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Egypt: Ongoing violations of the right to freedom of belief

Egypt's (Emergency) State Security Court for Misdemeanors will pronounce its verdict on 5 March 2002 in the case against Amin Yussif and seven others in yet another example of people being at risk of imprisonment solely for exercising their right to freedom of belief, Amnesty International said today.

Amin Yussif, a 51-year-old civil servant, his wife Amal Mahmud and six others have been held in detention since the end of September 2001 under charges of "exploiting religion Y for extremist ideas" which carry up to five years=imprisonment. The group is accused of having held private religious gatherings and advocating modifications to basic Islamic rules, including rules for prayers and pilgrimage.

The group is being tried by an exceptional court - - The (Emergency) State Security Court for Misdemeanors - - in clear violation of fundamental principles of international fair trial standards. Established under emergency legislation, the court denies the accused the right to have a full appeal before a higher tribunal.

"This case is far from being the only one. An increasing number of people are being detained and tried in Egypt simply because they exercised their right to freedom of religion and belief as guaranteed under international human rights standards," Amnesty International said.

Others sentenced to prison terms under similar charges by the (Emergency) State Security Court for Misdemeanors include mother of five, Manal Wahid Mana'i, and writer Salah al-Din Muhsin. Manal Wahid Mana'i was sentenced in September 2000 to five years' imprisonment on the basis of accusations of being the leader of a religious group which allegedly attributes divine status to a late Sufi Sheikh.

In January 2001 Salah al-Din Muhsin, 44, was sentenced to three years=imprisonment, accused of "offending religion" in his publications. His original trial had resulted in July 2000 in a six month suspended sentence, but the case returned to court after the authorities refused to endorse the verdict, deeming the sentence too lenient.

Amnesty International considers people detained or imprisonment for merely exercising their right to freedom of religion to be prisoners of conscience and calls for their immediate and unconditional release.

"The Egyptian authorities should review or abolish legislation that, in violation of international standards, stipulates prison sentences for acts which constitute nothing more than the exercise of the rights of freedom of thought, conscience and religion."

Background

The majority of people tried in connection with offences against religion are charged under Article 98 (f) of the penal code which stipulates up to five years' imprisonment for "exploiting religion (Y)

for extremist ideas with the aim of provoking a conflict or of showing scorn or contempt for one of the divinely revealed religions (Y) or harming national unity or social peace".

At the end of 2001, more than 50 prisoners of conscience were imprisoned in Egypt, including at least 10 people sentenced on the basis of Article 98 (f) who had merely exercised their right to freedom of religion and belief.

Between January and April 2001 more than a dozen alleged members of the Baha'i faith, most from the Sohag Governorate were arrested and detained for several months. In February 2001 the UN Special Rapporteur on religious intolerance noted that "Baha'is are not allowed to meet in groups, especially for religious observances, and their literature is destroyed".

The rights to freedom of expression and religion are provided in international and regional treaties, including the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, to which Egypt is a state party.

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