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Egypt: Drop “defamation of religion” charges against TV presenter

An Egyptian television presenter risks up to five years in prison for “defaming religion” on his show, Amnesty International has warned today.

The organization is urging Egypt’s authorities to drop criminal defamation charges against “With Islam” presenter Islam Behery and to repeal criminal defamation laws, which are frequently used to punish individuals critical of the performance of State institutions or the teachings of religious groups or bodies.

Islam Behery will face trial on 30 November before the Cairo Misdemeanour Court on charges of “defaming” religious beliefs on his now-suspended show, “With Islam”.

The presenter, whose show was cancelled in April, is challenging a five-year prison sentence handed down against him in his absence by the court on 10 October.

He has remained free while he challenges the verdict and sentence and the new trial will automatically nullify the conviction and sentence handed down by the court in his absence.

The charges against Islam Behery stem from his public criticism of conservative religious teachings, including those of Al Azhar University, and his arguments for new interpretations of Islamic texts and traditions.

According to his representatives, Islam Behery faces charges under Articles 98(f), 160 and 161 of the Penal Code, which criminalize a wide range of acts deemed defamatory against religious beliefs, texts, rituals and officials.

They include offences that are overly broad or are not recognisably criminal offences in terms of international law such as “instigating sedition”, showing “contempt for religion” or otherwise “prejudicing national unity” for which the penalty is up to five years in prison and a fine of up to 1,000 Egyptian pounds (US\$128).

Islam Behery announced that “With Islam” was being halted on 22 April, after a government body threatened the channel that hosted it with legal action if it didn’t suspend the show.

Al-Azhar University had lodged an official complaint calling on the government to take the

show off the air. The complaint, published by Egyptian media, stated that Islam Behery's show was making people "question their beliefs" and amounted to "incitement to sedition and distortion of religion".

Islam Behery was acquitted in a separate defamation of religion criminal case in June 2015.

For years, Egypt's authorities have used criminal defamation charges to silence their critics and political opponents, as well as those who have challenged the dominant religious discourse in the country.

Amnesty International has documented many cases of individuals charged and tried with defaming the presidency, the judiciary and "religion". They have included Egyptian bloggers, journalists and political activists.

In 2009, a group of UN experts called on Egypt not to use criminal defamation charges to imprison journalists and bloggers. In its landmark decision, the UN Working Group on Arbitrary Detention, stated that detaining journalists and bloggers on such charges violated their right to free expression and constituted arbitrary detention.

The Human Rights Committee, the body which monitors States' compliance with the International Covenant on Civil and Political Rights (ICCPR), has stated that it is impermissible to allow such laws "to prevent or punish criticism of religious leaders or commentary on religious doctrine and tenets of faith." Amnesty International is urging Egypt to uphold the right to freedom of expression, as guaranteed under Article 65 of the country's Constitution and Article 19(2) of the ICCPR, to which Egypt is a State Party.