

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Questions

- 1. Please provide current information on military service obligations in Egypt.**
- 2. Please provide information on whether there are any alternatives to military service.**
- 3. Please provide any information available on the treatment of persons opposed to military service. Specifically, is there any information available on the treatment of persons who have opposed or refused military service because the military has been used to suppress peaceful protests in Egypt?**

RESPONSE

- 1. Please provide current information on military service obligations in Egypt.**

A range of sources report that military service remains compulsory for Egyptian males aged between 18 and 30 years. According to the 2008 Global Report by the Coalition to Stop the Use of Child Soldiers, standard military service lasts three years with lesser terms for those with certain types of education. Sources varied as to the length of service required for high school and college graduates. Information on military service exemptions was found on the website of the Egyptian Consulate in Frankfurt. According to this dual nationals are exempted from service as are only sons of a family ('Egypt' 2008, *Child Soldiers Global Report 2008*, Coalition to Stop the Use of Child Soldiers website, May <http://www.child-soldiers.org/document/get?id=1352> – Accessed 17 June 2009 – Attachment 1; 'Military Service' (undated), Official website of the Consulate General of the Arab Republic of Egypt in Frankfurt am Main http://www.egyptian-consulate-ffm.com/english_page/military-service.htm – Accessed 12 June 2009 – Attachment 2).

Information from the US Central Intelligence Agency (CIA) *World Factbook* states the following for Egypt's military service age and obligation (the information is from 2008): "18-30 years of age for male conscript military service; service obligation 12-36 months, followed by a 9-year reserve obligation" ('Military Service Age and Obligation' (undated), *The World Factbook*, Central Intelligence Agency website <https://www.cia.gov/library/publications/the-world-factbook/fields/2024.html> – Accessed 17 June 2009 – Attachment 3).

The 2008 Global Report by the Coalition to Stop the Use of Child Soldiers has information on national recruitment legislation and practice in Egypt. According to this military service remained compulsory for men aged between 18 and 30. Standard military service lasted three years with lesser terms for those with certain types of education. The report states:

Major constitutional amendments in March 2007 did not affect military service, which, in accordance with Article 58 of the constitution and Article 1 of the 1980 Military and National Service Act, remained compulsory for men aged between 18 and 30. Standard military service lasted three years; lesser terms were stipulated for those with certain types of education, such as higher education graduates ('Egypt' 2008, *Child Soldiers Global Report 2008*, Coalition to Stop the Use of Child Soldiers website, May <http://www.child-soldiers.org/document/get?id=1352> – Accessed 17 June 2009 – Attachment 1).

The website of the Egyptian Consulate in Frankfurt has guidelines on military service, including information on: exemption from military service; missing military service; and postponing military service. The information follows in full:

Postponing of Egyptian military service

The Consulate General of the Arab Republic of Egypt in Frankfurt extends its compliments and presents the following procedure and requirements for postponing of military service.

- Each Egyptian citizen (male) has to perform the military service upon reaching 18 years old, and he is not allowed to do it if he reached 30 years old.
- Each Egyptian citizen (male) must have military number, which is based on his Egyptian national ID.
- The military service could be postponed for the following cases:
 - Students, which are currently studying in colleges or schools or universities (under graduates). In these cases the military service will be postponed until completion of the study in course or until the age of: 22 years in the case of studies before the end of high school – 24 years in the case of studies after high school (not university) – 29 years in the case of under graduate university studies.
 - For the only son of a father less than 60 years old.
 - For the oldest son after immigration of his brothers or obtaining dual citizenship.
 - For the only son of divorced mother.

Missing of Egyptian military service

The Consulate General of the Arab Republic of Egypt in Frankfurt extends its compliments and presents the following procedure and requirements for missing of military service.

...Each Egyptian citizen (male) exceeds the age of 30 years old without performing his military service and does not have a reason to be exempted from military service is considered missing it.

- Those persons can pay the penalty of missing his military service, but he must be over 30 years old.
- The Egyptian defense office in Bonn is responsible for handling this procedure.

Exemption from Egyptian military service

The Consulate General of the Arab Republic of Egypt in Frankfurt extends its compliments and presents the following procedure and requirements for exemption from military service.

- Each Egyptian citizen (male) has to perform the military service upon reaching 18 years old, and he is not allowed to do it if he reached 30 years old.
- Each Egyptian citizen (male) must have military number, which is based on his Egyptian national ID.
- The following cases can be exempted from military service:
 - Having dual citizenship.
 - For the only son of deceased father or more than 60 years old.
 - For the only son of a divorced mother and he's over 30 years old ('Military Service' (undated), Official website of the Consulate General of the Arab Republic of Egypt in Frankfurt am Main http://www.egyptian-consulate-ffm.com/english_page/military-service.htm – Accessed 12 June 2009 – Attachment 2).

An *Al-Ahram Weekly* May 2008 article reports on efforts by the Egyptian armed forces to clear up confusion over the military service status of expatriate Egyptians. The article indicates that over-30s who have not completed military service may settle their status by paying a fine:

Military service is obligatory for men between the ages of 18 and 30. Students enrolled at high school or university are normally granted a delay until they complete their education after which they are obliged to apply to do military service, the duration of which is determined according to the educational level of the conscript. University graduates serve one year, high school graduates two while those who have not completed secondary education must serve three years.

“As a government institution the Armed Forces are keen to help members of Egyptian communities abroad resolve any confusion that might result in their feeling hesitation about returning home.” Those over 30, El-Fangary says, who have not completed military service but who need to renew their passports “can now get it done after paying a fine in dollars”.

“On returning home they should head to the Military Service Department as any Egyptian citizen inside the country and apply to settle their status. They will then have to pay the relevant fine in local currency, after which their dollars will be returned” (Ibrahim, A. 2008, ‘Clearing the fog’, *Al-Ahram Weekly*, 15-21 May <http://weekly.ahram.org.eg/2008/897/eg6.htm> – Accessed 17 June 2009 – Attachment 4).

The Baheyeldin Dynasty website, which appears to be a personal website, has an entry titled "Notes on compulsory military service in Egypt". According to this, military service is compulsory for males 18 years to 35 years who have another brother; the duration of the service varies from 1 year (plus 3 months training) for university graduates, to 3 years for those with only elementary education. The use of bribery in the forces is also described. According to this piece, "[t]hose lucky recruits with connections can practically spend the whole duration at home, with all the paper work arranged to make them look like they have been 'sent on a mission' or 'on loan' to some other unit". The relevant extracts follow, although please note that this is a personal opinion piece and the authoritativeness of the information cannot be verified:

It is restricted to males 18 years to 35 years who do have another male brother, and is physically and mentally fit. Those who study can have a temporary reprieve until they finish their study, to a maximum of 24 or so. The duration of the service varies from 1 year (plus 3 months training) for university graduates, to 3 years for those with only elementary education.

Before 1952, service could be avoided if one paid a large sum of money to the government. After 1952, and in the name of equality, this practice was abolished, and every eligible person had to serve.

On the face of it, service in the army makes a young youth ready for combat if need be, teaches him to be adaptable, resourceful and tough. Reality is much different though. The army in Egypt, just like many other countries, is the culmination of bureaucracy, favoritism, nepotism, cronyism, corruption. All of these are rampant in the government, but more so in the army.

The reasons for this are plenty. Those who serve in the army are two types: the recruits forced to serve before they can hold a job, or travel abroad, and career staff. The career staff are two classes, the higher rank army officers (Second Lieutenant to General), and the lower rank (Private, Sergeant, ...etc.).

The officers are either from a technical background (medicine, engineering, ...etc.) graduating from normal technical colleges, or of military disciplines, graduating from specialized military academies. Most join the army because it is a guaranteed government job that pays a relatively good salary and pension, and comes with many perks, such as use of army clubs, perceived social status, ...etc..

The lower rank officers are mostly people from lower social levels who have no education and join the Army because it is the only hope they have for a paying job. This is true in most armies of the world, including Canada, UK, USA and others.

...Many of the permanent staff, specially the lower rank ones, disdain the temporary recruits, envying them for having education and better job prospects. They therefore use all the tricks to make their life miserable for the duration they are in the army. Some get the sick feeling of pleasure from the misery of others. Some feel satisfaction from being able to humiliate a medical doctor or an engineer. Most of this is allowed in the name of teaching discipline and absolute obedience.

Others use their position and influence as a secondary source of income. For example, they would agree to give recruits extra vacation days in return for a bribe. Some of these recruits, most likely farmers with no education at all, need the vacations because they have married early and have a family to support, so they need the vacation to work.

Those lucky recruits with connections can practically spend the whole duration at home, with all the paper work arranged to make them look like they have been “sent on a mission” or “on loan” to some other unit.

...Those with no connections, and no money for bribes can only watch how cruel real life is (Khalid 2005, ‘Notes on Compulsory Army Service in Egypt’, Baheyeldin Dynasty website, 8 October <http://baheyeldin.com/egypt/notes-on-compulsory-army-service-in-egypt.html> – Accessed 17 June 2009 – Attachment 5).

According to un-sourced information found on Wikipedia, if military service has not been undertaken by the time an eligible citizen reaches 30, then a \$580 fine must be paid (as of 2004) and the person is “dishonorably discharged”. According to this information, this prevents the citizen from ever holding public office. **(Users should be aware that Wikipedia is a Web-based free-content encyclopaedia which is written collaboratively by volunteers.** The Research Service recommends that users of Wikipedia familiarise themselves with the regulatory practices which Wikipedia employs as a preventative measure against vandalism, bias and inaccuracy). The Wikipedia information on military service in Egypt is as follows:

Egypt has a mandatory military service program for males between the ages of eighteen and thirty. Conscription is regularly postponed for students until the end of their studies, as long as they apply before they turn twenty-eight years of age. By the age of thirty a male is considered unfit to join the army and pays a fine. Males with no brothers, or those supporting parents are exempted from the service. Former President Sadat added that any Egyptian who has dual nationality is exempted from military service and this is still in effect till today. Males serve for a period ranging from fourteen months to thirty-six months depending on their education; highschool drop-outs serve for thirty-six months. College graduates serve for lesser periods of time, depending on their education, and college graduates with special skills are still conscripted yet at a different rank and at a different pay scale with the option of remaining with the service as a career. Some Egyptians evade conscription and travel overseas until they reach the age of thirty, at which point they are tried, pay a \$580 fine (as of 2004), and are dishonorably discharged. Such an offense, legally considered an offense of “bad moral character”, prevents the “unpatriotic” citizen from ever holding public office (‘Military service’ 2009, Wikipedia, last updated 14 June http://en.wikipedia.org/wiki/Military_service#Egypt – Accessed 17 June 2009 – Attachment 6).

Detailed information on conscription in Egypt was found on the War Resisters’ International website. This was last updated in 1998 and is included here for reference as Attachment 7 (‘Egypt’ 1998, War Resisters’ International website, 21 July http://www.wri-irg.org/programmes/world_survey/reports/Egypt – Accessed 12 June 2009 – Attachment 7).

Recent media

Recent media articles report that certain military service provisions have been amended. The amendments do not appear to have changed the obligation, age or length of military service. *Egypt News* on 9 June 2009 states:

Egypt’s Cabinet has...approved the draft law amending some provisions of the Law on Military and National Services No.127 of 1980.

...A spokesman for Egypt’s Council of Ministers Dr. Magdy Radi said that approving the amendment of some provisions of the law on military and national services aims to certify the school diploma that a person holds prior to joining the service.

It also aims to unify the posts of the service to be in accordance with these diplomas, except for the students of Al-Azhar University.

Moreover, it would extend equal treatment among the recruits, whether qualified or not qualified, and whether they have joined the service before or after January 1, 1975.

It would also annex the military service to the civil service as per the rule of the Supreme Constitutional Court on May 17, 1988. Finally, it gives jurisdiction only for the military court to look into any crimes committed during the service ('Egypt increases Female representation in Parliament' 2009, *Egypt News*, 9 June <http://news.egypt.com/en/200906096285/news/-egypt-news/egypt-increases-female-representation-in-parliament.html> – Accessed 11 June 2009 – Attachment 8).

2. Please provide information on whether there are any alternatives to military service.

Information from War Resisters International (last updated in 1998) states that: "There is no legal provision for conscientious objection and no substitute service" ('Egypt' 1998, War Resisters' International website, 21 July http://www.wri-irg.org/programmes/world_survey/reports/Egypt – Accessed 12 June 2009 – Attachment 7). A search of the available sources did not find any information to indicate that this was no longer the case.

The US Library of Congress country study on Egypt, last updated in 1990, includes a section on Conscription and Reserves. This states that there are "a variety of options for national service". According to this, conscripts "may be required to serve either in the police force, the prison-guard service, or in one of the military economic service units". Further, men "employed in permanent government positions, sons whose brothers had died in service, men employed in essential industries, and family breadwinners were all eligible for exemptions". The full section follows:

The Constitution mandates conscription but provides a variety of options for national service. Conscripts may be required to serve either in the police force, the prison-guard service, or in one of the military economic service units. In 1988 almost 12.5 million men were between the ages of fifteen and forty-nine. More than 8 million of these men were considered fit for military service. Although 519,000 men reached the draft age of twenty each year, only about 80,000 of these men were conscripted to serve in the armed forces. Women were not subject to conscription.

Volunteers earned considerably higher salaries and twice as much leave time as conscripts. Those conscripts who chose to reenlist were often among the less qualified. The result of this situation was a scarcity of NCOs with the proper level of proficiency. The navy and the air force had a smaller conscript-to- volunteer ratio, but these branches of the military faced similar problems. In all services senior NCOs could become candidates for commissions after eight years of duty. These NCOs usually were those with functional specialties who could qualify as warrant officers.

Conscripts served three years of active duty after which they remained in reserve for an additional period. Conscripts with degrees from institutions of higher education had to serve only eighteen months. The government required all males to register for the draft when they reached age sixteen. The government delineated several administrative zones for conscription purposes. Each zone had a council of military officers, civil officials, and medical officers who selected draftees. Local mayors and village leaders also participated in the selection

process. After the council granted exemptions and deferments, it chose conscripts by lot from the roster of remaining names. Individuals eligible to be inducted were on call for three years. After that period, they could no longer be drafted.

Although it was no longer possible for a prospective conscript to pay a fee in lieu of service, he could still apply for an exemption. Men employed in permanent government positions, sons whose brothers had died in service, men employed in essential industries, and family breadwinners were all eligible for exemptions (Tartter, J. 1990, 'Conscription and Reserves' in *A Country Study: Egypt*, US Library of Congress <http://lcweb2.loc.gov/frd/cs/egtoc.html> – Accessed 17 June 2009 – Attachment 9).

3. Please provide any information available on the treatment of persons opposed to military service. Specifically, is there any information available on the treatment of persons who have opposed or refused military service because the military has been used to suppress peaceful protests in Egypt?

Very little information was found on opposition to military service in Egypt. According to 1998 information from War Resisters' International, the penalty for refusing to serve is one year's imprisonment and a fine. The information from War Resisters' International on draft-evasion and desertion is as follows:

penalties

Refusal to perform military service is punishable by a year's imprisonment and a fine. [13]

Also they may be punished by a prolongation of their military service for one year in the case of graduated students and for three years in other cases. [7]

Draft evaders and deserters who have fled abroad cannot renew their passports. [7]

practice

Draft evaders and men of conscription age are not allowed to travel abroad. In order to obtain a passport all men must prove they have completed military service or have been exempted. [9] [11]

The number of draft evaders is not known, but according to Agence France Presse in 1993 more than 4,000 draft evaders were arrested by the security forces. [10]

Those who have acquired double nationality or who are over 30 and have avoided military service may get exempted but must pay a fine ('Egypt' 1998, War Resisters' International website, 21 July http://www.wri-irg.org/programmes/world_survey/reports/Egypt – Accessed 12 June 2009 – Attachment 7).

An April 2009 article from the Muslim Brotherhood website, Ikhwanonline, reports on "the continued imprisonment of the conscientious objectors of the MB [Muslim Brotherhood] Group". The article does not indicate what the MB members were conscientiously objecting to or whether they had been imprisoned because of their refusal to serve ('Egyptian authorities continue crackdown on Muslim Brotherhood' 2009, *BBC Monitoring Middle East*, source: Ikhwanonline website, 24 April – Attachment 11).

A 2003 *Al-Ahram Weekly* article reports that 15 MPs, members of Egypt's ruling National Democratic Party (NDP), who had been found to have dodged their compulsory military service, were to be expelled from parliament. The article does not report any further punishment (El-Din, G. 2003, 'Doomsday for draft-dodgers', *Al-Ahram Weekly*, 6-12 November <http://weekly.ahram.org.eg/2003/663/eg6.htm> – Accessed 17 June 2009 – Attachment 10).

List of Sources Consulted

Internet Sources:

Government Information & Reports

European Country of Origin Information Network (ECOI) website <http://www.ecoi.net/>

Immigration & Refugee Board of Canada http://www.irb-cisr.gc.ca/en/index_e.htm

UK Home Office <http://www.homeoffice.gov.uk/>

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

United Nations (UN)

UNHCR <http://www.unhcr.ch/>

Non-Government Organisations

Amnesty International <http://www.amnesty.org/>

Freedom House <http://www.freedomhouse.org/>

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

International News & Politics

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

Region Specific Links

Middle East Research and Information Project <http://www.merip.org/index.html>

Topic Specific Links

Egyptian Armed Forces <http://www.mmc.gov.eg/>

Egyptian Government Services Portal <http://www.egypt.gov.eg/english/default.asp>

Egypt State Information Service <http://www.sis.gov.eg>

Egyptian Organization For Human Rights <http://www.eohr.org/>

War Resisters International <http://www.wri-irg.org/>

Search Engines

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

Online Subscription Services

Stratfor <http://www.stratfor.com/>

Databases:

FACTIVA (news database)

BACIS (DIAC Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

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

RRT Library Catalogue

List of Attachments

1. 'Egypt' 2008, *Child Soldiers Global Report 2008*, Coalition to Stop the Use of Child Soldiers website, May <http://www.child-soldiers.org/document/get?id=1352> – Accessed 17 June 2009.
2. 'Military Service' (undated), Official website of the Consulate General of the Arab Republic of Egypt in Frankfurt am Main http://www.egyptian-consulate-ffm.com/english_page/military-service.htm – Accessed 12 June 2009.
3. 'Military Service Age and Obligation' (undated), *The World Factbook*, Central Intelligence Agency website <https://www.cia.gov/library/publications/the-world-factbook/fields/2024.html> – Accessed 17 June 2009.
4. Ibrahim, A. 2008, 'Clearing the fog', *Al-Ahram Weekly*, 15-21 May <http://weekly.ahram.org.eg/2008/897/eg6.htm> – Accessed 17 June 2009.
5. Khalid 2005, 'Notes on Compulsory Army Service in Egypt', Baheyeldin Dynasty website, 8 October <http://baheyeldin.com/egypt/notes-on-compulsory-army-service-in-egypt.html> – Accessed 17 June 2009.
6. 'Military service' 2009, Wikipedia, last updated 14 June http://en.wikipedia.org/wiki/Military_service#Egypt – Accessed 17 June 2009.
7. 'Egypt' 1998, War Resisters' International website, 21 July http://www.wri-irg.org/programmes/world_survey/reports/Egypt – Accessed 12 June 2009.
8. 'Egypt increases Female representation in Parliament' 2009, *Egypt News*, 9 June <http://news.egypt.com/en/200906096285/news/-egypt-news/egypt-increases-female-representation-in-parliament.html> – Accessed 11 June 2009.
9. Tartter, J. 1990, 'Conscription and Reserves' in *A Country Study: Egypt*, US Library of Congress <http://lcweb2.loc.gov/frd/cs/egtoc.html> – Accessed 17 June 2009.
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11. 'Egyptian authorities continue crackdown on Muslim Brotherhood' 2009, *BBC Monitoring Middle East*, source: Ikhwanonline website, 24 April. (FACTIVA)