

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Questions

Passports

- 1. What are the procedures for the issue of passports in Egypt? Could a person have to pay a bribe to get a passport?**
- 2. Are persons who have been detained because of their political activities denied passports?**

Exit Procedures

- 3. What are the procedures involved in leaving Egypt?**
- 4. Are persons who have been detained because of their political activities prevented from leaving Egypt?**

Kifaya

- 5. Does Kifaya have a registered office?**

RESPONSE

Passports

- 1. What are the procedures for the issue of passports in Egypt? Could a person have to pay a bribe to get a passport?**
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An information request was sent to the Department of Foreign Affairs and Trade (DFAT) on 11 March 2008. *DFAT Report No. 802* was received in response on 5 April 2008, and contains the following information on procedures for obtaining a passport in Egypt:

- A. DFAT Cable [CX15986] of 1993 provided information in relation to security checks on passport applicants and whether bribery could enable a person to avoid such checks.**

(i) Please provide information on current procedures for the issue of passports to Egyptian nationals.

Applications for passports are submitted to the Passports, Immigration and Nationality Department or one of its geographic branches. Citizens abroad apply to Egyptian diplomatic missions. Required documentation to be submitted with the new application are: the old passport; national ID for persons who are 16 years old; birth certificate for persons who are less than 16 years old; a social status document by all females; school registration documents for students; the national service document for citizens born as of 18/03/1941, excluding those who are less than 19 years old; 3 colour photos beside the one glued to the application form; academic qualifications; and a commercial register for capital that is not less than 5000LE (around \$1000) and less than 5 years old.

Applications are accepted from the person concerned, by spouses (as each can represent the other), by parents on behalf of minors, by adult brothers (on behalf of their minor siblings), by adult sons on behalf of their parents, or by official representatives by virtue of a general or legal proxy, or one relating to the job.

Originals of all above documents are presented for sighting by officials who keep a copy and return the original. The passport is valid for 7 years and is non-renewable (Department of Foreign Affairs and Trade 2008, *DFAT Report No. 802 – Egypt: RRT Information Request: EGY33006*, 3 April – Attachment 1; for the original request to DFAT see Research and Information 2008, Email to DFAT ‘Refugee Review Tribunal Information Request: EGY33006’, 11 March – Attachment 2).

It may be of interest that prior DFAT advice from 1993 provided the following information regarding the passport application process within Egypt:

No security checks are made at the time an application for a passport is lodged. Control of those persons who are subject to restrictions on travel as a result of unresolved civil or criminal matters is undertaken at the point of departure from the country. Lists are maintained at departure points of names of individuals who legal authorities (courts or state prosecution) have determined should be temporarily deprived of the right to leave the country (Department of Foreign Affairs and Trade 1993, *Request for Information – Refugee Review Tribunal*, 9 December – Attachment 3).

DFAT Report No. 802 of 3 April 2008 also contains information on the issue of whether a person who has been previously detained for their political activities may be denied a passport, and whether such a person may be able to obtain a passport through bribery:

A. DFAT Cable [CX15986] of 1993 provided information in relation to security checks on passport applicants and whether bribery could enable a person to avoid such checks.

... ii) Please provide information on whether a person who has been previously detained, but not charged, for political activities may be denied a passport, and whether bribery may be effective or required for such a person to obtain a passport.

Officially, all Egyptian citizens are entitled to a passport. We have no information to suggest that a person that has been detained, but not charged, for political activities may be denied a passport. However, some interlocutors suggested that, if a person faced a serious criminal charge, including in relation to security or political matters, it may be possible that they would be denied a passport. We are unable to confirm this information with Egyptian government authorities due to the sensitive nature of the matter.

We are not aware of whether bribery may be effective or required for a person that has been detained, but not charged, for political activities to obtain a passport. Interlocutors noted, however, the pervasive nature of bribery in Egypt. None would be surprised if a degree of bribery did exist in relating to obtaining a passport. Whether bribery could be used to obtain a passport would likely depend on the seriousness of the criminal charge (Department of Foreign Affairs and Trade 2008, *DFAT Report No. 802 – Egypt: RRT Information Request: EGY33006*, 3 April – Attachment 1).

Background information was located regarding arrest and detention practices in Egypt. A report published in 2007 by the Egypt-based Ibn Khaldun Center for Development Studies indicates that persons accused of political crimes in Egypt can be often detained without charge for extended periods:

The Emergency Law by which Egypt is ruled since 1981 restricts many basic rights. Its provisions allow for arrests without warrant and prolonged detention without charge. There were varied and conflicting estimates of the number of extraordinary detainees (i.e. citizens held by the government without trial for alleged political crimes. Credible NGOs estimated that there were 6,000-10,000 detainees in addition to those prisoners in the ordinary criminal justice system. The government did not release any official data on detainees` (Zaki, M. 2007, ‘Civil Society and Democratization in the Arab World – Annual Report’, Ibn Khaldun Center for Development Studies website, p. 53 http://www.eicds.org/english/publications/reports/Annual_Report_07.doc – Accessed 13 August 2007 – Attachment 4).

A 2007 US Department of State report on Egypt provides information on the different provisions for detention under the Egyptian penal code, and under the current Emergency Law:

The Emergency Law allows detention of an individual without charge for up to 30 days, only after which a detainee may demand a court hearing to challenge the legality of the detention order. Detainees may resubmit a motion for a hearing at one-month intervals thereafter. There is no limit to the detention period if a judge continues to uphold the detention order or if the detainee fails to exercise his right to a hearing. Incommunicado detention is authorized for prolonged periods by internal prison regulations.

...The penal code also gives the government broad detention powers. Prosecutors must bring charges within 48 hours following detention or release the suspect. However, authorities may hold a suspect for a maximum of six months while they investigate. Arrests under the penal code occurred openly and with warrants issued by a district prosecutor or judge. There was a functioning system of bail for persons detained under the penal code but none for persons detained under the Emergency Law. The Penal Code contains several provisions to combat extremist violence, which broadly defines terrorism to include the acts of “spreading panic” and “obstructing the work of authorities.”

Notwithstanding the prevailing state of emergency and the government’s use of the Emergency Law provisions, the government continued to rely on the Penal Code for the vast majority of criminal investigations and prosecutions. In criminal cases investigated and prosecuted under the penal code, defendants generally had access to counsel promptly after arrest (US Department of State 2008, *Country Reports on Human Rights Practices for 2007 – Egypt*, 11 March, Section 1d – Attachment 5).

Question 1 of previous *RRT Research Response EGY30873* of 24 November 2006 also contains relevant information on arrest and summons procedures in Egypt. This response notes a number of sources which suggest that in some cases, authorities may contact criminal suspects and summon them to appear at a police station, rather than seek them out and arrest them, and that this practice may occur even in the context of serious criminal cases (RRT Country Research 2006, *RRT Research Response EGY30873*, 24 November – Attachment 6; this response quotes examples from several sources, including Egyptian Organization for Human Rights (undated), *The situation of human rights in Egypt Annual report 2003*, ‘Part Two – Human rights violations in 2003’ <http://www.eohr.org/annual/2003/report2003-2.shtml> – Accessed 24 November 2006 – Attachment 7, and Nadim Center for Psychological Management & Rehabilitation of Victims of Violence 2003, ‘Torture in Egypt: Facts and Testimonies’, Arab Commission for Human Rights website, January <http://www.achr.net/rep.en17-filer/reports.achr12.htm> – Accessed 22 November 2006 – Attachment 8).

Further information was also located on the prevalence of corruption and bribery in Egypt. The 2007 US Department of State report on Egypt indicates that a significant level of corruption subsists within the Egyptian police force:

There was widespread petty corruption in the police force, especially below senior levels. According to government statements, it investigated corruption and other instances of police malfeasance using an internal affairs mechanism but did not publicize how this process worked. The government prosecuted such cases in the judicial system. In addition to acceptance of bribes or simple theft, security forces committed assault and murder (US Department of State 2008, *Country Reports on Human Rights Practices for 2007 – Egypt*, 11 March, Section 1d – Attachment 5).

Egypt recently received a relatively unfavourable assessment from Transparency International, which gave Egypt a ranking of 2.9 (out of 10) in its 2007 Corruption Perceptions Index, which is based on opinions of businesspeople and country analysts (‘Corruption Perceptions Index 2007’ 2007, Transparency International website http://www.transparency.org/policy_research/surveys_indices/cpi/2007 – Accessed 6 March 2008 – Attachment 9). An article published on the Alertnet website in September 2006 reported claims that corruption exists at every level of Egyptian society (‘Egypt: Preponderance of corruption leads to poverty, say experts’ 2006, Alertnet website, 10 September – Attachment 10).

Exit Procedures

3. What are the procedures involved in leaving Egypt?

4. Are persons who have been detained because of their political activities prevented from leaving Egypt?

DFAT Report No. 802 of 3 April 2008 contains information on exit procedures and security checking for Egyptian nationals seeking to depart the country:

B. DFAT Country Information Report No. 418/99 of 1999 provided information to indicate that the Egyptian government maintained tight controls on movements into and out of Egypt, and had begun a seven year project to use sophisticated computer technology to limit passport fraud. DFAT Country Information Report No.116/02 of 2002 provided information on exit procedures for Egyptian nationals.

(i) Please provide information on current exit procedures and security checking for Egyptian nationals.

The Egyptian government maintains strict controls on the exit of all people out of Egypt. All Egyptians citizens exiting Egypt must have a valid Egyptian passport and a valid entry visa for the country to which they intend travelling. State authorities are responsible for checking that passport requirements are met. Airport staff are generally responsible for checking that visa requirements are met.

New machine-readable passports are currently being phased-in. This process commenced in 2008. We assume this is the “seven year project to use sophisticated computer technology to limit passport fraud” referred to in DFAT Country Information Report No. 418/99 of 1999.

Interlocutors agreed that Egyptian citizens would be prevented from exiting Egypt if their name appeared on the official “alert list” (DFAT Country Information Report No.116/02 of 2002 refers). We are unable to clarify with the Egyptian government the exact details of how this alert process operates due to the sensitive nature of the matter. Interlocutors noted that whether or not a person appeared on the list would likely depend on the seriousness of the alleged crime. Any person that may be wanted by the authorities in relation to security matters would likely appear on the list (Department of Foreign Affairs and Trade 2008, *DFAT Report No. 802 – Egypt: RRT Information Request: EGY33006*, 3 April – Attachment 1; for earlier reports on exit procedures referred to in *DFAT Report No. 802*, see DIMA Country Information Service 2002, *Country Information Report No.116/02 – Entry/Exit Procedures*, (sourced from DFAT advice of 7 May 2002), 10 May – Attachment 11, and DIMA Country Information Service 1999, *Country Information Report No. 418/99 – Illegal immigration and people trafficking in Egypt*, (sourced from DFAT advice of 10 December 1999), 13 December – Attachment 12).

DFAT Report No. 802 of 3 April 2008 also provides information on whether the use of bribery may assist persons wanted by Egyptian authorities to exit the country:

(ii) Please provide information on whether bribery may be effective or required for persons wanted by authorities to obtain exit.

As with the answer to A(ii) above, we have no information to suggest that bribery would be effective or required for persons wanted by authorities to obtain exit. Interlocutors noted that bribery existed in many forms in Egypt, and the possibility that bribery can be used to obtain exit from Egypt could not be ruled out. However, it would be difficult to conceive that a person that was on the “alert list” would be able to obtain exit from Egypt by paying a bribe (Department of Foreign Affairs and Trade 2008, *DFAT Report No. 802 – Egypt: RRT Information Request: EGY33006*, 3 April – Attachment 1).

Information on the Wikipedia website indicated that Borg Al Arab airport is an airport in Alexandria, Egypt, which services a comparatively small number of airlines and passengers. International flights depart to a limited number of destinations, including Dubai. Information was located to indicate that in 2007, 236,135 persons travelled through Borg Al Arab, compared to the 12,577,254 persons who travelled through Cairo International Airport (“Borg Al Arab Airport” 2008, Wikipedia website, 21 February http://en.wikipedia.org/wiki/Borg_al_Arab_Airport – Accessed 6 March 2008 – Attachment 13 ; ‘Cairo International Airport’ 2008, Wikipedia website, 4 March http://en.wikipedia.org/wiki/Cairo_International_Airport#_ref-GCM_0#_ref-GCM_0 –

Accessed 6 March 2008 – Attachment 14)¹. Information from 2005 on the *Al-Ahram* website indicated that Borg Al Arab was the secondary airport in Alexandria, carrying a mixture of passengers and cargo flights (Ibrahim, Amirah 2005, 'A Breath of Fresh Air', *Al-Ahram* website, 7-13 April <http://weekly.ahram.org.eg/2005/737/ec7.htm> – Accessed 6 March 2008 – Attachment 15).

DFAT Report No. 802 of 3 April 2008 provides the following information on Borg Al Arab airport:

Interlocutors indicated that the exit procedures and security standards appeared to be the same at Borg Al Arab airport as at other international airports in Egypt, including Cairo International Airport. In addition, half of Borg Al Arab airport is also used exclusively by the Egyptian armed forces, which may, if anything, heightened security.

We have no information concerning the extent to which security staff at Borg Al Arab were able to perform checks as to whether departing Egyptian nationals were wanted by authorities. Such information is not readily available from security authorities (Department of Foreign Affairs and Trade 2008, *DFAT Report No. 802 – Egypt: RRT Information Request: EGY33006*, 3 April – Attachment 1).

5. Does Kifaya have a registered office?

DFAT Report No. 802 of 3 April 2008 provides the following information on Kifaya:

Kifaya does not have an office in Cairo, although it is a registered political party (Department of Foreign Affairs and Trade 2008, *DFAT Report No. 802 – Egypt: RRT Information Request: EGY33006*, 3 April – Attachment 1).

Question 13 of related *RRT Research Response EGY33000* of 19 March 2008 indicates that Kifaya was an umbrella opposition group composed of various organizations and parties, and referred to a June 2007 source which indicated that “Kifaya members prefer to refer to themselves as part of a ‘movement’ (*haraka*) and have never sought party status” (RRT Research & Information 2008, *RRT Research Response EGY33000*, 19 March – Attachment 16; Browers, M. 2007, ‘The Egyptian movement for change: Intellectual antecedents and generational conflicts’, *Contemporary Islam*, vol. 1, no. 1, June, pp. 69-88 <http://www.springerlink.com/content/7370306441136958/fulltext.pdf> – Accessed 17 March 2008 – Attachment 17).

¹ 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. For more information, see the recommended background reading available in the Wikipedia Topical Information Package.

List of Sources Consulted

Internet Sources:

Search Engines

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

Google News <http://news.google.com/nwshp?hl=en&tab=wn>

Region Specific Links

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

Daily Star Egypt website <http://www.dailystaregypt.com/>

Al-Masri Al-Youm website <http://www.almasry-alyoum.com/default.aspx>

International News and Politics

European Country of Origin Information network <http://www.ecoi.net/>

IRIN website <http://www.irinnews.org/>

International Crisis Group website <http://www.crisisgroup.org/home/index.cfm>

Non-Government Organisations

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

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

The Jamestown Foundation <http://www.jamestown.org/>

Global Integrity website <http://www.globalintegrity.org/>

Jane's Information Group website <http://www.janes.com/>

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

Government Organisations

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

Egyptian Embassy in Washington DC website <http://www.egyptembassy.net/>

Consulate of Egypt in Sydney, Australia website

<http://www.mfa.gov.eg/Missions/Australia/Sydney/Consulate/en-GB/default.htm>

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

The Strategic Studies Institute of the US Army War College website

<http://www.strategicstudiesinstitute.army.mil/index.cfm>

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

United Nations

UNHCR Refworld <http://www.unhcr.org/cgi-bin/tehis/vtx/refworld/rwmain?docid>

Databases:

FACTIVA (news database)

ISYS (RRT Research and Information Service Database)

BACIS (DIAC Country Information Database)

List of Attachments

1. Department of Foreign Affairs and Trade 2008, *DFAT Report No. 802 – Egypt: RRT Information Request: EGY33006*, 3 April.
2. Research & Information 2008, Email to DFAT ‘Refugee Review Tribunal Information Request: EGY33006’, 11 March.
3. Department of Foreign Affairs and Trade 1993, *Request for Information – Refugee Review Tribunal*, 9 December. (CISNET Egypt CX15986)
4. Zaki, M. 2007, ‘Civil Society and Democratization in the Arab World – Annual Report’, Ibn Khaldun Center for Development Studies website, http://www.eicds.org/english/publications/reports/Annual_Report_07.doc – Accessed 13 August 2007.
5. US Department of State 2008, *Country Reports on Human Rights Practices for 2007 – Egypt*, 11 March.
6. RRT Country Research 2006, *RRT Research Response EGY30873*, 24 November.
7. Egyptian Organization for Human Rights (undated), *The situation of human rights in Egypt Annual report 2003*, ‘Part Two – Human rights violations in 2003’ <http://www.eohr.org/annual/2003/report2003-2.shtml> – Accessed 24 November 2006.
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9. ‘Corruption Perceptions Index 2007’ 2007, Transparency International website http://www.transparency.org/policy_research/surveys_indices/cpi/2007 – Accessed 6 March 2008.
10. ‘Egypt: Preponderance of corruption leads to poverty, say experts’ 2006, Alertnet website, 10 September. (CISNET Egypt CX161367)
11. DIMA Country Information Service 2002, *Country Information Report No.116/02 – Entry/Exit Procedures*, (sourced from DFAT advice of 7 May 2002), 10 May. (CISNET Egypt CX64426)
12. DIMA Country Information Service 1999, *Country Information Report No. 418/99 – Illegal immigration and people trafficking in Egypt*, (sourced from DFAT advice of 10 December 1999), 13 December. (CISNET Egypt CX38877)
13. ‘Borg Al Arab Airport’ 2008, Wikipedia website, 21 February http://en.wikipedia.org/wiki/Borg_al_Arab_Airport – Accessed 6 March 2008.
14. ‘Cairo International Airport’ 2008, Wikipedia website, 4 March http://en.wikipedia.org/wiki/Cairo_International_Airport#_ref-GCM_0#_ref-GCM_0 – Accessed 6 March 2008.

15. Ibrahim, Amirah 2005, 'A Breath of Fresh Air', *Al-Ahram* website, 7-13 April
<http://weekly.ahram.org.eg/2005/737/ec7.htm> – Accessed 6 March 2008.
16. RRT Research & Information 2008, *RRT Research Response EGY33000*, 19 March.
17. Browsers, M. 2007, 'The Egyptian movement for change: Intellectual antecedents and generational conflicts', *Contemporary Islam*, vol. 1, no. 1, June, pp. 69-88
<http://www.springerlink.com/content/7370306441136958/fulltext.pdf> – Accessed 17 March 2008.