



Australian Government
Refugee Review Tribunal

Country Advice

Egypt

Egypt – EGY39559 – Tattoos – Salafists –
State Protection

23 November 2011

1. Please identify information regarding Muslim males with tattoos being adversely targeted/treated by Islamists because of their tattoos. Is this forbidden in Islam?

No reports were identified of Muslim males with tattoos being adversely targeted/treated by Islamists in Egypt because of their tattoos.

2. Is there a prescribed punishment under Sharia or Egyptian law for a Muslim having a tattoo (with a focus on the beliefs of the Salafis)?

Tattoos are forbidden in Islam; however a specific punishment under Sharia law was not identified. No information was located regarding Salafi perspectives on the applicable punishment for a Muslim having a tattoo. There were no Egyptian laws located that prohibit tattoos.

Islamic-based websites and blogs state that within Sunni Islam tattoos are considered a form of self-mutilation and are not permitted (*haram*). The only exception to this is the non-permanent and non-skin piercing henna tattoos.¹ However, information concerning a specific punishment for such a practice was not located.

Although Article 2 of the Egyptian Constitution declares that the principal source of legislation is Islamic Jurisprudence (Sharia), and this Article was maintained in the 2011 (post-revolution) Constitutional Declaration, no laws were identified that prohibit tattoos.²

Tattooing is a common practice among Egypt's Coptic Christian community.³ An article published by the online US news company *GlobalPost* states that even though tattooing is

¹ 'Ruling of Tattoos in Islam' 2009, *MuslimConverts* website <http://www.muslimconverts.com/cosmetics/tattoos.htm> - Accessed 22 November 2011; 'Tattoos in Islam' 2009, *Islamweb* website, 7 March <http://www.islamweb.net/emainpage/index.php?page=articles&id=138057> - Accessed 22 November 2011; May, Theodore 2009, 'Egypt's Christians uphold tattoo tradition', *Globalpost*, 14 October <http://www.globalpost.com/dispatch/egypt/091008/egypt%E2%80%99s-ancient-art-form-modern-twist> - Accessed 22 November 2011

² *The Constitution of The Arab Republic of Egypt* (11 Sep. 1971 and amendments May 22nd 1980, May 25th 2005, and March 26th 2007) World Intellectual Property Organization website http://www.wipo.int/wipolex/en/text.jsp?file_id=189854 - Accessed 22 November 2011; 'Constitutional Declaration 2011', Egyptian Government Services Portal <http://www.egypt.gov.eg/english/laws/constitution/default.aspx> - Accessed 22 November 2011; *Penal Code No 58 of 1937, (Promulgated 1937)*, United Nations Office on Drugs and Crime website <http://track.unodc.org/LegalLibrary/LegalResources/Egypt/Laws/Egypt%20The%20Penal%20Code%20Law%20191937.pdf> - Accessed 22 November 2011

³ May, Theodore 2009, 'Egypt's Christians uphold tattoo tradition', *Globalpost*, 14 October <http://www.globalpost.com/dispatch/egypt/091008/egypt%E2%80%99s-ancient-art-form-modern-twist> - Accessed 22 November 2011

forbidden in Islam, and the practice remains taboo among Muslims in Egypt, that's 'not to say that some Muslims don't break the rules'.⁴

No reports were located of Muslims being punished by the Egyptian authorities for having tattoos.

3. Please identify information regarding the availability of state protection for Muslim men who fear adverse treatment from Islamists because of having tattoos or because they have acted contrary to Salafist beliefs.

No information was located regarding the availability of state protection for Muslim men who fear adverse treatment from Islamists specifically for having a tattoo. Regarding protection for persons fearing adverse treatment by Salafists in general, the Egyptian Penal Code of 1937 prohibits killing, wounding and beating and prescribes punishments for such acts (Part 1: Articles 230 – 251).⁵ However, the situation in Egypt remains fluid. Following the revolution, the security and intelligence apparatus, which previously suppressed Islamist groups, was restructured.⁶ Sources claim Islamist groups have been emboldened in the post-Mubarak era and there have been reports of Salafists attacking Coptic Christians as well as other Muslims.⁷ A clearer picture regarding the nature and capacities of the post-Mubarak regime will emerge once elections have been held and normal government functions fully restored.

Salafists have reportedly attacked other Muslims and their property in the post-Mubarak period. In March 2011 a Salafi allegedly killed his colleague in Beheira Governorate for not praying.⁸ In March and April 2011 *Reuters* and the Egyptian independent daily *Almasry Alyoum* reported that Sufi mosques and shrines had also been attacked by Salafists.⁹ The *Almasry Alyoum* article of 31 March 2011 reports the arrest of two Salafists suspected of demolishing the shrines of revered Sufi figures in the Delta city of Qualiub.¹⁰ However, on 6 April 2011 *Reuters* reported a subsequent attack on a Sufi shrine in the area and noted the views of one resident that "there is no government. Whoever wants to do something can do

⁴ May, Theodore 2009, 'Egypt's Christians uphold tattoo tradition', *Globalpost*, 14 October <http://www.globalpost.com/dispatch/egypt/091008/egypt%E2%80%99s-ancient-art-form-modern-twist> - Accessed 22 November 2011

⁵ *Penal Code No 58 of 1937, (Promulgated 1937)*, United Nations Office on Drugs and Crime website <http://track.unodc.org/LegalLibrary/LegalResources/Egypt/Laws/Egypt%20The%20Penal%20Code%20Law%201937.pdf> - Accessed 22 November 2011

⁶ 'Egypt dissolves notorious internal security agency' 2011, *BBC News Middle East*, 15 March <http://www.bbc.co.uk/news/world-middle-east-12751234> - Accessed 7 November 2011; See also RRT Country Advice Service 2011, *Country Advice EGY39173*, 6 October

⁷ Kirkpatrick, David. D 2011, 'Egypt's Christians fear violence as changes embolden islamists', *The New York Times*, 30 May http://www.nytimes.com/2011/05/31/world/middleeast/31coptic.html?_r=1&nl=todaysheadlines&emc=tha22&page_wanted=print - Accessed 22 November 2011;

⁸ 'Salafi allegedly kills his colleague for not praying' 2011, *Almasry Alyoum*, 30 March <http://www.almasyalyoum.com/en/node/380302> - Accessed 22 November 2011

⁹ Perry, Tom 2011, 'Islamist campaign against Egypt shrines focus fears', *Reuters*, 6 April <http://af.reuters.com/article/egyptNews/idAFLDE7320J020110406?sp=true> - Accessed 22 November 2011; ElGendy AbdElhakam and Ahmed el-Beheri 2011, 'Salafis arrested for demolishing Sufi shrines', *Almasry Alyoum*, 31 March <http://www.almasyalyoum.com/en/node/381918> - Accessed 22 November 2011;

¹⁰ ElGendy AbdElhakam and Ahmed el-Beheri 2011, 'Salafis arrested for demolishing Sufi shrines', *Almasry Alyoum*, 31 March <http://www.almasyalyoum.com/en/node/381918> - Accessed 22 November 2011;

it... the government is doing nothing”.¹¹ No other reports concerning the response of the Egyptian authorities to Salafist attacks on Muslims in the post-Mubarak period could be located.

4. Please identify any Egyptian/Sharia laws which prescribe a dress code for the Muslim males in Egypt.

Sources indicate that, according to Islamic/Sharia law, men must be covered from knee to waist/navel.¹² However, no such Egyptian laws prescribing a dress code for Muslim males were located.

The Egyptian government-owned *Ahram Online* notes that Salafists hold one of the most strict and literalist interpretations of Islamic doctrine; they advocate the full veil [for women], and have been largely responsible for its spreading during the past few years. The article notes that Salafi men are, for the most part, bearded, and dress in Galabyias or Afghani-style shirts.¹³ *Associated Press* notes that Salafi men grow their beards long and often shave off moustaches, a style said to imitate the Prophet Muhammad.¹⁴ According to *Associated Press*, the Salafi way contrasts with the Islam long practiced in Egypt. The article states that in Egypt the population is religious ‘but with a relatively liberal slant’.¹⁵

¹¹ Perry, Tom 2011, ‘Islamist campaign against Egypt shrines focus fears’, *Reuters*, 6 April <http://af.reuters.com/article/egyptNews/idAFLDE7320J020110406?sp=true> - Accessed 22 November 2011; See also RRT Country Advice Service 2011, *Country Advice EGY38795*, 17 June

¹² The Islamic Centre of Columbia (undated), The Islamic dress code, http://www.almasjid.com/content/islamic_dress_code - Accessed 22 November 2011; ‘Sharia’ (undated), Websters Online Dictionary, <http://www.websters-online-dictionary.org/definitions/sharia?cx=partner-pub-0939450753529744%3Av0qd01-tdlq&cof=FORID%3A9&ie=UTF-8&q=sharia&sa=Search#906> - Accessed 22 November 2011;

¹³ ‘What was religion doing in the debate on the Constitutional amendments?’ 2011, *Ahram Online*, 22 March <http://english.ahram.org.eg/News/8267.aspx> - Accessed 22 November 2011

¹⁴ ‘Salafis demand shut-down of cafes and liquor stores’ 2011, *Associated Press*, 30 March

¹⁵ Schemm, Paul 2008, ‘EGYPT/GLOBAL INFORMATION: Ultraconservative Islam on rise in Mideast’, *Associated Press*, 19 October

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