



**CHRISTIAN
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Christian Solidarity Worldwide (CSW) is a human rights organisation which specialises in religious freedom, works on behalf of those persecuted for their Christian beliefs and promotes religious liberty for all.

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Mohammed Ahmed Hegazy, Christian Convert

Current Situation: Following 5 months of hearings and adjournments, Hegazy's attempt to sue the Interior Ministry for not allowing him to officially change his religion was rejected by the Cairo Administrative Court on January 29, 2008. CSW is seriously concerned for the immediate safety of Mr Hegazy, his wife and their daughter, all of whom are currently in hiding.

Case Summary: Mohammed Ahmed Hegazy is a 25-year-old convert to Christianity. Having had his attempts to change his religion on his ID card refused, he took the unprecedented step of filing suit, on August 2, 2007, against the Interior Ministry.

When police heard of his conversion in 2002, Hegazy was jailed and tortured. He has been unable to change the religion on his documents. According to Al-Ahram Weekly, Hegazy and his convert wife were forced to have a Muslim marriage due to their legal status as Muslims. It was the upcoming birth of his first child, born on January 10, 2008, which prompted him to take this exceptional step. Children of Muslim-background Christians (MBCs) are automatically recorded as Muslims, and are thus forced to attend compulsory Islamic religious education, rather than the Christian equivalent. This means children must act as Muslims in school but live as Christian at home, which can lead to their ostracism from both Muslim and Christian pupils as well as harsh treatment from teachers (for further background information see below).

The original lawyer for the case was Mamdouh Nakhla, of the al-Kalema Centre for Human Rights. He received many death threats, including threats from the State Security Police, and faced three lawsuits stemming from the original case, including a lawsuit filed against him for causing sectarian strife by a group led by Sheikh Youssef al-Badry. In a press conference on 7 August, Nakhla officially withdrew from the case, citing protection of national unity as the primary cause. However, at this conference, a member of his al-Kalema organisation interjected, saying that Nakhla's withdrawal from the case was based upon pressure and threats. CSW spoke to Nakhla, who confirmed the cases against him, and expressed the dangerousness of the situation.

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Despite Nakhla's withdrawal, Mohammed Hegazy is continuing with the case, with lawyers Rawda Ahmed and Gamal Eid of the Arabic Network for Human Rights Information (ANHRI) agreeing to take it on. After several hearings and adjournments, judge Muhammed Hussein ruled, on January 29, 2007, against Hegazy's challenge, based on article 2 of the Egyptian constitution, which identifies Shari'a (Islamic law) as 'the primary source of legislation'. Hussein argued that since Islam was the last of the three 'heavenly religions', to be a Muslim was to practice freedom of religion. Further to this, one was not allowed to 'backslide' away from Islam. To do so would be to insult the 'great religion'. Due to the numerous death threats and fatwas he has received, Hegazy and his family were forced to go into hiding shortly after the start of the case. On October 11, 2007, Hegazy's vacated flat was broken into, with much of its contents smashed and burnt.

Parallel to this, Dr. Adel Fawzy Faltas, 61, president of the Cairo-chapter of the Canadian-based organisation, Middle East Christian Association (MECA), was arrested on August 8. The arrest followed an internet conversation with Hegazy, in which details of his case were publicised. Another member of this group, Peter Ezzat, was also detained. These men were eventually released on November 5, after three months in prison, with no formal charges being pressed against them.

Background: Although there is no Egyptian legislation which deals directly with apostasy in Egypt, converts are frequently arrested and charged with damaging national unity and social peace in contempt of religion under Article 98F of the Egyptian Penal Code. Where such cases go to trial, it is before the State Security Court rather than a civilian court, due to being classified as a national security threat. Whilst in detention they are often subjected to solitary confinement, torture and threats of physical harm to their families. Since religion in the Middle East is closely tied to one's identity in relation to society and community, conversion to another religion is often seen as a betrayal to one's community. Conversion from Islam to Christianity is often perceived as siding with and working for the 'West' in a move against national unity.

In July 2007, an interview with the Grand Mufti of Egypt, Ali Gomaa, was posted on the Washington Post's and Newsweek's online forum, 'Muslims Speaks Out', stating that Muslims were free to change their religion. Though he affirmed the widely accepted belief that conversion from Islam is a sin, he stated that it does not have an earthly punishment, but will be punished by God on the Day of Judgement¹. CSW welcomed this important comment coming from the senior cleric, an influential figure in Sunni Islam. However, we were gravely concerned by the subsequent statement made by Dar al-Iftaa, Ali Gomaa's organisation, which retracted the comments attributed to the him arguing that the he never made them and clarifying his position that "Islam forbids Muslims from renouncing their faith... and that if a Muslim did they would be committing a mortal sin...apostasy is a kind of subversion and a sort of crime that requires punishment."²

¹ For the detailed text see;

http://newsweek.washingtonpost.com/onfaith/muslims_speak_out/2007/07/sheikh_ali_gomah.html.

² See "Egypt Mufti denies saying Muslims can choose own religion" AFP, 24 July 2007

http://news.yahoo.com/s/afp/20070724/wl_mideast_afp/egyptreligionislam_070724185303.



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Converts to Islam can change their records and ID within 24 hours with a statement from Al-Azhar confirming their conversion. However it is not possible for someone who converts to Christianity from Islam to change their official religious status on their identification documents. This limits the rights of converts to express and live their beliefs, attend churches, partake in activities, marry other Christians and access Christian religious education.

Egypt is a member of the United Nations. Article 18 of the UN Universal Declaration of Human Rights (UDHR) protects the right of an individual to change their religion or belief. Egypt ratified the International Covenant on Civil and Political Rights (ICCPR) in 1982, Article 18 of which protects the right of an individual to adopt a religion or belief.

Further detailed information on the situation of non-Muslim minorities in Egypt is available on request.

Sources: Al-Ahram, Reuters, Compass Direct, Mamdouh Nakhla, Washington Post, AFP, Arabic Network for Human Rights Information, CSW sources.