

Refugee Review Tribunal

AUSTRALIA

RRT RESEARCH RESPONSE

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This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Questions

1. Could you please provide background, and names of leaders of the Wafed Party?
2. Could you please provide background, and names of leaders of the El Ghad Party?
3. What is the situation for the members of the El Ghad Party at present?
4. Could you please provide information on the background and current situation of Dr Nour?
5. Anything else you feel might be relevant.

RESPONSE

Background

The first ever contested Presidential elections were held in September 2005.

1. Could you please provide background, and names of leaders of the Wafed Party?

The new Wafd (or Wafed) Party was formed in 1978 by members of the original Wafd, which was outlawed in 1952. New Wafd advocates “the advancement of the private sector and political liberalisation, including the open election of the president” (‘Egypt: Political Forces’ 2004, *Economist Intelligence Unit*, 5 January

<http://www.economist.co.uk/countries/Egypt/profile.cfm?folder=Profile-Political%20Forces> – Accessed 6 May 2004 – Attachment 1). The Wafd Party has been regarded as the party of liberal opposition in recent years and won the highest tally of People’s Assembly seats (six) in the 2000 legislative elections (International Crisis Group 2005, *Reforming Egypt: In Search of A Strategy*, ICG website, 4 October, p.5 – Attachment 2).

Noaman Goma’a has been leader of the party since 2000. No information was located in the sources consulted on other leaders of the party, however, as noted in question 2 many deputies of the party and party members defected to the Al-Ghad Party in 2004. Magdi Sirhan was spokesman for the campaign of Numan Gumaa in the recent presidential elections (‘Egypt media accused of Mubarak bias’ 2005, *Aljazeera*, 22 August – Attachment 3).

An August 2005 article in the *Al Ahram Weekly* provides this information on Noaman Goma'a:

Noaman Goma'a, the chairman of the liberal Wafd Party, one of the nation's oldest and most prominent opposition parties, decided to run for president after members of the party's supreme committee convinced him that the Wafd should be part of the upcoming presidential elections, the first to involve multiple candidates. The party had previously considered boycotting the vote.

Goma'a's affiliation with the Wafd dates back to his school days; when the party, which was dissolved after the 1952 Revolution, reappeared in 1978, he rejoined it, becoming a member of its higher committee. He became assistant secretary-general in 1986 and deputy chairman in 1989. In 2000, Goma'a -- who by then was the dean of Cairo University's law school -- was elected party chairman. ...

Goma'a's platform reflects the Wafd Party's liberal bent. On the economic level, that means limiting governmental expenditure to decrease the deficit in the balance of payments, placing greater regulations on foreign loans, and establishing a new taxation and customs law with the aim of attracting investors, solving the chronic unemployment problem, and increasing Egyptian exports.

Politically, Goma'a's priorities are abolishing all exceptional laws, including the state of emergency in effect since 1981, as well as releasing political detainees ('Who will win? 2005, *Al Ahram Weekly*, 4-10 August, p. 2-3 – Attachment 4).

An article in *Al Ahram Weekly* claimed that due to the disappointing election result "there were growing calls ... for Goma'a to step down" and also that many party members had threatened to join the Ghad ('Post-mortem blues' 2005, *Al Ahram Weekly*, 15-21 September – Attachment 5).

Michael C. Dunn, an editor of two major publications on Middle Eastern affairs, noted the government had encouraged Goma'a to nominate after he threatened to boycott the election. Dunn summarised as follows:

Egyptians and foreign observers generally agreed that the reason Wafd Party leader Nu'man Gum'a ran was, in part, because the government encouraged him to do so in order to see him run second, ahead of gadfly opposition candidate Ayman Nour. The reasoning was that the Wafd, the old, long-established liberal party, would be a more malleable opposition than Nour's al-Ghad Party, and that Gum'a, who is 71, would be too old to run in six years when Husni Mubarak will presumably not be running – though his son Gamal may be. But, to many observers' surprise, Nour ran second, with a claimed 7.6 percent of the vote, while Gum'a ran a distant third with only 2.9 percent (Dunn, Michael C. 2005, 'Egypt: After the Egyptian elections: Some observations', *Middle East Institute*, 15 September – Attachment 6).

International Crisis Group 2005, *Reforming Egypt: In Search of A Strategy*, discusses the tussle between Nour and Goma'a for votes from the Muslim Brotherhood constituents (International Crisis Group 2005, *Reforming Egypt: In Search of A Strategy*, ICG website, 4 October, p.20 – Attachment 2).

2. Could you please provide background, and names of leaders of the El Ghad Party?

3. What is the situation for the members of the El Ghad Party at present?

4. Could you please provide information on the background and current situation of Dr Nour?

El Ghad is also spelt Al Ghad. Hizb al-Ghad (the Tomorrow Party) was formed in 2004 with many members breaking from the Wafd Party. The party was approved by the Political Parties Committee (PPC) which has to approve applications by prospective parties and may withdraw recognition from existing parties (US Department of State 2005, *Country Reports on Human Rights Practices for 2004 – Egypt*, 28 February, Section 3 – Attachment 7).

An International Crisis Group report notes that “several Wafd deputies defected to the Al Ghad Party following its legalisation in late 2004” but does not specify names (International Crisis Group 2005, *Reforming Egypt: In Search of A Strategy*, ICG website, 4 October, footnote 32 – Attachment 2). The leader of the Al-Ghad is Ayman Nour. Ayman Nour got 7.6% of the vote (500 000) in the presidential elections and has been described by one political expert as ‘the leader of political dissent’ in Egypt (‘Beyond the figures’ 2005, *Al Ahram Weekly*, 15-21 September – Attachment 8). Other prominent figures in the party include:

- Nour’s wife Gamila Ismail (‘Egyptian Party in free speech dispute’ 2005, *Reuters*, 8 February – Attachment 9).
- Wail Nawara, the first assistant to Ayman Nour, (‘Egypt media accused of Mubarak bias’ 2005, *Aljazeera*, 22 August – Attachment 3).
- Mona Makram Ebeid, a former Wafd MP who became the Secretary General of Al-Ghad. She is the granddaughter of Makram Ebeid Pasha, Secretary General of the Wafd pre-1952. However, she resigned from her position on 29 May 2005 (International Crisis Group 2005, *Reforming Egypt: In Search of A Strategy*, ICG website, 4 October, footnote 119 – Attachment 2).
- Moussa Mustafa Moussa, the party’s deputy chairman. He recently challenged Nour for leadership of the party (El-Nahhas, M. 2005, ‘Heading for the freezer?’ *Al-Ahram Weekly Online*, Issue No. 763, 6 – 12 October <http://weekly.ahram.org.eg/2005/763/eg6.htm> – accessed 19 October 2005 – Attachment 10).

Ayman Nour is a successful lawyer and businessman. An August 2005 article in the *Al Ahram Weekly* provides this information on Ayman Nour:

The 41-year-old chairman of the Ghad Party has been widely referred to -- by the foreign media at least -- as the nation’s most serious opposition candidate. ...

Nour’s goals include combating corruption, solving the unemployment problem, and controlling soaring prices. He said the details of his complete platform -- which includes a comprehensive plan to solve all of the country’s problems -- would only be released after the Presidential Elections Committee announces the final list of candidates. Thus far, he has said that if elected, he would serve for a two-year transitional period, during which a new constitution will be drafted. Afterwards, new presidential elections will be staged.

Nour has called for complete judicial supervision over elections, and does not oppose the idea of international monitors observing the elections as well. He has also asked that non-

governmental organisations take an active part in the supervision ('Who will win? 2005, *Al-Ahram Weekly*, 4-10 August, p. 3-4 – Attachment 4).

An October 2005 International Crisis Group report states that Ayman Nour was elected to the People's Assembly in 1995. Following his re-election to the People's Assembly in 2000 he stood for deputy speaker and, to general astonishment, received 161 votes, a wholly unprecedented success for an opposition MP. He fell out with the Wafd Party leader, No'man Goma'a, and was expelled in March 2001. After a period as an independent parliamentarian and brief membership in the Misr Party, he founded Al-Ghad (International Crisis Group 2005, *Reforming Egypt: In Search of A Strategy*, ICG website, 4 October, p. 16 – Attachment 2).

The ICG report claims that the regime used "both informal pressure and administrative measures" to inhibit Nour's participation in the political system. These claims are made on the basis that "according to one account, Goma'a was pressured by the government to expel Nour, and the Misr Party was frozen by the Higher Parties Council days after Nour joined" (International Crisis Group 2005, *Reforming Egypt: In Search of A Strategy*, ICG website, 4 October, footnote 113 – Attachment 2).

The ICG report claims that Nour has the same autocratic style as Goma'a, noting,

Al-Ghad, for example, has been almost exclusively identified with Ayman Nour; while his qualities as an orator with the common touch are widely appreciated, stand in marked contrast to Goma'a and help explain his higher vote in the presidential election, his party leadership has been highly individualist and autocratic" (International Crisis Group 2005, *Reforming Egypt: In Search of A Strategy*, ICG website, 4 October, p. 16 – Attachment 2).

The same report also quotes Nour's former party colleague, Mona Makram Ebeid, who states:

Ayman has no way of thinking about structure....[He] does everything. He is the head of the party. He is the editor in chief [of its paper, *Al-Ghad*]. He is a member of parliament. He is the head of the Board. He does not listen to anyone (International Crisis Group 2005, *Reforming Egypt: In Search of A Strategy*, ICG website, 4 October, p. 16 – Attachment 2).

Al-Ghad paper

US Department of State provides an overview of the newsprint media:

The Government owned stock in the three largest daily newspapers, and the President appointed their top editors. These papers generally followed the government line. The Government also held a monopoly over the printing and distribution of newspapers, including those of the opposition parties. The Government used its monopoly on newsprint to limit opposition publications.

Opposition political parties published their own newspapers but received a subsidy from the Government and, in some cases, subsidies from foreign interests. Most opposition newspapers were weeklies, with the exception of the dailies Al-Wafd and Al-Ahrar, both of which had small circulation. Opposition newspapers frequently published criticism of the Government. They also gave greater prominence to human rights abuses than did state-run newspapers. (US Department of State 2005, *Country Reports on Human Rights Practices for 2004 – Egypt*, 28 February, Section 2a. – Attachment 7).

On 29 December 2004, the Shura Council's Higher Council for the Press approved the publication of "*Al-Ghad*," the new publication of the Al-Ghad (Tomorrow) Party US Department of State 2005, *Country Reports on Human Rights Practices for 2004 – Egypt*, 28 February, Section 2a – Attachment 7). The first issue of the Ghad Party newspaper, *Al-Ghad* (Tomorrow) was meant to go on sale in February 2005 "but the state publishing house al-Ahram refused to print it on the grounds that its papers were not in order" ('Egyptian Party in free speech dispute' 2005, *Reuters*, 8 February – Attachment 9).

The newspaper will be sold for 24 pence to symbolise the years Muabrak spent in office. The article also reported sources as claiming the paper "will reveal Mubarak's wealth" ('Opposition leader to reveal Mubarak's wealth' 2005, *Al Jazeera*, 15 August – Attachment 11).

A report from *Aljazeera* notes that, "opposition parties complained that Al-Ahram, the most prestigious Egyptian newspaper with a history dating back to 1876, was one of the worst offenders [of bias during the election campaign]" ('Egypt media accused of Mubarak bias' 2005, *Aljazeera*, 22 August – Attachment 3).

Nour's imprisonment and forgery trial

Nour is currently facing charges of forging documents for registration of the al-Ghad Party, accusations he says are politically motivated ('Opposition leader to reveal Mubarak's wealth' 2005, *Al Jazeera*, 15 August – Attachment 11).

A February 2005 *Amnesty International* report states:

On 29 January, Ayman Nour, a member of parliament and leader of the newly recognized opposition party, al-Ghad (Tomorrow), was arrested immediately after he was stripped of his parliamentary immunity. He reported having been kicked, pushed and punched below the right eye by state security officers in front of the National Assembly, Egypt's parliament. His house and office were reportedly searched the same day.

He is accused of having forged more than a thousand signatures (of the power of attorney 'Tawkil') in an application seeking his party's legal registration. Ayman Nour denies these accusations. On 31 January, the Supreme State Security prosecution services extended his detention order for 45 days, pending investigations. The arrest is reported to be connected to Ayman Nour's outspoken stance on the need for constitutional amendments to allow more than one candidate to run for the presidency ahead of the presidential elections. ... ('Mixed signals – arrests of political opponents amidst talks of political reform' 2005, *Amnesty International*, 4 February – Attachment 12).

A letter from *Human Rights Watch* to President Hosni Mubarak stated:

Mr. Nur reportedly told investigators, "I was attacked and pushed to the ground... I received blows under the right eye and was hit on the back several times." ...

A statement of the Egyptian Organization for Human Rights quotes Mr. Nur as saying that while in the custody of the Office of Public Funds Investigation, "A metal shackle was placed on my hands and the other on one of the doors [in a way] that kept me in a bent position for long periods of time, and I was forbidden to use the bathroom for these long periods" ('Letter to President Hosni Mubarak of the Arab Republic of Egypt' 2005, *Human Rights Watch*, 4 February – Attachment 13).

The letter complained about the legal processes in the case, noting:

Mr. Nur was in a single day stripped of his parliamentary immunity, a process that ordinarily takes months, raising serious concerns as to whether due process procedures and internal regulations of the People's Assembly were followed. According to a statement issued by six respected Egyptian human rights organizations on February 2, the complaint that was the basis for this drastic step did not meet the necessary standard of proof. In addition, the Egyptian human rights organizations reported that the State Security Prosecutor-General's office searched Mr. Nur's home and office even before the decision to lift his immunity had been taken ('Letter to President Hosni Mubarak of the Arab Republic of Egypt' 2005, *Human Rights Watch*, 4 February – Attachment 13).

A *MENA news agency* report sourced from *BBC Monitoring Alert*, reported the Egyptian People's Assembly Human Rights Committee denied allegations that Nour had been mistreated in prison ('Egypt denies detained MP harassed in prison' 2005, *BBC Monitoring Alert*, 16 February (originally sourced from, *MENA news agency*, Cairo, 12 February) – Attachment 14).

A *MENA news agency* report sourced from *BBC Monitoring Alert*, reported on the Nour trial:

A number of the defendants accepted in court the accusations levelled against them, saying that Ayman Nur was mainly responsible for their involvement in this case and that they did not know that it was a criminal offence ('Trial of Egyptian opposition leader resumes 25 Sep' 2005, *BBC Monitoring Alert*, 27 September (Source: *MENA news agency* website, 24 September 2005) – Attachment 15).

A June 2005 article by Mona Salem claimed lawyers of the four accused questioned Nour's fortune and the article also claimed that supporters outside court had been given money by Nour to protest (Salem, M. 2005, 'Egypt opposition leader attacks Mubarak from the dock', *AFP*, 28 June – Attachment 16).

A February 2005 article by Mona El-Nahhas reported Nour's lawyer accused the government of fabricating charges against Nour, noting:

"Nour has no legal responsibility to check membership applications," Eid told the gathering. "According to the political parties law, it is the Political Parties Committee which should examine the membership applications within a period of four months. In case of forgery, applicants and not their representative should be questioned." Eid also wondered why Nour would go to the trouble of forging such a huge number of applications when the law stipulates that party founders only needed to submit 50 ('Making a hero' 2005, *Al Ahram*, 17-23 February, p. 3 – Attachment 17).

Nour was prevented from leaving the country in June 2005 when police prevented him from boarding a plane to Brussels to address the European parliament, telling him he was banned by the government from leaving the country ('Egypt stops opposition leader from trip abroad' 2005, *Associated Press*, 23 June – Attachment 18). Moussa was also briefly arrested at Cairo airport in February 2005 ('Making a hero' 2005, *Al Ahram*, 17-23 February, p. 4 – Attachment 17).

The attachment provides information on torture and ill-treatment by police and security forces, especially against political opponents ('Human Rights Overview, World Report 2005' 2005, *Human Rights Watch*, January – Attachment 19). The US Department of State also reported other instances of activists and politicians being prevented from departing the country (US Department of State 2005, *Country Reports on Human Rights Practices for 2004*

– *Egypt*, 28 February, section 2d. – Attachment 7). There are currently 17,000 political prisoners detained under the emergency laws ('The morning after' 2005, *Al-Ahram Weekly*, 8-14 September – Attachment 20).

A recent article by Mona El-Nahas in the *Al-Ahram Weekly* reports Nour is embroiled in another scandal with allegations that a lawyer working in Nour's office had paid a man to serve jail time for someone else (El-Nahas, M. 2005, 'Tomorrow's turbulence' *Al-Ahram Weekly* Online, Issue No. 762, 29 September – 5 October <http://weekly.ahram.org.eg/print/2005/762/eg5.htm> – Accessed 19 October 2005 – Attachment 21).

Leadership challenge

Mona El-Nahas also reported on leadership friction in the Ghad Party:

The Ghad power struggle began nearly a month ago, when the party's council of sages dismissed four leading members -- Moussa, Hemeida, Ibrahim Saleh, and Mursi El-Sheikh -- for committing violations. The four dismissed members then submitted a memorandum to the Political Parties Committee asking for Nour's dismissal. The committee declined to take sides, leaving it to the party's leaders to settle the issue themselves. Nour then called an emergency general assembly, during which party members unanimously renewed their confidence in him. ...

The Ghad Party's woes continued this week, as a group of party insiders held an emergency general assembly on Saturday, during which they voted for the dismissal of party chairman Ayman Nour, and elected Moussa Mustafa Moussa, the party's former deputy chairman, as their new leader. The dissidents, estimated at nearly 1200 party members (according to figures announced by the meeting's organisers), also froze the memberships of six leading figures, including Nour's wife -- TV announcer Gamila Ismail -- for 90 days. The dissidents accused Nour of paving the way for his wife to become the party's secretary-general, a post that Ragab Helal Hemeida, one of the dissidents, had been aiming to occupy.

"Nour is a dictator who should not be leading a liberal party like the Ghad," said Moussa. The dissidents submitted a formal notice regarding their meeting's conclusions to the semi-governmental Political Parties Committee (El-Nahas, M. 2005, 'Heading for the freezer?' *Al-Ahram Weekly* Online, Issue No. 763, 6 – 12 October <http://weekly.ahram.org.eg/2005/763/eg6.htm> – accessed 19 October 2005 – Attachment 10).

Nour is reported to have responded:

Nour himself held a press conference at the party's downtown headquarters. He described the dissidents' meeting as illegitimate, and declared himself the party's sole and rightful leader. Nour also accused the state of being behind the dissidents' ploy. He told the press conference that most of those who took part in the dissidents' meeting were actually employees of a company owned by a member of the ruling National Democratic Party's (NDP) Policies Committee ... (El-Nahas, M. 2005, 'Heading for the freezer?' *Al-Ahram Weekly* Online, Issue No. 763, 6 – 12 October <http://weekly.ahram.org.eg/2005/763/eg6.htm> – accessed 19 October 2005 – Attachment 10).

A more recent report from *Middle East Online* also claimed "observers say most of the "delegates" at the rival party congress were actually hired for the occasion and noted the presence of thug-like enforcers, a Humayda trademark (Schemm, P 2005, 'Egypt: Opposition united?', *Middle East Online*, October – Attachment 22).

The same article comments on the repercussions for the opposition parties of this dissent in light of the upcoming parliamentary elections:

Parties are frozen by law during serious leadership struggles and while the Political Parties Committee has yet to intervene, there are fears Ghad could be brought down just before the parliamentary elections. It is precisely these kinds of machinations and internal bickering that earned Egypt's opposition sharp condemnation in a recent report by the International Crisis Group (ICG) on Egyptian politics. The coalition, if it works, is the only hope the opposition has of influencing the political arena, the report said. The presidential elections were a "false start" because they involved cosmetic changes that were in response to external pressure rather than real internal demands. "The point we are making is that there will be no significant internal pressure on the regime as long as the opposition continues in its current state," said ICG's Middle East director, Hugh Roberts. "As long as they are divided and fragmented, there can be no serious reform strategy." (Schemm, P 2005, 'Egypt: Opposition united?', *Middle East Online*, October – Attachment 22).

5. Anything else you feel might be relevant.

Parliamentary elections are due in November ('Mixed signals – arrests of political opponents amidst talks of political reform' 2005, *Amnesty International*, 4 February – Attachment 12).

Jean-Marc Mojon, in a 2005 *Reuters* article, provides general information on the lead-up to the Presidential election. He notes:

Under international pressure, the 77-year-old Mubarak has for the first time in his 24-year rule allowed rivals to challenge him in a presidential election. ...

The election has led to changes on the political scene, with parties arguing over whether or not to boycott the poll and civil society groups making an unprecedented push to monitor it.

The run-up to the vote has witnessed a string of anti-Mubarak street demonstrations unthinkable only a year ago, spearheaded by the unofficial opposition group Kefaya (Enough, in Arabic). ...

Opposition groups have reported widespread fraud in previous elections, but the regime has so far rejected Washington's request for international monitors to be allowed in (Mojon, Jean-Marc 2005, 'Egypt: Egypt's first contested presidential campaign kicks off', *Reuters*, 17 August – Attachment 23).

Another report notes:

"Mubarak's biggest challenge isn't winning the election, but generating enough voter turnout to claim popular legitimacy," Stork said. "It's no coincidence that recent police violence against the government's critics occurred when protestors urged the public to boycott the polls" ('Egypt: Election offers public debate, not free choice' 2005, *Human Rights Watch*, 2 September – Attachment 24).

Arabic News reported protests against the presidential election results, claiming "some 2000 persons took [to] the streets of the capital and the demonstrators chanted slogans against Mubarak and raised banners announcing rejection to the results of the elections" ('Demonstration of protest against Mubarak' 2005, *Arabic News*, 12 September. (CISNET Egypt CX134245).

List of Sources Consulted

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Google search engine

UNHCR *REFWORLD* UNHCR Refugee Information Online

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DIMIA	<i>BACIS</i>	Country Information
	<i>REFINFO</i>	IRBDC Research Responses (Canada)
RRT	<i>ISYS</i>	RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State <i>Country Reports on Human Rights Practices</i> .
RRT Library	<i>FIRST</i>	RRT Library Catalogue

List of Attachments

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