

Egypt – Researched and compiled by the Refugee Documentation Centre of Ireland on Tuesday 29 August 2023

Treatment of those who evade military service including for returnees and available internal relocation and general human rights issues

A report issued in January 2023 by *Conscience and Peace Tax International* states that:

“From the sometimes contradictory accounts in different sources, it seems likely that evaders apprehended before the age of 30 are generally penalised simply by an extension of the time to be served, but under Article 49 of the Code “any person exceeding 30 years or 31 years (according to the case situation) [who] had deliberately skipped the examination process or the military recruitment shall be subject to imprisonment for up to two years or a penalty of not less than 500 Egyptian pounds [approximately \$35US] and not more than 1,000 Egyptian pounds ... or both.”...Alternatively they may be punished under Article 54 of the Conscription Law which imposes a penalty of no less than two years in prison or a fine between 2,000 and 5,000 Egyptian pounds (approximately \$125 to \$300 US). Cases of draft evasion are tried in military courts, despite the fact that the evaders by definition are still civilians at the time of trial. Trials of civilians before military courts for refusal of military service have repeatedly been found by the European Court of Human Rights to breach the right of fair trial. *Conscience and Peace Tax International* (30 January 2023) *Egypt: Military service, conscientious objection and related issues*, p.6).

In January 2023 the *International Commission of Jurists* comments on the:

“...systematic practice of torture in Egypt...” (International Commission of Jurists (30 January 2023) *Submission of the International Commission of Jurists to the UN Human Rights Committee in View of the Committee's Examination of Egypt's Fifth Periodic Report under Article 40 of the International Covenant on Civil and Political Rights*, p.4).

A report issued in March 2023 by *Human Rights Watch* points out that:

“The Egyptian authorities in recent years have systematically refused to provide or renew the identity documents of dozens of dissidents, journalists, and human rights activists living abroad, Human Rights Watch said today. The refusal is apparently intended to pressure them to return to near-certain persecution in Egypt” (Human Rights Watch (13 March 2023) *Egypt: Dissidents Abroad Denied Identity Documents*, p.1).

In April 2023 the *United Nations Human Rights Committee* states that:

“The Committee is also concerned about information received regarding the use of excessive and disproportionate force to disperse peaceful demonstrations within the State party as well as the mass arrest and detention of protesters” (United Nations Human Rights Committee (14 April 2023) *Concluding observations on the fifth periodic report of Egypt*, p.13).

This report also states that:

“The Committee expresses its deep concern over multiple reports according to which people are frequently detained arbitrarily...” (ibid, p.9).

A report compiling secondary sources issued by the *United Kingdom Home Office* covers issues around military service (United Kingdom Home Office (21 April 2023) *Country Policy and Information Note - Egypt: Military Service (March 2023)*)

A publication issued in May 2023 by the *International Crisis Group* states that:

“Repression of political and civil society activists and independent journalists goes on, moreover, despite the opposition’s appeals” (International Crisis Group (31 May 2023) *Egypt in the Balance?*, p.6).

In July 2023 the *United Nations Office of the High Commissioner for Human Rights* points out that:

“...almost two years since the state of emergency was lifted, emergency courts continue to impose sentences against individuals, including for exercising their human rights, in cases that pre-date the lifting. Coupled with persisting use of restrictive legislation, this practice is creating a chilling effect among civil society actors and further shrinking civic space in the country...” (United Nations Office of the High Commissioner for Human Rights (19 July 2023) *Comment by UN Human Rights Office spokesperson Seif Magango on jailing of human rights defender in Egypt*).

In August 2023 *Amnesty International* points out that:

“...the authorities have passed and implemented draconian legislation that essentially criminalizes peaceful protests, online criticism and independent human rights, civic or political work, and erodes fair trial safeguards” (Amnesty International (14 August 2023) *Egypt’s ‘decade of shame’: Unrelenting assault on human rights since Rabaa massacre*, p.1).

This report also states that:

“Egyptian continues to be plagued by mass arbitrary detention of dissidents and critics...” (ibid, p.1).

A report issued in August 2023 by *Human Rights Watch* states that:

“Since August 2013, Egypt’s security forces have repeatedly committed human rights abuses with impunity, with routine arbitrary arrests, enforced disappearances, and torture of real or suspected political activists as well as ordinary citizens, under the guise of fighting terrorism. To escape the government’s abuse, many dissidents were forced into exile, with the government using tactics such as refusal to provide or renew their identity documents to pressure them to return to near-certain prosecution in Egypt” (Human Rights Watch (14 August 2023) *Egypt: Rab’a Massacre Reverberates 10 Years Later*, p.2).

In August 2023 *Reuters* states that:

“Most Egyptian men between the ages of 19 and 30 are required to serve in the military” (Reuters (15 August 2023) *To raise scarce dollars, Egypt looks to pension plans, draft evaders*).

No further information on these issues could be found among sources available to the RDC.

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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 Report 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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