



Home Office

Country Policy and Information Note

Egypt: Military service

Version 1.0

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Preface

This note provides country of origin information (COI) and policy guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the policy guidance contained with this note; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Country information

The COI within this note has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the [European Asylum Support Office’s research guidelines, Country of Origin Information report methodology](#), dated July 2012.

Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. IAGCI may be contacted at:

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Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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Policy guidance

Updated: 14 March 2017

1. Introduction

1.1 Basis of claim

- 1.1.1 Fear of persecution or serious harm by the state because of:
- the treatment and/or conditions likely to be faced by the person during compulsory military service duties; and/or
 - the penalties likely to be faced by the person's refusal to undertake, or their desertion from, military service duties.

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2. Consideration of issues

2.1 Credibility

- 2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 This is particularly relevant to claims based on a fear of military service. Where a person has a valid Egyptian passport, or is a dual national, and has presented that in support of a visa application to the UK, it is highly likely that they have completed or are exempt from military service (see [Consequences for failing to complete military service](#)).
- 2.1.4 A person may have also found it very difficult to gain employment given the specific checks made on military service status (see [Consequences for failing to complete military service](#)).
- 2.1.5 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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2.2 Convention ground

- 2.2.1 Where a person is considered to be at risk of persecution or serious harm, decision makers must consider whether this is for a Refugee Convention (or other) reason.
- 2.2.2 The [Asylum Instruction on Military Service and Conscientious Objection](#) and paragraph 22 of the House of Lords judgment in the case of [Sepet & Another v. SSHD \[2003\] UKHL 15](#) explains that it is necessary to carefully examine the real reason for the persecution, looking at the real reason in the mind of the persecutor rather than the reason which the victim believes to be the reason for the persecution.

- 2.2.3 There is no evidence to suggest that the Egyptian government views a person's refusal to partake in military service as an act of political opposition. If a person is penalised on return, it is for the criminal offence of evading or deserting national service. The nature of the penalty will depend on the person's circumstances.
- 2.2.4 Persons who have evaded or absconded from national service do not form a particular social group (PSG) within the meaning of the 1951 UN Refugee Convention. This is because they do not share an immutable (or innate) characteristic and have a distinct identity in their home society.
- 2.2.5 For further guidance on particular social groups, see [the Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.3 Assessment of risk

a. Requirement to undertake national/military service

- 2.3.1 Decision makers must first assess whether someone is reasonably likely to be eligible for military service. Those who are not eligible will not be able to establish a well-founded fear of persecution on this basis.
- 2.3.2 The majority of sources state that military service is mandatory for males aged 18-30. Although one source suggests the upper age limit is 35, no other information could be found to corroborate this and the law appears to be clear that the requirement is for men aged 18-30. Women are not required to perform military service (see [General requirements for men](#) and [General requirements for women](#)).
- 2.3.3 The period of service ranges from up to 18 months for certain students, to 36 months for everyone else (see [Length of service](#)).
- 2.3.4 There are several exemptions, including:
- on medical grounds,
 - for only sons,
 - for some students; and
 - for dual nationals.
- Exemptions can be both temporary and permanent. For example, students still have to do national service, but they can defer it until they have completed their studies (see [Exemptions](#)).
- 2.3.5 There is no exemption for conscientious objection. However, there are some limited examples of exemptions being granted to conscientious objectors even though this is not cited as the reason for the exemption. A conscientious objector would also be able to seek an exemption on another ground if he was eligible for that (see [Conscientious objection](#)).
- 2.3.6 Where it is reasonable to conclude that a person is exempt, the onus is on the person to demonstrate that they are not.

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b. Grounds for granting protection based on national/military service

- 2.3.7 Once it has been established whether someone would be reasonably likely to be eligible for military service, decision makers must consider the consequence(s) of this.
- 2.3.8 The starting point is that compulsory national service is a prerogative of sovereign states and a requirement to undergo compulsory military service does not, in itself, constitute persecution. Similarly, it is reasonable that draft evasion and desertion are criminal offences and punishable by law. Both of these points are provided for in the [UNHCR Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status](#) (paras 167-174) and confirmed by the House of Lords in the case of [Sepet & Another v. SSHD \[2003\] UKHL 15](#).
- 2.3.9 In [Sepet](#), the House of Lords concluded that a requirement to undergo compulsory military service – or punishment for failing to complete this duty – will only constitute persecution where:
- a. military service would involve acts, with which the person may be associated, which are contrary to the basic rules of human conduct;
 - b. the conditions of military service would be so harsh as to amount to persecution; or
 - c. the punishment for draft evasion or desertion is disproportionately harsh or severe.
- 2.3.10 For further information, see the [Asylum Instruction on Military Service and Conscientious Objection](#).

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c. Acts contrary to the basic rules of human conduct

- 2.3.11 ‘Acts ... which are contrary to the basic rules of human conduct’ is taken to mean being required to act in a way that would bring that person within the scope of Article 1F of the Refugee Convention and/or Article 12 of Council Directive 2004/83/EC (‘the Qualification Directive’).
- 2.3.12 For guidance on Article 1F see the [Asylum Instruction on Exclusion: Article 1F of the Refugee Convention](#).
- 2.3.13 The circumstances of the dispersal of protestors in Rabba in summer 2013, as well as in subsequent incidents in 2014 where the security forces reportedly fired on and killed protestors may constitute violations of international law (see [the army’s involvement in the Rabaa protests](#)).
- 2.3.14 Decision makers must assess the nature of the person’s claim to have deserted a requirement to perform such acts. Given the information appears limited to one source documenting one conscript who deserted rather than participate in targeting protestors and that the above incidents appear restricted to events in 2013/14, it does not suggest that persons in the military are, in general, required to perform acts contrary to international law. Each case must be considered on its particular facts and merits.

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d. Conditions of military service

- 2.3.15 Roles for conscripts in the Egyptian military vary. They range from serving in a military post, including in the Sinai – an area that has seen a number of attacks from militant groups – to more quasi-civilian posts, such as guarding embassies or working in Government-run factories or companies (see [Deployment and roles](#)).
- 2.3.16 Deployment can also be influenced if the person has connections and/or by paying a bribe (see [Bribes \('rishwa'\) and connections \('wasta'\)](#)).
- 2.3.17 A person may claim to be at risk based on a potential posting to a place where they may be exposed to military combat, or a heightened possibility of security-related incidents e.g. the Sinai region.
- 2.3.18 However, given the size of the military, the range of postings, and the likelihood of being exposed to such treatment is such that it does not amount to a real risk.
- 2.3.19 In addition, even if a person is in a combat role and posted to such an area, it does not necessarily mean they would qualify on the basis that they have a well-founded fear of persecution. Paragraph 168 of the [UNHCR handbook](#) states that 'a person is clearly not a refugee if his only reason for desertion or draft-evasion is his dislike of military service or fear of combat.'
- 2.3.20 Sources describe the pay of recruits as low and the work in the quasi-civilian posts as largely mundane (see [undertaking military service](#)).
- 2.3.21 There are also some limited reports of abuse, including what might be described as 'hazing' – ill-treatment of conscripts at the hands of senior soldiers. One source described conscripts as being 'mistreated', but does not expand on what this means. Without more, and given the source's stance as a strong opponent to military service, it should also be treated with a degree of caution (see [Treatment of recruits](#)).
- 2.3.22 It is also reasonable to consider that, given the size of the military and number of recruits, further information would be available if there were prevalent problems (see [Size of the military](#)).
- 2.3.23 The risk of mistreatment and conditions of military service do not generally give rise to a real risk of treatment contrary to Article 3 ECHR.

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e. Punishment for draft evasion or desertion

- 2.3.24 Evasion of military service is punishable in law by up to two years' imprisonment and/or a fine of between 500 and 1,000 Egyptian pounds. A man who has not completed military service can be prosecuted until three years after they turn 42 (see [Desertion and evasion in law](#)).
- 2.3.25 However, it is difficult to ascertain what happens in practice. No official statistics could be found and there is no detailed information on which to make a concrete conclusion. Several sources have suggested that conscription is not a topic that is widely discussed or reported on in Egypt, particularly not openly (see [Desertion and evasion in practice](#)).
- 2.3.26 Although one source reported that, as of 2011, he met at least 30 people imprisoned for avoiding service and that there were hundreds of people in

this position, no information could be found to corroborate this. Other sources suggest a fine is more likely, and that there is little risk of penalty in practice once a person turns 30 years of age, other than a fine for any failure to complete service. However, the punishment for desertion has no limitation period and a man who deserts the battlefield can, in theory, be punished by the death penalty. The crime of desertion not committed on the battlefield is punishable by prison, or a lesser punishment. A person who aids someone to desert is punishable by imprisonment (see [Desertion and evasion in practice](#) and [Completion and proof of completion](#)).

- 2.3.27 Regardless, to qualify for protection the person must show that ‘the punishment for draft evasion or desertion is disproportionately harsh or severe’. Even if imprisonment were to follow a conviction for evasion, such a penalty is neither disproportionately harsh or severe. There is no known examples of the death penalty being imposed for a person who ‘deserts the battlefield’. It is for the person, on the specific facts of their particular case, to demonstrate a real risk of persecution or serious harm.
- 2.3.28 In terms of conscientious objectors, the [Asylum Instruction on Military Service and Conscientious Objection](#), based on the House of Lords ruling in [Sepet & Another v. SSHD \[2003\] UKHL 15](#), sets out that there is no internationally recognised right to conscientious objection, such that failure to recognise this (by exempting a conscientious objector from punishment for draft evasion) would itself amount to persecution.
- 2.3.29 Paragraph 22 of the House of Lords judgment in the case of [Sepet & Another v. SSHD \[2003\] UKHL 15](#) explains that it is necessary to carefully examine the real reason for the persecution, looking at the real reason in the mind of the persecutor rather than the reason which the victim believes to be the reason for the persecution.
- 2.3.30 It is not sufficient for a person to show they would be penalised/punished for failing to comply with the law and that they happen to have particular religious, moral or other convictions.
- 2.3.31 Decision makers must determine whether a person would be reasonably likely to face a disproportionate penalty/punishment for draft evasion/desertion as a direct result of their deeply held convictions.
- 2.3.32 That does not appear to be the case in Egypt. Any penalties that exist for failure to undertake military service is for that reason alone; not a person’s political views. It is for the person to demonstrate a real risk of persecution or serious harm on the specific facts of their particular case.
- 2.3.33 For further guidance on assessing risk, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#) and the [Asylum Instruction on Military Service and Conscientious Objection](#).

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2.4 Protection

- 2.4.1 As the person’s fear is of persecution/serious harm at the hands of the state, they will not be able to avail themselves of the protection of the authorities.

- 2.4.2 For further information and guidance on assessing the availability of state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.5 Internal relocation

- 2.5.1 As the person's fear is of persecution/serious harm at the hands of the state, they will not be able to relocate to escape that risk.
- 2.5.2 For further information on considering internal relocation and the factors to be taken into account, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.6 Certification

- 2.6.1 Where a claim with the following characteristics is refused, that claim is likely to be suitable to be certified as clearly unfounded:
- Women, as they are not required to perform military service.
 - Men who are exempt from, or have completed, military service.
 - Men over 30 years of age, as they cease to be eligible to perform military service and the information suggests that if a penalty was imposed, it is most likely be a fine which is neither disproportionately harsh or severe.
- 2.6.2 Where another claim based on a refusal to undertake military service is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002. This is because there is a risk of imprisonment, the exposure to which needs to be considered on a case-specific basis, meaning claims are not so clearly without foundation that they are 'bound to fail'.

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3. Policy summary

- 3.1.1 Military service is mandatory for males aged 18-30, followed by a nine-year reserve option. Women are not required to perform it.
- 3.1.2 The period of service ranges from up to 18 months for certain students, to 36 months for everyone else.
- 3.1.3 There are several exemptions, but not for conscientious objection. However, a conscientious objector may be able to obtain an exemption on another ground if he was eligible.
- 3.1.4 Compulsory national/military service is a prerogative of sovereign states. A requirement to undertake – or punishment for failing to complete – national/military service will only constitute persecution where:
- military service would involve acts, with which the person may be associated, which are contrary to the basic rules of human conduct;

- b. the conditions of military service would be so harsh as to amount to persecution; or
- c. the punishment for draft evasion or desertion is disproportionately harsh or severe.

None of those conditions are generally met in respect of service in Egypt.

- 3.1.5 In respect of (a) above, in 2013 and 2014 the military may have been required to perform acts contrary to international law, but, in general, the evidence does not suggest that persons in the military are required to perform acts contrary to the basic rules of human conduct.
- 3.1.6 In general, for (b) above, the conditions and/or treatment likely to be faced by a person required to undertake compulsory military service would not be so harsh as to amount to persecution or serious harm. However, each case must be determined on the individual facts.
- 3.1.7 In respect of (c) above, the penalties for evading military service as provided for in law – two years' imprisonment and/or a fine – and as carried out in practice are neither disproportionately harsh or severe. Although the death penalty potentially exists for some military offences, there are no known examples and therefore it is not reasonably likely to be enforced.
- 3.1.8 As the person's fear is of persecution/serious harm at the hands of the state, protection and internal relocation are unlikely to be options.
- 3.1.9 Cases may be certifiable as 'clearly unfounded', depending on the personal circumstances of the person making the claim.

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Country information

Updated: 28 February 2017

4. Size of the military

4.1.1 A 2013 report about Egypt's military personnel on GlobalSecurity.org noted that 'Over 780,000 men reached the draft age of twenty each year in 2010, but only a fraction of these men were conscripted to serve in the armed forces.'¹

See also [General requirements](#).

4.1.2 In a December 2016 update, Janes reported that the armed forces comprise up to 120,000 professional and 220,000 conscript personnel.²

4.1.3 The same source stated 'Morale is assessed to remain high throughout the past two decades, albeit typically better among the army's professional soldiers, as opposed to the 200,000-plus conscripts. One reason for this is that soldiers were guaranteed a higher standard of living when compared with the wider Egyptian society.'³

4.1.4 The website Global Firepower noted that, as of 2016, Egypt had 1,535,000 men reaching military age annually⁴.

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5. General requirements

5.1 General requirements for men

5.1.1 A 2013 report about Egypt's military personnel on GlobalSecurity.org noted that as of 2012, men aged 18-30 were subject to conscript military service but that voluntary enlistment [was] possible from age 16. The same article also stated that 'The government required all males to register for the draft when they reached age sixteen.'⁵

5.1.2 In a December 2014 response to a query, the Bundesamt für Migration und Flüchtige (the German Federal Office for Migration and Refugees) stated that military service in Egypt was '[...] compulsory for males aged between 18 and 30 years, pursuant to the National Military Service Act No. 127 of 1980.'⁶

¹ GlobalSecurity.org, 'Egypt - Military Personnel, 2013, <http://www.globalsecurity.org/military/world/egypt/personnel.htm>. Accessed: 2 February 2017.

² Janes, Sentinel Security Assessment - North Africa, Egypt, Armed Forces, updated 8 December 2016, www.janes.com (subscription only). Accessed: 14 February 2017.

³ Janes, Sentinel Security Assessment - North Africa, Egypt, Army, updated 31 January 2017, www.janes.com (subscription only). Accessed: 14 February 2017.

⁴ Global Firepower, 'Egypt - Military Strength', undated, http://www.globalfirepower.com/country-military-strength-detail.asp?country_id=egypt. Accessed: 14 February 2017.

⁵ GlobalSecurity.org, 'Egypt - Military Personnel, 2013, <http://www.globalsecurity.org/military/world/egypt/personnel.htm>. Accessed: 2 February 2017.

⁶ Bundesamt für Migration und Flüchtige, '(Case ID (IOM): ZC190/11.12.14)', 11 December 2014, <http://www.bamf.de/SharedDocs/MILo->

- 5.1.3 In September 2015, the Egyptian Streets website reported that ‘Military service is compulsory in Egypt to all males who are within the age group 18-35, have no younger brothers and are both mentally and physically fit.’⁷
- 5.1.4 In a January 2016 ‘response to information request’, the Research Directorate of the Immigration and Refugee Board of Canada (‘the IRBC’) concluded, based on several sources, that ‘military service in Egypt is compulsory for males between the ages of 18 and 30 years old’.⁸
- 5.1.5 In November 2016, Middle East Eye reported that ‘Military service is mandatory for men aged 18 to 30’.⁹
- 5.1.6 A December 2016 article on Al-Monitor also reported that ‘According to Article 3 of Law No. 127 (1980), military service in Egypt is mandatory for men ages 18 to 30.’¹⁰
- 5.1.7 Janes reported that ‘National service, which lasts from 18 to 36 months, is compulsory for men aged between 18 and 30 years old, but is selective on education, nationality, and political acceptability. The army has reduced its complement of low-grade personnel and is seeking to attract more university graduates to its ranks.’¹¹

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5.2 General requirements for women

- 5.2.1 A 2013 report about Egypt’s military personnel on GlobalSecurity.org noted that ‘Women were not subject to conscription.’¹²
- 5.2.2 A November 2016 article on Middle East Eye also noted that ‘Women in Egypt are not required to join the military.’¹³
- 5.2.3 On 11 January 2017, Daily News Egypt reported that ‘The cabinet’s

[DB/EN/Rueckkehrfoerderung/Laenderinformationen/Rueckkehrfragen/WohSit/20141211-kairo-aegypten-wohnsit-sozbel-dl.pdf?_blob=publicationFile](#). Accessed: 2 February 2017.

⁷ Egyptian Streets, ‘Egyptians Exempted From Military To Perform Community Service’, 16 September 2015, <http://egyptianstreets.com/2015/09/16/egyptians-exempted-from-military-to-perform-community-service>. Accessed: 30 January 2017.

⁸ Immigration and Refugee Board of Canada, ‘Response to Information Request: EGY105396.E - Egypt: Whether a citizen of Egypt who is living abroad can obtain a studentment from military service without a National Identity Card; whether an Egyptian citizen can apply for a National Identity Card from outside of Egypt’, 8 January 2016, <http://www.irb.gc.ca/Eng/ResRec/RirRdi/Pages/index.aspx?doc=456307&pls=1>. Accessed: 2 February 2017.

⁹ Middle East Eye, ‘Egypt’s army: The conscripts who refuse to serve’, 28 November 2016, <http://www.middleeasteye.net/news/egypt-conscription-1143630170>. Accessed: 30 January 2017.

¹⁰ Al-Monitor, ‘New documentary on Egyptian conscription faces strong criticism’, 8 December 2016, <http://www.al-monitor.com/pulse/tr/originals/2016/12/egypt-military-conscription-al-jazeera-film.html>. Accessed: 6 February 2017.

¹¹ Janes, Sentinel Security Assessment - North Africa, Egypt, Army, updated 31 January 2017, www.janes.com (subscription only). Accessed: 14 February 2017.

¹² GlobalSecurity.org, ‘Egypt - Military Personnel, 2013’, <http://www.globalsecurity.org/military/world/egypt/personnel.htm>. Accessed: 2 February 2017.

¹³ Middle East Eye, ‘It is hell’: Chronicles of military conscripts in Egypt’, 21 October 2016, <http://www.middleeasteye.net/in-depth/features/it-hell-chronicles-military-conscripts-egypt-army-university-1506222876>. Accessed: 3 February 2017.

Information and Decision Support Center (IDSC) said Wednesday [4 January 2017] that there was no decision to obligate female university graduates to be enlisted in and complete military service. The Ministry of Solidarity had denied circulating rumours on the matter earlier this week.¹⁴. This followed a similar article on 7 January 2017¹⁵.

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6. Length of service

6.1 Standard length of service

- 6.1.1 A 2013 report about Egypt's military personnel on GlobalSecurity.org noted that as of 2012 'the service obligation was 18-36 months, followed by a 9-year reserve obligation.'¹⁶
- 6.1.2 In a December 2014 response to a query, the Bundesamt für Migration und Flüchtlinge (the German Federal Office for Migration and Refugees) cited a 'three-year period of recruitment [...] pursuant to the National Military Service Act No. 127 of 1980.'¹⁷
- 6.1.3 A July 2015 article on Egypt Pulse reported that 'recruits face up to three years of mandatory service.'¹⁸ In November 2016, Sofian Naceur – a Cairo-based journalist¹⁹ – wrote an article published on the Qantara.de website in which he noted that military service was 'obligatory for men [...] People with a lower standard of education [than college or university degree] can be drafted for up to three years.'²⁰
- 6.1.4 In November 2016, Middle East Eye reported that military service lasted '[...] for one to three years, depending on their education.'²¹
- 6.1.5 A separate November 2016 article on Middle East Eye also noted that 'After

¹⁴ Daily News Egypt, 'Cabinet denies compulsory military service for female university graduates', 11 January 2017, <http://www.dailynewsegypt.com/2017/01/11/609696/>. Accessed: 30 January 2017.

¹⁵ Daily News Egypt, 'Social Solidarity ministry denies compulsory military service for women', 7 January 2017, <http://www.dailynewsegypt.com/2017/01/07/608957/>. Accessed: 30 January 2017.

¹⁶ GlobalSecurity.org, 'Egypt - Military Personnel, 2013', <http://www.globalsecurity.org/military/world/egypt/personnel.htm>. Accessed: 2 February 2017.

¹⁷ Bundesamt für Migration und Flüchtlinge, '(Case ID (IOM): ZC190/11.12.14)', 11 December 2014, http://www.bamf.de/SharedDocs/MILo-DB/EN/Rueckkehrfoerderung/Laenderinformationen/Rueckkehrfragen/WohSit/20141211-kairo-aegypten-wohsit-sozbel-dl.pdf?__blob=publicationFile. Accessed: 2 February 2017.

¹⁸ Egypt Pulse, 'Egypt's draft dodgers', 22 July 2015, <http://www.al-monitor.com/pulse/originals/2015/07/egypt-military-conscription-sinai-attacks.html>. Accessed: 30 January 2017.

¹⁹ Twitter.com, Sofian Naceur (@SofianNaceur), <https://twitter.com/SofianNaceur>. Accessed: 30 January 2017.

²⁰ Qantara.de, 'Playing the system - Conscientious objection in Egypt', 21 November 2016, <https://en.qantara.de/content/conscientious-objection-in-egypt-playing-the-system>. Accessed: 30 January 2017.

²¹ Middle East Eye, 'Egypt's army: The conscripts who refuse to serve', 28 November 2016, <http://www.middleeasteye.net/news/egypt-conscription-1143630170>. Accessed: 30 January 2017.

30, men are no longer obligated to enter the military.²²

- 6.1.6 The website of the Egyptian Consulate General in Kuwait explained that '1. Each Egyptian has to do the military service upon reaching 18 years old, and he is not allowed to do it if he reached 30 years old.'²³

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6.2 Length of service for graduates

- 6.2.1 A 2013 report about Egypt's military personnel on GlobalSecurity.org noted that 'Conscripts with degrees from institutions of higher education had to serve only eighteen months.'²⁴
- 6.2.2 In a December 2014 response to a query, the German Federal Office for Migration and Refugees noted that the three-year period of recruitment, pursuant to the National Military Service Act No. 127 of 1980, 'may be reduced on the basis of academic qualifications in the case of certain categories, including graduates from universities and higher institutes, those with intermediate diplomas and above, those who have memorized the Koran and those in trades and professions needed by the armed forces.'²⁵
- 6.2.3 In November 2016, Sofian Naceur noted in an article published on the Qantara.de website that 'Anyone with a college or university degree is conscripted for 13 months.'²⁶

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7. Exemptions

7.1 Exemptions on medical grounds

- 7.1.1 In late 2014, the Egyptian writer and activist Maikel Nabil Sanad contributed a blog on the Huffington Post website in which he noted that 'the Egyptian army only granted exemptions from military service on medical or security grounds.'²⁷
- 7.1.2 In a December 2014 response to a query, the German Federal Office for

²² Middle East Eye, 'It is hell': Chronicles of military conscripts in Egypt', 21 October 2016, <http://www.middleeasteye.net/in-depth/features/it-hell-chronicles-military-conscripts-egypt-army-university-1506222876>. Accessed: 3 February 2017.

²³ The Egyptian Consulate General in Kuwait, 'Missing the Military Service', undated, <http://datacenter.aucegypt.edu/jmc471/eazines/egyptkuwait/missing.html>. Accessed: 6 February 2017.

²⁴ GlobalSecurity.org, 'Egypt - Military Personnel, 2013', <http://www.globalsecurity.org/military/world/egypt/personnel.htm>. Accessed: 2 February 2017.

²⁵ Bundesamt für Migration und Flüchtige, '(Case ID (IOM): ZC190/11.12.14)', 11 December 2014, http://www.bamf.de/SharedDocs/MILO-DB/EN/Rueckkehrfoerderung/Laenderinformationen/Rueckkehrfragen/WohSit/20141211-kairo-aegypten-wohnsit-sozbel-dl.pdf?__blob=publicationFile. Accessed: 2 February 2017.

²⁶ Qantara.de, 'Playing the system - Conscientious objection in Egypt', 21 November 2016, <https://en.qantara.de/content/conscientious-objection-in-egypt-playing-the-system>. Accessed: 30 January 2017.

²⁷ Maikel Nabil Sanad via Huffington Post, 'How Egypt's Conscription Generates Unemployment and Refugees', 15 September 2014 – updated 16 November 2014, http://www.huffingtonpost.ca/maikel-nabil-sanad/egypt-refugees_b_5818444.html. Accessed: 30 January 2017.

Migration and Refugees noted that ‘Under the National Military Service Act, anyone medically unfit for military service is permanently exempt’²⁸

- 7.1.3 A July 2015 article on Egypt Pulse also reported that ‘Exemptions are permitted for certain medical conditions’²⁹
- 7.1.4 The Norwegian COI unit, Landinfo, in their contribution to EASO’s October 2015 query on military service in Egypt noted that
- ‘... information on the types of exemption from military service (Halat al-‘i’fa’ min al-khidma al-‘askariyya) can be found on the [Egyptian Directorate of Conscription and Mobilisation’s website](#). The information [informally translated from Arabic] indicates that medical reasons are among the legal grounds for final exemption from military service. However, there is no specific information on which illnesses are deemed sufficient to grant final exemption nor on the documentation required. Identical information can be found on the [website of the Egyptian Ministry of Defense](#).’³⁰
- 7.1.5 As part of their contribution to EASO’s October 2015 query on military service in Egypt, the Belgian COI unit (CEDOCA) reported on an interview they had conducted with an anonymous Egyptian lawyer and human rights activist, who informed them
- ‘m[e]n with mental disorders are treated differently under the general Egyptian Law. In practice they will not serve in the army. There is alternative service for people with physical disabilities. Depression will hardly be considered as mental disorder by Egyptian military doctors. In his opinion, it is possible that men suffering from depression will not be exempt.’³¹
- 7.1.6 The Australian Government’s Department for Foreign Affairs and Trade (DFAT), in their November 2015 country report on Egypt, explained that ‘Exemptions are also possible for health reasons, where a person is not fit for military service.’³²
- 7.1.7 In November 2016, Middle East Eye reported that exemptions can be granted on four grounds, one of which was ‘on medical grounds.’³³

²⁸ Bundesamt für Migration und Flüchtige, ‘(Case ID (IOM): ZC190/11.12.14)’, 11 December 2014, http://www.bamf.de/SharedDocs/MILo-DB/EN/Rueckkehrfoerderung/Laenderinformationen/Rueckkehrfragen/WohSit/20141211-kairo-aegypten-wohnsit-sozbel-dl.pdf?__blob=publicationFile. Accessed: 2 February 2017.

²⁹ Egypt Pulse, ‘Egypt’s draft dodgers’, 22 July 2015, <http://www.al-monitor.com/pulse/originals/2015/07/egypt-military-conscription-sinai-attacks.html>. Accessed: 30 January 2017.

³⁰ European Asylum Support Office (EASO), ‘Query on Military service in Egypt’, 09 October 2015, available via Lifos at <http://lifos.migrationsverket.se/dokument?documentAttachmentId=42715>. Accessed: 6 February 2017.

³¹ European Asylum Support Office (EASO), ‘Query on Military service in Egypt’, 09 October 2015, available via Lifos at <http://lifos.migrationsverket.se/dokument?documentAttachmentId=42715>. Accessed: 6 February 2017.

³² DFAT, ‘Country Information Report – Egypt’ (§3.95), 24 November 2015, copy available on request. Accessed: 8 February 2017.

³³ Middle East Eye, ‘Egypt’s army: The conscripts who refuse to serve’, 28 November 2016, <http://www.middleeasteye.net/news/egypt-conscription-1143630170>. Accessed: 30 January 2017.

7.1.8 In November 2016, Sofian Naceur noted in an article published on the Qantara.de website that exemptions existed on medical grounds³⁴.

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7.2 Exemptions in certain family circumstances – only sons and breadwinners

7.2.1 A 2013 report about Egypt's military personnel on GlobalSecurity.org noted that 'Although it was no longer possible for a prospective conscript to pay a fee in lieu of service, he could still apply for an exemption. Men employed in permanent government positions, sons whose brothers had died in service, men employed in essential industries, and family breadwinners were all eligible for exemptions.'³⁵

7.2.2 In a December 2014 response to a query, the German Federal Office for Migration and Refugees noted that exemptions applied under the National Military Service Act to 'an only son whose father is deceased or permanently incapable of earning a living'³⁶

7.2.3 The same response added

'The only son of a living father is temporarily exempt from military service, as is the sole provider for a father incapable of earning a living, the provider for a brother or brothers incapable of earning a living, the sole provider for an unmarried sister or sisters. Also temporarily exempt from compulsory service is the last brother or the eldest remaining brother, after excluding such brothers as are incapable of earning a living, where two brothers or more have been recruited or called for reserve service.'³⁷

7.2.4 It also included other categories, which included

'... anyone eligible for recruitment who is the eldest brother or son of a citizen killed in military operations or permanently incapable of earning a living as a result of injuries sustained during such operations; and anyone eligible for recruitment who is the eldest brother or son of an officer, recruit or volunteer who died as a result of service or who is ill or disabled as a result of service such that he is rendered permanently incapable of earning a living.'³⁸

³⁴ Qantara.de, 'Playing the system - Conscientious objection in Egypt', 21 November 2016, <https://en.qantara.de/content/conscientious-objection-in-egypt-playing-the-system>. Accessed: 30 January 2017.

³⁵ GlobalSecurity.org, 'Egypt - Military Personnel, 2013, <http://www.globalsecurity.org/military/world/egypt/personnel.htm>. Accessed: 2 February 2017.

³⁶ Bundesamt für Migration und Flüchtige, '(Case ID (IOM): ZC190/11.12.14)', 11 December 2014, http://www.bamf.de/SharedDocs/MiLo-DB/EN/Rueckkehrfoerderung/Laenderinformationen/Rueckkehrfragen/WohSit/20141211-kairo-aegypten-wohnsit-sozbel-dl.pdf?__blob=publicationFile. Accessed: 2 February 2017.

³⁷ Bundesamt für Migration und Flüchtige, '(Case ID (IOM): ZC190/11.12.14)', 11 December 2014, http://www.bamf.de/SharedDocs/MiLo-DB/EN/Rueckkehrfoerderung/Laenderinformationen/Rueckkehrfragen/WohSit/20141211-kairo-aegypten-wohnsit-sozbel-dl.pdf?__blob=publicationFile. Accessed: 2 February 2017.

³⁸ Bundesamt für Migration und Flüchtige, '(Case ID (IOM): ZC190/11.12.14)', 11 December 2014, http://www.bamf.de/SharedDocs/MiLo-DB/EN/Rueckkehrfoerderung/Laenderinformationen/Rueckkehrfragen/WohSit/20141211-kairo-aegypten-wohnsit-sozbel-dl.pdf?__blob=publicationFile.

- 7.2.5 A July 2015 article on Egypt Pulse also reported that ‘Exemptions are permitted [...] if a family has only one son or breadwinner.’³⁹
- 7.2.6 DFAT’s November 2015 report on Egypt noted that ‘Deferrals for family reasons apply where the individual has no other male siblings; is the only supporter of the family; has brothers who migrated and is supporting the family; has a brother already serving in the military; or has a father or brother who died during their military service. Other family circumstances may also be considered.’⁴⁰
- 7.2.7 In a January 2016 ‘response to information request’, the IRBC – based on excerpts of the ‘Consulate General of the Arab Republic of Egypt in Los Angeles’ translated by the Translation Bureau, Public Works and Government Services Canada – reported that
- ‘... military service can be postponed in the following circumstances:
1. [...]
 2. For the only son of a father less than 60 years old.
 3. For the oldest son after immigration of his brothers or obtaining du[a] citizenship.
 4. For the only son of [a] divorced mother.’⁴¹
- 7.2.8 The website of the Egyptian Consulate General in Kuwait explained that
- ‘The military service can be exempted for the following reasons:
- [...]
2. For the only son of deceased father or more than 60 years old.
 3. For the only son of divorced mother and he’s now over 30 years old.’⁴²
- 7.2.9 In November 2016, Middle East Eye reported that exemptions can be granted on four grounds, one of which was ‘if the would-be conscript is an only son.’; another was if the person ‘supports his parents.’⁴³

[DB/EN/Rueckkehrfoerderung/Laenderinformationen/Rueckkehrfragen/WohSit/20141211-kairo-aegypten-wohnsit-sozbel-dl.pdf?_blob=publicationFile](http://www.db/en/Rueckkehrfoerderung/Laenderinformationen/Rueckkehrfragen/WohSit/20141211-kairo-aegypten-wohnsit-sozbel-dl.pdf?_blob=publicationFile). Accessed: 2 February 2017.

³⁹ Egypt Pulse, ‘Egypt’s draft dodgers’, 22 July 2015, <http://www.al-monitor.com/pulse/originals/2015/07/egypt-military-conscription-sinai-attacks.html>. Accessed: 30 January 2017.

⁴⁰ DFAT, ‘Country Information Report – Egypt’ (§3.94), 24 November 2015, copy available on request. Accessed: 8 February 2017.

⁴¹ Immigration and Refugee Board of Canada, ‘Response to Information Request: EGY105396.E - Egypt: Whether a citizen of Egypt who is living abroad can obtain a studentment from military service without a National Identity Card; whether an Egyptian citizen can apply for a National Identity Card from outside of Egypt’, 8 January 2016, <http://www.irb.gc.ca/Eng/ResRec/RirRdi/Pages/index.aspx?doc=456307&pls=1>. Accessed: 2 February 2017.

⁴² The Egyptian Consulate General in Kuwait, ‘Exemption from Military Service’, undated, <http://datacenter.aucegypt.edu/jmc471/eazines/egyptkuwait/exemption.html>. Accessed: 6 February 2017.

⁴³ Middle East Eye, ‘Egypt’s army: The conscripts who refuse to serve’, 28 November 2016, <http://www.middleeasteye.net/news/egypt-conscription-1143630170>. Accessed: 30 January 2017.

7.2.10 Sofian Naceur's November 2016 article also noted that exemptions existed 'If a family has only one son, he is usually exempted.'⁴⁴.

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7.3 Exemptions for students

7.3.1 In September 2015, the Egyptian Streets website reported that 'Egypt's social solidarity minister issued [...] a decision to assign all nationals who are exempted from military service to perform community service starting October. The decision will apply to both men and women who graduated university or higher technological institutes in April 2015.'⁴⁵

7.3.2 DFAT's November 2015 report on Egypt noted that 'Deferral for education purposes are granted for university students up to the age of 28, at which time they are expected to enter the military (unless they are granted a further deferral).'46

7.3.3 In a January 2016 'response to information request', the IRBC – based on excerpts of the 'Consulate General of the Arab Republic of Egypt in Los Angeles' translated by the Translation Bureau, Public Works and Government Services Canada – reported that

'military service can be postponed in the following circumstances:

1. Students, [who] are currently [study]ing in coll[e]ges or schools.

[...]'⁴⁷

7.3.4 This is also noted on the website of the Egyptian Consulate General in Kuwait⁴⁸.

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7.4 Exemptions for dual nationals

7.4.1 In November 2016, Middle East Eye reported that exemptions can be granted on four grounds, one of which was if the person 'has dual

⁴⁴ Qantara.de, 'Playing the system - Conscientious objection in Egypt', 21 November 2016, <https://en.qantara.de/content/conscientious-objection-in-egypt-playing-the-system>. Accessed: 30 January 2017.

⁴⁵ Egyptian Streets, 'Egyptians Exempted From Military To Perform Community Service', 16 September 2015, <http://egyptianstreets.com/2015/09/16/egyptians-exempted-from-military-to-perform-community-service>. Accessed: 30 January 2017.

⁴⁶ DFAT, 'Country Information Report – Egypt' (§3.95), 24 November 2015, copy available on request. Accessed: 8 February 2017.

⁴⁷ Immigration and Refugee Board of Canada, 'Response to Information Request: EGY105396.E - Egypt: Whether a citizen of Egypt who is living abroad can obtain a studentment from military service without a National Identity Card; whether an Egyptian citizen can apply for a National Identity Card from outside of Egypt', 8 January 2016, <http://www.irb.gc.ca/Eng/ResRec/RirRdi/Pages/index.aspx?doc=456307&pls=1>. Accessed: 2 February 2017.

⁴⁸ The Egyptian Consulate General in Kuwait, 'Postpone Military Service', undated, http://datacenter.aucegypt.edu/jmc471/eazines/egyptkuwait/postpone_military.html. Accessed: 6 February 2017.

nationality.⁴⁹

7.4.2 In a January 2016 'response to information request', the IRBC – based on excerpts of the 'Consulate General of the Arab Republic of Egypt in Los Angeles' translated by the Translation Bureau, Public Works and Government Services Canada – reported that

'military service can be postponed in the following circumstances:

1. [...]
2. [...]
3. For the oldest son after immigration of his brothers or obtaining du[a]ll citizenship.
4. [...]⁵⁰

7.4.3 The website of the Consulate General of the Arab Republic of Egypt in the UK also has a section outlining the 'Requirements for obtaining exemption from military service for dual nationality holders.'⁵¹

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7.5 Conscientious objection

7.5.1 In late 2014, the Egyptian writer and activist Maikel Nabil Sanad contributed a blog on the Huffington Post website in which he noted that 'Egypt doesn't recognize the right to refuse military service for conscientious reasons.'⁵², although, in the same article, also stated that he 'can't deny that most Egyptians who try to evade military service don't do so for conscientious or ideological reasons.'⁵³

7.5.2 DFAT, in their November 2015 report on Egypt, understood conscientious objection was not a common phenomenon in Egypt, and were not aware of any provision that a conscientious objector could use to avoid military service⁵⁴.

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⁴⁹ Middle East Eye, 'Egypt's army: The conscripts who refuse to serve', 28 November 2016, <http://www.middleeasteye.net/news/egypt-conscription-1143630170>. Accessed: 30 January 2017.

⁵⁰ Immigration and Refugee Board of Canada, 'Response to Information Request: EGY105396.E - Egypt: Whether a citizen of Egypt who is living abroad can obtain a studentment from military service without a National Identity Card; whether an Egyptian citizen can apply for a National Identity Card from outside of Egypt', 8 January 2016, <http://www.irb.gc.ca/Eng/ResRec/RirRdi/Pages/index.aspx?doc=456307&pls=1>. Accessed: 2 February 2017.

⁵¹ The Consulate General of the Arab Republic of Egypt in the UK, 'Army Services', undated, http://www.egyptianconsulate.co.uk/Consular_Services.php. Accessed: 6 February 2017.

⁵² Maikel Nabil Sanad via Huffington Post, 'How Egypt's Conscription Generates Unemployment and Refugees', 15 September 2014 – updated 16 November 2014, http://www.huffingtonpost.ca/maikel-nabil-sanad/egypt-refugees_b_5818444.html. Accessed: 30 January 2017.

⁵³ Maikel Nabil Sanad via Huffington Post, 'How Egypt's Conscription Generates Unemployment and Refugees', 15 September 2014 – updated 16 November 2014, http://www.huffingtonpost.ca/maikel-nabil-sanad/egypt-refugees_b_5818444.html. Accessed: 30 January 2017.

⁵⁴ DFAT, 'Country Information Report – Egypt' (§3.96), 24 November 2015, copy available on request. Accessed: 8 February 2017.

7.6 Exemptions for other reasons

- 7.6.1 DFAT's November 2015 report on Egypt noted that 'the military exempts individuals when it has an excess number of conscripts.'⁵⁵

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7.7 Exemptions in practice

- 7.7.1 DFAT's November 2015 report on Egypt, noted that exemptions/deferments are 'renewed every three years for reassessment until the subject is 30 years of age, at which time he receives a permanent exemption'⁵⁶.

See also [Completion and proof of completion](#).

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8. Undertaking military service

8.1 Deployment and roles

- 8.1.1 A 2013 report about Egypt's military personnel on GlobalSecurity.org noted that 'The Constitution mandates conscription but provides a variety of options for national service. Conscripts may be required to serve either in the police force, the prison-guard service, or in one of the military economic service units.'⁵⁷
- 8.1.2 A July 2015 article on Egypt Pulse also reported that 'Some [recruits] are sent to the front lines in the restive North Sinai, while others are dispatched to police urban areas. The more fortunate can pull strings to find shelter amid the relative safety of the military's pasta factories and petrol stations.'⁵⁸
- 8.1.3 A July 2015 article on Muftah.org described military service as 'a 'lost' period during which young men in their prime are ruthlessly hazed for the sake of protecting desert airstrips, embassies, or government-run supermarkets. Some conscripts are even put to work in government-run factories that supply those government-run supermarkets.'⁵⁹
- 8.1.4 A December 2016 article on Al-Monitor reported that 'Conscripts spend a period of military service either in the Egyptian armed forces or in the police sector.'⁶⁰

⁵⁵ DFAT, 'Country Information Report – Egypt' (§3.94), 24 November 2015, copy available on request. Accessed: 8 February 2017.

⁵⁶ DFAT, 'Country Information Report – Egypt' (§3.94), 24 November 2015, copy available on request. Accessed: 8 February 2017.

⁵⁷ GlobalSecurity.org, 'Egypt - Military Personnel, 2013, <http://www.globalsecurity.org/military/world/egypt/personnel.htm>. Accessed: 2 February 2017.

⁵⁸ Egypt Pulse, 'Egypt's draft dodgers', 22 July 2015, <http://www.al-monitor.com/pulse/originals/2015/07/egypt-military-conscription-sinai-attacks.html>. Accessed: 30 January 2017.

⁵⁹ Muftah.org, 'Egyptians Don't Like the Draft Even Though They Love the Army', 30 July 2015, <http://muftah.org/egypt-draft-army/>. Accessed: 6 February 2017.

⁶⁰ Al-Monitor, 'New documentary on Egyptian conscription faces strong criticism', 8 December 2016, <http://www.al-monitor.com/pulse/tr/originals/2016/12/egypt-military-conscription-al-jazeera-film.html>. Accessed: 6 February 2017.

8.2 Bribes ('rishwa') and connections ('wasta')

- 8.2.1 In April 2015, based on quotes from anonymous interviewees, Al Araby reported on 'Conscripts in the Egyptian army who can pay or who have the right connections can end up serving their country as waiters or shop assistants.'⁶¹
- 8.2.2 A July 2015 article on Muftah.org noted that 'many families are helping their sons dodge the draft. Using wasta (connections) and the occasional bribe, they either try to get these young men an administrative post, or a job in the government-owned tourist industry where they can sit out their service. Some are able to dodge the draft altogether – depending on the quality of the wasta, the size of the bribe, or both.'⁶²

8.3 Treatment of recruits

- 8.3.1 The 2013 Global security report stated 'Only 150,000 of the more than 600,000 reserves receive any meaningful training'⁶³
- 8.3.2 In late 2014, the Egyptian writer and activist Maikel Nabil Sanad contributed a blog on the Huffington Post website in which he stated that 'Conscripts in Egypt are mistreated and under-paid'⁶⁴. A July 2015 article on Egypt Pulse also reported that 'critics say [recruits] are not trained well and are more often used as a form of cheap labor [... receiving] a nominal wage of 250 Egyptian pounds (\$35) a month.'⁶⁵
- 8.3.3 A July 2015 article on Muftah.org stated "The draft has become even less attractive in recent years, as Egypt continues to be embroiled in a struggle with insurgents in the Sinai Peninsula and terrorist organizations in its main cities. For a meager wage, young and poorly trained conscripts are sent to the front lines to fight these (often better trained) groups. Others risk their lives standing guard along highways, or in Cairo's suburbs, where terrorist attacks are becoming increasingly frequent."⁶⁶
- 8.3.4 The War is Boring website published an article about one conscript's experience: 'Hamada's 30 days of training is a case in point, as he never

⁶¹ Al Araby, 'Conscripts with connections get easy military service in Egypt', 6 April 2015, <https://www.alaraby.co.uk/english/features/2015/4/6/conscripts-with-connections-get-easy-military-service-in-egypt>. Accessed: 6 February 2017.

⁶² Muftah.org, 'Egyptians Don't Like the Draft Even Though They Love the Army', 30 July 2015, <http://muftah.org/egypt-draft-army/>. Accessed: 6 February 2017.

⁶³ GlobalSecurity.org, 'Egypt - Military Personnel, 2013', <http://www.globalsecurity.org/military/world/egypt/personnel.htm>. Accessed: 19 February 2017.

⁶⁴ Maikel Nabil Sanad via Huffington Post, 'How Egypt's Conscription Generates Unemployment and Refugees', 15 September 2014 – updated 16 November 2014, http://www.huffingtonpost.ca/maikel-nabil-sanad/egypt-refugees_b_5818444.html. Accessed: 30 January 2017.

⁶⁵ Egypt Pulse, 'Egypt's draft dodgers', 22 July 2015, <http://www.al-monitor.com/pulse/originals/2015/07/egypt-military-conscription-sinai-attacks.html>. Accessed: 30 January 2017.

⁶⁶ Muftah.org, 'Egyptians Don't Like the Draft Even Though They Love the Army', 30 July 2015, <http://muftah.org/egypt-draft-army/>. Accessed: 19 February 2017

once operated a firearm. “We ran, we did pushups, all kinds of exercises,” Hamada said. “But I never touched a gun. I’ve never touched a gun in my life.” However, this wouldn’t stop Hamada and his platoon from being called into battle.⁶⁷

- 8.3.5 An October 2016 article on Middle East Eye, based on interviews with conscripts, described two of those as being “lucky” that they did not end up in Sinai. Instead, they, along with their colleagues, formed a cheap labour force for the high-ranking officers in which they were made to carry out the generals’ chores. Others are made to sell military products such as pasta, or to take part in building military infrastructure. Conscripts usually get paid a mere 250 to 300 EGP (\$28-\$33) per month for their efforts.⁶⁸
- 8.3.6 The article continued by giving an example of one person’s service, which ‘consisted of just standing in the sun holding a weapon. Later, he became a conscript for one of the high-ranking officers, which meant he had to run errands for him. “Usually, you won’t want [the officer] to know you have a car because then you will become his family’s driver.”⁶⁹
- 8.3.7 And another who ‘had similar chores: “One day I cleaned and stood beside a carpet to “protect” it from anyone stepping on it – except the general and his visitors. I swear that was it. The second was making tea and coffee for the guests.”⁷⁰
- 8.3.8 The report also cited the interviewees as having said that ‘Humiliation at the hands of the military generals is part and parcel of the conscript’s daily life.’⁷¹
- 8.3.9 A November 2016 article on Middle East Eye reported on one evader who ‘rejected the idea of being subject to the forced labour imposed on conscripts such as his friends, who are obliged to work at least 14-15 hours every day for military-run businesses.’⁷²

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8.4 The army’s involvement in the Rabaa protests

⁶⁷ War is Boring, ‘After Fleeing the Army, One Egyptian Soldier Witnessed a Massacre’, 14 August 2015, <https://warisboring.com/after-fleeing-the-army-one-egyptian-soldier-witnessed-a-massacre-d51fcd44d59?qi=6888f49ffdd2#.ln02qqq7b>. Accessed: 19 February 2017

⁶⁸ Middle East Eye, “It is hell”: Chronicles of military conscripts in Egypt’, 21 October 2016, <http://www.middleeasteye.net/in-depth/features/it-hell-chronicles-military-conscripts-egypt-army-university-1506222876>. Accessed: 9 February 2017.

⁶⁹ Middle East Eye, “It is hell”: Chronicles of military conscripts in Egypt’, 21 October 2016, <http://www.middleeasteye.net/in-depth/features/it-hell-chronicles-military-conscripts-egypt-army-university-1506222876>. Accessed: 9 February 2017.

⁷⁰ Middle East Eye, “It is hell”: Chronicles of military conscripts in Egypt’, 21 October 2016, <http://www.middleeasteye.net/in-depth/features/it-hell-chronicles-military-conscripts-egypt-army-university-1506222876>. Accessed: 9 February 2017.

⁷¹ Middle East Eye, “It is hell”: Chronicles of military conscripts in Egypt’, 21 October 2016, <http://www.middleeasteye.net/in-depth/features/it-hell-chronicles-military-conscripts-egypt-army-university-1506222876>. Accessed: 9 February 2017.

⁷² Middle East Eye, ‘Egypt’s army: The conscripts who refuse to serve’, 28 November 2016, <http://www.middleeasteye.net/news/egypt-conscription-1143630170>. Accessed: 30 January 2017.

- 8.4.1 In 2014, Human Rights Watch issued a 188-page report, 'All According to Plan: The Rab'a Massacre and Mass Killings of Protesters in Egypt' which alleged the Egyptian police and army methodically opened fire with live ammunition on crowds of demonstrators opposed to the military's ouster of Mohamed Morsy at six demonstrations between 5 July and 17 August 2013⁷³.
- 8.4.2 A 2015 article on the War is Boring website highlighted the moral reasons of one conscript who deserted the army rather than take part in the killing of protesters in Rabaa in 2013.

'The day after the military coup which overthrew Morsi, Hamada's commanding officer brought in religious teachers from the Al-Azhar mosque to speak to them about the religious importance of duty to one's country. "They told us the people protesting in the streets and in Rabaa Square were traitors and terrorists," Hamada said. "They told us we might be asked to attack them and if we were, we shouldn't be afraid of killing them. They were infidels, they said, and we should kill them all." Hamada recoiled at this. The "terrorists" in the streets were his neighbors and friends. He was on the wrong side and he needed to get out. He knew the penalty for deserting was a minimum of two years in prison, but felt he was better off in prison than with innocent blood on his hands. On the night of July 4, Hamada took off his uniform, whispered his goodbyes and fled. Hamada went straight to Rabaa Square [...]'⁷⁴

- 8.4.3 The article adds a claim from Hamada that

"They didn't have respect for anyone—kids, old people, women." He paused. "I saw people die. I saw their internal organs spilling out."... "At one point, I spotted my commanding officer, my relative," Hamada said. "I don't think he saw me, but I know it was him. He was carrying a large gun and firing at people. I couldn't have done that." The fighting finally subsided around 7 p.m. when security forces took control of the square, and Hamada was able to go home.'⁷⁵

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8.5 Medical examinations and 'homosexuality tests'

- 8.5.1 An October 2016 article on Middle East Eye, based on interviews with conscripts, noted that one recruit's claim that 'medical examinations include homosexuality tests. "You bend down and spread [your legs] and if they find

⁷³ Human Rights Watch, 'All According to Plan: The Rab'a Massacre and Mass Killings of Protesters in Egypt', 12 August 2014, <https://www.hrw.org/node/127942>. Accessed: 20 February 2017

⁷⁴ War is Boring, 'After Fleeing the Army, One Egyptian Soldier Witnessed a Massacre', 14 August 2015, <https://warisboring.com/after-fleeing-the-army-one-egyptian-soldier-witnessed-a-massacre-d51fcd44d59?gi=6888f49ffdd2#.ln02qqq7b>. Accessed: 19 February 2017

⁷⁵ War is Boring, 'After Fleeing the Army, One Egyptian Soldier Witnessed a Massacre', 14 August 2015, <https://warisboring.com/after-fleeing-the-army-one-egyptian-soldier-witnessed-a-massacre-d51fcd44d59?gi=6888f49ffdd2#.ln02qqq7b>. Accessed: 19 February 2017

[the anus] bigger than usual, they assume you're gay and exempt you,"⁷⁶

8.5.2 However, the person added "I don't know anyone who was let go [because of this], [...] "but rumours say he gets a special red-coloured exemption that tells any [job] recruiter that he's gay."⁷⁷

8.5.3 No information could be found to corroborate this.

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9. Desertion and evasion

9.1 Jurisdiction

9.1.1 Based on an unofficial translation of the constitution on the website of the Embassy of Egypt, Washington DC, Article 204 provides for military courts.

'The Military Court is an independent judicial body exclusively competent to adjudicate on all crimes pertaining to the Armed Forces, the officers and personnel thereof, and their equivalents, and on the crimes committed by the personnel of the General Intelligence while and by reason of performing their duties.

'No civilian shall face trial before the Military Court, except for [...] crimes pertaining to military service [...].'⁷⁸

9.1.2 In April 2016, the US State Department released their human rights report on Egypt covering events in 2015 ('the 2015 USSD report') which noted that 'The constitution states: "Citizens cannot stand trial before military courts except for [...] crimes related to conscription."⁷⁹

9.1.3 However, the same report also noted 'Nevertheless, authorities used military courts to try civilians during the year. Public access to information about military trials was limited.', but included some details of some trials that had taken place and subsequent sentences handed down, none of which related to desertion/evasion⁸⁰.

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9.2 Desertion and evasion in law

9.2.1 In a December 2014 response to a query, the German Federal Office for

⁷⁶ Middle East Eye, "It is hell": Chronicles of military conscripts in Egypt', 21 October 2016, <http://www.middleeasteye.net/in-depth/features/it-hell-chronicles-military-conscripts-egypt-army-university-1506222876>. Accessed: 9 February 2017.

⁷⁷ Middle East Eye, "It is hell": Chronicles of military conscripts in Egypt', 21 October 2016, <http://www.middleeasteye.net/in-depth/features/it-hell-chronicles-military-conscripts-egypt-army-university-1506222876>. Accessed: 9 February 2017.

⁷⁸ Embassy of Egypt Washington DC, 'unofficial translation of the constitution', undated, <http://www.egyptembassy.net/egypts-political-progress/constitution>. Accessed: 2 February 2017.

⁷⁹ US State Department, 'Country Reports on Human Rights Practices for 2015 – Egypt' (§1e), 13 April 2016, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252921>. Accessed: 6 February 2017.

⁸⁰ US State Department, 'Country Reports on Human Rights Practices for 2015 – Egypt' (§1e), 13 April 2016, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252921>. Accessed: 6 February 2017.

Migration and Refugees noted that

'The Military and National Service Act number 127 of 1980, article 49 states that any person exceeding 30 years or 31 years (according to the case situation) and 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 and not more than 1,000 Egyptian pounds [c. £21-42⁸¹] or both.

'Under article 35 of the same Law when the person obligated to the Military and National Service turns 42, the determined period for the right of prosecution will be dropped.

'According to this, a person who left without the authorization of the military can apply to the military recruitment and turn himself in and a criminal proceeding will be initiated and a military tribunal.

'Usually the court chooses the penalty. The right of prosecution drops only 3 years after the person turns 42.'⁸²

- 9.2.2 A July 2015 article on Egypt Pulse argued that the options to avoid conscription were 'to leave the country or agree to confinement in a prison cell for two years.'⁸³
- 9.2.3 In an October 2015 response to a query published by the European Asylum Support Agency (EASO), it is noted (via an informal translation of information in Arabic) that

'according to the Network of Arab Lawyers – Riyadh (Shabkat al-mahamin al-'arab – Riyadh) desertion (hurub) is addressed to in the Military Regulations' Law (Qanun al-ahkam al-'askariyya) (Law number 101 of 1957) and orders as follows:

'§ 65 Cases of desertion and strife have no limitation period.

'§ 125 The accused loses, when he is given a verdict by a military court, his pay for every day he deserted, was absent [without leave] or was in detention, and for the days his freedom is taken away through the verdict.

'§ 154 Any person is subject to prosecution under this law if he perpetrates any of the following crimes while he is in service on the battlefield (waqt khidmat al-maydan):

- 1) Desertion or attempt at desertion from the service of the armed forces.

⁸¹ EU Currency Converter, Egyptian Pounds to GB Pounds, http://ec.europa.eu/budget/contracts_grants/info_contracts/infoeuro/index_en.cfm. Accessed: 3 February 2017.

⁸² Bundesamt für Migration und Flüchtige, '(Case ID (IOM): ZC190/11.12.14)', 11 December 2014, http://www.bamf.de/SharedDocs/MILo-DB/EN/Rueckkehrfoerderung/Laenderinformationen/Rueckkehrfragen/WohSit/20141211-kairo-aegypten-wohnsit-sozbel-dl.pdf?__blob=publicationFile. Accessed: 3 February 2017.

⁸³ Egypt Pulse, 'Egypt's draft dodgers', 22 July 2015, <http://www.al-monitor.com/pulse/originals/2015/07/egypt-military-conscription-sinai-attacks.html>. Accessed: 30 January 2017.

2) A person who enables or attempts to enable someone to desert while he is in service on the battlefield is subject to prosecution under this law. The penalty for this crime in accordance with this law is death, or a lesser punishment. If the crime is not committed on the battlefield, the punishment is prison, or a lesser punishment.

§ 155 Any person is subject to prosecution under this law if he perpetrates any of the following crimes:

- 1) Helping a person subject to prosecution under this law to desert from the service of the armed forces.
- 2) Knowledge of the desertion of a person subject to prosecution under this law, or knowledge of his intention to desert, without immediately informing his leader or for not taking all precautions in his power in order to apprehend the deserter/attempted deserter. The punishment is prison, or a lesser punishment.

§ 156 The punishment is prison, or a lesser punishment, for any person who leaves his place of service, his weapon or his military duty without having received permission in accordance with the law.

§ 157 Any person is subject to prosecution under this law if he perpetrates any of the following crimes:

- 1) Feigning illness in order to shorten his service.
- 2) Intentionally putting oneself in a bad condition, temporarily or permanently, in order to avoid military duties. The punishment is prison, or a lesser punishment (...).⁸⁴

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9.3 Desertion and evasion in practice

9.3.1 A July 2015 article on Egypt Pulse cited Maikel Nabil, a conscientious objector, as having claimed that “There are hundreds of people in prisons in Egypt for avoiding conscription. When I was in prison in 2011, I met at least 30 people imprisoned for avoiding service.”⁸⁵

9.3.2 However, the same article noted that ‘A lack of transparency in Egypt’s state institutions makes it hard to obtain concrete figures on the number of conscripts enlisted each year, how many evade service and how many end up in prison.’⁸⁶

9.3.3 DFAT, in their November 2015 report on Egypt, explained that ‘According to

⁸⁴ European Asylum Support Office (EASO), ‘Query on Military service in Egypt’, 09 October 2015, available via Lifos at <http://lifos.migrationsverket.se/dokument?documentAttachmentId=42715>. Accessed: 3 February 2017.

⁸⁵ Egypt Pulse, ‘Egypt’s draft dodgers’, 22 July 2015, <http://www.al-monitor.com/pulse/originals/2015/07/egypt-military-conscription-sinai-attacks.html>. Accessed: 30 January 2017.

⁸⁶ Egypt Pulse, ‘Egypt’s draft dodgers’, 22 July 2015, <http://www.al-monitor.com/pulse/originals/2015/07/egypt-military-conscription-sinai-attacks.html>. Accessed: 30 January 2017.

the Military and National Service Act of 1980, if an individual is not able to renew his military service exemption and does not complete his military service, he is liable to pay a fine of up to EGP1,000 (AUD170) and/or face a prison sentence of a minimum of one year.⁸⁷

9.3.4 Middle East Eye's November 2016 article also noted that

'Talking about conscription is a taboo subject in Egypt. Those who have served are reticent to discuss their experiences, fearing a backlash from the army. Even human rights groups in the country are wary of giving statements in case they are punished by the courts (rights groups based in Egypt refused to discuss the matter with MEE). And for the local media, reporting on the issue is a red line they refuse to cross.'⁸⁸

9.3.5 A December 2016 article on Al-Monitor also reported that 'Soldiers and stories about conscription in Egypt are an area that no one dares write about, much less make films about.'⁸⁹

9.3.6 An April 2015 article on Al Araby, based on interviews with people who had not undertaken military service, included reference to one person who, on return to Egypt, 'expect[ed] to face a military tribunal which will most probably fine him for evading service.'⁹⁰

9.3.7 The website of the Egyptian Consulate General in Kuwait explained that

'[...]

'3. Each Egyptian exceeds the age of 30 years old without doing his military service and does not have a reason to be exempted from military service is considered missing it.

'4. Those persons can pay the penalty of missing his military service, but he must be over 30 years old.'⁹¹

9.3.8 An August 2015 article on the 'War is Boring' website reported on the growing numbers of people seeking exemptions – especially on grounds of conscientious objection. It noted that 'Although there are no official numbers on the number of deserters, an army colonel with the Sinai command told Al-Monitor that "thousands" are finding ways of avoiding conscription. [...] they remain in hiding or — if they are fortunate — find ways to flee the

⁸⁷ DFAT, 'Country Information Report – Egypt' (§3.96), 24 November 2015, copy available on request. Accessed: 8 February 2017.

⁸⁸ Middle East Eye, 'Egypt's army: The conscripts who refuse to serve', 28 November 2016, <http://www.middleeasteye.net/news/egypt-conscription-1143630170>. Accessed: 30 January 2017.

⁸⁹ Al-Monitor, 'New documentary on Egyptian conscription faces strong criticism', 8 December 2016, <http://www.al-monitor.com/pulse/tr/originals/2016/12/egypt-military-conscription-al-jazeera-film.html>. Accessed: 6 February 2017.

⁹⁰ Al Araby, 'The campaign against conscription in Egypt', 25 April 2015, <https://www.alaraby.co.uk/english/features/2015/4/25/the-campaign-against-conscription-in-egypt>. Accessed: 6 February 2017.

⁹¹ The Egyptian Consulate General in Kuwait, 'Missing the Military Service', undated, <http://datacenter.aucegypt.edu/jmc471/eazines/egyptkuwait/missing.html>. Accessed: 6 February 2017.

country.⁹²

- 9.3.9 However, the same article added ‘a small number are making their desertion public.’ and that the military had granted one person an exemption [in 2012], with a further thirty having asked for similar. It also noted that, ‘In July [2015], Egyptian defense minister Sedki Sobhi quietly granted exemptions to two [other members of a conscientious objectors’ group]’⁹³.

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10. Completion and proof of completion

10.1 Consequences for failing to complete military service

- 10.1.1 The Norwegian COI unit, Landinfo, in their contribution to EASO’s October 2015 query on military service in Egypt noted that

‘... men in Egypt who are in the age of conscription (16-30) need permission from the Directorate of Conscription and Mobilisation (Idarat al-tajnid wal-ta’bi’a) or the administrative level above it to be issued a passport. Therefore, anyone who has been able to obtain a passport, will most probably have received such a permission – either legally, or through connections (wasta)/bribes (rishwa). (Men in this age who get permission to travel for short trips are often issued passports that are valid only for the necessary period of time.) Men who are doing their military service will only be issued passports for duty purposes, or if they receive official temporary leave from the army. Someone who is absent without leave (AWOL) or a deserter will most likely not have access to a valid passport issued before his service, and be unable to have one issued to him while AWOL or deserting, unless he has connections or is able to bribe someone to issue the right permits.’⁹⁴

See also [Bribes \(‘rishwa’\) and connections \(‘wasta’\)](#).

- 10.1.2 The 2015 USSD report noted that ‘Men who have not completed compulsory military service may not travel abroad or emigrate.’⁹⁵
- 10.1.3 In November 2016, based on an interview with one conscientious objector, Middle East Eye reported that ‘Without taking this course [compulsory military education course at university], students cannot graduate. The young men are required to enlist in the military upon graduation. Additionally, they cannot travel abroad without getting security approval from military

⁹² War is Boring, ‘After Fleeing the Army, One Egyptian Soldier Witnessed a Massacre’, 14 August 2015, <https://warisboring.com/after-fleeing-the-army-one-egyptian-soldier-witnessed-a-massacre-d51fcd44d59?gi=6888f49ffdd2#.ln02qqq7b>. Accessed: 6 February 2017.

⁹³ War is Boring, ‘After Fleeing the Army, One Egyptian Soldier Witnessed a Massacre’, 14 August 2015, <https://warisboring.com/after-fleeing-the-army-one-egyptian-soldier-witnessed-a-massacre-d51fcd44d59?gi=6888f49ffdd2#.ln02qqq7b>. Accessed: 6 February 2017.

⁹⁴ European Asylum Support Office (EASO), ‘Query on Military service in Egypt’, 09 October 2015, available via Lifos at <http://lifos.migrationsverket.se/dokument?documentAttachmentId=42715>. Accessed: 6 February 2017.

⁹⁵ US State Department, ‘Country Reports on Human Rights Practices for 2015 – Egypt’ (§2d), 13 April 2016, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252921>. Accessed: 6 February 2017.

authorities.⁹⁶

- 10.1.4 Sofian Naceur noted in a November 2016 article on Qantara.de website that ‘anyone who does not absolve his military service, but who has already completed his education, needs a permit from the army for any foreign travel... working is also difficult, as anyone wanting to earn money before the army has made its final decision, has to obtain a work permit from the military every 14 days.’⁹⁷
- 10.1.5 A December 2016 article on Al-Monitor reported that ‘men of service age [18-30] can't get a job or travel until after they have completed their military service.’⁹⁸

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10.2 Proof of completion

- 10.2.1 In late 2014, the Egyptian writer and activist Maikel Nabil Sanad contributed a blog on the Huffington Post website in which he noted that ‘The 1980 conscription law makes having the conscription completion document a precondition for studying at any Egyptian university, applying for any job, or issuing a travel document. Any employer who hires an applicant without conscription documents can be fined and imprisoned for two years.’⁹⁹ He argued that those without ‘are forced into an in illegal limbo, denied most of their civil rights until they reach the age of 30.’¹⁰⁰
- 10.2.2 The 2015 USSD report noted that ‘National identification cards indicated completion of military service.’¹⁰¹
- 10.2.3 Sofian Naceur noted in a November 2016 article published on the Qantara.de website that, to avoid conscription, people ‘[...] leave the country before the recruitment process begins and return after their 30th birthday, when they have passed the age threshold for conscription.’¹⁰²

⁹⁶ Middle East Eye, ‘It is hell’: Chronicles of military conscripts in Egypt’, 21 October 2016, <http://www.middleeasteye.net/in-depth/features/it-hell-chronicles-military-conscripts-egypt-army-university-1506222876>. Accessed: 3 February 2017.

⁹⁷ Qantara.de, ‘Playing the system - Conscientious objection in Egypt’, 21 November 2016, <https://en.qantara.de/content/conscientious-objection-in-egypt-playing-the-system>. Accessed: 19 February 2017.

⁹⁸ Al-Monitor, ‘New documentary on Egyptian conscription faces strong criticism’, 8 December 2016, <http://www.al-monitor.com/pulse/tr/originals/2016/12/egypt-military-conscription-al-jazeera-film.html>. Accessed: 6 February 2017.

⁹⁹ Maikel Nabil Sanad via Huffington Post, ‘How Egypt’s Conscription Generates Unemployment and Refugees’, 15 September 2014 – updated 16 November 2014, http://www.huffingtonpost.ca/maikel-nabil-sanad/egypt-refugees_b_5818444.html. Accessed: 30 January 2017.

¹⁰⁰ Maikel Nabil Sanad via Huffington Post, ‘How Egypt’s Conscription Generates Unemployment and Refugees’, 15 September 2014 – updated 16 November 2014, http://www.huffingtonpost.ca/maikel-nabil-sanad/egypt-refugees_b_5818444.html. Accessed: 30 January 2017.

¹⁰¹ US State Department, ‘Country Reports on Human Rights Practices for 2015 – Egypt’ (§2d), 13 April 2016, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252921>. Accessed: 6 February 2017.

¹⁰² Qantara.de, ‘Playing the system - Conscientious objection in Egypt’, 21 November 2016, <https://en.qantara.de/content/conscientious-objection-in-egypt-playing-the-system>. Accessed: 30 January 2017.

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Version control and contacts

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Clearance

Below is information on when this note was cleared:

- version **1.0**
- valid from **15 March 2017**

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First version in CPIN format.

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