? Why Some Copts Say No*:

'There are also attacks on Copts, often women, to get them to convert. Converts from Islam, those accused of proselytism, and those accused of a relationship with a Muslim woman, are particularly targeted.'⁷³

- 3.3.3. According to the United Kingdom Home Office country of origin report:

'Christians with a Muslim background have great difficulties in living out their faith since they face enormous pressure from their families to return to Islam. It is difficult for converts from Islam to Christianity to live as a Christian family. They can only be baptized in secret. Giving their children Christian names would be socially questionable. In general, marriage and burial can only happen according to Islamic rites. In addition, if their new faith becomes known, converts are likely to be forced into divorce, lose custody of their children and be disinherited. There is a small but growing number of Christian converts who bear the brunt of violations, most often at the hands of family members, but also by the security services. The former punish converts for abandoning the Islamic faith, often by means of beatings or expulsion from the family home.'⁷⁴

- 3.3.4. The report further noted:

'The [Egyptian] security services also actively detain and intimidate converts [from Islam to Christianity] in order to make them stay silent about their conversion, while the state makes it impossible for them to obtain any official recognition of

⁷¹ Middle East Report, *Copts Under Mursi: Defiance in the Face of Denial*, Summer 2013, [url](#)

⁷² New York Times, *Egyptian Court Allows Return to Christianity*, 11 February 2008, [url](#)

⁷³ Hudson Institute, *Are Egypt's Christians Persecuted? Why Some Copts Say No*, 15 January 2021, [url](#)

⁷⁴ United Kingdom Home Office, *Country Policy and Information Note, Egypt: Christians*, December 2023, [url](#)

their conversion. There are cases of Christian converts from a Muslim background [being] arrested and physically abused by the Egyptian security services’⁷⁵

- 3.3.5. While Egyptian state security forces do not seek to persecute converts to Christianity in any systemic manner, Islamist scholars and faculty at state institutions such as Al Azhar University expressed extreme views on the matter:

‘Converts such as Gohary “should be killed by authorities,” says Abdul Aziz Zakareya, a cleric and former professor at Al Azhar University. “Public conversions can lead to very dangerous consequences. The spreading of a phenomenon like this in a Muslim society can cause many unwanted results and tensions between Muslims and non-Muslims.”’⁷⁶

⁷⁵ United Kingdom Home Office, *Country Policy and Information Note, Egypt: Christians*, Section 9.5.2, December 2023

⁷⁶ Los Angeles Times, *Christian convert baffles other Egyptians*, 23 August 2009, [url](#)

4. Select Jurisprudence on Foreign Asylum Claims by Copts

4.1. *M.E. v France*, Application No. 50094/10⁷⁷

- 4.1.1. This is a European Court of Human Rights case concerning an Egyptian national applicant who is also a former prominent member of the Egyptian Coptic Christian community. The applicant's asylum claim was grounded in his allegation of the persecution against him in Egypt on the basis of him and his family's religion. In particular, the applicant claimed that he and his family faced multiple physical and verbal attacks, eviction by their landlord, and death threats on account of their Christian faith. Despite his complaints to Egyptian authorities regarding such attacks, authorities took no action to protect the applicant against his assailants. Eventually, the applicant was prosecuted, convicted and sentenced in absentia to three years imprisonment for proselytizing after selling CDs of liturgical chants to Muslims.
- 4.1.2. The applicant fled Egypt and arrived in France in 2007. He was later arrested in August 2010 by the German authorities while visiting a friend in Germany. The applicant was handed over to the French authorities, and an administrative removal order was applied to him. While in detention, he applied for asylum, and appealed against the removal order.
- 4.1.3. The applicant's challenge and subsequent appeals to the removal order were rejected by the French Agency for the Protection of Refugees and Stateless Persons, the National Asylum Tribunal, the Strasbourg Administrative Court, and the Nancy Court of Appeal – partly on the basis of his failure to provide evidence of the alleged risks he faced in Egypt. The applicant eventually took his case before the European Court of Human Rights.
- 4.1.4. One of the issues before the European Court of Human Rights was whether the removal of the applicant to Egypt would expose him to a risk of treatment contrary to Article 3 of the European Convention of Human Rights, which reads as follows:

'No one shall be subjected to torture or to inhuman or degrading treatment or punishment.'
- 4.1.5. The applicant argued that he remained exposed to a real and serious risk of ill-treatment if the removal order to Egypt were enforced. This was challenged by the French government, who argued that it was not apparent from international reports that Copts are systematically exposed to ill-treatment in Egypt.
- 4.1.6. In considering the applicant's case, the European Court of Human Rights considered country of origin reports from the U.S. State Department. Significantly, the European Court of Human Rights made the following observation:

⁷⁷ European Court of Human Rights, *Affaire M.E. c. France*, 6 June 2013, [url](#)

‘The report highlights the reluctance of the Egyptian authorities to prosecute the attackers. To date, no impartial and independent investigation into the circumstances of the violence has been carried out, and those responsible have not been prosecuted.’⁷⁸

- 4.1.7. Despite the European Court of Human Rights’s conclusion that there was no generalized risk to all Copts in Egypt, the European Court of Human Rights recognized past incidents of violence against Copts:

‘On the general situation in Egypt, the reports consulted denounce the numerous acts of violence and persecution suffered by Egypt’s Coptic Christians during 2010 and 2011, but also the reluctance of the Egyptian authorities to prosecute the aggressors...’⁷⁹

- 4.1.8. The European Court of Human Rights further made clear that Copts could face risk of persecution and ill-treatment due to personal factors:

‘With regard to the personal risks incurred in the event of his return to his country of origin... there is every reason to believe that, as a convicted proselytizer, the applicant could be a prime target for persecution and violence by Muslim fundamentalists, whether he is free or in prison. Even if these risks come from private individuals and not directly from the State, the lack of reaction on the part of the police authorities to the complaints lodged by Coptic Christians, denounced by international reports, casts serious doubt on the possibility of the applicant receiving adequate protection from the Egyptian authorities.’⁸⁰

- 4.1.9. The European Court of Human Rights eventually found in favor of the applicant:

‘Thus... in view of the applicant’s profile and the situation of Coptic Christians in Egypt, there is, in the particular circumstances of this case, a real risk that he would be subjected to treatment contrary to Article 3 of the Convention by the Egyptian authorities if the removal order were enforced.’⁸¹

- 4.1.10. As the European Centre for Law & Justice commented:

‘The judgment *M.E. v. France* constitutes, with all the authority that attaches to the decisions of the Court, a lucid observation of the situation of the Coptic population in Egypt. In addition, the Court explicitly calls into question the Egyptian authorities, underlining their passivity, and even perhaps revealing their guilt in regards to their compliance with the persecutions of Coptic victims’⁸²

⁷⁸ European Court of Human Rights, *Affaire M.E. c. France*, Paragraph 36, 6 June 2013

⁷⁹ European Court of Human Rights, *Affaire M.E. c. France*, Paragraph 49, 6 June 2013

⁸⁰ European Court of Human Rights, *Affaire M.E. c. France*, Paragraph 51, 6 June 2013

⁸¹ European Court of Human Rights, *Affaire M.E. c. France*, Paragraph 52, 6 June 2013

⁸² European Centre for Law & Justice, *France condemned for having willfully deported a Coptic Egyptian accused of*

4.2. *MS (Coptic Christians) Egypt CG v Secretary of State for the Home Department [2013] UKUT 00611 (IAC)*⁸³

4.2.1. This is a United Kingdom Upper Tribunal decision on an appeal lodged by an applicant mother on behalf of herself and her minor, disabled son against the United Kingdom Government's decision to refuse asylum and remove the applicant from the United Kingdom.

4.2.2. The applicant is a Copt. She argued that she experienced serious harm in Egypt due to her religious belief. The applicant had been a school teacher at Cairo, and had suffered verbal abuse and physical attacks at her school on account of her Christian faith. She was also victim of a kidnapping attempt by the Muslim brother of a teacher colleague. She fled Egypt with her son for fear of further attacks. On this basis, the applicant argued that she and her son were at risk of ill treatment if returned to Egypt.

4.2.3. Although the Upper Tribunal rejected the applicant's appeal on the facts of the case, namely, that the applicant and her son are from a suburb part in Cairo which is not an area where Copts, generally speaking, face severe discrimination, the Upper Tribunal accepted that Copts, as a minority group, routinely face discrimination in Egypt more broadly:

'Attacks and discrimination against Coptic Christians are, sadly, nothing new... Discrimination is prevalent in many areas of society. Copts are significantly underrepresented in Egypt's military, judiciary, diplomatic corps, academia and almost all electoral bodies.'⁸⁴

4.2.4. During its assessments, the Upper Tribunal recognized the difficulties in assessing the level of violence that Copts face in Egypt:

'We are handicapped in assessing the levels of violence experienced by Copts by the lack of any uniform monitoring or the existence of statistics that have wide agreement. At the same time we note that Amnesty International and Human Rights Watch have generally accepted reports given by leading Christian NGOs and some Coptic Christian organisations as reliable and we are not aware that any international observers have sought to dispute their general reliability.'⁸⁵

proselytizing, June 2013, [url](#)

⁸³ United Kingdom Upper Tribunal, *MS (Coptic Christians) Egypt CG v Secretary of State for the Home Department*, 5 December 2013, [url](#)

⁸⁴ United Kingdom Upper Tribunal, *MS (Coptic Christians) Egypt CG v Secretary of State for the Home Department*, Paragraphs 124, 126, 5 December 2013

⁸⁵ United Kingdom Upper Tribunal, *MS (Coptic Christians) Egypt CG v Secretary of State for the Home Department*, Paragraph 127, 5 December 2013

4.2.5. The Upper Tribunal noted that there had been an increase in sectarian violence against Copts and Christian churches:

‘In any event, whilst 2013 is not yet completed, it is clear that even to September 2013 the level of sectarian violence in 2013 has already been worse for Copts than 2012. Attacks on Christian churches and other Christian targets have increased... Mr Wilding has argued that much of the anti-Copt violence has comprised localised and spontaneous mob violence, but we do not think it would be safe to read the evidence that way. That is not only because as Ms Benitez has pointed out some of these attacks by mobs have been announced beforehand but because in general terms there are clearly anti-Coptic extremists operating at national and local levels whose agenda is inciting local populaces to acts of violence and hostility. It also seems to us to be irrelevant that some of the incidents seem to have a catalyst. Incidents of religious persecution often do.’⁸⁶

4.2.6. The Upper Tribunal found that there was limited state protection of Copts in Egypt:

‘The situation of Coptic Christians is such, in our opinion, that where an individual applicant can establish a real risk of serious harm, by virtue of some characteristic additional to merely being a Coptic Christian, it is quite unlikely he or she will have available protection, even when we limit that to mean protection against violations of non-derogable rights. Physical attacks and threats to life are of course the clearest example.’⁸⁷

‘Predominantly the evidence of what has been occurring before, during and after attacks on Christian targets indicates a failure to protect (even confining ourselves as we must to general failure to secure non-derogable rights). Indeed, despite Mr Wildings’ animadversions to the contrary, both the Home Office OGN and the FCO August 2013 letter accept that protection is broadly ineffective. In our view the Amnesty International assessment in April 2013, that the Egyptian government is constantly failing to protect and defend Copts and does not punish their attackers, closely accords with the emerging evidence. It is unnecessary for us to decide to what extent this failure stems from an unwillingness to protect or an inability to protect, although it seems to us that whether it is one or the other or both depends on the particular time and place and the specific actors involved...Mr Wilding is right to point out that in some incidents, it would appear that efforts by the police and security forces to protect have been frustrated by lack of manpower and/or resources, but that does not negate the fact that protection was not forthcoming. Overall there has been and is an insufficiency of state protection.’⁸⁸

⁸⁶ United Kingdom Upper Tribunal, *MS (Coptic Christians) Egypt CG v Secretary of State for the Home Department*, Paragraphs 128, 129, 5 December 2013

⁸⁷ United Kingdom Upper Tribunal, *MS (Coptic Christians) Egypt CG v Secretary of State for the Home Department*, Paragraph 121, 5 December 2013

⁸⁸ United Kingdom Upper Tribunal, *MS (Coptic Christians) Egypt CG v Secretary of State for the Home Department*, Paragraph 123, 5 December 2013

4.2.7. The Upper Tribunal observed that geographical factors could affect the risk of persecution or ill-treatment faced by a Copts:

‘On current evidence there are some areas where Coptic Christians will face a real risk of persecution or ill-treatment contrary to Article 3. In general these will be (a) areas outside the large cities; (b) where radical Islamists have a strong foothold; and (c) there have been recent attacks on Coptic Christians or their churches, businesses or properties.’⁸⁹

4.2.8. Drawing on expert evidence, the Upper Tribunal noted that Copts falling into the following non-exhaustive particular risk categories will generally be able to show a real risk of persecution or treatment, at least in their home area:

- (a) converts to Coptic Christianity;
- (b) persons who are involved in construction or reconstruction/repair of churches that have been the target for an attack or attacks;
- (c) those accused of proselytising where the accusation is serious and not casual; and
- (d) those accused of being physically or emotionally involved with a Muslim woman, where the accusation is made seriously and not casually.

⁸⁹ United Kingdom Upper Tribunal, *MS (Coptic Christians) Egypt CG v Secretary of State for the Home Department*, Paragraphs 137-139, 5 December 2013

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Annex 1: Egyptian Law on Coptic Christians⁹⁰

A1.1 **Article 9 of the 2014 Constitution**

The State shall ensure equal opportunities for all citizens without discrimination.

A1.2 **Article 53 of the 2014 Constitution**

All citizens are equal before the Law. They are equal in rights, freedoms and general duties, without discrimination based on religion, belief, sex, origin, race, color, language, disability, social class, political or geographic affiliation or any other reason.

Discrimination and incitement of hatred is a crime punished by Law.

The State shall take necessary measures for eliminating all forms of discrimination, and the Law shall regulate creating an independent commission for this purpose.

A1.3 **Article 64 of the 2014 Constitution**

Freedom of belief is absolute.

The freedom of practicing religious rituals and establishing worship places for the followers of Abrahamic religions is a right regulated by Law.

A1.4 **Article 235 of the 2014 Constitution**

In its first legislative term following the effective date of this Constitution, the House of Representatives shall issue a law to regulate constructing and renovating churches, in a manner that guarantees the freedom to practice religious rituals for Christians.

A1.5 **Article 98(f) of the Penal Code**

Detention for a period of not less than six months and not exceeding five years, or paying a fine of not less than five hundred pounds and not exceeding one thousand pounds shall be the penalty inflicted on whoever exploits and uses the religion in advocating and propagating by talk or in writing, or by any other method, extremist thoughts with the aim of instigating sedition and division or disdaining and contempting any of the heavenly religions or the sects belonging thereto, or prejudicing national unity or social peace.

A1.6 **Article 160 of the Penal Code**

A penalty of detention and paying a fine of not less than one hundred pounds and not exceeding five hundred pounds or either penalty shall be inflicted on the following:

⁹⁰ The 2014 Constitution is available on <https://constitutionnet.org/vl/item/egypt-constitution-2014>; the Penal Code is available on <https://www.refworld.org/docid/3f827fc44.html>

First: Whoever perturbs the holding of rituals of a creed or a related religious ceremony, or obstructs it with violence or threat.

Second: Whoever ravages, breaks, destroys, or violates the sanctity of buildings provided for holding religious ceremonies, symbols or other objects having their profound reverence and sanctity in relation to the members of a creed or a group of people.

Third: Whoever violates the sacredness or sanctity of graves or cemeteries. Imprisonment 14 a period not exceeding five years shall be the penalty if any of these crimes is committed in execution of a terrorist purpose.

A1.7 Article 161 of the Penal Code

These penalties shall be imposed on any encroachment that takes place by one of the methods prescribed in Article 171, on a religion whose rituals are publicly held.

The following shall fall under the provisions of this Article:

First: Printing and publishing a book which is viewed as holy by members of a religion whose rituals are publicly held, if a text of this book is perverted in a way that changes its meaning.

Second: Imitating a religious celebration in a public place or public community, with the aim of ridicule, or for the attendants to watch.



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