

Imprisoning Faith: Restrictions and Challenges Facing Religious Minorities in Egypt

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1. Constitutional Guarantees and Limitations

Egypt is characterized by religious diversity. Besides the Sunni Muslim majority, there are officially recognized Christians and Jews, along with other, unrecognized minorities such as Bahá'ís, Jehovah's Witnesses, and Muslim minorities like Shī'ah, Sūfis and Ahmadis, whose existence is not officially recognized by state or religious institutions. The 2014 Egyptian Constitution includes provisions declaring protection of freedom of religion or belief, including Articles 53, 64 and 235, as well as the creation of a separate chapter in the Penal Code for crimes related to religion and anti-discrimination (under Law No. 126 of 15 October 2011)¹ during the Military Council period. This law added a new prohibition against discrimination among citizens and punishment for such conduct. The chapter consists of three articles criminalizing acts of violence against any religious beliefs and providing full freedom for citizens to practice their religious rites according to their beliefs.

These provisions would seem to reflect Egypt's international law obligations to respect freedom of religion or belief, which includes the freedom of an individual to adopt any religion or belief of choice, or to refrain from adopting any religion, as well as the freedom to express that religion or belief through worship, education, practice or the performance of rituals, whether individually or collectively, publicly or privately. This right is protected under Article 18 of the 1966 International Covenant on Civil and Political Rights ('ICCPR'), to which Egypt is a party² (although Egypt declared a reservation upon accession, considering that the provisions of the Covenant do not conflict with Islāmic Shari'ah). The ICCPR provision mirrors Article 18 of the Universal Declaration of Human Rights. Article 27 of the ICCPR explicitly addresses the rights of minorities, stating: "In those States in which ethnic, religious, or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language".³

However, the reality in Egypt contradicts these constitutional and treaty assurances, as unjust practices persist. To understand this, we must take a closer look at other constitutional provisions.

Article 2 of the 2014 Constitution states that "Islam is the religion of the state [...] and the principles of Islamic Sharia are the primary source of legislation".⁴ Article 7 of the Constitution obliges the Muslim majority to follow the religious institution Al-Āzhār Ash-Sharīf, which the article recognizes as "the main reference in religious sciences and Islamic affairs",⁵ opening the door to justify violations against other Muslim religious mi-

norities such as Shī'ah, Sūfis, Quranists and the Ahmadiyya community. Their situation deserves detailed analysis which space limitations do not allow this policy brief to do.

Furthermore, Article 64 of the 2014 Constitution states that freedom of belief is absolute, but – and this is fundamentally important – limits it to followers of the three recognized Abrahamic religions: Islām, Christianity and Judaism. This means that the Constitution of Egypt does not recognize any other religion. Court rulings regarding unrecognized religious communities often align with decisions by official authorities or recognized religious institutions. The regime that Article 64 establishes may be the single-most conclusive feature of the status of freedom of religion in Egypt.

It is not remedied by Article 53, despite its statements that all "citizens are equal before the law" and there "shall be no discrimination among them based on religion", and that, "[d]iscrimination and incitement to hatred are crimes punishable by law. The state is committed to taking necessary measures to eliminate all forms of discrimination, and the law shall regulate the establishment of an independent commission for this purpose".⁶ Parliament has not yet enacted legislation to establish this commission, nor has it opened discussions regarding its formation. Egypt's failure since 2014 to issue a law on equality, prevent discrimination, and establish the commission was highlighted in interventions by Mexico, Pakistan, South Africa, Togo, Bulgaria, Colombia and the Dominican Republic during Egypt's fourth Universal Periodic Review at the United Nations Human Rights Council on 28 January 2025.⁷

Nor is Article 64 of the 2014 Constitution remedied by Article 92 which affirms that "the rights and freedoms inherent to the person of the citizen cannot be suspended or diminished, and no law regulating the exercise of rights and freedoms may restrict them in a way that affects their essence or core".⁸ Article 64 means that there is no freedom of religion for believers who are not Muslims, Christians or Jews to be restricted by law. But even Christians face challenges in Egypt.

2. Some Issues for Christian Communities in Egypt

2.1. Personal Status Law for Christians

Until now, the Personal Status Law for Christians has not been amended to comply with the 2014 Constitution. This law is essential to alleviate suffering among Copts, for whom divorce remains one of the most complex social issues, affecting many Christian families.⁹ Another critical issue is

⁶ *Ibid.*

⁷ United Nations Human Rights Council, Report of the Working Group on the Universal Periodic Review: Egypt, UN Doc. A/HRC/59/16, 1 April 2025 (<https://www.legal-tools.org/doc/b9klw48d/>).

⁸ *Ibid.*

⁹ For a detailed discussion of these aspects, see Sara Allam Shaltout, "The Price of Patronage: Coptic Marginalization and Egypt's Church-State Alliance", Policy Brief Series No. 175, Torkel Opsahl Academic EPublisher, Brussels, 2025 (<https://www.toaep.org/pbs-pdf/175-shaltout/>); see also, Esam Fadl, "Egypt: Will the 'Personal Status' Law for Christians Solve Divorce Problems?", *AlSharq Alawsat News*, 5 February 2024.

¹ Egypt, Law No. 126 of 2011 on Religious Offences and Combating Discrimination, 15 October 2011 (<https://www.legal-tools.org/doc/yibi451/>).

² Pursuant to Republican Decree No. 536 of 1981, 1 October 1981, and published in the Official Gazette No. 15 on 15 April 1982.

³ International Covenant on Civil and Political Rights, 19 December 1966, Article 27 (<https://www.legaltools.org/doc/2838f3/>).

⁴ Egypt, Constitution of the Arab Republic of Egypt, 18 January 2014 ('The Egyptian Constitution') (<https://www.legal-tools.org/doc/632f2f/>).

⁵ *Ibid.*

equality in inheritance between males and females, a precept in Christianity. The 2014 Egyptian Constitution acknowledges this in Article 3: “The principles of the laws of Egyptians who are Christians and Jews are the primary source of legislation regulating their personal status, religious affairs, and the selection of their spiritual leaders.”¹⁰ Accordingly, Christian principles must be applied to Egyptian Christians, ensuring equal inheritance between males and females.¹¹

Egyptian courts, however, have witnessed intense debates over the application of these provisions in rulings that denied equality between men and women in Christian inheritance, relying on Article 1 of Law No. 25 of 1944, an addition to Law No. 25 of 1929,¹² the last paragraph of Article 3 of Law No. 1 of 2000 on Personal Status,¹³ and Article 875 of the 1948 Civil Code.¹⁴ Landmark rulings include the Cairo Court of Appeal ruling on 20 May 2020, which applied Christian equality principles in inheritance disputes among Egyptian Christians.¹⁵ This important ruling brought some relief to the Coptic community as Islāmic *Shari’ah* – which allocates male inheritance twice that of females – has been applied to Christians for decades.

2.2. Law No. 80 of 2016 on the Construction and Restoration of Churches

Since the issuance of Law No. 80 of 2016 regarding the construction and restoration of Coptic places of worship,¹⁶ hundreds of churches await legalization, hundreds of locations face societal refusal to allow Copts to build churches, and many other places do not have rooms or spaces for prayer. Importantly, the law delegates the authority to issue legal permits and approve the construction or renovation of churches to the governors of Egypt’s 27 governorates. Governors must respond within four months of receiving a certification request, and any refusal must include a written justification. The law does not provide for review or appeal of refusals, nor does it specify recourse if a governor fails to respond within the stipulated time frame. Some human rights organizations have renewed calls to revise the Church Construction Law, which has not resolved the legal and procedural challenges faced by churches, by issuing a unified law for the construction of places of worship.¹⁷

2.3. Denial of Capacity to Testify

Egyptian Family Court judges often rely on Islāmic jurisprudence, which excludes Christian testimony in personal status cases for Muslims, based on interpretations that appear to prohibit non-Muslim testimony against Muslims. Article 3 of Personal Status Law No. 1 of 2000 states:

Rulings shall be issued according to applicable personal status and endowment laws, and in matters not covered, the most reliable opinions from the Hanafi school of Imam Abu Hanifa shall be applied. However, rulings in personal status disputes among non-Muslim Egyptians who belong to recognized denominations and sects with established judicial authorities until December 31, 1955—shall follow their own Sharia, provided it does not conflict with public order.¹⁸

¹⁰ The Egyptian Constitution, 2014, see *supra* note 4.

¹¹ Article 247 of the Orthodox Copts’ Regulation stipulates equality between males and females in inheritance. Egypt, General Milli Council Decree of 1938 Concerning the Personal Status Regulations for Coptic Orthodox, 9 May 1938, amended in June 2008 (<https://www.legal-tools.org/doc/17smn6tx/>).

¹² Egypt, Law No. 25 of 1944, addition to Law No. 25 of 1929 Concerning Rules of Cassation and Appeals in Personal Status Matters, 25 March 1929 (<https://www.legal-tools.org/doc/ivnx9zlt/>).

¹³ Egypt, Law No. 1 of 2000 on the Organization of Certain Litigation Procedures in Matters of Personal Status, 29 January 2000 (<https://www.legal-tools.org/doc/u3tkmkma/>).

¹⁴ Egypt, The Civil Code, 29 July 1948, Article 875 (<https://www.legal-tools.org/doc/yw2jt5/>).

¹⁵ Alaa Radwan, “Court rulings upheld the right to equality between men and women in inheritance”, *Parlamany*, 29 February 2024.

¹⁶ Egypt, Law No. 80 of 2016 Regarding the Construction and Restoration of Places of Worship, 28 September 2016 (<https://www.legal-tools.org/doc/kj8cs012/>).

¹⁷ Human Rights Watch, “Egypt: New Church Law Discriminates Against Christians”, 15 September 2016; Jacky Habib, “Egypt’s Copts want changes to law after deadly church fire”, *Al Jazeera*, 20 August 2022.

¹⁸ Egypt, Law No. 1 of 2000 Regulating Certain Conditions and Procedures of Litigation in Personal Status Matters, 29 January 2000 (<https://www.legal-tools.org/doc/jv0bjpbc/>).

Some judges adhere strictly to the Hanafi school, which requires two ‘just men’ as witnesses and, according to Abu Hanifa, the just witness must be Muslim. Some judges interpret ‘justice’ to mean the witness must necessarily be Muslim. Former Deputy Head of the State Council and head of the Justice Legal Services Group, Judge Essam Rifaat, stated that he personally witnessed judges rejecting Christian testimony in courts, relying on the erroneous principle that ‘a non-Muslim cannot have authority over a Muslim’, which is one of the most dangerous practices in Egypt’s personal status courts. Judge Rifaat emphasized that rejecting Christian testimony has complex repercussions because it violates constitutional and legal provisions, as well as established Islāmic *Shari’ah* principles: the principle ‘a non-Muslim cannot have authority over a Muslim’ is harmful to society; if applied, it would prevent Minister Boutros Ghali from transferring an accused employee to legal affairs, as ‘a Christian has no authority over a Muslim’, and courts would dismiss all corruption, murder, drug, and prostitution cases involving Christian police officers, as official records constitute testimony.¹⁹

Egyptian researcher and activist Patrick George was arrested in 2019 for an article published on the web site ‘Daraj’, which highlighted instances of discrimination against Christians in Egypt, including the issue of denying Christian testimony in Muslim cases.²⁰

2.4. Jehovah’s Witnesses

The roots of the Jehovah’s Witnesses in Egypt go back to 1930. They freely practised their faith until 1960 when President Gamal Abdel Nasser issued a law prohibiting them from practicing in Egypt, making the group unrecognized and illegal. They are unable to establish places of worship, lack of cemeteries to bury their dead, and suffer non-recognition of their marriages (forcing them to marry civilly).²¹

On several occasions, they requested recognition of their rights from the Egyptian authorities. In 2009, they attempted to establish the ‘Jehovah’s Witnesses Association’ and filed a lawsuit demanding this right, but the Administrative Court rejected their case, stating that “the association violates public order, as well as the beliefs and customs of Egyptian society”.²² A year later, the community issued a statement (“Jehovah’s Witnesses: Respectful Christian Believers in Egypt”) suggesting that a notable rapprochement with the Egyptian government had begun since 2007, allowing them to gather for worship in private homes in groups of up to 30 people.²³ In 2012, coinciding with the drafting of the new Egyptian Constitution, the head of the Jehovah’s Witnesses in Egypt called on the state to recognize them as an official religious community in accordance with the principle of freedom of belief – as a Christian denomination. The request received no response from the Egyptian government.²⁴ In 2022, the community appealed to the international public, when the ‘African Association of Jehovah’s Witnesses’ and the ‘European Association of Jehovah’s Witnesses’ submitted a joint memorandum to the United Nations Human Rights Committee requesting the group’s re-registration in Egypt.²⁵

3. The Bahá’í Faith

Bahá’í assemblies, gathering places, and cultural and social centres remained active in Egypt from 1924 until they were abolished in 1960 by a decree of President Nasser. During that period, the number of Bahá’í assemblies reached 13.²⁶ Since their abolition, Bahá’ís have had to practice

¹⁹ Eman Ade, “Banned Testimonies: Discrimination Against Christians in Egyptian Courts”, *Arij for Investigative Journalism*, 3 March 2024.

²⁰ The Egyptian Initiative for Personal Rights, “The Egyptian Initiative condemns the three-year prison sentence issued by the Emergency Court against its researcher Patrick George over an opinion article”, 18 July 2023.

²¹ The Egyptian Commission for Rights and Freedoms, “Jehovah’s Witnesses in Egypt”, in *Minorities Map*, July 2025.

²² “Jehovah’s Witnesses are little more than a century and a half old. They strive diligently to be recognized as one of the Christian denominations. So, what do we know about this religious minority, part of which lives in several Arab countries?”, *Naba*, 17 February 2024.

²³ Amro Bayoumi, “Moves to officially recognize ‘Jehovah’s Witnesses’ in Egypt”, *Almasry Alyoum*, 29 October 2010.

²⁴ Nadia Mabrouk, “Jehovah’s Witnesses: 62 Years of Ban and Excommunication in Egypt”, *Daraj*, 2 September 2022.

²⁵ Al-Nahar, “Jehovah’s Witnesses... in 10 points”, *Annahar News*, 28 December 2017. See also, United States’ Embassy in Cairo, “2022 Report on International Religious Freedom: Egypt”, 6 November 2024.

²⁶ Hasan Mohamed, “Baha’is in Egypt... ‘We Do Not Seek Conflicts in Our

their beliefs within their homes. As we have seen in Section 1 above, Article 64 of the Egyptian Constitution recognizes only Islām, Christianity and Judaism. A dash (—) is placed in the religion field of the identification cards held by Egyptian Bahá'ís, a procedure applied to all followers of religious beliefs that are not Islām, Christianity or Judaism.²⁷ Egyptian law does not recognize the Bahá'í Faith or its religious laws; it prohibits Bahá'í institutions and activities. Bahá'ís are forbidden from owning places of worship or other community properties.

In December 2003, the Al-Ázhār Islamic Research Council issued a *fatwá* stating: “Islam does not recognize any religion other than those that the Qur'an instructs us to respect. Therefore, there should be no religion in Egypt other than Islam, Christianity, and Judaism, because any other religion is illegitimate and contrary to public order.”²⁸ The *fatwá* called on legislative, judicial and executive authorities to implement measures accordingly and described the Bahá'í Faith as “a type of lethal intellectual plague that the state must use all its capabilities to combat and eliminate.”²⁹ The Islamic Research Council repeated its stand in May 2009, rejecting the recognition of the Bahá'í Faith as a divine religion and opposing calls to recognize it as a heavenly religion.

According to the Egyptian Initiative for Personal Rights:

[T]he year 2009 witnessed violent and unprecedented sectarian attacks against Egyptian Baha'is living in the village of al-Shoraniya in Upper Egypt. The attacks resulted in the burning of five homes owned by Baha'is, after the assailants pelted them with stones, stormed them, and stole some of their contents. The attackers then hurled fireballs and Molotov cocktails at the houses while chanting sectarian religious slogans. These assaults also led to the displacement of all five families, and the security authorities have not allowed them to return to their homes to this day.³⁰

On 27 December 2021, Egypt's Administrative Court rejected a lawsuit that sought to oblige the Alexandria Governorate to allocate land for cemeteries for people other than followers of the three constitutionally-recognized religions and citizens registered with a dash (—) in the religion field.³¹ The Administrative Court in Alexandria had referenced the Islamic Research Council's opinion, which stated that allocating land for a Bahá'í cemetery would “lead to discrimination, further division, fragmentation, and the tearing apart of the social fabric.”³² Burials are among the real problems facing Bahá'ís in Egypt, as they are only allowed to use the Basateen cemetery in Cairo.

Moreover, Bahá'í parents and guardians are forced to sign a declaration stating that their children have no objection to taking religious education exams in Islāmic or Christian studies in public schools. This contradicts the position of the Human Rights Committee, which states that generalizing the teaching of a particular religion in education violates freedom of religious belief under the ICCPR, unless exemptions or non-discriminatory alternatives are provided in line with parental wishes.³³

4. Jews in Egypt

Due to the small size of the Egyptian Jewish community and the aging of its members, there is no official organization representing them. The community is represented by dedicated individuals who facilitate Jewish life in the country. Magda Shahat Haroun serves as the head of the

Jewish community in Egypt, while Youssef Gaon leads the Jews residing in Alexandria. Jewish life in Egypt is almost entirely managed through the two active synagogues: the Adly Synagogue (Gate of Heaven Synagogue ‘Sha’ar Hashamayim’ in Adly Street, downtown Cairo) and the Yaho Hanavi Synagogue in Alexandria.³⁴ According to media reports, there were nearly 100,000 Jews in Egypt before the mass migrations to Israel and Europe in the 1950s. In a statement dating back to 2017, Magda Haroun, head of the Jewish community in Egypt, said: “There are only six Jews left in Egypt, and I am one of them. I am the only one who can walk; the others are on wheelchairs.”³⁵

5. Blasphemy

The Egyptian Penal Code does not contain any punitive provisions for or criminalization of atheism, but it has what is known as the ‘blasphemy law’ – Article 98(f) – which punishes with imprisonment of no less than six months and no more than five years. The article is applied selectively to religious minorities as well as atheists.³⁶ In May 2024, an Egyptian court sentenced the well-known blogger Sherif Gaber to five years in prison for allegedly publishing videos that blasphemed Islām and incited atheism. He had previously, in 2019, been sentenced to three years by the Ismailia court. On 26 September 2024, the Administrative Court further ruled to block Sherif Gaber and prevent him from appearing on social media platforms.³⁷ The same charge led to the imprisonment of bloggers Karim Amer and Albert Saber Ayad for four years in 2007³⁸ and three years in 2012 respectively.³⁹ In 2015, university student Karim Al-Banna was sentenced to three years for declaring his atheism.⁴⁰ Sherif Gaber was sentenced to one year for creating a Facebook group called ‘The Atheists’. Blogger Ahmed Harqan faced the same charge multiple times, notably in 2014 and 2019. Harqan later announced his return to Islām, but only after escaping Egypt illegally, strenuously traveling on foot to reach Tunisia, where he remarked to have “safely escape[d] without fear of being executed for apostasy by extremists”.⁴¹ In June 2020, the Alexandria Economic Court of Appeals upheld the sentencing of blogger Anas Hassan to three years in prison on charges of “insulting religions” and “misusing social media”, due to managing the Facebook page ‘Egyptian Atheists’.⁴²

Since the issuance of Law No. 175 on combating cybercrime in 2018, its articles have also been used to prosecute many bloggers and internet users, especially Article 25, which punishes with imprisonment and fines “anyone who attacks the principles and family values of Egyptian society” via online publication.⁴³

6. Law on Civil Associations and Its Impact on Religious Expression

Law No. 149 of 2019 provides in Article 14 that associations “shall operate in the fields of community development defined in their statutes and no

³⁴ In February 2020, 180 Jews from Europe, Israel and the United States visited Alexandria to attend religious celebrations at the historic Yaho Hanavi Synagogue, which had been restored by the Egyptian government as part of a programme to protect Jewish heritage sites. “For the first time in decades... the ‘Eliyahu Hanabi’ Synagogue in Alexandria hosts the largest Jewish prayer in Egypt”, *Daaarb News*, 16 February 2020.

³⁵ Samar Alnaggar, “Head of the Jewish community in Egypt: Our number is only six... and I am the only one who can walk on my feet”, *Almasry Alyoum*, 11 July 2017.

³⁶ Ishak Ibrahim, “Atheists in Egypt... living on the edge of ‘civil death’”, *Tahrir Institute for Middle East Policy*, 28 January 2022.

³⁷ Mahmoud Ibrahim, “Ismailia Misdemeanor Court upholds a 5-year prison sentence for YouTuber Sherif Gaber on charges of promoting atheism”, *Cairo24*, 7 October 2024.

³⁸ Reporters Without Borders, “Blogger Karim Amer sentenced to four years in prison”, *RSF*, 22 February 2007.

³⁹ Amnesty International, “Egypt: The ‘outrageous’ ruling convicting the defendant in the case of contempt of religion is considered an infringement on freedom of expression”, 12 December 2012.

⁴⁰ “An Egyptian student sentenced to three years in prison for declaring atheism on Facebook”, *BBC*, 11 January 2015.

⁴¹ “Ahmed Harqan – Why did he say he returned to Islam?”, Filnoor, *Facebook*, 19 February 2021.

⁴² The Egyptian Initiative for Personal Rights, “The Court of Cassation rejects the appeal against the three-year prison sentence of a blogger accused of running the ‘Egyptian Atheists’ page on Facebook”, 15 February 2022.

⁴³ *Ibid.* Egypt, Law No. 175 of 2018 on Anti-Cyber and Information Technology Crimes, 14 August 2018 (<https://www.legal-tools.org/doc/cy36s0ef/>).

Homeland and We Believe in Humanity and Citizenship”, *Raseef 22*, 2 June 2018.

²⁷ Shaimaa Qaranshaw, “The Interior Ministry is obliged to issue ID cards for Baha'is with ‘No Religion’ or ‘—’”, *Almasry Alyoum*, 30 January 2008.

²⁸ “Al-Azhar Sheikh: The Baha'i sect is a ‘deviant group’, and recognizing it is a departure from Islam and the teachings of the heavenly religions”, *Ahl Alquran*, 22 July 2008.

²⁹ *Ibid.*

³⁰ The Egyptian Initiative for Personal Rights, “One year after the sectarian attacks against the Baha'is in al-Shoraniya”, 31 March 2010.

³¹ “Lawsuit to allocate cemeteries for followers of non-Abrahamic religions rejected”, *Manshurat Qanonyia*, 29 December 2021.

³² The Egyptian Initiative for Personal Rights, “Administrative Court rejects obligating Alexandria Governorate to allocate cemeteries for non-followers of the three religions”, 28 December 2021.

³³ Cairo Institute for Human Rights Studies *et al.*, “Joint Report on the Human Rights Situation in Egypt: Submission to the 48th Session of the Universal Periodic Review (January 2025)”, 20 January 2025 (<https://www.legal-tools.org/doc/u8itezvd/>).

others, while taking into account state development plans and community needs”.⁴⁴ The law has sparked controversy due to the restrictions it imposes on the activities of associations, especially concerning religious expression. It limits such expression by prohibiting activities not included in the association’s founding document, as well as political, party or syndicate activities, which may include some religious activities not considered part of the association’s declared objectives.⁴⁵

During 2023, the General Assembly of the Fatwa and Legislation Departments of the State Council issued a binding judicial opinion prohibiting civil society organizations and associations from practising religious preaching and guidance, in response to a request for a legal opinion submitted by the Minister of Social Solidarity regarding civil associations practising missionary activities.⁴⁶ The Assembly (headed by Counsellor Osama Moharram, First Deputy of the President of the State Council) concluded in Legal Opinion No. 838 of 2023⁴⁷ that St. Athanasius the Apostolic Foundation – registered under No. 3918 on 29 September 1992⁴⁸ – may not practice the activities of Bible study, preaching and religious guidance. The Foundation had included these activities in its draft bylaws under Law No. 149 (2019). The Opinion found that this bears clear characteristics of religious activity and does not stop at the level of religious services normally provided by associations and civil institutions. Since civil work and religious activity each have their own institutions, nature, regulations, purposes and means without which they cannot be realized, according to the Opinion, authorizing the Foundation to engage in the relevant activity would constitute an encroachment on jurisdiction and an overstepping of the legal scope of its recognized capacity.⁴⁹

So just as civil society work may not be mixed with political, partisan or trade union activities, it is also impermissible to conflate it with religious activities carried out by specialized institutions tasked with spreading specific religious doctrines. These efforts contribute to the Egyptian government’s endeavour to empower moderate and centrist religious discourse through qualified scholars and official institutions, ensuring the continuity of scholarly work and contributions by those whom the law has mandated to handle this matter.⁵⁰ The state had previously recognized this, leading the Ministries of Endowments and Social Solidarity to issue Decision Nos. 258 of 2015 and 164 of 2016⁵¹ to revoke licenses and shut down all private institutes for training preachers, teaching the Qur’ān, Qur’ānic recitation, or Islāmic cultural centres affiliated with associations and non-governmental organizations.⁵²

Article 15 of Law No. 149 of 2019 sets out 10 prohibitions on non-governmental organizations, including engaging in activities inconsistent with the association’s purposes, in political or partisan activities, forming secret organizations, violating public order and morals, promoting dis-

crimination, issuing certificates without authorization, practising activities that require a license before obtaining it, conducting public opinion polls without prior approval, or signing agreements with foreign entities without administrative consent.⁵³ This means that the law does not prohibit preaching and religious guidance as such, as it is part of the function of religiously-oriented associations, but the above-mentioned Opinion No. 838 (2023) explicitly added “preaching and guidance” to the prohibited activities. Human rights organizations note that the Opinion has negatively affected thousands of Islāmic associations whose activities include preaching and religious guidance. They believe these Islāmic associations are the true addressees of the Opinion, not the relatively small St. Athanasius the Apostolic Foundation.⁵⁴

7. Conclusions

Respecting a citizen’s freedom of belief and right to change religion or creed is a human, personal and constitutional right. To ensure respect for freedom of religion in Egypt, this brief makes the following recommendations:

- Article 64 of the 2014 Constitution must be amended so that not only the religions mentioned there enjoy freedom of religion. The current restriction of constitutional protection to Muslims, Christians and Jews contradicts the very idea of freedom of religion. Such an amendment does not mean that there cannot be a provision on state religion in Egypt.
- A law must be enacted allowing minority religious communities to incorporate and thus obtain legal personality under Egyptian law, allowing them to rent and own property for the normal functions of worship, education and welfare within their community.
- Discrimination based on religion, ethnicity or belief must be criminalized in penal law, and anyone attacking places of worship, their sanctity, or the rights of citizens to practice their religion freely must be investigated and prosecuted.
- A culture of tolerance among all citizens must be promoted and extremist discourse rejected; each party should respect the religion of the other, and school curricula – especially religious education – should foster acceptance of others and understanding of their culture.
- The religion field must be removed from national identification cards.

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⁴⁴ Law No. 149 of 2019 Regulating the Practice of Civil Work, 19 August 2019 (<https://www.legal-tools.org/doc/e58s7q75/>).

⁴⁵ *Ibid.*

⁴⁶ Ministry of Social Solidarity, Egypt, “Al-Qabbaj issues a decision to extend the deadline for regularizing the status of associations, civil institutions, and regional and foreign organizations”, 12 October 2022.

⁴⁷ Mohamed Zohair, “Dar al-Ifta and Legislation: Civil associations are not permitted to engage in religious preaching”, *Sada Elbalad News*, 14 August 2023.

⁴⁸ Muhammad Issa, “Fatwa and Legislation: Civil society organizations are not permitted to practice religious preaching”, *Elwatan News*, 14 August 2023.

⁴⁹ Zohair, 2023, see *supra* note 47.

⁵⁰ Mahmoud El-Shorbagy, “Dar al-Ifta and Legislation: Civil society organizations are not allowed to carry out religious preaching”, *Masrawy News*, 14 August 2023.

⁵¹ See Sakr El Majid, “Egypt: Ministerial Decree Closes NGO-Affiliated Institutes for Preachers”, *Islamic Bag*, 28 April 2017.

⁵² El-Shorbagy, 2023, see *supra* note 50.

⁵³ Samar Salama, “The law prohibits civil society associations from engaging in activities that contradict their stated purposes”, *Alyoum Alsabea News*, 4 May 2025.

⁵⁴ Religions Freedoms Map in Egypt, “Judicial ruling: It is not permissible for civil institutions to engage in religious preaching and guidance activities”, *The Egyptian Initiative for Personal Rights*, 13 June 2023.



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