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Mandates of the Special Rapporteur on freedom of religion or belief and the Independent Expert on minority issues

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Excellency,

We have the honour to address you in our capacity as Special Rapporteur on freedom of religion or belief and Independent Expert on minority issues pursuant to Human Rights Council resolutions 22/20 and 16/6.

In this connection, we would like to draw the attention of your Excellency's Government to information we have received regarding the following situation.

According to information received:

There has been an upsurge of violence against religious minorities in Egypt after the security forces dispersed violently two sit-ins of the supporters of the ousted president, Mohamed Morsi in August 2013. Allegedly, in retaliation, the supporters of Mr. Morsi have attacked members of Christian minority community, vandalized their property and desecrated and burned churches and other religious objects in locations across Egypt.

Reports stated that following the military crackdown on demonstrations in Cairo on 14 August 2013, as many as 61 Egyptian churches have been attacked. Some attacks have been small scale attacks with stones, while in other incidents Churches have been fired on with bullets or gutted by fire. Mobs have also allegedly attacked several Christian schools, dozens of Christian-owned businesses and homes, and an orphanage. As of 19 August 2013, allegedly 98 attacks on Churches and other Christian institutions had been documented.

It is reported that mobs in the Dalga sector of the Minya governorate also took out their anger on the Monastery of the Holy Virgin and Anba Abra'am, which dates to the 5th century. It is alleged that the ousted president Morsi's supporters broke into the grounds, and set fire to the three churches and six other buildings in the complex. Many Christian residents are reported to have fled Dalga. The police

station was reported to have been attacked leaving the monastery without protection. Christian bookstores in Minya and Assiut were also attacked and burned out completely. Bibles were reportedly thrown into the street, trampled on and set on fire.

While reports differ with regard to numbers it is alleged that reprisal violence has killed at least two Christians while perhaps as many as five have died. Other reports suggest that casualties among Copt worshipers number 7 including 3 children killed. One of the dead was reportedly a taxi driver who steered his cab onto a street where a pro-Morsi protest was underway. Another Christian killed was a man allegedly shot by in Sohag in southern Egypt. Reportedly, after torching a Franciscan school, the ousted president Morsi's supporters paraded three nuns on the streets like 'prisoners of war' before a Muslim woman offered them refuge. On 17 August, 6 Copts were reportedly kidnapped for a ransom. Security forces ensured their release on the same day.

Between 14 and 16 August 2013, it is reported that more than 22 churches and additional Coptic-owned institutions in Egypt had been attacked or burned, including:

Three churches and six buildings at the monastery of the Holy Virgin and Anba Abra'am in Dalga, Minya, Upper Egypt
The church of Mar-Mina in the district of Abu-Hilal in the town of Minya
The bishopric church of Mar-Girgis (St George) in Suhag, Upper Egypt
The church of the Holy Virgin in Nazla, Fayoum, Lower Egypt
The Baptist church in Beni-Mazar, Minya
Coptic-owned shops in Gumhouriya Street in Assiut, Upper Egypt
The Good Shepherd School in Suez
The Franciscan School in Suez
The Holy Bible Society in Fayoum
The church of al-Amir Tawadros (St Theodore) in Fayoum
The church of the Holy Virgin in the district of Abu-Hilal in the town of Minya
The Catholic church of St Mark, Minya
The Jesuit church in Abu-Hilal, Minya
The church of Mar-Morqos (St Mark) and its community centre, Sohag
18 houses of Coptic families in Dalga, Minya, including the home of Father Angelus Malek of the Holy Virgin and Anba Abra'am Church
The Evangelical church on Nassara Street in Abu-Hilal, Minya
The church of Anba Moussa al-Aswad in Minya
Coptic-owned shops, pharmacies, and a doctor's clinic in Minya
The Jesuit church in Minya (attacked, not burned)
The St Fatima Basilica in Cairo (attacked, not burned)
St Joseph's School in Minya (attacked, not burned)
The Nile boat al-Dahabiya, owned by the Evangelical Church in Minya
Coptic-owned shops, pharmacy, and hotels on Karnak Street and Cleopatra Street in Luxor (attacked and looted)

The church of Mar-Girgis (St George) in Wasta (attacked)
 The church of St Michael on Nemeis Street in Assiut, Upper Egypt
 The Adventist church in Assiut; the pastor and his wife were both kidnapped
 The Greek Orthodox Church in Suez
 The church of Mar-Girgis in Assiut
 Coptic houses on Qulta Street in Assiut attacked
 The church of Mar-Girgis (St George) in Arish, North Sinai
 The church of St Dimyana and the Evangelical church in the village of Zerbi in Fayoum
 The offices of the Evangelical foundation in Minya, and those of Umm al-Nour in Beni-Mazar, Minya
 The church of Anba Antonius in Kerdassa, Giza
 The bishopric church in Atfih, Giza [possibly a mistranslation of al-Rusul, the Apostles' Church]

It is reported that since 16 August 2013, more Christian property has been targeted and vandalized by the ousted president Morsi's supporters. Further attacks have been allegedly perpetrated against dozens of churches and religious Christian places in Fayoum, Luxor, Minya, Giza, Cairo, Qalubiya, Sohag, Minya, Alexandria, Beni Suef, Qena and Assiut (49 churches burnt down and 12 attacked). Reports also indicate that at least 13 schools were attacked across the country.

The Egyptian interim government reportedly issued a statement on 15 August 2013 acknowledging the attacks and stating that the military would, at government expense, rebuild all churches damaged by the violence following the military action on 14 August 2013. However, reportedly the interim government has been failing to provide adequate protection to Christian minority, their property and religious objects. The police reportedly remain often absent or step in too late whenever attacks or acts of vandalism occur. Reportedly, the recent violence has created a high level of fear amongst the Christian population, who feel more and more insecure. For example, at the ancient Monastery of the Holy Virgin and Anba Abra'am, Sunday worship was reportedly cancelled for the first time in 1,600 years. NGOs have expressed dismay at on-going attacks on churches as well as attempts to impose a collective punishment on the Christian minority population in Egypt to vent out their frustration with the interim government.

While we do not wish to prejudge the accuracy of these allegations, we take this opportunity to express our concerns regarding these reports of serious human rights violations against the Christian minority population, their property and religious objects in Egypt.

We would like to respectfully remind your Excellency's Government of article 18(1) of International Covenant on Civil and Political Rights, which states that "everyone shall have the right to freedom of thought, conscience and religion. This right shall

include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.” Article 27 of ICCPR further provides that “in those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.”

With regard to the allegation that the attacks on the members of Christian minority community, their property and religious objects in Egypt have been committed by the ousted president Morsi’s supporters, we would like to bring to the attention of your Excellency’s Government that States have the responsibility to protect persons from human rights violations committed by non-state actors. In this regard, the Human Rights Committee has pointed out in paragraph 8 of its General Comment No. 31 that the positive obligations on States Parties to ensure Covenant rights will only be fully discharged if individuals are protected by the State, not just against violations of Covenant rights by its agents, but also against acts committed by private persons or entities that would impair the enjoyment of Covenant rights in so far as they are amenable to application between private persons or entities. There are circumstances in which a failure to ensure Covenant rights as required by article 2 would give rise to violations by States Parties of those rights. This applies when a State Party permits or fails to take appropriate measures or to exercise due diligence to prevent, punish, investigate or redress the harm caused by such acts by private persons or entities.

Furthermore, we would like to draw your Government's attention to paragraph 11 (k) of the General Assembly's Resolution 64/164 (A/RES/64/164) on religious intolerance and discrimination in which the General Assembly urges states "To take all necessary and appropriate action, in conformity with international standards of human rights, to combat hatred, discrimination, intolerance and acts of violence, intimidation and coercion motivated by intolerance based in religion or belief, as well as incitement to hostility and violence, with particular regard to members of religious minorities in all part of the world."

In this context, we would like to draw attention of your Government to the 1992 United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. Article 1.1 of the Declaration establishes that “States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.” In addition, Article 4.1 of establishes that “States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law.”

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency’s Government to safeguard the rights of the members of

the Christian minority, their property and religious objects in Egypt in compliance with the aforementioned international instruments.

Moreover, it is our responsibility under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention. Since we are expected to report on these cases to the Human Rights Council, we would be grateful for your cooperation and your observations on the following matters, when relevant to the case under consideration:

1. Are the facts alleged in the summary of the case accurate?
2. Has a complaint been lodged by or on behalf of the alleged victims?
3. Please provide the details, and where available the results, of any investigation, and judicial or other inquiries carried out concerning the complaints, as well as concerning inadequate protection or belated response by law enforcement agencies in relation to the aforementioned incidents? If no inquiries have taken place, or if they have been inconclusive, please explain why.
4. Please provide the full details of any prosecutions which have been undertaken. Have penal, disciplinary or administrative sanctions been imposed on the alleged perpetrators?
5. Please indicate whether compensation has been provided to the victims or the family of the victims.
6. Please explain in details of any measures undertaken to ensure protection of the members of Christian minority community, their property and religious objects in Egypt in compliance with the paragraph 8 of the Human Rights Committee's General Comment No.31.

We undertake to ensure that your Excellency's Government's response to each of these questions is accurately reflected in the report we will submit to the Human Rights Council for its consideration.

While waiting for your response, we urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of the members of the Christian minority in Egypt are respected and, in the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. We also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

Please accept, Excellency, the assurances of our highest consideration.

Heiner Bielefeldt
Special Rapporteur on freedom of religion or belief

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