



Australian Government
Refugee Review Tribunal

Country Advice

Egypt

Egypt – EGY37111 – Kifaya Movement –
Muslim Brothers – Ghad Party –
Demonstrations – Tahrir Square – Political
activists – Internal Security files –
Employment – Police – Kuwait –
Citizenship
24 August 2010

1. Please provide information on the Kifaya Movement and the treatment of known supporters of this movement in Egypt.

The following information was located on the Kifaya Movement or Kefaya movement in Egypt.

The idea to form the 'Egyptian Movement for Change' (*Al-Haraka al-Masriyya min ajli 'l-Taghyir*), also known by its slogan *Kifaya!* (Enough!), was made at a meeting held in November 2003. The meeting, attended by Communists, Islamists, Nasserists and Liberals, was in relation to Egypt's 2005 presidential and parliamentary elections. A seven member steering committee was set up and following further discussions in the first eight months of 2004, Kifaya made public "a declaration, signed by some 300 intellectuals, academics, artists, students, workers and farmers". On 21 September 2004, the declaration was debated at a conference in Cairo which was timed to coincide with the ruling National Democratic Party (NDP) annual conference. The name the Egyptian Movement for Change was adopted by the conference and 35 activists were chosen to organise the movement. Seven of the activists were responsible for day-to-day activity.¹

A paper dated May 2007 describes Kifaya "as an unconventional protest movement that came to symbolize democratic dynamism in Egypt." According to the paper:

Established in 2004 by leftist politicians as a broad opposition alliance, Kifaya emerged before the 2005 elections as an unconventional protest movement that came to symbolize democratic dynamism in Egypt. Loosely structured as a network of individuals and small groups rather than a traditional political party, the movement rediscovered the street as an arena of political action and fashioned a prodemocracy secular message. During the elections, it focused on mobilizing citizens against the reelection of President Mubarak and denouncing the ruling establishment's efforts to position his son, Gamal, to become his successor. Kifaya also represented an ideological innovation in the secular spectrum. It openly opposed the regime, distanced itself from established secular opposition parties, and was open to liberal and

¹ International Crisis Group 2005, 'Reforming Egypt: In Search of a Strategy', Middle East/North Africa Report N°46, ICG website, 4 October, p. 11, footnote 72
http://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 1

Islamist politicians alike. Organizationally, it relied on networks and focused on direct action—demonstrations and popular rallies—rather than voting.²

Kifaya was “[t]he first to ever stage public demonstrations explicitly targeting the personal rule of President Hosni Mubarak” and “mobilized a social protest movement that bridged the ideological divides of Egyptian society in a way unequaled by any other group.”³ It was “an agitational movement” which “distinguished itself by vehement attacks on President Mubarak’s rule and above all by its tactic of holding public demonstrations in central Cairo and elsewhere, in defiance of the law.”⁴

Reports indicate that Kifaya had lost its effectiveness by the end of 2005,⁵ with its influence “generally seen to have declined since its zenith during the run-up to the 2005 elections”.⁶ According to the paper dated May 2007:

But Kifaya did not last; by the end of 2005, it had lost its effectiveness. President Mubarak, whose defeat was the common goal of all opposition movements, had been reelected. Parties competing in the parliamentary elections were more interested in winning seats for themselves than joining forces against the regime. The public stopped paying attention to the movement’s activities, and street protests and demonstrations first dwindled and then stopped. Kifaya failed in 2006 to renew its pro-democracy secular platform and degenerated into an arena of frivolous ideological conflicts among competing factions. The secular opposition’s first attempt at renewal had failed.⁷

An RRT research response dated 19 March 2008 includes information on the establishment, policies and treatment of Kifaya.⁸ Another RRT research response dated 5 August 2008 provides further information on the Kifaya movement and on George Ishac, the founding co-ordinator of Kifaya.⁹

In relation to recent information on Kifaya, a report dated 4 May 2010 indicates that the movement had called on Egyptians “to pursue a policy of civil disobedience as a means of resistance” and to boycott elections.¹⁰ Members of Kifaya have been involved in protests during 2010, including a protest against torture and police brutality attended by some

² Ottaway, M. & Hamzawy, A. 2007, ‘Fighting on Two Fronts: Secular Parties in the Arab World’, Carnegie Endowment for International Peace website, May, p. 11

http://www.carnegieendowment.org/files/cp85_secular_final.pdf - Accessed 28 May 2007 – Attachment 2

³ Devlin, M. 2007, ‘When Enough is Not Enough’, *Civil Society and Democratization in the Arab World*, Vol 13, No. 146, February, p.8 <http://www.eicds.org/english/publications/civilsociety/07/Feb07Issue.pdf> - Accessed 12 March 2008 – Attachment 3

⁴ International Crisis Group 2005, ‘Reforming Egypt: In Search of a Strategy’, Middle East/North Africa Report N°46, ICG website, 4 October, pp. 9 & 10

http://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 1

⁵ Ottaway, M. & Hamzawy, A. 2007, ‘Fighting on Two Fronts: Secular Parties in the Arab World’, Carnegie Endowment for International Peace website, May, p. 11

http://www.carnegieendowment.org/files/cp85_secular_final.pdf - Accessed 28 May 2007 – Attachment 2

⁶ Devlin, M. 2007, ‘When Enough is Not Enough’, *Civil Society and Democratization in the Arab World*, Vol 13, No. 146, February, p. 8 <http://www.eicds.org/english/publications/civilsociety/07/Feb07Issue.pdf> - Accessed 12 March 2008 – Attachment 3

⁷ Ottaway, M. & Hamzawy, A. 2007, ‘Fighting on Two Fronts: Secular Parties in the Arab World’, Carnegie Endowment for International Peace website, May, pp. 11-12

http://www.carnegieendowment.org/files/cp85_secular_final.pdf - Accessed 28 May 2007 – Attachment 2

⁸ RRT Research & Information 2008, *Research Response EGY33000*, 19 March, (Questions 13 & 14) – Attachment 4

⁹ RRT Research & Information 2008, *Research Response EGY33577*, 5 August – Attachment 5

¹⁰ ‘Kefaya proposes civil disobedience, election boycott’ 2010, *Daily News Egypt*, 4 May – Attachment 6

1,000 demonstrators and political figures in Alexandria on 25 June 2010. There were minor scuffles between demonstrators and the police during the protest.¹¹ Kefaya activists were among those who took part in a demonstration held in front of Egypt's parliament on 20 April 2010 to protest against an MP calling for the security forces to fire on pro-reform demonstrators.¹² On 13 April 2010, police were reported to have beaten demonstrators with batons and to have detained and abused at least one protester at a protest staged by Kefaya in Cairo. The protest called for political reform and an end to the state of emergency in Egypt.¹³ Members of Kefaya were also involved in a demonstration organised by the April 6 Youth Movement which was held on 6 April 2010. Police broke up the protest and around 70 people were reported to have been arrested.¹⁴ A year earlier in April 2009, members of the Kefaya Movement, al-Ghad and the Muslim Brotherhood were reportedly among at least 34 people arrested and accused of incitement and distributing leaflets calling for a national strike. All those arrested were released without charge.¹⁵

Members of Egyptian opposition groups and parties including representatives from Kefaya met with the former head of the International Atomic Energy Agency, Mohamed ElBaradei, in February 2010 and agreed to form a National Coalition for Change. ElBaradei was to head the organisation, which seeks constitutional change and the revocation of the Emergency Law.¹⁶ More recently, the Muslim Brotherhood website reported that the Kifayah Movement was represented at a meeting of political parties and movements held in July 2010. The meeting, which was called by the Muslim Brotherhood's General Guide Muhammad Badi, agreed on issues including the need to end the state of emergency, expose corruption, have popular control of the electoral process, support Egypt's civil state and pressure the government to amend the constitution and guarantee the fairness of elections.¹⁷

In January 2010, the Kefaya Movement for Change's coordinating committee renewed present coordinator Abdel Halim Qandil's term for another year. At the time, George Ishaq, the movement's first general coordinator, referred to the movement as being in a bad condition.¹⁸

An article in the *Daily News Egypt* dated 22 December 2009 refers to Kefaya spending 2009 attempting "to prove that it is still relevant", with its power to mobilise protesters having faded after the 2005 elections. In February 2009, the new leader of Kefaya, Abdel Halim Qandil, announced the formation of the Coalition of Egyptians for Change, which was "a cross-party platform whose members will engage in peaceful civil disobedience to bring about regime change." In October 2009, opposition groups united to launch the Egyptian Campaign Against the Inheritance of Power which opposed the possible

¹¹ 'Hundreds protest against torture in Alexandria' 2010, *Daily News Egypt*, 25 June – Attachment 7

¹² 'Dozens protest over Egypt MP call to fire at demonstrators' 2010, *Agence France-Presse*, 21 April – Attachment 8

¹³ Amnesty International 2010, *Egypt urged to protect peaceful demonstrators*, 15 April <http://www.amnesty.org/en/news-and-updates/egypt-urged-protect-peaceful-demonstrators-2010-04-15> - Accessed 19 August 2010 – Attachment 9

¹⁴ 'Police violently crushes April 6 protest' 2010, *Daily News Egypt*, 6 April – Attachment 10

¹⁵ Amnesty International 2010, *Amnesty International Report 2010 – Egypt*, 28 May – Attachment 11

¹⁶ Awad, M. 2010, 'Egypt's ElBaradei to lead coalition seeking change', *Reuters News*, 25 February – Attachment 12

¹⁷ 'Political forces join Brotherhood meeting on Egypt's political future' 2010, *BBC Monitoring Middle East*, source: Ikhwanonline website, Cairo, 23 July – Attachment 13

¹⁸ 'Kefaya coordinator retains seat for another year' 2010, *Daily News Egypt*, 14 January – Attachment 14

succession of President Mubarak's son to the presidency. Kefaya subsequently withdrew from the campaign after the campaign's head, Al-Ghad party leader Ayman Nour, said he planned to travel to the United States. In June 2009, Kefaya boycotted the speech of United States President Barack Obama at Cairo University. During a December 2009 protest organised by Kefaya to commemorate its first demonstration five years before, Kefaya announced it was boycotting Egypt's 2010 and 2011 parliamentary and presidential elections.¹⁹

2. Please provide information on the Gad Party.

Al-Ghad Party (Tomorrow Party)

The following information was found on the Al-Ghad Party in Egypt. An RRT research response dated 23 December 2009 provides background information on the Al-Ghad Party and looks at the treatment of its members.²⁰ An Immigration and Refugee Board of Canada response to information request dated 19 February 2010 also includes information on the Al-Ghad Party and the treatment of its members by the state.²¹

Recent reports on the Al-Ghad Party indicate that the party was the winner of one seat in the 2010 election for the upper house (Majlis al-Shoura) of the Egyptian parliament.²²

On 6 August 2010, Ayman Nour, the founder of the Al-Ghad Party, became party president after winning elections in the General Assembly. Prior to this on 18 July 2010, the Shoura Council's political parties committee had decided to recognise Moussa Mostafa Moussa as the president of the Al-Ghad Party. This followed an Administrative Court decision on 4 July 2010 to accept an appeal by Moussa and the political parties committee, rejecting a Nour supporter, Ehab El-Khouly, as president of the party. The court, however, also rejected a lawsuit by Moussa to recognise him as the president, leaving the party without a leader. There had been a battle for the party leadership, leading to legal proceedings between El-Khouly and Moussa, following Nour's sentencing in 2005 to five years imprisonment for forgery. Nour claimed the charges were politically motivated. He was released on medical grounds in February 2009.²³ Although legally banned from political activity for five years after completing his prison sentence, Nour announced he intended to run for president in 2011. On 12 August 2010, a public prosecutor shelved a complaint against Nour by members of the Organisation for Defending Police and Citizens, which accused Nour of inciting the public to hate President Mubarak's son.²⁴

¹⁹ 'Egypt's opposition groups blighted by internal divisions' 2009, *Daily News Egypt*, 22 December – Attachment 15

²⁰ RRT Country Advice 2009, *Research Response EGY35912*, 23 December – Attachment 17

²¹ Immigration and Refugee Board of Canada 2010, *EGY103403.E – Egypt: The founding date of the al-Ghad party; the date of and the reason for the arrest of its leader, Ayman Nour; demonstrations that occurred following his arrest; the treatment by the state of al-Ghad members (2005 - February 2010)*, 19 February http://www.irb-cisr.gc.ca:8080/RIR_RDI/RIR_RDI.aspx?id=452798&l=e – Accessed 19 August 2010 – Attachment 18

²² Economist Intelligence Unit 2010, 'Egypt politics: Lock-out', *Economist Intelligence Unit – ViewsWire*, 3 June – Attachment 19

²³ 'Ayman Nour wins leadership of Al-Ghad Party' 2010, *Daily News Egypt*, 8 August – Attachment 20

²⁴ 'Prosecutor shelves "defamation" complaint against Nour' 2010, *Daily News Egypt*, 13 August – Attachment 21

An article dated 13 August 2010 indicates that the Musa Mustafa Front of the Al-Ghad Party was one of seven political parties that had formed a new alliance called the ‘alliance of the Egyptian parties for the sake of the future.’ The alliance sought political reform, the upgrading of the infrastructure of political and party work in Egypt and guarantees of fairness and neutrality in the electoral process.²⁵

It has also been reported that Ayman Nour and several Al-Ghad party members were assaulted and prevented from leaving the party’s central Cairo offices during demonstrations in Cairo in April 2010.²⁶ Also in April 2010, two Al-Ghad party members were arrested in Beheira for hanging posters, including a photograph of Ayman Nour and two other possible presidential candidates for the coming elections.²⁷

3. Please provide information about the fundamental policy differences between the Kifaya and the Muslim Brothers and the Ghad Party.

Kifaya

Kifaya has been referred to as being “[d]evoid of a specific political platform and overwhelmingly focused on curtailing the prerogatives of the executive”.²⁸ According to the International Crisis Group report dated 4 October 2005, Kifaya did not press for specific reform, but “agitated against specific, if prominent, aspects of the status quo. Thus, Kifaya has been in essence merely a protest movement.” It summarises Kifaya’s positions on a number of issues as follows:

From the outset, Kifaya focused on two main targets: the prospect of continued rule by President Mubarak and what it calls “the monopoly of power”, the concentration of decision-making powers in the presidency. A third issue, ancillary to the first two, has been the prospect, which Kifaya strongly opposes, of Gamal Mubarak succeeding his father. Kifaya has made clear its positions on a number of other issues. It calls for an end to the Emergency Law and all other legislation that hinder civil liberties, release of political prisoners, abolition of the Political Parties Committee, independence of the judiciary and of professional syndicates and trade unions, and freedom of the press. But this litany is widely shared and Kifaya’s support has not seriously diluted its concentration on the Mubarak presidency and its “monopoly of power”. The content of its agitation has been overwhelmingly negative. Rather than press for a specific reform, it has agitated against specific, if prominent, aspects of the status quo. Thus, Kifaya has been in essence merely a protest movement.²⁹

²⁵ ‘Egyptian parties forge new alliance for joint action’ 2010, *BBC Monitoring Middle East*, source: Ikhwanonline website, Cairo, 13 August – Attachment 22

²⁶ Amnesty International 2010, *Egyptian security forces arrest and beat peaceful protestors*, 6 April <http://www.amnesty.org/en/news-and-updates/egyptian-security-forces-arrest-and-beat-peaceful-protestors-2010-04-06> - Accessed 18 August 2010 – Attachment 23

²⁷ ‘Al-Ghad chairman applies for party’s presidential candidate’ 2010, *Daily News Egypt*, 23 April – Attachment 24

²⁸ Devlin, M. 2007, ‘When Enough is not Enough’, *Civil Society and Democratization in the Arab World*, Vol 13, No. 146, February, p. 8 <http://www.eicds.org/english/publications/civilsociety/07/Feb07Issue.pdf> - Accessed 12 March 2008 – Attachment 3

²⁹ International Crisis Group 2005, ‘Reforming Egypt: In Search of a Strategy’, Middle East/North Africa Report N°46, ICG website, 4 October, p. 10 http://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 1

The RRT research response dated 19 March 2008³⁰ refers to an undated ‘Declaration to the Nation’ located on the Kifaya website that calls for political and constitutional reform.³¹

Muslim Brothers

The Muslim Brotherhood was founded in 1928 seeking the creation of a pan-Arab Islamic state.³² It operated under the slogan “Islam Is the Solution”. Since the 1970s, it has renounced violence and focused on building an Islamic society through proselytising, political activism and social work.³³ An article in *Foreign Affairs* of March/April 2007 indicates that:

Since its founding in Egypt in 1928, the Muslim Brotherhood has sought to fuse religious revival with anti-imperialism—resistance to foreign domination through the exaltation of Islam. At its beginning, the Brotherhood differed from earlier reformers by combining a profoundly Islamic ideology with modern grass-roots political activism. The Brotherhood pursued an Islamic society through *tarbiyya* (preaching and educating), concentrating first on changing the outlook of individuals, then families, and finally societies. Although the Brotherhood’s origins were lower-middle class, it soon pushed Islamization into the local bourgeoisie and then clear to the palace.³⁴

In 1954, the Muslim Brotherhood was declared an illegal organisation in Egypt. The Mubarak government, however, has for many years tolerated some activity by the Brotherhood so as to undercut the militant fundamentalist movement.³⁵ Through the election of candidates standing as independents, the Brotherhood won 88 seats in the 2005 parliamentary elections, cementing “its role as Egypt’s dominant opposition force.”³⁶

According to the article in *Foreign Affairs* of March/April 2007, the Muslim Brothers “eventually came to find democracy compatible with its notion of slow Islamization” on the basis that an Islamic society would desire Islamic leaders and support them in elections. Reformists within the Brotherhood believed that Islamists needed to work with other groups, including liberals and secularists. “This current finds a comfortable home within the Egyptian umbrella movement Kifaya (Enough!), which embraces the Brotherhood along with all manner of secularists, liberals, nationalists, and leftists. Kifaya was born in fervent opposition to the war in Iraq and now forms the battered core of Egyptian democratic opposition.”³⁷

³⁰ RRT Research & Information 2008, *Research Response EGY33000*, 19 March, (Question 13) – Attachment 4

³¹ ‘Declaration to the Nation’ (undated), Kifaya website <http://harakamasria.org/node/2944> - Accessed 12 March 2008 – Attachment 25

³² ‘Egypt’ 2010, *Political Handbook of the World Online Edition*, CQ Press Electronic Library http://library.cqpress.com/phw/document.php?id=phw2010_Egypt&type=toc&num=56 – Accessed 12 August 2010 – Attachment 26

³³ Trofimov, Y. 2009, ‘Muslim Brotherhood Falters as Egypt Outflanks Islamists’, *The Wall Street Journal*, 15 May <http://online.wsj.com/article/SB124225195098016929.html> - Accessed 30 July 2010 – Attachment 27

³⁴ Leiken, R.S. & Brooke, S. 2007, ‘The Moderate Muslim Brotherhood’, *Foreign Affairs*, Volume 86, Number 2, March/April, p. 108 – Attachment 28

³⁵ ‘Egypt’ 2010, *Political Handbook of the World Online Edition*, CQ Press Electronic Library http://library.cqpress.com/phw/document.php?id=phw2010_Egypt&type=toc&num=56 – Accessed 12 August 2010 – Attachment 26

³⁶ Trofimov, Y. 2009, ‘Muslim Brotherhood Falters as Egypt Outflanks Islamists’, *The Wall Street Journal*, 15 May <http://online.wsj.com/article/SB124225195098016929.html> - Accessed 30 July 2010 – Attachment 27

³⁷ Leiken, R.S. & Brooke, S. 2007, ‘The Moderate Muslim Brotherhood’, *Foreign Affairs*, Volume 86, Number 2, March/April, pp. 110-111 & 114 – Attachment 28

More recently in January 2010, Al-Ahram political analyst Diaa Rashwan indicated that reformist Muslim Brothers who had called for increased integration into mainstream politics and coordination with opposition parties and protest movements like Kifaya, had been effectively marginalised following the ousting of reformists by conservatives in elections to the Brotherhood's guidance office on 27 December 2009.³⁸ Another report on the Muslim Brotherhood's website indicates that in July 2010, the Kifayah Movement was represented at a meeting of political parties and movements called by the Brotherhood's General Guide Muhammad Badi. The meeting agreed on a number of issues including the need to end the state of emergency and to pressure the government to amend the constitution and guarantee the fairness of elections.³⁹

Another recent article indicates that "[i]deologically, the Brotherhood as a whole is yet to reconcile its traditional emphasis on the implementation of Islamic law as the overall goal of the movement's aims with its democratic pretensions." The Brotherhood has argued in recent years that its aim regarding political reform is for "a civil state with an Islamic frame of reference." According to the article, the controversy over the Brotherhood's draft programme for a political party in 2007, however, demonstrated that it lacks "an internally well established commitment to a civil state". The draft programme included democratic principles such as political pluralism, free and fair elections and the separation of powers, but "remained distinctly undemocratic on the right of women and non-Muslims to hold Egypt's highest political offices."⁴⁰

Al-Ghad Party

The Al-Ghad Party has sought "constitutional reform to reduce the power of the presidency and an end to the country's emergency law", and espouses "a commitment to social justice".⁴¹ Articles from 2004 and 2005 indicate that the Al-Ghad Party had called "for a free market economy with consideration for social justice, democracy, the empowerment of women, freedom of expression, human rights and the rule of law."⁴² Other goals included combating corruption, finding a solution to unemployment and controlling prices.⁴³ The party called for democratic reform and emphasised secularism. Al-Ghad's main concern was combating poverty and solving the problems of the average citizen. Its emphasis was on domestic issues and it had less interest in regional and international affairs. The party's draft constitution abolished the presidential referendum system and sought a parliamentary rather than a presidential system. Government would be formed by the party with a parliamentary majority and the prime minister would hold executive power.⁴⁴

³⁸ El-Din, E. 2010, 'MB's coming task' *Al-Ahram Weekly*, Issue No. 982, 21-27 January

<http://weekly.ahram.org.eg/2010/982/eg9.htm> - Accessed 23 February 2010 – Attachment 29

³⁹ 'Political forces join Brotherhood meeting on Egypt's political future' 2010, *BBC Monitoring Middle East*, source: Ikhwanonline website, Cairo, 23 July – Attachment 13

⁴⁰ Saab, B.Y. 2010, 'Muslim Brotherhood and liberals: partners for change in Egypt?', *Daily News Egypt*, 21 July – Attachment 30

⁴¹ 'Egypt' 2010, *Political Handbook of the World Online Edition*, CQ Press Electronic Library

http://library.cqpress.com/phw/document.php?id=phw2010_Egypt&type=toc&num=56 – Accessed 12 August 2010 – Attachment 26

⁴² El-Hennawy, N. 2004, 'Young Turks: Are these splinter groups the leading parties of tomorrow?', *Egypt Today*, September <http://www.egypttoday.com/article.aspx?ArticleID=2284> – Accessed 20 August 2010 – Attachment 31

⁴³ 'Who will win?' 2005, *Al-Ahram Weekly*, 4-10 August – Attachment 32

⁴⁴ El-Nahhas, M. 2004, 'Tomorrow's party today', *Al-Ahram Weekly*, Issue No. 715, 4-10 November <http://weekly.ahram.org.eg/2004/715/eg6.htm> - Accessed 22 December 2009 – Attachment 33

On 10 August 2010, Al-Ghad Party President Ayman Nour announced eleven demands for participating in the presidential elections in 2011. These included the lifting of the emergency law, the reinstatement of judicial oversight of elections, election monitoring by NGOs, and the public and transparent counting of votes.⁴⁵

4. Please provide information regarding demonstrations involving the Kifaya Movement that occurred in Egypt between 2005 and 2007, including demonstrations in Tahrir Square. Please provide information on whether demonstrators were arrested, detained or mistreated.

Reports covering the period from 2005 to 2007 indicate that persons wishing to hold public meetings, rallies, and protest marches in Egypt required approval from the Ministry of Interior. The US Department of State report on human rights practices for 2005 indicates that “[m]any demonstrations were not approved, and the government tightly controlled public demonstrations that did occur. Unlike in previous years, however, numerous, unauthorized demonstrations in support of political reform took place during the year, and security forces, while still strictly containing these events, generally took a more disciplined, observer role in permitting the demonstrations to take place.” Dozens of demonstrators, including women, however, were assaulted during anti-government demonstrations held on 25 May and 30 July 2005.

There were increasing numbers of political demonstrations across Egypt in 2005, particularly demonstrations organised by Kifaya and the Muslim Brotherhood. Disproportionate numbers of riot police were generally deployed “to contain both the size and effectiveness of the demonstrations. A pattern of arresting demonstrators, detaining them for at least 15 days ‘pending further investigation’ emerged, particularly in cases of unauthorized rallies and especially those occurring near or around parliament.”

Demonstrations organised by Kifaya during this time included a protest on 30 March 2005 in front of the Press Syndicate building in Cairo, and in late April 2005, “Kifaya held demonstrations simultaneously in 13 cities under the banner ‘no constitution without freedom.’ Hundreds of riot police and security forces surrounded demonstrators, arresting 50 in Cairo and over 100 in other governorates. There were reports that security forces used batons and clubs to beat back demonstrators, while sealing off roads to break up the demonstrations.” Demonstrators affiliated with Kifaya were among protesters beaten during the 25 May 2005 national referendum to revise Egypt’s constitution. Demonstrators who sought to assemble in Tahrir Square in Cairo on 30 July 2005 for a demonstration organised by Kifaya and other opposition movements, found the square closed by security forces. Demonstrators were dispersed into smaller groups, many were beaten and 30 were arrested and detained. All detainees had been released by 2 August 2005.⁴⁶

⁴⁵ ‘Ayman Nour announces election demands, takes first step to form shadow gov’t’ 2010, *Daily News Egypt*, 10 August – Attachment 34

⁴⁶ US Department of State 2006, *Country Reports on Human Rights Practices for 2005 – Egypt*, March, Section 2(b) – Attachment 35

On 7 September 2005, major demonstrations organised by Kifaya were reported to have occurred in central Cairo. Unlike demonstrations held on the day of the referendum in May 2005, the protesters were not harassed by security forces.⁴⁷

During 2006, the Kifaya movement was reported to have organised several demonstrations, but it was less active than in 2005. Kifaya activists scuffled with police during a demonstration in Cairo on 12 December 2006 marking the movement's second anniversary.⁴⁸ Kifaya reported dozens of arrests in April and May 2006 for demonstrating in Cairo and Alexandria. Some demonstrators were beaten and detained by special security service members when trying to hold a rally in Cairo. Human Rights Watch reported that dozens of Kifaya demonstrators were charged with "insulting the president," "spreading false rumors," and "disturbing public order". As they were charged under the Emergency Law, they were to be prosecuted under the paralegal state security system.⁴⁹

On 25 May 2006, a demonstration involving opposition activists was held at the Journalists' Syndicate in Cairo to mark the anniversary of the attack on opposition protesters and journalists on 25 May 2005. On 26 May 2006, Kifaya activists Muhamed al-Sharkawy and Karim al-Shaeer who had been detained following the demonstration on 25 May 2005, were reportedly beaten by police. Sharkawy also reported being tortured. The two men remained in detention without charge until they were released in July 2006.⁵⁰

On 17 May 2006, 14 Kifaya activists were among those arrested following demonstrations in support of two judges who had called for judicial independence and clean elections in Egypt. Kifaya coordinator George Ishak told reporters that Kifaya demonstrators were also beaten and arrested in the Abbasiyya neighborhood in Cairo.⁵¹ On 11 May 2006, several hundred protesters including Kifaya activists attended a demonstration outside the Cairo High Court in support of the two judges. The hearing of the case was postponed and protesters and journalists were beaten and arrested by security forces.⁵²

In March 2007 members of Kifaya were involved in protests against proposed amendments to Egypt's constitution. On 15 March 2007, 29 protesters were reported to have been arrested in a protest organised by Kifaya. Hundreds of riot police and plain clothes security officers surrounded about 150 protesters who had planned to demonstrate in Tahrir Square in Cairo, pushing them away and chasing them down side streets.⁵³ An article on the Muslim Brotherhood's website indicates that 32 demonstrators from Kifaya

⁴⁷ 'EGYPT: Year in Brief 2005 - Chronology of democratic events' 2006, *IRIN News*, 9 January <http://irinnews.org/Report.aspx?ReportId=26038> - Accessed 22 December 2009 – Attachment 36

⁴⁸ US Department of State 2007, *Country Reports on Human Rights Practices for 2006 – Egypt*, March, Section 2(b) – Attachment 37

⁴⁹ Freedom House 2007, *Freedom in the World – Egypt (2007)* – Attachment 38

⁵⁰ US Department of State 2007, *Country Reports on Human Rights Practices for 2006 – Egypt*, March, Sections 1(c) & 2(b) – Attachment 37

⁵¹ Human Rights Watch 2006, *Egypt: Hundreds More Protesters Arrested*, 17 May <http://www.hrw.org/en/news/2006/05/17/egypt-hundreds-more-protesters-arrested> - Accessed 20 August 2010 – Attachment 39

⁵² Black, J. 2006, 'Egyptian trial of pro-reform judges halted after protests', *The Independent*, 12 May – Attachment 40

⁵³ El-Magd, N.A. 2007, 'Egyptian police thwart opposition demonstration, chase activists, detain at least 20', *Associated Press Newswires*, 16 March – Attachment 41

were detained on 15 March 2007, with some being released the next day.⁵⁴ On 25 March 2007, around 100 protesters affiliated with Kifaya who tried to converge on Cairo's main square were reported to have been dispersed by hundreds of policemen.⁵⁵

The RRT research response dated 19 March 2008 includes information on arrests of Kifaya members between 2005 and 2007, with most of the arrests taking place at protests, principally in 2005.⁵⁶

5. Please provide information on the treatment of individuals who speak out in opposition to the ruling Mubarak government.

Egypt is reported to have continued to suppress political dissent during 2009.⁵⁷ The US Department of State has reported that during 2009, a number of opposition political activists, journalists and NGOs advocated political reform and criticised the government. The government's actions, which included arrests, detention of Muslim Brotherhood members, harassment of journalists and activists, and restrictions on civil society organisations, "led many observers to charge that the government sought to curtail criticism and activism."⁵⁸

Egypt has been under a national state of emergency continuously since 1981.⁵⁹ Human Rights Watch refers to the Emergency Law as "providing a basis for arbitrary detention and unfair trials." Although Egypt's government had not confirmed the number of detainees, Egyptian human rights organisations estimated that between 5,000 and 10,000 people were held without charge.⁶⁰ Under the Emergency Law, a person may be arrested without warrant and detained without charge for up to 30 days, after which the person can challenge the legality of the detention order before a court. The person can continue to challenge the detention order at monthly intervals, but a judge can continue to uphold the order for an unlimited period and there is no bail. There were many detainees under the Emergency Law who remained incommunicado in state security detention facilities without having access to their family or lawyers before their cases were transferred to trial. Some detainees were reported to face torture in detention. According to the US Department of State report on human rights practices in Egypt for 2009, "[s]ecurity forces arbitrarily arrested and detained individuals, in some cases for political purposes, and kept them in prolonged pretrial detention." Persons arrested and detained by the government without formal charges or trial included members of the Muslim Brotherhood. The government did not allow international humanitarian organisations to have access to political prisoners.⁶¹

⁵⁴ Abbadi, A. 2007, 'Dozens Kifaya Detainees on Hunger Strike', Muslim Brotherhood (Ikhwan) Official English website, 17 March <http://www.ikhwanweb.net/Article.asp?ID=2119&SectionID=92> - Accessed 17 March 2008 – Attachment 42

⁵⁵ MacKinnon, M. 2007, 'Egypt loses taste for democratic reform; Mubarak expected to concentrate power by constitutional change; U.S. acquiesces', *The Globe and Mail*, 26 March – Attachment 43

⁵⁶ RRT Research & Information 2008, *Research Response EGY33000*, 19 March, (Question 14) – Attachment 4

⁵⁷ Human Rights Watch 2010, *World Report 2010 – Egypt*, January – Attachment 44

⁵⁸ US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Egypt*, March, Section 2(a) – Attachment 45

⁵⁹ Amnesty International 2010, *Amnesty International Report 2010 – Egypt*, 28 May – Attachment 11

⁶⁰ Human Rights Watch 2010, *World Report 2010 – Egypt*, January – Attachment 44

⁶¹ US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Egypt*, March, Introduction & Sections 1(d) & (e) – Attachment 45

Amnesty International also refers to the government continuing to use emergency powers for the detention of “peaceful critics and opponents as well as people suspected of security offences or involvement in terrorism. Some were held under administrative detention orders; others were sentenced to prison terms after unfair trials before military courts.” In some cases where a court had ordered a detainee’s release, the MOI issued new detention orders to replace the order ruled invalid by the court.⁶²

Although promising since 2005 to end the state of emergency, the government renewed it for two more years on 11 May 2010. The government also announced that it would limit administrative detention under the emergency law to persons suspected of being involved in terrorism or drug-related crimes. On 12 June 2010, Interior Ministry officials told Human Rights Watch that persons held for other reasons would be free by the end of June.⁶³ By 30 June 2010, there were unconfirmed reports that fewer than 500 people had been released. There were further releases of detainees from Sinai in early July 2010.⁶⁴

6. Is there any information to support the claim that a person with an “internal security file” might be targeted or become unemployable or face the risk of detentions, interrogations, verbal abuse and physical violence?

As previously mentioned, Egypt is reported to suppress political dissent. During 2009, the “[a]uthorities harassed rights activists, and detained journalists, bloggers, and members of the Muslim Brotherhood (the banned organization that is the country’s largest opposition group).”⁶⁵ The government was reported to use emergency powers for the detention of peaceful critics of the government as well as persons suspected of national security offences and terrorism.⁶⁶

Al-Ghad Party leader Ayman Nour who was sentenced in 2005 to five years imprisonment for forgery, charges he claimed were politically motivated, was released on medical grounds in February 2009.⁶⁷ The government is reported to have subsequently “restricted Nour’s ability to work as a lawyer or journalist, to sell property, and to open a bank account.” In November 2009, Nour said that the government had refused him permission to travel to the United States.⁶⁸

The RRT research response dated 19 March 2008⁶⁹ includes a blog dated 12 June 2006, which refers to a Kifaya activist who had been detained being dismissed from his job as a field ecologist in Egypt. The activist was detained on 24 April 2006 during a sit-in organised by Kifaya outside the Judge’s Club in Cairo. He was detained for 33 days

⁶² Amnesty International 2010, *Amnesty International Report 2010 – Egypt*, 28 May – Attachment 11

⁶³ Human Rights Watch 2010, *Egypt: Keep Promise to Free Detainees by End of June*, 29 June <http://www.hrw.org/en/news/2010/06/29/egypt-keep-promise-free-detainees-end-june> - Accessed 19 August 2010 – Attachment 46

⁶⁴ ‘Rights groups call for release of “estimated 10,000” emergency law detainees’ 2010, *Daily News Egypt*, 21 July – Attachment 47

⁶⁵ Human Rights Watch 2010, *World Report 2010 – Egypt*, January – Attachment 44

⁶⁶ Amnesty International 2010, *Amnesty International Report 2010 – Egypt*, 28 May – Attachment 11

⁶⁷ ‘Ayman Nour wins leadership of Al-Ghad Party’ 2010, *Daily News Egypt*, 8 August – Attachment 20

⁶⁸ US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Egypt*, March, Section 1(e) – Attachment 45

⁶⁹ RRT Research & Information 2008, *Research Response EGY33000*, 19 March, (Question 6) – Attachment 4

without appearing before a judge and was not convicted of a crime. The Egyptian general manager of his employer's Cairo office took the decision to dismiss the activist.⁷⁰

7. Is there any information about the operation of the police and security forces in Egypt which suggests they operate within the rule of law or act to discriminate against people who hold views opposed to the governing regime?

Egypt's Ministry of the Interior (MOI) controls the local police forces in Egypt which operate in large cities and governorates. The MOI also controls the State Security Investigative Service (SSIS) which undertakes investigations and the Central Security Forces (CSF), responsible for maintaining public order. The SSIS and CSF are responsible for the enforcement of the law at national level and security for infrastructure and key officials. The security forces operate under a central chain of command and were reported to be "considered generally effective in combating crime and terrorism and maintaining public order." The government, in conjunction with the UN Development Programme, provided human rights training for judicial and law enforcement officials. There was, however, "no systematic prosecution of security personnel who committed human rights abuses." Egypt's civilian authorities did not always maintain effective control of the security forces, which were reported to have committed numerous serious human rights abuses.⁷¹

As previously mentioned, Egypt has been under a national state of emergency continuously since 1981,⁷² and it has been reported that security forces have arbitrarily arrested and detained persons, sometimes for political purposes, and kept them in prolonged pre-trial detention.⁷³ Security forces were reported to have arbitrarily detained peaceful protestors, targeted bloggers and journalists who criticised government policies or exposed human rights violations, and harassed leaders of work strikes.⁷⁴ Police and security personnel were also reported to use torture and other ill-treatment, in most cases with impunity. In rare cases, there were prosecutions of alleged torturers.⁷⁵ Petty corruption was widespread in the police force, especially below the senior levels of command.⁷⁶

According to Human Rights Watch, State Security Intelligence "polices the political sphere and considers any exercise of freedom of assembly a security threat, frequently beating and arresting peaceful demonstrators." It used emergency powers to arbitrarily arrest activists and bloggers. State Security Intelligence officials in particular continued "to enjoy impunity for serious human rights violations."⁷⁷

⁷⁰ 'Released detainee fired from his job' 2006, Big Pharaoh website, 12 June <http://www.bigpharaoh.com/2006/06/12/released-detainee-fired-from-his-job/> - Accessed 14 March 2008 – Attachment 48

⁷¹ US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Egypt*, March, Introduction & Section 1(d) – Attachment 45

⁷² Amnesty International 2010, *Amnesty International Report 2010 – Egypt*, 28 May – Attachment 11

⁷³ US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Egypt*, March, Introduction – Attachment 45

⁷⁴ Human Rights Watch 2010, *World Report 2010 – Egypt*, January – Attachment 44

⁷⁵ Amnesty International 2010, *Amnesty International Report 2010 – Egypt*, 28 May – Attachment 11

⁷⁶ US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Egypt*, March, Section 1(d) – Attachment 45

⁷⁷ Human Rights Watch 2010, *Universal Periodic Review Submission: Egypt September 2009*, 16 February – Attachment 49

Brutality at the hands of police and security forces is reported to be common in Egypt. In July 2010, two policemen went on trial accused of beating Egyptian businessman Khalid Said to death. Said was reportedly targeted for posting a video online showing police dividing the spoils of a drug bust. The case has attracted domestic and international attention, but “[i]n what activists say is a signal that the government is unlikely to challenge the culture of impunity that pervades Egypt’s security forces, the two policemen - Awad Ismail Soliman and Mahmoud Salah Amin - are not charged with causing Mr. Said’s death. They are instead accused of unlawful arrest and excessive use of force.”⁷⁸ The case is reported to have become a rallying point for Egyptians who feel the “security forces act with impunity under emergency law allowing indefinite detention and curbing anti-government activity.” The trial has been adjourned to 25 September 2010.⁷⁹

8. Can you please confirm the citizenship status and rights in Kuwait of a person born in Kuwait to Egyptian parents? The publication *Citizenship Laws of the World* (Part 5:9) suggests that persons born in Kuwait of foreign parents cannot acquire Kuwait citizenship, that birth within the territory of Kuwait does not automatically confer citizenship and that dual citizenship is not recognised by Kuwait.

The US Office of Personnel Management Investigations Service *Citizenship Laws of the World* dated March 2001 indicates that “[b]irth within the territory of Kuwait does not automatically confer citizenship” and unless a child born in Kuwait “is born to a Kuwaiti citizen, the child is born a citizen of the parents’ home country.” The directory also indicates that dual citizenship is not recognised in Kuwait.⁸⁰

A person born in Kuwait to Egyptian parents would not acquire Kuwaiti nationality at birth. Under Kuwait’s law on nationality, a person obtains Kuwaiti citizenship at birth if the person’s father is a national of Kuwait.⁸¹ According to Article 2 of Kuwait’s nationality law, “[a]ny person born in, or outside, Kuwait whose father is a Kuwaiti national shall be a Kuwaiti national himself.” Article 3 of the nationality law also allows a person born in Kuwait whose parents are unknown to acquire Kuwaiti nationality.⁸²

Dual nationality is not recognised in Kuwait and a Kuwaiti citizen who adopts a foreign nationality loses Kuwaiti citizenship.⁸³ Article 11 of Kuwait’s nationality law indicates in

⁷⁸ Chick, K. 2010, ‘Khalid Said case: Is Egypt cracking down on police brutality?’, *The Christian Science Monitor*, 27 July – Attachment 50

⁷⁹ Saleh, Y. 2010, ‘Egyptian policemen go on trial in torture case’, *Reuters News*, 27 July – Attachment 51

⁸⁰ US Office of Personnel Management Investigations Service 2001, *Citizenship Laws of the World*, March, p. 112 – Attachment 52

⁸¹ UN Human Rights Council 2009, ‘Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General – Arbitrary deprivation of nationality: report of the Secretary-General’, UNHCR Refworld website, A/HRC/10/34, 26 January, p. 9 <http://www.unhcr.org/refworld/country,,,KWT,,49958be22,0.html> – Accessed 17 August 2010 – Attachment 53

⁸² State of Kuwait 1959, ‘Nationality Law 1959’, UNHCR Refworld website <http://www.unhcr.org/refworld/country,LEGAL,NATLEGBOD,,KWT,,3ae6b4ef1c,0.html> – Accessed 17 August 2010 – Attachment 54

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part that “[a] Kuwaiti national shall lose his Kuwaiti nationality if he becomes voluntarily naturalized according to the law of another State.” Pursuant to Article 11bis of the nationality law, a foreigner who acquires Kuwaiti nationality under Articles 4, 5, 7 or 8 of the law and who fails to renounce any other nationality within three months of naturalisation and provide evidence of doing so, shall have the naturalisation revoked. The Kuwaiti nationality shall be revoked by decree upon the Minister of the Interior’s recommendation.⁸⁴ It has been reported that many Kuwaitis hold dual citizenship. The local media in Kuwait “have long indicated that many Kuwaiti citizens at the same time hold Saudi citizenship and many others hold US or European nationalities.” In March 2010, Kuwait’s Minister of the Interior said he would withdraw Kuwaiti nationality from Kuwaiti citizens who hold a second citizenship.⁸⁵

Article 4 of Kuwait’s law on nationality sets out the conditions under which a person of full age may be granted Kuwaiti nationality by decree upon the Minister of the Interior’s recommendation. Persons who meet the criteria set out in Article 5 of the nationality law may also be granted Kuwaiti nationality by decree upon the Minister of the Interior’s recommendation.⁸⁶

An RRT research response dated 22 December 2005 includes information on the requirements for Kuwaiti citizenship or permanent residency.⁸⁷

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