

# MIDDLE EASTERN CHRISTIANS *BATTERED, VIOLATED, AND ABUSED,* DO THEY HAVE ANY CHANCE OF SURVIVAL?



Justus Reid Weiner



Jerusalem Center for Public Affairs  
המרכז הירושלמי לענייני ציבור ומדינה (ע"ר)



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Front Cover: Christians demonstrating against widespread violence and intimidation. ([www.ekaristi.org](http://www.ekaristi.org))

Back Cover: Egyptian Coptic Christians chant angry slogans as they protest the recent attacks on Christians and churches, in front of the state television building in Cairo, Egypt (May 19, 2011) AP.

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*Greek Orthodox priest being held hostage at the Church of the Nativity*

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## I. Introduction

Throughout the Middle East, the birthplace of Christianity, Christians are facing pervasive and systematic persecution that is steadily increasing in its intensity and scope. A century ago, Christians represented some 20 percent of the population of the Middle East; today, that figure is estimated at 4 percent.<sup>1</sup> One leading academic authority in London has estimated that between one-half and two-thirds of Middle Eastern Christians have either been killed or left the area over the last century.<sup>2</sup> Reviewing a report on this trend, the *Daily Telegraph* led with the title: “Christianity ‘close to extinction’ in the Middle East.”<sup>3</sup>

Pope Francis is expected to arrive in the Middle East this May,<sup>4</sup> a region, he said, where Christians are “unjustly accused and are subjected to every type of violence.”<sup>5</sup> Prince Charles recently expressed similar sentiments, saying, “It seems to me that we cannot ignore the fact that Christians in the Middle East are increasingly being deliberately targeted by fundamentalist Islamist militants.”<sup>6</sup>

In Muslim states throughout the Middle East the effects of this persecution are demonstrated by the drastically declining Christian population. While such censuses are by nature inexact, the rough picture they provide is extremely valuable in understanding the true magnitude of this phenomenon.

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To gain perspective on all this demographic data, it is useful to recall that even after the Arab conquests of the Middle East in the 7<sup>th</sup> century, the majority of the population in most cases was still Christian.<sup>7</sup> Yet the number of Christians steadily declined over the centuries that followed.

In 1927, Egypt’s Christian population was 8.3 percent of the general population; by 2011, it was down to 5.3 percent.<sup>8</sup> Similarly, Syria’s Christian population was found to be 9.7 percent of the population in 1970;<sup>9</sup> today, contesting reports find it to be somewhere between 4.4 to 10.2 percent.<sup>10</sup> A similar trend is seen in Iraq, too, where the Christian population has dropped from 3.7 percent in 1970<sup>11</sup> to varying reports of 0.9 to 2.5 percent today.<sup>12</sup> According to another calculation, there were between 1.2 and 1.4 million Christians in Iraq in 1990. Today there are fewer than 200,000.<sup>13</sup> Iranian Christians have also suffered from this trend with the population declining from 0.9 percent in 1970<sup>14</sup> to 0.35 percent today.<sup>15</sup>

As Pope Francis recently stated, the injustice of this persecution is compounded by the fact that it is occurring in states where “on paper, freedom and human rights are protected.”<sup>16</sup> This author has spoken at length regarding the great peril Christian life in the Middle East finds itself in. To that end, he has visited with top Congressmen, including then-Senators Santorum and Brownback; he has testified at congressional hearings attended by a wide range of public officials; met with Vice President Cheney’s national security staff in the West Wing of the White House; consulted and lectured at the State Department; and spoken at think tanks such as the Hudson Institute.

If these warnings are not heeded, and these states continue to violate the basic human rights obligations incumbent upon them, Christian life may cease to exist in the very place of its birth. This danger was recently voiced by British cabinet minister and Muslim, Baroness Sayeeda Warsi, who stated:

Across the world, people are being singled out and hounded out simply for the faith they hold....[Middle Eastern Christians] are rooted in their societies, adopting and even shaping local customs. Yet...[a] mass exodus is taking place, on a Biblical scale. In some places, there is a real danger that Christianity will become extinct.<sup>17</sup>

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## II. RECENT PERSECUTION OF CHRISTIANS THROUGHOUT THE MUSLIM WORLD

### A. Egypt

- In October 2013, four Coptic Christians, including young girls of 8 years-old and 12 years-old, were killed, and 24 were injured when gunmen fired on a wedding party in front of the Church of the Virgin Mary near Cairo.<sup>18</sup> Among those killed was eight year-old Mariam Ashraf.<sup>19</sup> Ashraf's three year-old brother and mother were also shot.<sup>20</sup> Her father stated, "Nobody comes out to tell you honestly: 'We have arrested the culprit and they are being subjected to the law.' There is nothing like that."<sup>21</sup> Eyewitnesses of the attack stated that despite numerous calls for help, ambulances and police only arrived two hours following the shooting.<sup>22</sup>



*Egyptian Copts carry four coffins down the aisle of the Virgin Mary Coptic church, on October 21, 2013, as thousands attend the funeral of the victims, gunned down as they attended a wedding the previous evening at the same church.*

- In March 2010, an Egyptian court acquitted four Muslims in the killing and beheading of 61 year-old Farouk Attallah.<sup>23</sup> Attallah was killed after the assailants shot him 31 times before beheading him in a busy market place.<sup>24</sup> The court based its verdict on the testimony of false witnesses, exculpating the killers while refusing to accept the testimony of key witnesses of the attack.<sup>25</sup> Peter Sarwat, the victim's attorney, described the verdict, stating, "It sends a clear message that Coptic blood is extremely cheap.... This acquittal will make permanent the present culture of impunity enjoyed by Muslim aggressors against Copts."<sup>26</sup> He continued, "It is not safe for Copts now, as any Muslims who wants to get rid of a Copt, would kill him, knowing well that in the end he will be acquitted."<sup>27</sup> Sarwat further described how police often purposely prepare inadequate police reports in order to facilitate the acquittal of Muslims.<sup>28</sup>
- Christians in the Minya Governorate in Upper Egypt have been the subject of countless kidnappings. An official in the Egyptian Ministry of the Interior stated that there had been 17 kidnappings in August and September.<sup>29</sup> Ezat Ibrahim, director of the Minya branch of the Al-Kalema Human Rights Organization,<sup>30</sup> reported that in November 2013 alone there were 9 cases of kidnappings.<sup>31</sup> One report found that since the start of the revolution in 2011, there had been close to 100 kidnapping cases.<sup>32</sup> In each of the cases, the Christian families were forced to pay 100,000 to 250,000 Egyptian pounds (\$14,500 to \$36,300 USD) in ransom.<sup>33</sup>
- In one case of kidnapping, in June 2013, a six year-old Copt, Cyril Yusuf Sa'ad, was abducted and held for ransom. Despite his family paying the ransom,<sup>34</sup> the Muslim kidnapper, Ahmed Abdel Moneim Abdel-Salam, killed the boy and threw his body in the sewer.<sup>35</sup>
- A Human Rights group has reported that in 2013 alone, 207 churches have been attacked and 43 churches completely destroyed.<sup>36</sup>



*Christian farmer Ishaq Aziz cradles a picture of his 17 year-old daughter Nirmeen, a school girl, who went missing in February 2013, in the Minya town of Matai, Egypt.*

- 15,000 Christians in the village of Dalga have been forced to pay the *jizya*, an additional tax or tribute imposed on conquered non-Muslims.<sup>37</sup> Those unable to pay are often beaten or killed.<sup>38</sup> In one such case, Emad Damian, 50, and Medhat Damian, 37, were murdered after refusing to pay 10,000 Egyptian Pounds demanded by the leader of a Muslim gang.<sup>39</sup> The two Copts had reported the incident to the local police; however, nothing was done.<sup>40</sup> Ahmed Fawzi, secretary of the Egyptian Social Democratic Party, described the case, stating, “the gang surprised the two Copts by going to their home in the morning and showering them with bullets, leaving both dead....[T]he police know who the killers are but are doing nothing to arrest them.”<sup>41</sup>
- Arguably the most telling aspect of this persecution is that this past August, for the first time in 1,600 years, prayers were not held in the Virgin Mary and Priest Ibram Monastery, which was destroyed by supporters of deposed President Morsi.<sup>42</sup> That same month, Coptic Bishop Anba stated in the UK that “over the past weeks we have witnessed an increasing trend in anti-Christian rhetoric calling for the ‘attack upon and eradication of Christians and churches’ in Egypt.” The Coptic Pope Tawadros II also accused the Muslim Brotherhood of fomenting the anti-Christian violence.<sup>43</sup>

In 2013 alone, 207 churches have been attacked and 43 churches completely destroyed. An official in the Egyptian Ministry of the Interior stated that there had been 17 kidnappings in August and September.

## B. Syria

- As of December 2013, since the beginning of the Syrian civil war in March 2011, 450,000 Syrian Christians have fled their homes<sup>44</sup> and 1,200 murders of Christians have been documented.<sup>45</sup>
- In October 2013 in the town of Saddad, 45 Christians were killed and the town’s 14 churches were destroyed.<sup>46</sup> Selwanos Boutros Alnemeh, Syrian Orthodox Metropolitan of Homs and Hama,<sup>47</sup> described these events as “the greatest massacre of Christians in Syria.”<sup>48</sup>
- On January 8, 2014, Fadi Matanius Mattah was beheaded by Islamic militants while travelling from Homs to the Christian village of Marmarita.<sup>49</sup> The militants intercepted and fired on the car he was traveling in along with another Christian, Firas Nader.<sup>50</sup> Mattah was beheaded after the militants noticed the cross he was wearing.<sup>51</sup> Nader, who was wounded in the attack, succeeded in escaping after the militants believed he had been killed.<sup>52</sup>
- The Antiochian Orthodox church of Sts. Sergius and Bacchus in al-Thawra was destroyed by rebel forces in August 2013. One refugee stated:
 

The ‘Free Syrian Army’ demolished the [Sts. Sergius and Bacchus] church....[T]hey tore up the sanctuary curtains, Bibles and other holy books, and broke all the crosses, chairs and icons of Jesus and the saints. They stole electrical appliances like fans, chandeliers and lights. They took whatever was in the church, and sold it all. There is nothing there now.<sup>53</sup>
- In December 2013, 12 nuns from the village of Maaloula were abducted and taken to a rebel-held town.<sup>54</sup>

- In January 2014, it was reported that an Armenian Christian was killed by the al-Qaeda linked Islamic State in Iraq and the Levant after refusing to convert to Islam. The man and his father were reportedly held for 115 days in a prison maintained by the group in Aleppo.<sup>55</sup>
- In June 2013, Mariam, a 15 year-old Christian, was kidnapped, repeatedly gang raped, and then killed.<sup>56</sup> Mariam was abducted by a commander in the Jabhat al Nusra, who married, raped her, and then passed her on to another man who did the same. This took place over the course of 15 days, during which Mariam was raped by 15 different men.<sup>57</sup>

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- In January 2014, it was reported that a group of rebel forces from the Islamic State of Iraq and the Levant (ISIS) imposed strict Sharia law in the northern province of Raqqqa.<sup>58</sup> Among others, the directives include that women must wear the niqab full face veil and all men must attend Friday prayers at a mosque.<sup>59</sup> A directive also stated that Christians must not make renovations to churches or display crosses or any religious symbols outside of churches.<sup>60</sup>



*Fighters from the al-Qaida linked Islamic State of Iraq and the Levant (ISIL) marching in Raqqqa, Syria. Once a vibrant, mixed city, Raqqqa is now a shell of its former life, transformed by al-Qaida militants into the nucleus of the terror group's version of an Islamic caliphate they hope one day to establish in Syria and Iraq.*

- After rebels attacked the town of Maalula on September 4, 2013, Adnan Narallah, 62, described the scene. "I saw people wearing Al-Nusra headbands who started shooting at crosses....[O]ne of the shooters put a pistol to the head of my neighbor and forced him to convert to Islam by obliging him to repeat 'there is no God but God'....Afterwards they joked, he's one of ours now."<sup>61</sup>
- Another Maalula resident, Rasha, described how rebel forces murdered her fiancé. "I rang his mobile phone and one of them answered," she said. She described how the man who answered told her that her fiancé was asked to convert to Islam but refused.<sup>62</sup> The rebel added, "Jesus didn't come to save him."<sup>63</sup>

- In al-Thawrah, three residents were stopped by rebel forces. The two who were Muslim were released; the third, who was a Christian, was bludgeoned to death.<sup>64</sup>
- In September 2013, the al-Qaeda linked group the Islamic State of Iraq and the Levant, broke the crosses of the Church of the Annunciation and the Church of Martyrs in the city of Raqqah before setting fire to the contents of both churches.<sup>65</sup>
- This troubling situation in Syria was recently summed up by Rima Tuzun of the European Syriac Union. While speaking to Nina Shea, Director of the Center for Religious Freedom, Tuzun stated, “[K]idnapping, killings, ransom, rape...2013 is a tragedy for Christians in Syria. All Syrians have endured great suffering and distress. The Christians, however, often had to pay with their lives for their faith.”<sup>66</sup>

### C. Iraq

- On Christmas Day 2013, 37 people were murdered in attacks on Christians.<sup>67</sup>
- In March 2013, it was reported that over the course of only one decade, the number of churches in Iraq has dropped from over 300 to only 57 today.<sup>68</sup>
- According to one Iraqi pastor, Christians have ceased observing basic Christian traditions such as putting up a Christmas tree, due to fear of persecution.<sup>69</sup>
- In October 2010, 51 worshipers and 7 Iraqi troops were killed after gunmen from an al-Qaeda affiliated group attacked and laid siege to Our Lady of Salvation church in Baghdad.<sup>70</sup> Among the 51 worshipers killed were five children and eight women.<sup>71</sup> After these events, one church member commented, “We are the minority. We cannot defend ourselves. We cannot stay in this country anymore.”<sup>72</sup>



*In this mobile phone camera image obtained by the Associated Press, the interior of the Our Lady of Salvation church is seen after gunmen took the congregation hostage on Sunday, Oct. 31, 2010.*

- Iraqi Christians, too, have not been immune from the imposition of the *jizya* tax. Mofed, the owner of a photo shop in Baghdad, was threatened by Muslims who came into his shop and presented him with three options: convert to Islam, pay a \$70,000 tax, or be killed.<sup>73</sup> Mofed and his family have fled to Jordan.<sup>74</sup>
- In a similar case, Androus, a Christian from the town of Mosul, described a similar threat he received by phone. He described being told “Because you are infidels, you have to pay *jizya*....[E]ither you pay *jizya*, or we will kill you or your son.”<sup>75</sup>
- On May 30, 2011, Arkan Juhad Jacob, a 63 year-old Christian, was shot dead in cold blood.<sup>76</sup> Jacob previously escaped from two unsuccessful ransom abductions.<sup>77</sup>
- On June 25, 2013, gunmen attacked St. Marry’s Assyrian Church in Baghdad, wounding two Christian guards.<sup>78</sup>
- Also on June 25, 2013, two Christian owned businesses were bombed, killing one of the Christian shop owners.<sup>79</sup>
- On August 2, 2011, 23 people were wounded when a car bomb exploded outside of the Holy Family Church in Kirkuk.<sup>80</sup>

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#### D. Pakistan

- 78 people were killed and over 100 were injured in the bombing of the All Saints Church in Peshawar in September 2013.<sup>81</sup>



*Pakistani Rukhsana Saleem, 38, who survived the bombing of the All Saints Church, prays at the church where the attack took place, in Peshawar, Pakistan, Monday, Sept. 23, 2013.*

- Following the attack, four blasphemy cases were filed against Christians in less than one month.<sup>82</sup> In all four cases, no direct evidence against the accused was available.<sup>83</sup> Pakistan's blasphemy laws disproportionately protect Islam over other religions and have historically been used to persecute Christians and other non-Muslims.<sup>84</sup> The laws prescribe a punishment of life imprisonment or death in certain instances.<sup>85</sup>
- In October 2013, an illiterate vendor was beaten by a group of Muslims after it was discovered that fireworks he was selling were wrapped in pages that had verses of the Quran written on them.<sup>86</sup> A blasphemy case has been filed against him.<sup>87</sup> Khurram Shazhad, who filed the case, stated, "The police have also told us that they have put his name on the exit control list at all airports, and he will not be able to leave Pakistan....[H]is punishment will be an example to all those who dare insult Islam and our holy book."<sup>88</sup>
- In March 2013, a mob set fire to over 100 homes in a Christian neighborhood in Lahore,<sup>89</sup> displacing over 150 families.<sup>90</sup> The attack took place after Sawan Masih was accused of blasphemy following an altercation with a Muslim barber who refused to serve him.<sup>91</sup> One resident stated, "They threw acid and stoned our houses, then set them on fire. The authorities intervened only when everything was destroyed." The local imam said Sawan will be killed when found.<sup>92</sup> Other Christian residents described how prior to the attack, police instructed them "to vacate the area for their 'security' and not to worry about their properties."<sup>93</sup> Three months after the attack, hundreds of those detained during the violence have been released. Naeem Shakir, a Christian lawyer stated, "Most of the people who were stopped after the attack were declared innocent by the police and immediately released, for corruption or political pressure."<sup>94</sup>

### Pakistan's blasphemy laws disproportionately protect Islam over other religions and have historically been used to persecute Christians and other non-Muslims

- In a similar case, a violent mob attacked the Christian village of Francis Abad in the city of Gujranwala.<sup>95</sup> The attack ensued following a violent altercation between the Christian and Muslim communities that resulted from a conflict between Christian youth and Muslim clerics who accused the Christians of playing loud music outside of a mosque.<sup>96</sup>

### E. Iran

- On October 16, 2013, four Christians were sentenced to 80 lashes for drinking communion wine after being charged with consuming alcohol in violation of Iran's anti-alcohol law.<sup>97</sup>
- After being arrested in February 2012 in a raid on their house-church, four Christians, Mojtaba Seyyed-Alaedin Hossein, Mohammad-Reza Partoei, Vahid Hakkani, and Homayoun Shokouhi, were sentenced to 44 months in prison for "attending a house church, spreading Christianity, having contact with foreign ministries, propaganda against the regime, and disrupting national security."<sup>98</sup> Homayoun Shokouhi's wife, Fariba Nazemina, and son, Nima Shokouh, also received two-year suspended prison sentences.<sup>99</sup>

### III. HUMAN RIGHTS OBLIGATIONS

It should be noted that Egypt, Syria, Iraq, Iran, and Pakistan are all parties to the International Covenant on Civil and Political Rights (ICCPR).<sup>100</sup> Article 18 of the Covenant provides that, “Everyone shall have the right to freedom of thought, conscience and religion.”<sup>101</sup> This also encompasses the right to manifest one’s “religion or belief in worship, observance, practice and teaching” in public or in private.<sup>102</sup> The respect of freedom of religion is of such utmost importance, according to the Covenant, that it may not be derogated from under any circumstances, even in times of emergency as is allowed for other protected rights.<sup>103</sup>

Moreover, parties to the Covenant must ensure that anyone whose rights or freedoms are violated shall have an effective remedy.<sup>104</sup> Additionally, Article 26 provides that the law must “guarantee to all persons equal and effective protection against discrimination on any ground such as...religion.”<sup>105</sup> Furthermore, in regard to Pakistan and its blasphemy laws, Article 6 prescribes that in states that have not yet abolished the death penalty, “sentence of death may be imposed only for the most serious crimes.”<sup>106</sup>

Lastly, in addition to individual rights and freedoms, as a minority Christians are entitled to protections on the communal level as well. Article 27 says, “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 practise their own religion, or to use their own language.”<sup>107</sup>

Consequently, Egypt, Syria, Iran, Iraq and Pakistan are all obligated to prevent such acts as described above. With regard to Syria, it should be noted that although most of the acts above were committed by rebel forces, Syria may still be held liable for these actions in a number of circumstances.<sup>108</sup>

In addition to the obligations of these states to themselves prevent and protect their citizens from persecution, the United States is also empowered and committed to help combat such persecution abroad. The International Religious Freedom Act of 1998 commits the United States “[t]o condemn violations of religious freedom, and to promote, and to assist other governments in the promotion of, the fundamental right to freedom of religion.”<sup>109</sup> To that end, the statute provides that the President may impose various sanctions on States in response to violations of religious freedoms.<sup>110</sup>

Two levels of violations may trigger the use of sanctions. The first, “particularly severe violations of religious freedom,” includes “torture or cruel, inhuman, or degrading treatment or punishment [or] prolonged detention without charges...or other flagrant denial of the right to life, liberty, or the security of persons.”<sup>111</sup> The second, “violations of religious freedom,” refers to “violations of the internationally recognized right to freedom of religion and religious belief and practice” as recognized in such instruments as the International Covenant on Civil and Political Rights.<sup>112</sup> It includes actions such as “arbitrary prohibitions on, restrictions of, or punishment for assembling for peaceful religious activities such as worship, preaching and prayer; speaking freely about one’s religious beliefs; and changing one’s religious beliefs and affiliation.”<sup>113</sup>

The sanctions include, *inter alia*, public condemnation; “directing the Export-Import Bank of the United States, the Overseas Private Investment Corporation, or the Trade and Development Agency not to approve the issuance of any...guarantees, insurance, extensions of credit, or participations in the extension of credit with respect to the specific government, agency, instrumentality, or official” responsible for violations; and the cancellation of working, official, or state visits.<sup>114</sup>

In order to emphasize the seriousness of the acts of persecution described above, it should be noted that the Rome Statute of the ICC provides that when committed as part of a widespread or systematic attack, persecution against an identifiable group on religious grounds in connection to acts such as murder and imprisonment constitutes a crime against humanity.<sup>115</sup>

## IV. PALESTINIAN CHRISTIANS: A CASE STUDY

### *A. Palestinian Deception and Lip Service to Human Rights*

With regard to Christians living in the West Bank and Gaza Strip, the leaders of the Palestinian Authority (PA), Hamas and the Christian community would have you believe that they are immune from this disturbing trend of persecution. At a Christmas tree-lighting ceremony in December 2013 in Bethlehem's Manger Square, PA Prime Minister Rami Hamdallah stated, "Palestine has preserved the values of peace and tolerance by celebrating Christmas for centuries."<sup>116</sup>

Similarly, Vera Baboun, a Christian and the first female mayor of Bethlehem, commented in a letter in honor of the holiday season that "this is the Bethlehem we also share with the world. A Bethlehem that is a model of natural coexistence between Christians and Muslims, an example for the rest of the region."<sup>117</sup> However, the utopian society described by the mayor does not even hold up to inspection of the mayor's own experiences. Baboun has been the subject of a smear campaign claiming that she had discriminated against Muslims.<sup>118</sup> Additionally, threats have been made against her and her family.<sup>119</sup> Following these events, Baboun filed a complaint with the PA that was subsequently withdrawn following the intimidation of Fatah's armed wing, the Aqsa Martyrs Brigades.<sup>120</sup>

PA President Mahmoud Abbas recently stated:

Christians are not a minority here: they are an integral part of the Palestinian people. Orthodox, Catholics, Armenians, Assyrians, Lutherans, Anglicans, Copts, Melkites, Protestants and others are all part of the rich mosaic of this free, sovereign, democratic and pluralistic Palestine we aspire to have and as established in our declaration of independence and draft constitution.<sup>121</sup>

Abbas' invocation of the Palestinian Draft Constitution in support of the Palestinians purported commitment to human rights is rather peculiar considering that Article 7 of the Constitution provides that "The principles of the Islamic shari`a are a main source for legislation."<sup>122</sup>

Yasser Arafat also made similar statements. In 1996, he claimed his people "have decided to celebrate with the Christian brothers, all Arabs and all friends in the world the 2,000th anniversary of the birth of Jesus Christ in a world religious celebration."<sup>123</sup> It should be remembered that this is the same Arafat who promptly after the PA gained control of Bethlehem converted the Greek Monastery next to the Church of the Nativity into his official residence and drastically altered the municipal boundaries of Bethlehem in order to marginalize the city's Christian residents.<sup>124</sup>



*Palestinian President Mahmoud Abbas, center, is welcomed by the Latin Patriarch of Jerusalem, Fouad Twal, at the Church of Nativity on Christmas Eve, Wednesday, Dec. 25, 2013.*

Religious leaders echoed similar sentiments. The Bishop Alexius of the Roman Orthodox Church in Gaza praised the Hamas government, stating, “Hamas and its government are keen to maintain the security of the Church and the Gaza Strip [where]...our people experience a general sense of safety, even better than before....The Palestinian government in Gaza has confirmed that it does not discriminate against Christians in the Gaza Strip on a religious basis.”<sup>125</sup> Hamas media adviser, Taher Al-Nunu, similarly noted, “The Christians in Gaza are living in safety just like their Muslims brothers.”<sup>126</sup>

When one compares these statements to the reality of the everyday life of Palestinian Christians, the persistence of the long-established pervasive persecution of Palestinian Christians quickly becomes apparent.

### ***B. The Reality of Christian Life under the PA and Hamas Leadership***

When one compares these statements to the reality of the everyday life of Palestinian Christians, the persistent and pervasive persecution of Palestinian Christians quickly becomes apparent. While rarely attracting media attention, this persecution has been documented since the early day of Palestinian self-administration in the 1990s. Sadly, numerous recent examples of such persecution can be seen.

- In July 2013, it was reported that the St. Lazarus Monastery in Bethany (al-Eizariya) had been the subject of attacks including theft and stone throwing.<sup>127</sup> The attacks stemmed from a dispute with a local Muslim family that asserted ownership of Monastery land.<sup>128</sup> The monastery’s Mother Superior has appealed directly to PA President Abbas,<sup>129</sup> clearly demonstrating that the chance of obtaining legal recompense were next to nothing.

- In December 2013, Christian residents of Bethlehem spoke of the hostile environment they are forced to live in. One Christian told of how her friend was forced to flee Bethlehem after being accused of selling her land to Jews.<sup>130</sup> The Palestinian Land Law prescribes the death penalty for the crime of selling land to Jews.<sup>131</sup> This prohibition is regarded as applying to the selling of land to Christians as well and is applied and enforced in that manner. Ramzi, a Christian, described how he was threatened with death if he sold his land to Christians.<sup>132</sup> Pastor Isa Bajalia, an evangelical pastor, described a similar case where two men, one a member of the Tanzin militia group, attempted to extort him in exchange for his land. He stated, "It's like the mafia....He says if I pay him \$30,000 and assign the land over to him, he'll get off my back."<sup>133</sup> Pastor Bajalia has been forced to flee to the United States.<sup>134</sup> As will be described below, this incident is in clear violation of the Palestinian Authority's legal obligations. Article 17 of the Universal Declaration on Human Rights protects "everyone's right to own property."<sup>135</sup> Additionally, as with similar Pakistani laws, this PA law violates Article 6 of the International Covenant on Civil and Political Rights, which limits the use of the death penalty to the most "serious crimes."<sup>136</sup>
- In April 2013, arsonists set fire to the Christian Holy Family School in Gaza.<sup>137</sup> A couple months later in June, in a further case of the imposition of extremist Islamic ideology, five Christian schools in Gaza were faced with closure following a government order forbidding mixed gender institutions.<sup>138</sup> While the order applies to all schools, the five Christian schools are the only coed schools in Gaza.<sup>139</sup>
- In July 2012, a Jericho court sentenced a man to a month of imprisonment for eating in public during Ramadan.<sup>140</sup> Five other people were also arrested for the same conduct.<sup>141</sup> On a related note, Sheikh Yusuf Ida'is, Chairman of the PA Supreme Court for Shari'ah Law, stated "[W]e have to monitor the streets and severely punish anyone who [eats] in public during Ramadan, and this is the responsibility of the security forces....I call upon others [non-Muslims] to be considerate of Muslims' feelings."<sup>142</sup> One should take note of the Sheikh's use of the word "considerate." One would think that as Christians represent a miniscule minority in an overwhelmingly Muslim environment, that Muslims should be the ones being "considerate" to the vulnerable minority among them.
- In June 2012, a young girl reciting a poem on a children's program broadcasted on official Palestinian Authority TV, stated, "They [Christians and Jews] are inferior and smaller, more cowardly and despised."<sup>143</sup>
- In 2006, Hamas and Islamic Jihad gunmen set fire to the YMCA headquarters in the Hamas-controlled city of Qalqiliya.<sup>144</sup> One source in the city commented: "The identity of the attackers is well known to Hamas. We don't expect the Hamas-controlled police, the Hamas city council or the Hamas Interior Ministry to do anything about this attack."<sup>145</sup>
- In February 2008, gunmen attacked the YMCA library in the Gaza Strip.<sup>146</sup> The gunmen first kidnapped two of the library's guards and then proceeded to detonate a number of explosives.<sup>147</sup> The attack, which destroyed the library, was reportedly in response to the publication of Danish cartoons "ridiculing" the Prophet Mohammed.<sup>148</sup>



*Palestinians examine the damage to the library of the YMCA in Gaza City, Friday, Feb. 15, 2008.*



*In this July 16, 2012, photo, a Palestinian Christian holds a poster of Ramez Al-Amash, 25, during a rally at a Greek Orthodox church in Gaza City.*

- In May 2013, Steve Khoury, Pastor of the First Baptist Church of Bethlehem, told of the continuous harassment Christians have faced and the subsequent fear that has led Christians to refrain from wearing crosses in public and carrying Bibles.<sup>149</sup> Khoury further described the general sense of intimidation felt by Christians in Palestinian society, stating, “People are always telling them, ‘Convert to Islam. Convert to Islam. It’s the true and right religion.’”<sup>150</sup> The First Baptist Church of Bethlehem has been firebombed 14 times.<sup>151</sup>
- In October 2007, Rami Ayad, a Christian and owner of a Gaza book-store, was abducted and murdered, after having been publicly accused of missionary activities.<sup>152</sup>

- In July 2012 according to the Greek Orthodox Church in Gaza, five Christians were kidnapped and forcibly converted to Islam.<sup>153</sup> One of those Christians, Ramez Al-Amash, was allegedly kidnapped from his home and prevented from contacting family.<sup>154</sup> An Islamic group released a video of Al-Amash declaring that he had converted voluntarily.<sup>155</sup> After Al-Amash's mother had fallen ill, his family succeeded in contacting the kidnappers and arranging a meeting at the hospital.<sup>156</sup> Al-Amash was accompanied by gunmen to the meeting and was then taken to an unknown location.<sup>157</sup> Al-Amash's parents lodged a complaint with the Hamas police to no avail.<sup>158</sup> In a press release, the Greek Orthodox Church claimed that the police refused to intervene due to the involvement of an Islamic religious leader and Hamas representative of the Palestinian parliament, Salam Salameh, in the events.<sup>159</sup> Local Christians have accused the organization that Salameh chairs, the Hamas affiliated Palestine Scholars Association, as being responsible for the conversions.<sup>160</sup> Following these events, Josef Elias, a Christian from Gaza City, stated, "We aren't safe anymore....This is a conspiracy against our existence in the Holy Land."<sup>161</sup>
- Samir Qumsieh, a Christian community leader from Beit Sahour near Bethlehem, spoke in December 2013 of the discrimination the Christian community faces. He provided a subtle example that is reflective of the extensive persecution of Christians. Qumsieh presented several souvenirs sold around Manger Square in Bethlehem, such as a FC Barcelona soccer ball and a t-shirt showing the Church of Nativity. The crosses that normally appear on both items were removed.<sup>162</sup> This is not a new phenomenon, as Qumsieh spoke of the removal of the cross from souvenirs already in 2010.<sup>163</sup>
- In a 2007 interview, Qumsieh described how Christians often "have their land stolen by the [Muslim] mafia."<sup>164</sup> He described how Muslim gangs forge documents attesting to their ownership of Christian owned land. When Christian owners resist, they are often beaten. Qumsieh's own home was firebombed after publicly speaking about the Christian community's suffering.<sup>165</sup>
- In December 2013, the owner of a religious novelty store described the regular defacement of Christian property. He stated, "We are harassed, but you wouldn't know the truth. No one says anything publicly about the Muslims. This is why Christians are running away."<sup>166</sup>

It should be noted that while the examples above may not be as alarming as the experiences of Christians in Iraq, Syria, Iran, Pakistan, and Egypt, they are reflective of the greater prevailing atmosphere of persecution experienced by Palestinian Christians at the hands of their own leadership.

### ***C. Christian Denial and Self-Blame***

Perhaps the most saddening aspect of this persecution is the denial of it by Christian leaders and their disconnect from the members of their community. Qumsieh referred to Palestinian leaders as cowards more interested in the Palestinian cause against Israel than their community's own issues.<sup>167</sup> He stated, "If somebody claims that there is no discrimination, he is a liar." He added, "[The mayor of Bethlehem] said everything is okay. Of course. In her position she can't say anything else."<sup>168</sup> On another occasion, Qumsieh stated, "The future of Christianity here is gloomy and anyone claiming otherwise is wrong....Extremism is expanding and we, the Christians, are the weakest link in the chain."<sup>169</sup> A Palestinian journalist, Abd Al-Nasser Al-Najjar, similarly noted "Let us be honest with ourselves and courageously say out loud that Palestinian Christians are taking many severe blows, yet are suffering in silence so as not to attract attention."<sup>170</sup> He added, "Despite all the injustices [against the Christians], no one has seen or heard of any constructive action to curb it and to [defend] the Christians' rights – whether by the elites, by any of the three branches (executive, legislative, and judiciary), by non-government organizations, or even by the political factions themselves."<sup>171</sup>

In addition to denying and ignoring the plight of their own people, many Christian leaders go one step further in placing the blame for Christian persecution onto Israel. While speaking during his annual “Christmas message,” the Latin Patriarch of Jerusalem, Foud Twal, used the opportunity to point the finger at Israel for Christian suffering. The Patriarch stated, “The scenarios in Syria and Iraq can be repeated elsewhere, as seen in Egypt and Libya. The instability affects everyone, but especially our faithful who are tempted to emigrate.”<sup>172</sup> The Patriarch continued, stating, “the Israeli-Palestinian talks resumed in late July, after three years of interruption. But the efforts are hampered by the continuous building of Israeli settlements. As long as this problem is not resolved, the people of our region will suffer.”<sup>173</sup>

Similar sentiments were expressed in literature published in honor of Christmas by the UK-based Amos Trust, which stated:

If Jesus was born today in Bethlehem, the Wise Men would spend several hours queuing to enter the town....The shepherds, despite being residents of Bethlehem, would struggle to graze their sheep because their land would be annexed by the building of the separation wall [Israeli security fence], and a lack of freedom to travel and restrictions on trade would make it very difficult for them to make a living.<sup>174</sup>

#### ***D. The Palestinian Authority’s Human Rights Obligations***

Article 18 of the PA Draft Constitution provides that “The state of Palestine shall abide by the Universal Declaration of Human Rights and shall seek to join other international covenants and charters that safeguard human rights.”<sup>175</sup> Article 2 of the Declaration states, “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as...religion.”<sup>176</sup> Furthermore, Article 7 states, “All are equal before the law and are entitled without any discrimination to equal protection of the law...and against any incitement to such discrimination.”<sup>177</sup> In addition to prohibiting incitement, this Article serves to extend the protection of the Declaration to discrimination of any kind, even that regarding rights and freedoms that are absent from the Declaration.<sup>178</sup> Article 17 states that “everyone has the right to own property.”<sup>179</sup>

Article 18 of the Universal Declaration of Human Rights says that “everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”<sup>180</sup> The PA is also obligated to protect fundamental human rights under the 2003 Palestinian Basic Law, which serves as the PA’s interim constitutional document.<sup>181</sup> Article 10 of the Basic Law provides that “Basic human rights and liberties shall be protected and respected” and that “The Palestinian National Authority shall work without delay to become a party to regional and international declarations and covenants that protect human rights.”<sup>182</sup> More explicitly, Article 8 of the previous 1995 Basic Law, states that the PA “recognizes and respects the fundamental human rights and freedoms prescribed in the Universal Declaration of Human Rights [and] the International Covenant on Civil and Political Rights.”<sup>183</sup>

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An additional source of the PA's Human Rights obligations is found in the Barcelona Declaration, to which the PA is a party. The Declaration provides that members undertake to act in accordance with the Universal Declaration of Human Rights and "respect human rights and fundamental freedoms and guarantee the effective legitimate exercise of such rights and freedoms."<sup>184</sup> Further sources can also be found in various declarations and agreements that the PA has signed with Israel.<sup>185</sup>

While the PA is not a sovereign state and consequently a party to the above treaties, it would be highly indisposed to on the one hand assume the responsibilities of governance while on the other hand look for a way out of complying with the law, which it purportedly adopted. If territorial non-state actors,<sup>186</sup> such as the PA, are to "claim a right to become states by virtue of the right to self-determination, they cannot in good faith reject the applicability of norms that attach to statehood."<sup>187</sup> Moreover, international tribunals have recognized that unilateral declarations "may have the effect of creating legal obligations."<sup>188</sup> However, as it may be questioned whether non-state actors are capable of binding themselves under international human rights law, at the least, such unilateral undertakings may serve to stop the PA from denying its human rights obligations in certain circumstances.<sup>189</sup>

The PA's human rights obligations have also been recognized by the UN Human Rights Council, which has stated that the PA has "declared their commitment to respect international human rights law" and is "bound to respect international human rights standards."<sup>190</sup> Moreover, the Human Rights Council has stated in regard to the PA that "it is clear that non-State actors that exercise government-like functions over a territory have a duty to respect human rights."<sup>191</sup> It should be noted that some have argued that such a rule has not yet attained the status of customary international law.<sup>192</sup>

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### **E. Hamas' Human Rights Obligations**

Hamas has also bound itself to abide by international human rights standards. In July 2009, Hamas formally stated to the UN Fact-Finding Mission on the Gaza Conflict (Goldstone Report) that "they accepted the obligation to respect human rights and fundamental freedoms, including those enshrined in the Universal Declaration of Human Rights and Palestinian Basic Law."<sup>193</sup> Similarly, in the text of its 2007 National Unity Government program, Hamas committed to "respect...public liberties; to strengthen the establishment of democracy; to protect human rights...insofar as they conform with our character, customs and original traditions."<sup>194</sup> Lastly, in a speech given in 2006, Hamas Prime Minister Ismail Haniya stated that Hamas is determined "to promote... the respect for human rights, the equality among citizens; to fight all forms of discrimination; to protect public liberties, including the freedom of the press and opinion."<sup>195</sup>

Additionally, the UN Human Rights Council has also recognized that "the Gaza authorities have an obligation to respect and enforce the protection of the human rights of the people of Gaza, in as much as they exercise effective control over the territory, including law enforcement and the administration of justice."<sup>196</sup> However, one should take note that the Human Rights Council made this determination on the basis of the language of a previous Human Rights Council Report<sup>197</sup> that appears to have been intended as matter of *lex ferenda* that does not seem to reflect customary law.<sup>198</sup>

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## V. CONCLUSION

Muslim states such as Egypt, Syria, Iran, Iraq, and Pakistan are obligated to protect the basic rights and freedoms of their Christians citizens. They have clearly failed to live up to the liberal values they have assumed upon themselves.

To contrast the treatment of the freedom of religion in those States described above, it should be noted that Israel, as a democracy with an independent and competent judiciary, has from its inception protected the fundamental rights and freedoms of all its citizens. Thus, while not explicitly enumerated in the 1992 Basic Law: Human Dignity and Liberty, a document of constitutional status, Israeli courts have recognized the freedom of religion as an inalienable and fundamental right of all citizens.<sup>199</sup> The true realization of these values is demonstrated by the fact that a Christian Arab, Justice Salim Joubran, serves on the Israeli Supreme Court.<sup>200</sup>

**Muslim states such as Egypt, Syria, Iran, Iraq, and Pakistan are obligated to protect the basic rights and freedoms of their Christians citizens. They have clearly failed to live up to the liberal values they have assumed upon themselves.**

The Christians of the Middle East are suffering from debilitating persecution. The Muslim states described above have neglected and abused the most fundamental rights and freedoms of their most vulnerable citizens. In doing so, they have not only violated the very legal obligations they have assumed but also have violated the very values cherished by democracies the world over. The recalcitrance of these states to enforce international human rights standards has made them perpetrators and accomplices to a multitude of human rights abuses.

The behavior of these states is an affront to the international community. The definition of the crime of genocide includes deliberately inflicting on a religious group “conditions of life calculated to bring about its physical destruction in whole or in part.”<sup>201</sup> Christians are being systematically persecuted across the Middle East, the result being the termination of communal Christian life in the Middle East. As one Palestinian Christian stated, “We aren’t safe anymore....[T]his is a conspiracy against our existence in the Holy Land.”<sup>202</sup> While the situation of Christians today does not amount to genocide, it is nonetheless alarming and disturbing. Left unchecked, this persecution is liable to lead to another mass exodus of a minority from the Middle East. It is evident that after Jews were driven from the Muslim states of the Middle East in the 20th century, that Christians are the next minority on the chopping block in the 21st century.

**Christians are being systematically persecuted across the Middle East, the result being the termination of communal Christian life in the Middle East.**

This eradication of minorities is of even more significance in light of the present turbulent times of the post-Arab Spring Middle East. Many states throughout the Muslim world are experiencing periods of governmental upheaval and change.

Our modern concepts of freedom and liberty have deep roots in Jewish scripture and the writings of early Christians.<sup>203</sup> Medieval scholastics and Protestant reformers were essential in developing our modern concept of universal human dignity and freedom.<sup>204</sup> The early Christian thinker Tertullian was the first to coin the phrase “religious liberty” and argued that religious liberty is a universal right of all people without any distinction such as race and creed.<sup>205</sup> As a visible minority group in the Middle East, Christians bring a measure of diversity and pluralism to overwhelmingly Muslim societies.

**The case of Palestinian Christians presents a unique opportunity to deal with such human rights abuses before they become fully entrenched with the backing of a state.**

Thus, Christians have an essential role in stimulating the growth and development of pluralism and democratic values in the region. Consequently, it is essential that the treatment and rights of Christians be part of the current public discourse on the character and makeup of these states. True democratization will never be attained if the human rights abuses against Christians are swept under the rug.

The case of Palestinian Christians presents a unique opportunity to deal with such human rights abuses before they become fully entrenched with the backing of a state. The PA and Hamas (in Gaza) are obligated to protect the fundamental freedoms of their Christian citizens. The PA professes to the world its yearning and right to statehood, but as described, it has not lived up to the liberal values expressed in the foundational documents of the would-be Palestinian state.

However, while the seeds have been planted, there is still time to take action before they fully take root. Therefore, the question we must ask ourselves is, will Palestinian efforts for statehood lead to another state where minorities are brutally persecuted until they slowly cease to exist, or to a liberal state such as Israel where such minorities are accorded the rights and freedoms to which they are entitled?

Pope Francis is set to arrive in the Middle East this May. If this persecution persists, the next time a Pope visits the region, he may have no flock left to tend.

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