

# From Arab Spring to Coptic Winter: Sectarian Violence and the Struggle for Democratic Transition in Egypt

Contributed by Michael H. Posner  
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The following is the testimony of Michael H. Posner, Assistant Secretary, Bureau of Democracy, Human Rights, and Labor, at the Helsinki Commission Hearing in Washington on November 15.

Thank you, Mr. Chairman, for conducting this important hearing on the situation faced by Coptic Christian community in Egypt, and for inviting me to testify.

As you know, this is a time of substantial transition in Egypt as Egyptians strive to move their country towards democracy. This is not an easy process and it will not happen overnight. Egypt is only starting on a path from the temporary stewardship of the Supreme Council of the Armed Forces (SCAF), through parliamentary elections that will begin in two weeks, then the process of drafting of a new constitution and finally presidential elections. As they move toward these milestones, millions of Egyptians hope to see the emergence of a democratic civilian government that respects the universal rights of all of its citizens.

As part of this vision, it is vital that there be a place in the new Egypt for all citizens, including all religious minorities, of which the Coptic Christian community is the largest. President Obama and Secretary Clinton have made clear their deep concern about violence against Coptic Christians, most recently during the October 9 tragedy in front of the Egyptian radio and television building in the Maspero area of Cairo. At least 25 people died and more than 300 were injured. We have urged the Egyptian government to investigate this violence, including allegations that the military and police used excessive force that was the cause of most of the demonstrator deaths. We also have urged that those responsible for these deaths and injuries be held accountable.

While the focus of my testimony is on the situation of the Copts, I would like to point out that other religious minorities also suffer official discrimination. While non-Muslim religious minorities officially recognized by the government — namely Christians and the tiny Jewish community — generally worship without harassment, members of the Bahai Faith, which the government does not recognize, face personal and collective discrimination. The government also sometimes arrests, detains, and harasses Muslims such as Shia, Ahmadiya, and Quranist, converts from Islam to Christianity, and members of other religious groups, such as Jehovah's Witnesses and Mormons. The Government continues to refuse to recognize conversions of Muslims to Christianity or other religions, which constitutes a prohibition in practice.

I would like to set this testimony on the Copts in a broader context. Last week Secretary Clinton gave an important policy address in which she outlined our overall policy on democratization in the Middle East and beyond. She described the US government's principled engagement in the Middle East. We support the aspirations of citizens to live in societies that guarantee freedom, including freedom of expression, assembly and religion. We also believe strongly in systems that allow citizens a say in how they are governed and that will provide economic opportunities for all. These are the demands that we heard in Tahrir Square, where Copts and Muslims joined hands to protest and to pray in the weeks leading up to the downfall of the Mubarak regime. We have heard similar demands echoing throughout the Middle East and even far beyond that region in the ensuing months.

Secretary Clinton also has spoken out consistently about the importance of religious freedom and religious tolerance, both of which are fundamental to human dignity and peaceful transitions to democracy. Religious freedom is a human right, guaranteed by international human rights law. At the release of the State Department's report on International Religious Freedom in September, Secretary Clinton emphasized the role that religious freedom and tolerance play in building stable and harmonious societies. She said:

"Hatred and intolerance are destabilizing. When governments crack down on religious expression, when politicians or public figures try to use religion as a wedge issue, or when societies fail to take steps to denounce religious bigotry and curb discrimination based on religious identity, they embolden extremists and fuel sectarian strife. And the reverse is also true: When governments respect religious freedom, when they work with civil society to promote mutual

respect, or when they prosecute acts of violence against members of religious minorities, they can help turn down the temperature. They can foster a public aversion to hateful speech without compromising the right to free expression. And in doing so, they create a climate of tolerance that helps make a country more stable, more secure, and more prosperous.&rdquo;

This is the basis for our belief that in order to succeed and prosper, Egypt, and its neighbors, must protect the rights of all citizens and all minorities, including its Coptic population. The corollary is also true: successful democratic transitions are the best way to safeguard those rights.

Mr. Chairman, the Copts in Egypt have faced discrimination for many years. Christians face personal and collective discrimination, especially in government employment and the ability to build, renovate, and repair places of worship.

Although they represent about 10% of the population and play an important role in Egypt's economy, Copts have suffered from widespread discrimination and remain underrepresented in prominent positions in Egyptian politics and society.

The headlines &ndash; and the trend lines &ndash; continue to tell a disturbing story.

I was in Egypt just days after the January 2010 attack on the Nag Hammadi Church in Upper Egypt, when gunmen shot and killed seven people as worshippers were leaving a midnight Christmas mass. At that time, I called for an end to impunity for such crimes and full accountability for those who attacked this holy place. One suspect, Hamam al-Kamouny was tried under the emergency law in a state security court, convicted on January 16 and executed on October 10. The other two defendants, Qoraishi Abul Haggag and Hendawi El-Sayyed, were acquitted by the court, angering many Coptic activists. Yesterday, November 14, Egypt's official news agency announced that Abol-Haggag and El-Sayyed are to be retried on December 19 under the Higher Emergency State Security Court, for crimes including premeditated murder and terrorism with the use of force and violence. We applaud the pursuit of accountability in this case, although we would prefer that these types of crimes be dealt with in civilian courts with full due process of law.

Almost exactly a year after the Nag Hammadi attack, on January 1, 2011, a bomb exploded at the Coptic Orthodox Church of the Two Saints in Alexandria, killing 23 people and wounding around 100. There are no suspects in custody for that crime, although the Government of Egypt reports that its investigation is ongoing.

These two incidents, and others like them, took place before the fall of President Mubarak on February 11. We have since received reports of an increase in sectarian violence and tensions, including at least 67 people killed in religious clashes &ndash; most of them Coptic Christians. This brings the total number of reported deaths this year to more than 90. There have been at least six recent major incidents of violence against Copts:

- o On February 23, the Army used live ammunition, including rocket propelled grenades, against unarmed Copts during a land dispute at a monastery. A monk, one of the six shot, later died. To our knowledge, no one has been held accountable for these attacks.
- o On March 4, in the village of Sol, a large group of Muslim villagers destroyed the Church of Saint Mina and St. George after the army failed to stop them. To our knowledge, there has been no investigation and no one has been charged despite videos of the perpetrators.
- o On March 8, 13 people were killed when Muslims and Copts clashed in the Mukkatum area of Cairo. Some of the Copts had been protesting the slow government response to the destruction of the church in Sol. One Coptic bishop claimed that though news reports listed seven Christians and six Muslims. To our knowledge, there has been no investigation and no one has been charged in the deaths.
- o On May 8 in Imbaba, a poor neighborhood of Cairo, two churches were attacked and one burned during sectarian riots. The clashes resulted in 23 deaths and 232 injuries. That month, the official media reported that the government referred 48 suspects to trial. Approximately half of these suspects have been arrested, including a prominent Salafist leader, while half remain at large. The High State Security Court in Giza has adjourned the trial until December 4, when it expects to hear testimony from the remaining witnesses.
- o On September 30, in Merinab village in Edfu, Aswan governorate, an estimated crowd of 3,000 Muslims looted and burned the St. George Coptic Orthodox Church, in addition to some Copt-owned homes and businesses, following reported incitement by village imams. Local media reported that a Ministry of Justice fact-finding committee traveled to Aswan on October 12, in the aftermath of the Maspiro violence, to investigate the church burning. The status of this investigation is unclear.
- o And finally, on October 9 in Cairo, violence erupted in front of the Egyptian television building known as Maspiro, at a demonstration by Copts protesting the government's failure to investigate the burning of the church in Merinab in Aswan governorate. At least twenty-five people were killed and more than 300 injured.

On October 11, Secretary Clinton addressed the October 9 violence at Maspiro and called for an immediate, credible, and transparent investigation of all who were responsible for the violence, with full due process of law. The White House issued a statement urging Egyptians to move forward together to forge a strong and united Egypt and reaffirming our belief that the rights of minorities - including Copts - must be respected, and that all people have the universal rights of peaceful protest and religious freedom.

The government of Egypt has stated publicly that they are conducting two investigations. The Egyptian Armed Forces are reviewing the conduct of Military Police, who eyewitnesses and video evidence suggest ran over and shot at demonstrators. The Ministry of Justice has been tasked by the Egyptian Cabinet with a full investigation of the incident. Separately, military prosecutors are investigating about 30 demonstrators, including one prominent blogger, who were detained during the violence. They are accused of inciting violence, stealing firearms, and attacking security forces. They will be tried in military courts.

On November 2, a fact-finding committee established by the National Council for Human Rights issued an initial report on the Maspiro violence. (NCHR is a quasi-governmental watchdog body, but the committee was led by respected human rights advocates). The report found that the march by Copts and their Muslim allies began peacefully at Shubra and moved toward Maspiro in downtown Cairo. According to the report and several corroborating accounts, as the marchers approached Maspiro, they were attacked by civilians throwing rocks and chanting Muslim extremist slogans. According to the same sources, military police then confronted the marchers and attempted to keep them from reaching the building. The MPs used shields and batons, and fired blanks. Marchers began fighting back against the violent civilians and military police. The NCHR report acknowledged that 12 or more civilians were killed when they were run over by military vehicles. The committee said it could not determine who fired the bullets that killed at least seven demonstrators.

During the height of the clashes, state TV anchor Rasha Magdy called on "honorable Egyptians" to defend the Army against "attacks by violent demonstrators." Twenty-one prominent Egyptian human right organizations criticized the "inflammatory role played by the official state media," charging that a "direct link can be traced between the outright incitement against demonstrators by state media and the events at Maspiro."

On October 13, the head of Egypt's military justice system, Adel al-Morsi, said that the military would lead the official investigation into the events. According to Human Rights Watch and local media, the military has arrested approximately 30 individuals. The government has said it will try suspects in military courts, since the crimes involved attacks on military personnel and equipment.

The Coptic community is concerned, as we are, about the severity and frequency of sectarian attacks against their community, and while they recognize that the government has nothing to do with most of these attacks, they are greatly concerned about the need to hold perpetrators accountable. I want to make clear that most of these clashes have involved both Copts and Muslims, and members of both communities have been the perpetrators and victims of the violence. It also is important to emphasize that many Muslims have stood up to defend members of the Coptic community against extremist violence.

The United States Government condemns this sectarian violence and continues to urge the Government of Egypt to take all necessary and available measures to reduce these tensions.

In raising our concerns about the Coptic community, we are also aware and very supportive of the positive steps the Egyptian government has taken on behalf of the Copts. On March 8, by order of the Prime Minister, Coptic priest Mitaus Wahba was released from prison where he was serving a five year sentence for officiating at a wedding of a Christian convert from Islam. On April 14, the SCAF fulfilled its commitment to rebuild a church in Sol that had been destroyed on March 4 by mob violence. And as I noted earlier, the government also took steps in response to the May 8 Imbaba violence; in addition to re-opening dozens of churches, the government is prosecuting 48 individuals charged with murder, attempted murder, and a variety of other crimes. The trial is scheduled to resume on December 4.

The government also has pledged to adopt a Unified Places of Worship Law, which would guarantee all faiths the ability to construct and maintain places of worship. The Cabinet sent the draft law to the military council in October. We urge the SCAF to endorse this provision as soon as possible. The Government of Egypt has promised to consider this measure for several years, including twice in the last five months. Numerous cases of sectarian violence in recent years have stemmed from disputes over church construction. The prompt adoption of this provision now would send a very strong signal of the government's commitment to protect religious freedom. It would recognize the right of all Egyptians to freely build places of worship they need to conduct religious activities. As the government reviews this proposal it should take into account the concerns expressed over earlier drafts that the suggested multi-stage process of applying for permits to construct and repair churches is too convoluted, cedes too much authority to governors to grant permits, and imposes onerous restrictions on the number and location of houses of worship.

Finally, in the aftermath of the Maspiro violence, we welcome steps that are being taken by the Government of Egypt to reduce discrimination in the penal codes. On October 15, the SCAF issued a decree amending Egypt's penal code to

prohibit discrimination on the basis of religion, gender, language, faith, or race. The decree also delineated prison sentences and specific fines for acts of discrimination, as well as failure to prevent discrimination. These included more severe penalties for government officials found to be complicit in discrimination.

The new penal code provisions bolster the Egyptian constitution's ban on discrimination. Article 7 of the March 31, 2011, constitutional declaration states that "all citizens are equal before the law. They have equal public rights and duties without discrimination on the grounds of race, ethnic origin, language, religion, or creed." We urge the government to enforce these and other anti-discrimination laws and hold violators accountable so that all minorities, including Copts, can enjoy equal protection.

Like Egyptian Muslims, Egyptian Copts are concerned about their country's future and their own place in it. In addition to security from sectarian violence and equal treatment under the law, they want equal representation in parliament and a proportional voice on the committee that will draft Egypt's new constitution. Like moderate Egyptian Muslims, the vast majority of whom support religious freedom, Copts and other religious minorities consider themselves full partners in a new Egypt.

As Secretary Clinton said last week, "If — over time — the most powerful political force in Egypt remains a roomful of unelected officials, they will have planted the seeds for future unrest, and Egyptians will have missed a historic opportunity." The door to real democratic change is only beginning to open. We hope Egyptians will walk through it together to a more peaceful and prosperous future.

Thank you.