

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

Research Response Number: EGY30554
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This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Questions

- 1. Information in research response EGY17596 suggests that Al Ghad was formed in 2004. Is there any evidence to suggest that the Al Ghad party existed in any form in 1995?**
- 2. What is the current situation for members of Al Ghad?**
- 3. Is there any evidence that Egyptian authorities monitor the activities of Egyptians overseas?**
- 4. Is there any information on the availability of false documents in Egypt?**

RESPONSE

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A search of the Tribunal's resources was unable to find any definitive reference to Al Ghad prior to its formation in 2004. In addition, there has been no confirmed suggestion of a previous existence or party that it has come from. The main force behind Al Ghad (also spelt El or Al, Ghad or Ghadd) is Ayman Nour (sometimes Ayman Nor):

Egypt also maintains strict controls over political associations. The official Political Parties Affairs Committee, composed almost entirely of government officials and currently headed by the chairman of the ruling National Democratic Party, routinely rejects applications to form new political parties, based on broadly worded criteria such as whether the party's program "constitutes an addition to public life."

On October 27, 2004, the committee, for only the third time since 1977, approved a new party. Al Ghad (Tomorrow) is headed by independent member of parliament Ayman Nur. The committee however continued to reject other applications (Human Rights Watch 2005, *Country Summary: Egypt*, January – Attachment 1).

Al Ghad had though been in existence for around 20 months prior to its registration:

So far, Nour has played the game right back. Having identified a loophole in the country's tight party registration law, which allows new parties a four month grace period to conduct limited activities while they await approval, he's created five parties with slight variations on

the “Ghad” name in the past 20 months, registering a new name every time their application has been refused.

But he says time is running out, with elections scheduled for next October and no party offices beyond the one he runs in his Cairo constituency. “We think we could make inroads in a fair election. But now, we don’t have a party newspaper and we can’t really reach out to the people. I’ll probably have to run for office as an independent again.” (Murphy, D. 2004 ‘Egypt keeps new parties on short leash’ 21 October <http://www.csmonitor.com/2004/1021/p06s02-wome.html> – Accessed 31 August 2006 – Attachment 2).

Ayman Nour was first elected to the Egyptian parliament in 1995 as a representative of the Al Wafd party (for a history of the Wafd party see *Research Response EGY17596* – Attachment 3) and was re-elected in 2000:

He (Ayman Nour) had begun working as a journalist for the liberal Wafd Party newspaper, Al-Wafd, in 1984, and eventually rose up in the party’s ranks to become an elected member of the Wafd’s Higher Committee.

In 1995, Nour ran for and won a parliamentary seat representing Cairo’s Bab Al- Sha’riya district. In 2000, he was re-elected.

Many members of Al Ghad, like Nour, came from the Wafd party:

Nour, a former Wafdist, insisted that his party was not out to battle the Wafd, even though 25 per cent of the latter’s members have recently joined the new party. At the same time, Nour chose Beit Al-Umma -- the historic residence of the leader of the 1919 anti-colonial revolution and founder of the Wafd Party, Saad Zaghlul (1858-1927) -- to host the press conference announcing Al-Ghad Party’s inauguration.

...

Nour was dismissed from the Wafd Party in 2001, after Gomaa accused him of attempting to split the party by leading a dissident faction. Following his dismissal, Nour -- who already held a parliamentary seat representing the Wafd -- turned independent. (El-Nahhas, M. 2004, ‘Tomorrow’s party today’ 10 November, *Al Ahram Weekly On-line* <http://weekly.ahram.org.eg/2004/715/eg6.htm> – Accessed 1 September 2006 – Attachment 4)

A report by the International Crisis Group says that Ayman Nour joined another party between his expulsion from Wafd and the formation of Al Ghad:

..Ayman Nour, a rising star in the Wafd, fell out with its leader, No’man Goma’a, and was expelled in March 2001; after a period as an independent parliamentarian and brief membership in the Misr Party, he founded Al- Ghad (International Crisis Group 2005, ‘Reforming Egypt: In Search of a Strategy’, ICG website 4 October www.crisisgroup.org/library/documents/middle_east_north_africa/egypt_north_africa/46_reforming_egypt_in_search_of_a_strategy.pdf – Accessed 5 October 2005 – Attachment 5).

A report by Columbia International Affairs though does suggest an earlier formation for the party.

From the mid-1990s onward, several parties with constituencies—the Ghad, Wasat, and Karama Parties—petitioned for recognition. All met with rejection from the Political Parties Committee of the Shura Council. A court order forced the committee to license the Ghad Party in late 2004, and similar rulings in summer 2005 seemed destined to force eventual licensing of the Wasat and Karama Parties (Dunne, Michele 2006, ‘Evaluating Egyptian reform’, Columbia

International Affairs Online website, January <http://www.ciaonet.org/wps/cei012/cei012.pdf> – Accessed 16 March 2006 – Attachment 6).

Working on the premise that a leading figure other than Ayman Nour may have organised a party similar to Al Ghad back in 1995, the following notable party figures were identified and their activities in the 1990's researched;

Ragad Hilal Hemeida, founding member of Al Ghad ('Party Poopers' 2005, *Al Ahram weekly on-line*, 28 September, <http://weekly.ahram.org.eg/2005/761/eg10.htm> – Accessed 1 September 2006 – Attachment 7) was a member of the Liberal Party at that time:

In the last elections of 1995, the Liberals nominated 102 candidates in 75 constituencies. They won one seat only, however, for which Ragab Hilal Hemeida, the party's secretary-general, was standing (El-Magd, N.A. 2000, 'The rest' *Al Ahram Weekly on-line* 18 October, <http://weekly.ahram.org.eg/2000/503/el13.htm> – Accessed 4 September 2006 – Attachment 8).

Mursi El-Sheikh, one of four leading members of al Ghad suspended in September 2005 ('Party Poopers' 2005, *Al Ahram weekly on-line*, 28 September, <http://weekly.ahram.org.eg/2005/761/eg10.htm> – Accessed 1 September 2006 – Attachment 7), was a member of the Wafd party:

Wafdist Mursi El-Sheikh, who is running against Sorour for the professionals' seat, is unimpressed by the poster campaign. "The people of Sayeda Zeinab have nothing to do with these banners. This is the work of corrupt businessmen, thugs and drug dealers who stand behind Sorour in return for his protection."

...

El-Sheikh ran against Sorour in the 1990 and 1995 elections, losing both times. This time, he believes, the situation is different and so, too, will be the outcome because of judicial supervision over the ballot (El-Nahhas, M. 2000, Speaker signs, *Al-Ahram Weekly on-line*, 15 November, <http://weekly.ahram.org.eg/2000/507/eg11.htm> – Accessed 4 September 2006 – Attachment 9).

Mona Makram Ebeid was Secretary-General of the Al Ghad party (El-Nahhas, M. 2005, 'One Ghad too many', *Al Ahram weekly on-line* 2 November, <http://weekly.ahram.org.eg/2005/766/eg6.htm> – Accessed 1 September 2006 – Attachment 10). Prior to joining the Al Ghad party, she was a Member of the Wafd party, and an academic ('Mona Makram Ebeid', Beacon for Freedom of Expression Conference 2004 website, <http://www.bibalex.org/beaconforfreedom/speakers.htm> – Accessed 4 September 2006 – Attachment 11).

2. What is the current situation for members of Al Ghad?

The most famous case involving Al Ghad has been the conviction of its leader Ayman Nour on charges of forgery.

In one notable case, Ayman Nour, member of parliament and leader of the licensed opposition al-Ghad (Tomorrow) Party, was arrested January 29 outside parliament on charges that he forged proxy signatures on his party's registration papers, which had been approved by the

Shura Council's Political Parties Committee in October 2004. A request to strip Nour of his parliamentary immunity was endorsed the same day, apparently violating several significant procedural requirements in the process. Just before the arrest, State Prosecution already had teams initiating exhaustive searches of Nour's offices and residence. Nour was initially held on a 4-day detention order, which was extended 48 hours later during his initial arraignment to the maximum of 45 days, after the court denied bail.

Shortly after Nour's detention, EOHR issued a press release, alleging that Nour "was roughed up at the time of his arrest, thrown to the ground, hit in the face, and punched repeatedly in the back." At the police station, the statement contended, Nour was "shackled to a door frame and forced to bend for an extended period." The Arab Center for the Independence of the Judiciary issued a similar statement.

On March 12, the public prosecutor ordered Nour released on \$1740 (LE 10,000) bail, 43 days after his January 29 arrest. On March 22, the government formally charged Nour and six codefendants with forgery and knowingly using forged documents. The case was referred to a criminal court for trial by a state security prosecutor beginning on June 28. The trial lasted for nearly six months, with a number of lengthy delays which permitted Nour to run, unsuccessfully, for president and for parliament. Nour was convicted on December 24 (see section 1.e) and sentenced to five years' imprisonment. (US Department of State 2006, *Country Reports on Human Rights Practices – 2005 Egypt*, 8 March – Attachment 12)

The same report also comments on threats to Al Ghad members by unidentified thugs:

On February 24, ten unidentified thugs in tracksuits disrupted a meeting, organized by the Word Center for Human Rights, at Cairo's Pyramisa Hotel. The thugs threatened participants, overturned tables, and took cell phones and petty cash belonging to some of the participants. The meeting, which was attended by members of the al-Ghad Party (whose leader Ayman Nour had been detained on forgery charges on January 29), was focused on the prospects for constitutional reform to permit the direct election of the president. Although the identities of the thugs were never determined, eyewitnesses said that their appearances and speech suggested that they were members of the security forces (US Department of State 2006, *Country Reports on Human Rights Practices – 2005 Egypt*, 8 March – Attachment 12).

In between are a collection of licensed parties that are mostly outdated and discredited (Wafd, Tagammu, Nasserists) or harassed by the regime (Ghad), and a few newer groups that have been denied licensing so far (Wasat, Karama) (Dunne, Michele 2006, 'Evaluating Egyptian reform', Columbia International Affairs Online website, January <http://www.ciaonet.org/wps/cei012/cei012.pdf> – Accessed 16 March 2006 – Attachment 6).

Al Ahram reports that the case against Ayman Nour appears to be politically motivated and without solid legal basis:

Legal experts were surprised by the government's decision to go through with the trial; they were sure Nour would be cleared, and the case against him dropped. Their argument was that it was not Nour's legal responsibility to check the membership applications. That was the Political Parties Committee's business. And in forgery cases, they said, the applicants themselves -- not their representatives -- should be questioned.

Legal experts also wondered why Nour would go to the trouble of forging such a huge number of applications when the law stipulates that party founders only needed to submit 50 (El-Nahas, M. 2005, One Ghad too many, *Al Ahram weekly on-line* 2 November, <http://weekly.ahram.org.eg/2005/766/eg6.htm> – Accessed 1 September 2006 – Attachment 10).

Two members of Al Ghad were arrested and later released in May 2006. (Sami, S. 2006, 'Syndicate siege' *al Ahram weekly on-line*, 10 May, <http://weekly.ahram.org.eg/2006/793/eg7.htm> – Accessed 1 September 2006 – Attachment 13)

3. Is there any evidence that Egyptian authorities monitor the activities of Egyptians overseas?

A search through the Tribunal's resources found no information if Egyptian authorities in Australia carry out surveillance on their nationals.

List of Sources Consulted

Internet Sources:

Government Information & Reports

US Department of State <http://www.state.gov/>

Non-Government Organisations

Human Rights Watch <http://www.hrw.org/>

International Crisis Group <http://www.crisisweb.org/>

International News & Politics

BBC News <http://news.bbc.co.uk>

Wikipedia http://en.wikipedia.org/wiki/Main_Page

Region Specific Links

Al Ahram <http://weekly.ahram.org.eg/index.htm>

Search Engines

Google <http://www.google.com.au/>

Copernic <http://www.copernic.com/>

Databases:

FACTIVA (news database)

BACIS (DIMA Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)

RRT Library Catalogue

List of Attachments

1. Human Rights Watch 2005, *Country Summary: Egypt*, January.
2. Murphy, D. 2004 'Egypt keeps new parties on short leash' 21 October <http://www.csmonitor.com/2004/1021/p06s02-wome.html> – Accessed 31 August 2006.
3. Country Research Response EGY17596.

4. El-Nahas, M. 2004, 'Tomorrow's party today' 10 November, *Al Ahram Weekly On-line* <http://weekly.ahram.org.eg/2004/715/eg6.htm> – Accessed 1 September 2006.
5. International Crisis Group 2005, 'Reforming Egypt: In Search of a Strategy', ICG website 4 October
www.crisisgroup.org/library/documents/middle_east_north_africa/egypt_north_africa/46_reforming_egypt_in_search_of_a_strategy.pdf – Accessed 5 October 2005.
6. Dunne, Michele 2006, 'Evaluating Egyptian reform', Columbia International Affairs Online website, January <http://www.ciaonet.org/wps/cei012/cei012.pdf> – Accessed 16 March 2006.
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<http://weekly.ahram.org.eg/2005/761/eg10.htm> – Accessed 1 September 2006.
8. El-Magd, N.A. 2000, 'The rest' *Al Ahram Weekly on-line* 18 October,
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10. El-Nahas, M. 2005, 'One Ghad too many', *Al Ahram weekly on-line* 2 November,
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11. 'Mona Makram Ebeid', Beacon for Freedom of Expression Conference 2004 website,
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12. US Department of State 2006, *Country Reports on Human Rights Practices – 2005 Egypt*, 8 March.
13. Sami, S. 2006, 'Syndicate siege' *al Ahram weekly on-line*, 10 May,
<http://weekly.ahram.org.eg/2006/793/eg7.htm> – Accessed 1 September 2006.