

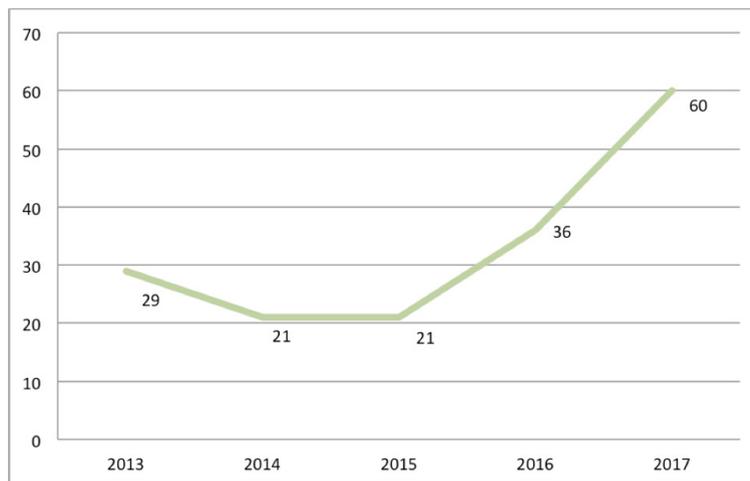
## INTRODUCTION

Twin bombs at Coptic Orthodox cathedrals in Alexandria and Tanta exploded on Palm Sunday, April 9, 2017, killing 47 and injuring up to 113. The Islamic State in Egypt claimed the attacks, which occurred less than five months after the bombing at [St. Peter and St. Paul Coptic Orthodox Church](#), an attack that left 28 dead and was also claimed by the group. The Alexandria attack targeted St. Mark’s Cathedral, the traditional seat of Christianity in Egypt where Coptic Orthodox Pope Tawadros II was leading worship; he was uninjured in the blast.

Sectarianism is a longstanding problem in Egypt, and the past several months have proven more deadly than usual due to increasing sectarian terrorist violence. This year so far, 60 have been killed in sectarian violence both by the Islamic State in Egypt as well as other non-state and non-affiliated perpetrators, including the murders of six Christians in separate incidents in Alexandria, Assiut, Cairo, and Menoufia; the killing of seven Christians in a spate of incidents in North Sinai, leading Christians to [flee the city](#) in large numbers; and the twin bombings on April 9.

In 2016 Eshhad documented 36 religious minority deaths in sectarian incidents, with 21 in each 2015 and 2014 (see Figure 1).

Figure 1: Number of Dead in Egypt due to Sectarian Violence <sup>1</sup>



## SUMMARY OF DEVELOPMENTS

In Tanta in the province of Gharbiya, some 50 miles north of Cairo, 29 were killed by a suicide bomber at St. George’s Cathedral and up to 78 were injured. A video uploaded to the Internet [captured](#) the moment of the explosion. About two weeks prior to the bombing, security had discovered an improvised explosive device (IED) at St. George’s Cathedral on March 29 that was dismantled by bomb technicians. A few days prior to the attack, a second device was found and deactivated. Following the attack, security personnel also reportedly dismantled two IEDs at Sidi Abdel Rahim Mosque in Tanta, which contains a Sufi shrine.

In Alexandria, another suicide bomber killed 18 and injured 35. The bomber attempted to enter the grounds of St. Mark’s Cathedral, but a doorman, Naseem Fahim, [redirected](#) him to a metal detector, where he detonated an explosive vest. Pope Tawadros II [was leading](#) the Palm Sunday mass at the church but was [uninjured](#). Fahim was killed in the blast, [as were](#) police personnel Brigadier General Nagwa al-Haggar; Lieutenant Colonel Emad al-Rikaby; warrant officers Omnia Roshdy and Asmaa Ibrahim Hussein; and policemen Essam Adeeb, Muhammad Hassan, and Ahmed Ibrahim. Al-Haggar, Roshdy, and Hussein were the first female Egyptian police officers to die in the line of duty. A security camera [captured the moment](#) the explosive detonated just outside the metal detector.

<sup>1</sup> The numbers from 2013 exclude data prior to August 14, 2013 and 2017 only shows the number that have been killed so far.

Following the two attacks, the foreign ministry spokesman [tweeted](#), referring to the attacks as an “obnoxious but a failed attempt against Egyptians.” Soon after, President Abdel-Fattah El Sisi [declared](#) a three-month state of emergency starting on April 10 at 1:00 p.m., which the Cabinet later [approved](#). The House of Representatives approved the state of emergency on Tuesday, April 11. Interior Minister [Magdy Abdel Ghaffar fired](#) the Gharbiya Security Director Major General Hossam al-Din al-Khalifa, the provincial head of police. Sisi [announced](#) three days of public mourning.

Following the bombing in Tanta, demonstrators [protested](#) near the cathedral and accused the authorities of neglecting their duty to protect them. The demonstrators [assaulted](#) Major General Khalifa during his visit to the church on Sunday prior to his firing, and [clashed](#) with security forces who tried to break up the protest.

### *Emergency Law, the State of Emergency, and the Legal Scheme*

Following the attacks, Sisi announced a three-month state of emergency under his constitutional and legal authority. [Under Article 154 of the Constitution](#), the president has the authority to authorize a state of emergency after consulting with the Cabinet, a decision that must be approved by a majority vote of the House of Representatives within seven days of the declaration. The House of Representatives approved the state of emergency on April 11.

#### **Article 154: State of Emergency**

The President of the Republic declares, after consultation with the Cabinet, a state of emergency in the manner regulated by law. Such proclamation must be submitted to the House of Representatives within the following seven days to consider it. If the declaration takes place when the House of Representatives is not in regular session, a session is called immediately in order to consider the declaration. In all cases, the declaration of a state of emergency must be approved by a majority of members of the House of Representatives. The declaration is for a specified period not exceeding three months, which can only be extended by another similar period upon the approval of two-thirds of House members. In the event the House of Representatives is dissolved, the matter is submitted to the new House in its first session. The House of Representatives cannot be dissolved while a state of emergency is in force.

Presidential Decree No. 157 of 2017, announcing the state of emergency, was published in the Official Gazette on April 10. While the exact measures taken during a state of emergency ultimately depend on the discretion of the president, the state of emergency is informed and governed by the Emergency Law, Law No. 162 of 1958. Significant elements of the state of emergency have included prosecutions before the State Security Emergency Courts (bodies under which there is no appeal and the verdicts of which are subject to ratification by the president), heightened surveillance of personal communications, curfews, and various forms of censorship. Many observers argue that the state of emergency has never been effective at combating terrorism or providing security, and instead, exists as a pretense to enable a greater crack-down on the rights of citizens.

According to the presidential spokesperson, Sisi ordered the deployment of military units immediately after the attacks to assist police in securing “vital and important buildings across the nation;” at present, it is unclear under exactly what authority this order was made and for how long and to what extent military units will remain deployed. In 2014, Law No. 136 of 2014 (the Protecting Vital Facilities Law) was passed (and extended for five years in August 2016) to establish the military’s authority to protect “vital government and public facilities” and allow military trials for those violating the security of these facilities. Following the bombing at St. Peter and St. Paul Coptic Orthodox Church, the House of Representatives discussed amending the law to expand the definition of “vital government and public facilities” to include houses of worship. The amendment, however, was never passed.

Outside of the measures enabled by the Emergency Law, the country’s parliament is likely to pass legislation theoretically designed to “fight terrorism,” but will likely constrain the rights of citizens as well. On April 10, it was reported that the [House of Representatives approved](#) a number of amendments to the Criminal Procedure Code, the Court of Cassation Law, the Terrorist Entities Law, and the Counter-terrorism Law to hasten the speed with which terrorists are prosecuted, a goal that is likely to translate to due process violations.

### *The Islamic State in Egypt and Terrorism*

Terrorism has in recent years been a growing obstacle to Egypt’s stability. TIMEP’s Egypt Security Watch project (ESW) documented 68 acts of terrorism per month on average throughout 2016, the vast majority of which were perpetrated in the Sinai Peninsula. The mainland (i.e., outside North and South Sinai provinces) witnessed 131 acts of terrorism over that same

period, or about 16 percent of the country's total. According to preliminary data, there have been 40 attacks per month on average across Egypt in the first quarter of 2017. Attacks across the mainland have decreased dramatically over the previous two years, dropping from 56 attacks per month on average in 2015 to only 11 per month on average in 2016. Yet average fatalities per month have fallen only slightly, from 9.5 fatalities on average per month in 2015 to 7.4 in 2016, while average civilian fatalities remained unchanged over the same period. According to preliminary data, the average number of fatalities across mainland Egypt per month for 2017 is 13.5, while the average number of civilian fatalities is 9.5 (aside from the church bombings, ESW only documented one civilian fatality). Average fatalities per month across Egypt as a whole in 2017 has reached 46, while average number of civilian fatalities is 20.

Terror attacks targeting religious minorities, particularly Christians and Christian institutions, were relatively rare until recently. Egypt's terror groups have generally not employed overtly sectarian rhetoric in propaganda, with much of their claimed violence justified as a struggle against transgressions of the state. For example, Liwaa al-Thawra, a group that carried out an attack in Tanta days before the Palm Sunday bombings, released a statement condemning the attack and pegging responsibility on the state. Since July 1, 2013, there have been 48 terrorist attacks targeting religious institutions across Egypt.<sup>2</sup>

While the Islamic State's affiliates in Egypt generally abstained from attacks on Christians for the first two years of their presence in Egypt, the attack on the St. Peter and St. Paul Coptic Orthodox Church—and [the events](#) that led up to and followed that incident including the twin bombings on April 9—indicate the Islamic State's shift towards sectarian targets. Both affiliates have moved toward more overt alignment with the Islamic State's global sectarian project. Since the bombing in December, which was carried out by the Islamic State's mainland affiliate after several months of inactivity, the Islamic State has undertaken an aggressive and obviously concerted effort to terrorize the country's embattled Christian minority. By way of comparison, the Islamic State's affiliates in Egypt claimed only one incident of terrorism against an exclusively Christian target between November 2014 and December 2016, when Christian priest Raphael Moussa was shot dead in Arish in June 2016. But since the St. Peter and St. Paul Coptic Orthodox Church bombing alone, ESW and Eshhad have recorded nine incidents against Christians. These acts include the recent spate of Wilayat Sinai-claimed attacks on Coptic Christians in Arish that displaced hundreds of Coptic families from the city.

The shift toward more overt religious targeting has also affected other sects, including Sufis, and has been directed toward a number of state-run Islamic institutions like al-Azhar and the Ministry of Religious Endowments. In October 2016, Wilayat Sinai reportedly kidnapped four Sufi clerics in the Naga Shabana village in Rafah. The four, according to the officials, had repeatedly spoken out in public against Wilayat Sinai for the killing of local civilians suspected of links to security forces. On November 18, 2016, Wilayat Sinai claimed the beheading of Sufi Sheikh Suleiman Abu Haraz from al-Sawarka, who was kidnapped from his home in Arish and accused of witchcraft. The group also claimed the killing of Sheikh Said Abdel Fattah who was kidnapped in September 2016 from al-Masaheed.

## Media

In what is being perceived as an effort to control media coverage and the narrative around the attacks, authorities [confiscated](#) an issue of daily newspaper *al-Bawabah* that condemned the state's management of the bombings, referring to the incidents as a "security failure" and reportedly calling for Interior Minister Magdy Abdel Ghaffar to be fired. The next day, a second issue was allegedly withdrawn in which *al-Bawabah* repeated allegations Abdel Ghaffar's negligence.

Sisi, during his public statements regarding the bombings, [directed](#) a specific message to the media: "To the media, take care of Egypt and Egyptians. The media discourse has to be responsible. It's not acceptable to have the incident aired repeatedly on television stations all day."

The state of emergency that is now in place gives Sisi [the authority](#) to "monitor newspapers, publications, editorials, drawings, and all means of expression, by written or oral decree," and "to order the seizure, confiscation and closure of publications and print houses." Several members of parliament also urged for more restrictions of the media, with parliamentarian Alaa Abed accusing the media of complicity in the bombings for "failure to educate young people who are being recruited by extremists."

Three presidential decrees were issued on April 11 appointing boards for the national media and journalism authorities, including Makram Muhammad Ahmed to the Supreme Media Regulatory Council; Karam Gaber to the National Press Authority; and Hassan Zein to chair the National Broadcasting Authority.

<sup>2</sup> This figure includes both Sunni Muslim and religious minority institutions.

## ANALYSIS

Although the Islamic State has increasingly focused its attacks on sectarian targets, the environment in which such sectarian violence exists also demonstrates the failure of Egyptian leadership in its duty to foster and protect religious minorities and their right to free practice of their worship. Egypt's deeply rooted sectarian conflict is a lens into the cross-section between religious freedom and violent sectarian extremism. Egypt's ability to effectively combat extremist and terrorist ideologies rests on its willingness and ability to promote and protect freedom of religion or belief as it is obligated to do under its domestic and international legal obligations. Protecting religious freedom for all Egyptians will inevitably reduce extremism inside the country by providing a space for healthy dialogue and debate of ideas. Now, with a state of emergency, the government has brought back a system that did produce greater security given the bouts of terrorist attacks throughout Egypt's modern history.

Freedom of belief is an absolute right under Article 64 of the Egyptian Constitution and heavenly religions (Christianity, Judaism, and Islam) are provided the freedom to practice their religious rituals as well as establishing places of worship. Egypt, as a state party to the International Convention on Civil and Political Rights (ICCPR), is also obligated to protect a civilian's freedom to believe and practice. Under Article 18 of the ICCPR, every Egyptian has the broadly construed right to freedom of thought, conscience, and religion including the freedom to manifest his or her religion or belief in worship, observance, practice, and teaching. As explained in General Comment No. 22, "The fundamental character of these freedoms is also reflected in the fact that this provision cannot be derogated from, **even in time of public emergency**, as stated in Article 4.2 of the Covenant" (emphasis added). The government can also not derogate from the rights and freedoms recognized in the Covenant under Article 5 of the Covenant.

Ultimately, Egyptian authorities have been unable and unwilling to comply with its domestic and international legal obligations to protect freedom of religion or belief. They have failed to protect the country's religious minorities and their ability to practice their faith, relied on censorship and oppressive laws which infringe on civil and human rights of all Egyptians, and promoted and maintained domestic laws and policies that violate their international duties.

Since August 2013, Eshhad has documented over 500 sectarian incidents in which religious minorities have been targeted and has also documented 167 deaths due to sectarian violence (60 of which have occurred in 2017). Violent attacks perpetrated against the Christian community in Egypt, whether by terrorists, other non-state actors, or by the government are direct violations of their constitutional right to free religious belief and practice. When Egypt's Christians are being bombed in their places of worship, murdered in their beds, and executed in broad daylight, their freedom to practice their religion is being egregiously violated, and the government is failing to protect them.

The government's response so far indicates a deep and dangerous encroachment on all civilians' rights, directly violating Egypt's Constitution and the country's international legal obligations. Enacting a state of emergency that strips a citizen's right to free and fair trials (even giving the president authority to ratify verdicts) flies in the face of any modern judicial system and takes away any of the protections against government abuse. Calling for military trials and deploying military forces for protection and oversight of church reconstruction has historically not been effective in Egypt; this has been the government's response since at least the second half of 2013, yet terrorism against religious minorities continues to rise throughout the country. Additionally, the government's decision to censure and censor the media is counterproductive.

The state of emergency has brought back a system that did produce greater security given the bouts of terrorist attacks throughout Egypt's modern history. Emergency law was consistently used as a tool to suppress democratic development, and its expiration under former President Muhammad Morsi was regarded as one of the main successes of the January 25 Revolution in 2011. The revival of the state of emergency is a major blow to what remains of the revolution's successes, and under the current leadership in all branches of government, it is hard to imagine circumstances under which it will expire now. One current example of this is the current use of emergency law in Sinai since 2014 that has been semi-automatically renewed without yielding greater security or stability; in fact, the situation has only worsened.

Finally, there is a strong and sustained legal infrastructure in Egypt that disadvantages religious minorities. Only "heavenly" religions—Islam, Christianity, and Judaism—are provided the right to free practice, excluding many of Egypt's other minorities from the rights provided in international conventions including the [non-religious](#), [Bahá'ís](#), [Shi'a](#), and other groups in the country. Myriad laws and practices in the country, including the [church construction law](#), the [blasphemy law](#), the continued use of [reconciliation councils](#), and the overall culture of impunity toward perpetrators of sectarian incidents and attacks have denied religious minorities justice.

The government's unwillingness and inability to combat sectarianism has continued to bring devastating consequences to its religious minorities. The latest bombings targeting Egypt's Christians struck two cathedrals (one of which the Coptic Pope was preaching at) on Palm Sunday, a major Christian holiday. In less than five months, the Islamic State has carried out deadly attacks on three major cathedrals during the times in which civilians were worshipping. Wilayat Sinai has killed seven Christians in Arish since the beginning of 2017, causing hundreds of families to flee their homes, property, and livelihoods.

Instead of cracking down on Egypt's religious minorities, civil society, and media, Egypt's government should be concerned with enforcing its laws against those who violate it and providing protection to the people who are at risk. Airing a clip of the bombings should not be a concern of the government when there are 3,000 fatwas that call for the destruction of churches in the country as [revealed](#) by Egypt's grand mufti a week before the bombing. Incitement to violence should be a primary concern of the government, not lashing out at those who cite to facts of incidents already passed. Additionally, the use of oppressive and sectarian laws in the name of national security should be abandoned and instead the government should be using and enforcing existing laws.

## RECOMMENDATIONS

### *Short term*

- **Improve security around religious minorities' houses of worship.** The Egyptian government must provide added security for churches. This includes heightened security around houses of worship.
- **Bring criminals to justice.** Egyptian authorities must conduct a thorough and transparent investigation into the killings of Christians throughout the country; this includes a public and fair trial that respects the inherent rights of all suspects and complies with both domestic law and international obligations. Just and fair prosecutions and accountability for perpetrators includes **reparations for victims and damaged churches.**
- **Authorize and establish a commission of inquiries.** An independent international and domestic commission of inquiries should be established to monitor the investigations and trials into the two church bombings on April 9 and the bombing on December 11, 2016. The commission must be comprised of independent lawyers and forensic investigators, and receive a mandate to oversee and monitor all investigations and trials, as well as the publication of results.
- **Repeal the emergency law, end the state of emergency, and refrain from passing legislation that constrains citizens' rights.** Rather than impose blanket constraints on citizens' rights as the state of emergency does, the protection of Egypt's civilians and the fight against terrorism must be achieved through balanced measures that specifically address the root cause of the issues at hand while respecting human rights. The Emergency Law permits the government to violate due process rights guaranteed to suspects and detainees by the 2014 Constitution, and has the propensity to be used to crack down on the civil and human rights of Egyptians.
- **Security protocol at houses of worship must be substantively reformed,** including retraining staff on how to address sectarian incidents, monitoring and evaluation efforts, and salary adjustments.

### *Long term*

- **Address root causes of sectarianism.** Egypt's sectarian culture and the government's failure to secure religious freedom for minorities, particularly Copts, are both issues that underpin continued attacks against religious minorities. The president's attendance of Christmas Eve mass, his stated support for religious reform and for Pope Tawadros, and government efforts to rebuild destroyed churches are welcome developments; however, significant steps—such as amending the Church Construction Law, repealing blasphemy laws, and strengthening the rule of law rather than relying on reconciliation councils for justice—are necessary to guarantee religious freedom for Egypt's religious minorities.
- **Address root causes of radicalization.** The attacks on Christians are an escalation of extremist violence, which the government has responded to with policies that consolidate its security authority at the expense of human rights and civil society. The closure of institutional spaces along with government practices that marginalize and neglect vulnerable populations close off channels of peaceful political engagement and fuel radicalization. This means adopting a law to regulate nongovernmental organizations that allows civil society to perform its function, halting the ongoing trial of NGO workers, passing media legislation that ensures freedom of expression and speech, decriminalizing assembly by further reform of the Protest Law, and supporting representative local governance that provides a conduit between citizens and the state to better equip the government to serve the needs of marginalized communities.
- **Address the context of impunity.** Both the ineffectiveness of reconciliation councils and the obscure, extrajudicial measures and investigations that occasionally occur in their stead have rendered the government systematically incapable of holding perpetrators of sectarian violence accountable. Such investigations contribute to a cycle of impunity that perpetuates the occurrence of sectarian attacks. The Egyptian government must abandon both of these measures in favor of a procedure rooted in the primacy of the rule of law and due process rights.
- **Undertake security sector reform.** The occurrence of terror attacks must not serve as pretext for consolidating the state's security authority to commit human rights violations in the name of security. Rather, such attacks—whether sectarian in nature or not—indicate the need for the government to introduce a widespread reform program across the entirety of the Egyptian security sector. This means an approach to terror threats that is dynamic in addressing the full range of possibilities, and requires the government to introduce rigorous training programs complete with meticulous monitoring and evaluation processes.