

News Flash

Egypt: Feminist writer threatened by forced divorce for comments on Islam

On 30 July 2001 well-known Egyptian feminist writer Nawal al-Saadawi is due to appear before the Personal Status Court of North Cairo. A case was filed against her in May, calling for a divorce from her husband Sherif Hitata in relation to comments she made on religious issues as published in the Egyptian weekly newspaper, al-Midan.

The complaints against Nawal al-Saadawi are based on the hisba law, a legal procedure which allows an individual to file a complaint on behalf of society against another individual. The Public Prosecutor is the sole authority competent to decide whether or not a complaint under the hisba law, introduced in 1996, can lead to prosecution. On 23 May 2001 the Public Prosecutor publicly stated that there was no justification for any such charge to be brought against Nawal al-Saadawi.

On 18 June the Personal Status Court of North Cairo briefly examined the complaint against Nawal al-Saadawi and postponed its decision. On 9 July, with an Amnesty International delegate in attendance in court, the decision was again postponed. The court is expected at the next hearing on 30 July to dismiss the case.

On 14 May 2001 Amnesty International wrote to the Public Prosecutor expressing its concerns about the case raised against Nawal al-Saadawi. The letter stated that if Nawal al-Saadawi is tried in relation to comments published in al-Midan newspaper, Amnesty International will defend her right to freedom of expression.

BACKGROUND

In 1995 Dr. Nasr Abu Zeid, a university professor, faced similar charges to those levelled against Nawal al-Saadawi. On 14 June 1995 a Court of Appeal ruled that Dr. Nasr Abu Zeid had insulted the Islamic faith in his writings. It ordered a divorce from his wife on the grounds that as a Muslim, she should not remain married to an apostate. The Court of Cassation upheld the ruling in August 1996. Dr. Nasr Abu Zeid and his wife are currently living in exile and continue to challenge their forced divorce before a judicial appeals body in Egypt.

The right to freedom of opinion and expression is guaranteed by international and regional treaties, including the International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and Peoples' Rights, to which Egypt is a state party. Article 19 of the ICCPR states,

A1. Everyone shall have the right to hold opinions without interference.

2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.@

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