

## RESEARCHED AND COMPILED BY THE REFUGEE DOCUMENTATION CENTRE OF IRELAND ON THE 26 MARCH 2024

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### DISCLAIMER

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. All COI Query Responses are compiled in line with the Common EU Guidelines (2008) and the EUAA Methodology (2023). This response is not and does not purport to be conclusive as to the merit of any particular claim to international protection. Please refer to all documents cited.

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### COI QUERY RESPONSE – EGYPT – ARBITRARY ARREST, DETENTION AND CONVICTION FOR MEMBERSHIP OF ORGANISATIONS SUCH AS MUSLIM BROTHERHOOD. MISTREATMENT IN CUSTODY BY SECURITY SERVICES.

A report issued In March 2024 the *Federal Office for Migration and Refugees (Germany)* states “According to media reports, the Supreme State Security Court sentenced eight high-ranking members of the Muslim Brotherhood and the Freedom and Justice Party to death on 04.03.24. Some of these individuals had already been sentenced to death in previous trials. In the current trial, 37 defendants were sentenced to life imprisonment, six defendants to 15 years of imprisonment, and seven defendants to 10 years of imprisonment. A further 21 defendants were acquitted. The defendants were accused, among other things, of leadership in a terrorist group, attempting to change the regime by force and preventing state institutions and public authorities from performing their duties.”<sup>1</sup>

A report published by *Freedom House* in February 2024 states that “In December, al-Sisi secured his third six-year term in an election that featured a campaign of arrests, intimidation, and strict conditions imposed on opposition candidates, actions that essentially eliminated any substantial competition.”<sup>2</sup>

“While some Islamist parties still operate in a precarious legal position, the Muslim Brotherhood was outlawed in 2013 as a terrorist organization, and its political party was banned. Since then, authorities have systematically persecuted its members.”<sup>3</sup>

“Political parties are legally allowed to form and operate, but in practice, activists, opposition parties, and political movements that criticize the regime face arrests, harsh prison terms, death sentences, extrajudicial violence, and other forms of pressure.”<sup>4</sup>

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<sup>1</sup> Federal Office for Migration and Refugees (Germany) (11 March 2024) Briefing Notes 11 March 2024 - Egypt: Death sentence for members of Muslim Brotherhood and Freedom and Justice Party

<sup>2</sup> Freedom House (29 February 2024) Freedom in the World 2024: Egypt

<sup>3</sup> ibid

<sup>4</sup> ibid

In February 2024 *Human Rights Watch* states that “In July 2019, the Kuwait authorities deported eight men from Kuwait to Egypt: Hossam Ibrahim al-Adl, Abdel Rahman Mohamed Ahmed, Abu-Bakr Atef al-Fayomi, Abdel Rahman Ibrahim Abdel Moniem, Walid Suleiman, Najeh Awad, Faleh Hassan, and Mo'men Abu Al-Wafa. The Kuwait authorities claimed that the men were being sought by the Egyptian authorities for alleged links to the Muslim Brotherhood, an outlawed opposition group. Human Rights Watch raised concerns that the men faced serious risk of torture and persecution in Egypt, as well as unlawful detention conditions. The Kuwait authorities later confirmed the involvement of the Egyptian authorities, stating that they had worked in cooperation with the Egyptian authorities.”<sup>5</sup>

The *US Overseas Security Advisory Council (OSAC)* states in February 2024 “Police arrested several journalists during the year for covering politically sensitive topics. Some of those arrested were released, while others remained in detention at the end of 2022. Arrests for media activity and social media posts reportedly had a chilling effect on online speech. Some activists and many journalists reported privately that they self-censored criticism of the government or comments that could be perceived as sympathetic to the Muslim Brotherhood or other banned groups, in view of the progovernment media environment. Publishers also were wary of publishing books that criticized religious institutions, such as al-Azhar, or challenged Islamic doctrine. Online journalists were also reluctant to discuss sensitive topics due to fear of reprisal, including prosecution and detention.”<sup>6</sup>

The report also states that “Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings by the government or its agents, and by terrorist groups; enforced disappearance by state security; torture and cases of cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary arrest and detention; political prisoners or detainees; transnational repression against individuals in another country; arbitrary or unlawful interference with privacy; serious abuses in a conflict, including reportedly enforced disappearances, abductions, physical abuses, and unlawful or widespread civilian deaths or harm; serious restrictions on free expression and media, including arrests or prosecutions of journalists, censorship, and the enforcement of or threat to enforce criminal libel laws to limit expression; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations; restrictions on freedom of movement; serious and unreasonable restrictions on political participation; serious government restrictions on domestic and international human rights organizations”<sup>7</sup>

*Alkarama (Switzerland)* states in January 2024 “Alkarama drew attention to the repressive legal framework used by Egypt to stifle any form of dissent, especially since the "Muslim Brotherhood" political party was designated a "terrorist organisation" in 2013. In its alternative report to the CAT, Alkarama stressed that under the pretext to "fight terrorism", Egypt has enacted numerous laws, including the counterterrorism legislation that vaguely define the concept of "terrorism" and subsequently expands its scope to include different additional "terrorist acts" which are, in fact, non-violent forms of political opposition. Alkarama has continued to follow-up on cases demonstrating Egypt's misuse of terrorism trials to target human rights defenders, silence dissidents and detain activists.”<sup>8</sup>

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<sup>5</sup> Human Rights Watch (22 February 2024) "We Will Find You": A Global Look at How Governments Repress Nationals Abroad [Egypt excerpts]

<sup>6</sup> US Overseas Security Advisory Council (OSAC) (13 February 2024) Egypt Country Security Report 2024

<sup>7</sup> *ibid*

<sup>8</sup> Alkarama (Switzerland) (29 January 2024) Alkarama Annual Report 2023 [Egypt excerpt]

“... conditions of detention in Egyptian facilities, the widespread practice of arbitrary detention, enforced disappearance, torture and the misuse of the antiterrorism law by authorities.”<sup>9</sup>

In December 2023, the *UK Home Office* notes that “Political parties (with the exception of those based on religion, including the Muslim Brotherhood), civil society organisations and media companies, as well as individual bloggers, human rights lawyers and activists, are allowed to form and operate as long as they are not considered to be undertaking oppositional activities to the state – in which case they can face closure, legal harassment or even detention.”<sup>10</sup>

A report issued in January 2023 by *Amnesty International* states that “Security agencies, including the NSA, play a crucial role in the decision-making process regarding releases and have repeatedly barred the release of prisoners held for political reasons and targeted individuals affiliated to the Muslim Brotherhood and other high-profile activists, who played a prominent role in the 25 January Revolution, for particularly punitive and discriminatory treatment in prison”<sup>11</sup>

This document also states “The authorities dissolved the Muslim Brotherhood affiliated Freedom and Justice Party (FJP) in August 2014 in contravention of the right to association, and arrested thousands solely for their affiliation with the party. Many of them have been detained since mid-2013, while several senior Muslim Brotherhood figures, including former President Mohamed Morsi and deputy head of the FJP Essam Erian, died in prison following prolonged deliberate denial of adequate healthcare and detention in conditions violating the absolute prohibition of torture and other ill-treatment...”<sup>12</sup>

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<sup>9</sup> *ibid*

<sup>10</sup> UK Home Office (20 December 2023) Country Policy and Information Note - Egypt: Opposition to the state (December 2023)

<sup>11</sup> Amnesty International (25 January 2023) Egypt: Submission to the UN Human Rights Committee, 137th Session, 27 February – 24 March 2023, p.12

<sup>12</sup> *ibid*, p.17

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Minority Rights Group International

New Humanitarian

Online Newspapers

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Reliefweb

United Kingdom Home Office

United States Department of State

UNHCR Refworld

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