Violations of human rights

an amnesty international report

٩١ ، ٩٢ ، ٩٢ ، ٤٤ من هذا القانون ولم ينه إلى السلطات المختصة .

ولا بجرى حكم هذه المادة على زوج أى شخص له يد فى ذلك المشروع ولا على أصوله وفروعه .

مادة ٩٨ (أ) (٣) - يعانب بالاشغال الشاقة المؤقتة مدة لا تزيد على عشر سنين و بغرامة لاتقل عر مائد قل جنيه ولا تجاوز الف جنيه كل من انشأ او اسس او نظم او ادار جمعيات او هيئات او منظمات ترمى إلى سيطرة طبقة اجتماعية او الى قاب نظم الدولة الاساسية الاجتماعية او الاقتصادية او إلى هدم اى نظام من النظم الاساسية للهيئة الاجتماعية او إلى تحبيذ شيء مما تقدم او الترويج له متى كان استعمال القوه او الارهاب او اية وسيلة اخرى غير مشروعة ملحوظا في ذلك .

(منتخب من قانون العقوبات المصري لسنة ١٩٣٧ المعدل حتى ١٩٨٢)

ERRATUM

EGYPT: Violations of human rights

Correction

Page 10: Article 139 refers to the Code of Criminal Procedure and not the Constitution.

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Cover: an extract from the Egyptian Penal Code of 1937, with amendments up to 1982

Preface

This report is a record of Amnesty International's current concerns in the Arab Republic of Egypt: prisoners of conscience, unfair trial procedures, torture and the death penalty. It is based on a memorandum sent to the Egyptian Government on 24 June 1982. In an accompanying letter addressed to President Muhammad Hosni Mubarak, Amnesty International expressed the hope that the memorandum and its recommendations might form a basis for discussion, and said it was willing to send a delegation to Cairo for this purpose. It made several subsequent inquiries in this regard, but had received no response from the Egyptian Government by December 1982.

On the basis of its detailed assessment of human rights violations occurring in the Arab Republic of Egypt, Amnesty International has formulated a series of recommendations to the Egyptian Government, urging it to implement immediate measures to safeguard the individual against such violations of human rights. These recommendations open the report.

This is followed by a description of Amnesty International's concerns in Egypt, and case illustrations. Six case histories of individuals who have been imprisoned and adopted by Amnesty International as prisoners of conscience show the diversity of such prisoners in background, profession and political or religious belief. A summary of the trial of 176 people arrested in connection with the so-called "Food Riots" of 18 and 19 January 1977 shows how seriously the independence of the judiciary has been impaired by the executive's power to veto the court's verdict and order a retrial. Torture and ill-treatment are illustrated by extracts from three reports of medical examinations carried out on political detainees who claimed to have been tortured. Legislation providing for the death penalty is described in this section of the report, and also some of Amnesty International's recent appeals for commutation of death sentences.

The legal context of Amnesty International's concerns in Egypt is considered next. This section describes the legislation under which prisoners of conscience are charged and tried, outlines the legal procedures which enable or facilitate the repeated arrest of individuals for their non-violent political beliefs or activities, and identifies the roles and responsibilities of the executive authority, the state prosecutor, the defence and the judiciary in the legislative and judicial processes.

Recommendations

Since 1971, when the Constitution of the Arab Republic of Egypt was adopted, hundreds of men and women have been imprisoned in Egypt for their non-violent political beliefs or activities. Amnesty International works for their immediate release, drawing attention to the wide range of legislation which permits the arrest and sometimes long-term imprisonment of individuals exercising their rights to freedom of opinion, expression and association.

Some individuals, repeatedly arrested and detained on non-violent political grounds, are never charged or tried; others face trial before exceptional courts which deny them the right to appeal against the courts' judgments. Amnesty International delegates have attended political trials before military and state security courts in 1971, 1975, 1978 and 1979.

Political detainees have been subjected to torture and ill-treatment, in violation of Egyptian law and international agreements to which Egypt has subscribed, and individuals have been sentenced to death and executed in violation of their fundamental right to life.

Amnesty International, publicly appealing for an end to these human rights abuses, addresses the following recommendations to the Egyptian Government in the belief that their implementation would constitute an important and practical measure towards the protection of human rights which the Arab Republic of Egypt has committed itself to uphold.

Recommendations to the Government of Egypt by Amnesty International

1. Between 1971 and 1982 Amnesty International recorded the cases of hundreds of individuals arrested and imprisoned, some of

them repeatedly, for the non-violent exercise of their rights to freedom of opinion, expression and peaceful association. Their arrest and imprisonment has frequently been effected under the provisions described in Chapter 3 of this report, as well as Articles 98, 102 (bis), 171 and 174 of the Penal Code, Law 40 of 1977, and Law 2 of

Amnesty International considers the use of this legislation to imprison individuals for the non-violent exercise of their human rights to be inconsistent with the rights to freedom of expression and association as set out in the Egyptian constitution, as well as in the International Covenant on Civil and Political Rights, in particular Articles 19, 21 and 22. (Egypt signed the International Covenant on Civil and Political Rights in 1967 and ratified it on 14 January 1982.)

Amnesty International therefore respectfully recommends that immediate consideration be given by the Egyptian Government to initiating a comprehensive review of existing legislation relating to political activity, with a view to ensuring that individuals are protected from arrest and imprisonment because of the non-violent exercise of their human rights.

- 2. Amnesty International believes that many people are currently imprisoned and/or facing trial in Egypt because of the non-violent expression of their conscientiously held beliefs and respectfully recommends that a presidential amnesty be declared for their benefit. Amnesty International considers that this would constitute an immediate and practical step towards the implementation of the International Covenant on Civil and Political Rights.
- 3. Amnesty International believes that individuals have been subjected to arbitrary arrest and imprisonment for their conscientiously held beliefs, suffered prolonged incommunicado detention and been tried by exceptional courts which abridge the rights of the defence.

This process has often been facilitated by legislation relating to a state of emergency which has been in force in Egypt for many years.

Althought Article 4(1) of the International Covenant on Civil and Political Rights provides that, in time of public emergency, States Parties may derogate from certain of their obligations under the covenant, such derogation is subject to a number of restrictions and conditions. On 28 July 1981 the Human Rights Committee, set up under the covenant to monitor its implementation, adopted a "general comment" according to which:

exceptional and temporary nature and can only last as long as the life of the nation concerned is threatened and that, in times of emergency, the protection of human rights becomes all the more important . . .".

A "general comment" adopted on 27 July 1982 by the Human Rights Committee states that:

"... if so-called preventive detention is used, for reasons of public security, it must be controlled by the same provisions [the provisions of Article 9 of the International Covenant on Civil and Political Rights] i.e., it must not be arbitrary, and must be based on grounds and procedures established by law (paragraph 1), information of the reasons must be given (paragraph 2) and court control of the detention must be available (paragraph 4), as well as compensation in the case of a breach (paragraph 5)."

Amnesty International therefore respectfully recommends that immediate consideration be given by the Egyptian Government to the lifting of the state of emergency and related legislation concerning the non-violent exercise of human rights.

In addition, Amnesty International recommends that the Egyptian Government ensure that in all cases any person arrested or detained be accorded the rights guaranteed by Article 9 of the International Covenant on Civil and Political Rights as well as by Article 71 of the Egyptian constitution, which states:

"Anyone arrested or detained shall be informed immediately of the reasons for his arrest and detention and shall be entitled to communicate with such persons as he wishes

for the purpose of informing them of what has happened or of seeking asssistance as prescribed by law. Any person arrested or detained shall be promptly notified of the charges against him and he, as well as third parties, may protest in court against the measure that has restricted his personal freedom. The law regulates the right of protest in such a way as to ensure that decisions are taken on protests within a specific period, failing which the person arrested or detained must be released."

4. On the basis of all the information in its possession, its assessment of arrest and detention procedures and conditions and the consistency in content of the allegations it has received of ill-treatment and torture in Egypt, Amnesty International concludes that torture of political detainees has taken place, particularly in the period October 1981 to March 1982, and may still be taking place.

Such treatment is in violation of Article 42 of the Egyptian constitution, Article 7 of the International Covenant on Civil and Political Rights, and Article 3 of the United Nations Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (adopted by the General Assembly on 9 December 1975 in Resolution 3425 (XXX)) which states:

"No state may permit or tolerate torture or other cruel, inhuman or degrading treatment or punishment. Exceptional circumstances such as a state of war or a threat of war, internal political instability or any other public emergency may not be invoked as a justification of torture or other cruel, inhuman or degrading treatment or punishment."

Amnesty International draws attention to the "general comment" adopted by the Human Rights Committee on 27 July 1982, according to which it is not sufficient for States Parties merely to prohibit torture in law:

"States must ensure an effective protection through some machinery of control. Complaints about ill-treatment must be investigated effectively by competent authorities. Those found guilty must be held responsible, and the alleged victims must themselves have effective remedies at their disposal, including

the right to claim compensation. Among the safeguards which may make control effective are provisions against detention incommunicado, granting, without prejudice to the investigation, persons such as doctors, lawyers and family members access to the detainees; provisions requiring that detainees should be held in places that are publicly recognized and that their names and places of detention should be entered in a central register available to persons concerned, such as relatives; provisions making confessions or other evidence obtained through torture or other treatment contrary to Article 7 of the International Covenant on Civil and Political Rights | inadmissible in court; and measures of training and instruction of law enforcement officials not to apply such treatment."

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Amnesty International therefore respectfully recommends that:

- (i) The President of Egypt issue, and make widely and forcefully known, a statement that the government condemns and will not permit prisoners to be subjected to torture or ill-treatment in Egypt.
- (ii) The Egyptian Government establish impartial machinery to investigate thoroughly all allegations of torture or ill-treatment of detainees in accordance with Article 9 of the United Nations Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. This measure would be a positive step in giving force to the Egyptian Government's declared intention of 24 June 1981 to comply with the Declaration and to apply its provisions "by legislative and other effective measures".
- (iii) The Egyptian Government make efforts, in accordance with Article 126 of the Penal Code and Article 10 of the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel,

Inhuman or Degrading Treatment or Punishment, to bring to justice those responsible for the infliction of torture and that adequate compensation be awarded to the victims in compliance with Article 11 of the Declaration.

5. Amnesty International has noted that numerous offences in the Egyptian Penal Code and Military Code provide for the death penalty and that the death penalty continues to be imposed and carried out in the Arab Republic of Egypt.

In this respect, Amnesty International calls attention to UN General Assembly Resolution 32/61 (paragraph 1) of 8 December 1977, which

"REAFFIRMS that, as established by the General Assembly in Resolution 2857 (XXVI) and by the Economic and Social Council in Resolutions 1574 (L), 1745 (LIV) and 1930 (LVIII), the main objective to be pursued in the field of capital punishment is that of progressively restricting the number of offences for which the death penalty may be imposed with a view to the desirability of abolishing this punishment."

In addition, the Human Rights Committee at its meeting on 27 July 1982 concluded that States Parties to the International Covenant on Civil and Political Rights "ought to consider reviewing their criminal laws" concerning the use of the death penalty and that "all measures of abolition should be considered as progress in the enjoyment of the right to life."

Amnesty International respectfully recommends that:

- (i) all outstanding death sentences be commuted as a humanitarian gesture of clemency;
- (ii) the Egyptian Government give serious and immediate consideration to the abolition of the death penalty in Egypt;
- (iii) pending the outcome of such consideration, an immediate moratorium be imposed on the application and implementation of the death penalty.

Amnesty International's concerns in Egypt

Prisoners of Conscience

Between 1971 and 1982 Amnesty International adopted as prisoners of conscience people of many different political persuasions and religious beliefs. Among them were members of the now defunct Wafd Party and of the legal opposition parties, the Socialist Labour Party and the National Progressive Unionist Party, as well as members of both the Muslim and Coptic Christian religious communities. However, the overwhelming majority of prisoners of conscience in Egypt during this 11-year period have been individuals accused of belonging to illegal communist organizations or participating in their activities.

These prisoners have come from all walks of life and their ages range from under 20 to over 70 years. They include students, journalists, factory and agricultural workers, lawyers, trade unionists, members of the medical profession, engineers and former members of the People's Assembly (Egypt's parliament). None of them has used or advocated violence. Some were formally charged and tried, while others were detained for weeks or months without charge or trial. Many of them have been imprisoned more than once because of their conscientiously held beliefs.

In many cases people against whom the authorities have acted have not been charged and tried, but detained and then only provisionally released after several months. Although never serving sentences of imprisonment, such people have nevertheless been "punished" by repeated detention. An individual having once been arrested for political reasons is in constant threat of rearrest and detention, particularly since, under provisions of Egypt's Code of Criminal Procedure, there is no guarantee that charges will not be preferred or a trial ensue until a period of 10 years has elapsed from the day of the alleged offence.

During the whole of this period the niyaba —

an institution whose main function is to act as state prosecutor but which has wide-ranging powers — is fully empowered to prevent an individual from leaving the country. Amnesty International knows of cases where people have been arrested and detained for several months at a time on five occasions between 1975 and 1981, without once having been tried before a court of justice. Some people are known to have spent short terms amounting to three full years in detention between 1972 and 1981 without having been found guilty of any punishable offence under Egyptian law.

Case histories

The following are cases of people who have been adopted by Amnesty International as prisoners of conscience in Egypt. Some have been released uncharged but may well be rearrested. Others have been provisionally released and are facing charges and trial before the Supreme Security Court in Cairo.

Amnesty International believes that the imprisonment of these individuals is contrary to the rights to freedom of opinion, expression and association guaranteed not only by Egypt's constitution but by the International Covenant on Civil and Political Rights which Egypt ratified on 14 January 1982, and which entered into force for Egypt on 14 April 1982.

Farida Abdul Mu'min Nagqash

Farida Naqqash is a journalist and writer who has been imprisoned several times on charges of illegal political activities. Aged 42, she is married to another journalist, Hussein Abdul Raziq, (see page 19); they have two children, aged 13 and 17.

She used to work for the daily newspaper Al Akhbar but for a number of years it has ceased publishing her articles because of her alleged

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Farida Naqqash

political opposition activities. Since then some of her work has been published abroad, including a book, As-Sign... Al-Watan (Prison... Homeland), which came out in 1980 and describes her experiences in prison; it includes letters she wrote to her family while in prison. She is a member of the National Progressive Unionist Party and is Secretary of its Committee for Writers, Scholars and Artists.

Her most recent period of imprisonment was from March until December 1981, when she was first held in the Citadel Prison in Cairo and then in Qanater Women's Prison. Although not now imprisoned, she is only provisionally at liberty and is facing trial with 29 others — her husband among them — on charges of participating in political activities connected with the banned Egyptian Communist Party. This charge carries a maximum punishment of life imprisonment with hard labour (Law 40 of 1977, see Appendix II). In April 1982 the authorities announced that she also faced similar charges in a new case (Supreme State Security Case No. 207 of 1981) to be brought before the State Security Court.

Father Louga Sidarous

Father Louqa **Sidarous** is a 41-year-old Coptic priest. The Copts constitute the largest Christian community in Egypt. Estimates of their number

vary between six and 10 million out of a total Egyptian population exceeding 45 million. Father Louqa Sidarous is married with a son and daughter and lives in Alexandria.

He was among many members of the Coptic community, including bishops and priests, who were arrested in September 1981, in accordance with Presidential Decree No. 493 of 1981 (see page 23). At the same time the head of the Coptic Orthodox Church, Pope Shenouda III, was removed from his position by another presidential decree and transferred to a monastery in Wadi Natroun, where he remains under restrictions. Members of the Coptic community were held in prisons at Al Marg, Abu Za'abal and Wadi Natroun. Father Louqa Sidarous was held for several months without charge or trial until his release in early 1982.



Pope Shenouda III

Sheikh Imam Muhammad Aissa and Ahmed Fu'ad Negm

Sheikh Imam Muhammad Aissa is an elderly blind musician who plays the lute and sings the songs and poems composed by his partner, Ahmed Fu'ad Negm. The songs are, for the most

part, written in colloquial Egyptian Arabic and are often satirical. Some have criticized government policies and personalities explicitly; others

describe poverty and social injustice; the theme of imprisonment is also present in much of the work.

Both Sheikh Imam
Aissa and Ahmed Fu'ad
Negm have been imprisoned repeatedly because of their songs.
Sheikh Imam Aissa was arrested at least five times during the 1970s.
In November 1977 he was brought to trial after a



Sheikh Imam Aissa



Ahmed Fu'ad Negm

meeting and recital held at Ain Shams University in Cairo. He was acquitted of all charges by the Central Military Court the following March. Ahmed Fu'ad Negm was sentenced to one year's imprisonment.

Ibrahim Tala'at

Ibrahim **Tala'at** is a lawyer and former member of the People's Assembly representing the Wafd Party. He is founder and President of the Association of Human Rights Advocates in Alexandria. Now in his sixties, he has been imprisoned under three different Egyptian heads of state.

During the 1940s he was arrested twice and imprisoned, once for three years. He was imprisoned again under the late President Nasser. His latest period of imprisonment, because of his beliefs, was in 1981, when he was one of 1,536 people whose arrest was ordered by President Sadat under Presidential Decree No. 493 of 1981.

He was arrested at his home in Alexandria on

3 September 1981 and was held initially at Tora Reception Prison, before being transferred to the annexe to the Agricultural Prison at Tora. He was imprisoned without charge or trial for nearly three months, during which time he was in poor health. (He has only one lung as a result of tuberculosis in his childhood.) Despite his obvious ill-health, he received no medication and was not transferred to a hospital for medical treatment until two days before his release, on 23 November.

Ali Sa'id Zahran

Ali Sa'id Zahran is a furniture maker from Damietta, a town on the northern coast of Egypt; he is married with three children. He was among 39 people arrested in September 1977 and one of the 15 people subsequently charged with membership of an illegal communist organization. He was brought to trial before the Supreme Military Court in Cairo in March 1978 (State Security Case No. 300 of 1977). Part of the trial was attended by an Amnesty International observer.

On 15 July 1978 the court sentenced Ali Zahran to five years' imprisonment and fined him £100. Five other defendants received sentences of between one and three years' imprisonment. Seven defendants were acquitted and the court decided that the cases of two others did not fall within its jurisdiction.

Ali Zahran was held initially in Tora Prison, Cairo, but was later transferred to Qanater Prison, north of the capital. He is reported to have been in poor health during much of his detention because of kidney disorders. He has undergone at least one operation and has received some medical treatment at Qasr Al Aini Hospital in Cairo. He reportedly served the remainder of his sentence at Qanater Prison.

Shehata Haroun

Shehata **Haroun**, a lawyer in his sixties, is married with two children and two grandchildren. He was a founding member of the National Progressive Unionist Party.

His history of imprisonment because of his beliefs and ethnic origin dates back to 1946 when he was held in preventive detention for six weeks. Subsequent arrests took place in 1949, 1956 and 1967 (at the time of the June 1967 war with Israel), when he was one of more than 300 Jews

detained in very poor conditions.

More recently, he was arrested in January 1975 and held at the Citadel and Abu Za abal Prisons for approximately two and a half months.



Shehata Haroun

Although he has not been imprisoned since 1975, he is now facing trial before the Supreme Security Court in Cairo on charges of membership of the Egyptian Communist Party.

The case of 176 people: the "Food Riots" case of 18 and 19 January 1977

On 18 and 19 January 1977 riots and demonstrations took place in Cairo and other major towns throughout Egypt in reaction to a government announcement that, contrary to earlier statements, subsidies on basic foodstuffs and commodities were to be cut in compliance with the terms laid down for a loan from the International Monetary Fund.

Many acts of violence took place during the two days and public and private buildings, as well as vehicles, were set on fire. Thousands of people were arrested and there were numerous trials for offences relating to the violence. Among those arrested and detained were several hundred who had not been involved in any violence and were detained solely because of their political beliefs. They were held for several months and it was later announced that 176 of them were to be formally charged and brought to trial.

Fifty-three of the 176 defendants were charged with "instigation" of the events of 18 and 19 January (usually by means of written material newspaper articles or messages on student notice-boards — produced in the previous years and months), (Articles 102 (bis) and 174 of the penal code — see Appendix II). Another 86 were accused of membership of the banned Egyptian Workers Communist Party — principally under provisions of Article 98 of the penal code and, in several cases where individuals were arrested during February 1977, under Law 2 of 1977 (see Appendix II). The remaining 37 were accused of membership of the banned Egyptian Communist Party (principally under Article 98A of the penal code).

One hundred and thirty-one defendants were present when the trial began before the Supreme State Security Court in Cairo on 16 April 1978; all but six of them were granted provisional liberty. This session of the trial was attended by an Amnesty International observer.

The defence protested that only 15 copies of the case dossier existed and that the price was £500 (Egyptian) a copy. They called for an adequate number of copies to be prepared and made available to lawyers for the defence free of charge. They further requested a postponement



Some of the 176 defendants in the 1977 "food riots" case appearing before the Supreme State Security Court in Cairo

of the trial to allow the defence adequate time in which to study the dossier, which then consisted of 11,000 pages. They also asked for the six defendants remaining in custody to be granted provisional liberty.

The court decided that the price of the dossier should be reduced to £200 (Egyptian) and that two free copies should be given to the Egyptian Bar Association. It decided also that the six

defendants in question should remain in detention, and it adjourned proceedings for a month.

In response to defence requests, a second postponement of a month was declared on 16 May so that students among the defendants could study and sit for examinations and to allow further time for the defence to study the case dossier, of which 22 copies now existed.

Seven further sessions and postponements took place on 20 June, 18 October, 20 November, 18 and 26 December 1978, 1 January 1979 and 1 February 1979.

On 11 February 1979 the defence protested that another 1,100 pages had been added to the case dossier and that only three complete copies existed. The defence also submitted that the case should be tried in an ordinary court and not an exceptional court.

When the court announced that the trial should proceed, all defence lawyers withdrew in protest and were fined £50 (Egyptian) because of their conduct. The court ordered that these lawyers be replaced and adjourned proceedings to 1 March. Afterwards, the Chairman of the Bar Association intervened, assuring the court that the defence lawyers' sole objective had been to secure all standard defence rights for their clients. The fines were subsequently withdrawn and additional copies of the dossier were made available to all lawyers for the defence. The trial continued without incident for another year. Amnesty International sent delegates to observe part of the proceedings in November 1979.

The verdicts were announced by the Supreme State Security Court on 19 April 1980. Of the 176 defendants, 156 were acquitted; 11 were sentenced to three years' imprisonment and a fine of £100 (Egyptian); and nine received sentences of one year's imprisonment and a fine of £50 (Egyptian). Those convicted did not serve their sentences, however, as the court's decision was not considered final until it had been reviewed by the President of the Republic.

In 1981 the President vetoed the verdicts and ordered a retrial before a different court of the same standing. This began before the State Security Court on 17 April 1982. Further proceedings were adjourned to 23 October 1982, on which date they were postponed to 15 January 1983 — six years after the alleged offences took place.

Arbitrary Arrest and Detention

The arrest process

Many safeguards and guarantees for arrested and detained people are contained in Articles 42, 71 and 139 of the Egyptian constitution.

Article 42 of the Egyptian constitution states: "Any citizen who is arrested or imprisoned or whose freedom is in any way restricted shall be treated in such a manner as to preserve his dignity. It shall not be permissible to cause him physical or moral harm or to detain or imprison him in places other than those which are subject to the prison laws."

Article 71 states: "Anyone arrested or detained shall be informed immediately of the reasons for his arrest or detention and shall be entitled to communicate with such persons as he wishes for the purpose of informing them of what has happened or of seeking assistance as prescribed by law. Any person arrested or detained shall be promptly notified of the charges against him and he, as well as third parties, may protest in court against the measure that has restricted his personal freedom. The law regulates the right of protest in such a way as to ensure that decisions are taken on protests within a specific period, failing which the person arrested or detained must be released."

Article 139 states: "Anyone arrested or remanded in custody shall be informed immediately of the reasons for his arrest or detention and shall be entitled to communicate with such persons as he wishes for the purpose of informing them of what has happened or of seeking the assistance of a lawyer. Any person so arrested or remanded in custody shall be promptly notified of the charges against him. . . ."

In spite of these constitutional guarantees, however, the following accounts of the arrest and detention process experienced by three individuals are representative of many cases brought to Amnesty International's attention.

• At 3:30 am on 19 April 1977 about 15 police officers and soldiers armed with machine-guns searched the house of Mr A, a writer. Although they had no search-warrant, they searched his study, scattering his books, and took away two non-political articles he had

written. The force left around 5.00 am, but Mr A remained under police surveillance. After about three months the police again visited his home at 3.00 am, searched it and asked him if he knew certain people. He was also questioned about his opinions on the government.

On 16 August 1979 his home was surrounded by three jeep-loads of police at about 3.30 am. They took away an estimated 2,000 books. When asked to produce an arrest-warrant they showed him instead a list of names, including those of several other writers. He was taken to the Citadel Prison.

- Mr B, of Cairo, was on holiday with his family in Alexandria on 3 September 1981, when three officers of the State Security Intelligence service came to his holiday home at 2.30 am. He asked to see the arrest warrant but this was refused and he was told he would be informed later of the reasons for his arrest. He was taken direct to Tora Reception Prison. He was told nothing about the circumstances surrounding his arrest for some weeks and during that period had no access to a lawyer.
- Mr C was awakened on 3 September 1981 at 1.10 am, by a knock at the door. Wearing pyjamas and slippers he opened the front door and was immediately grabbed by four police officers and taken by force to a waiting car. On his way he lost a slipper and two buttons were torn from the pyjama jacket. One officer put his hand over Mr C's mouth and he was pushed into the car. He was given no opportunity to contact a lawyer or inform his wife of what was happening.

Arrest of relatives

Articles 66 and 67 of the 1971 constitution guarantee that the penalty for any offence is personal, to be imposed on the perpetrator only, and that each individual is presumed innocent until proven guilty. On a number of occasions, however, Amnesty International has received reports that when an individual could not be found to be arrested, other family members, most often the father or a brother, but sometimes including younger children, have been arrested in the individual's place, even though there have been no charges against them. Amnesty International knows of one such case occurring after

October 1981 where a family, including a young girl, were held by the State Security Intelligence service for at least one week.

Detention

The means available to political detainees to challenge their detentions vary according to the legislation under which they are held. Such important matters as contact with a lawyer and family visits, correspondence and access to newspapers and radio may also vary according to legislation invoked against individual detainees.

In the period immediately following arrest, political detainees are commonly held in solitary confinement. In some instances, they may be held in incommunicado detention for months, as was the case for many of the 1,536 people arrested by Presidential Decree No. 493 in September 1981. Not only were they not allowed access to their lawyers and families (in most cases the families were ignorant of their place of detention) but they were not informed of the reason for their arrest or the probable duration of their detention.

Amnesty International has on record cases where the period of detention has been extended through recourse to an alternative detention procedure. For example, some people have been officially released by order of the Socialist Prosecutor General only to be immediately redetained — without having left the prison under the newly-imposed state of emergency legislation by order of the President of the Republic and the Minister of the Interior. This procedure was applied to several individuals towards the end of 1981 and also to those detainees arrested by presidential decree in September 1981. When the Administrative Court suspended the decree detaining the 1,536, the state of emergency detention procedure was immediately invoked.

In September 1981, when the list of 1,536 names of those detained under Presidential Decree No. 493 of 1981 was published, some of those mentioned on the list had already been in prison for their non-violent political activities for some months. Among them were certain people who had been arrested in March 1981. Contrary to the provisions of Articles 71 and 139 of the constitution, these people were not informed of their changed status or the reasons for this

change. Instead, privileges such as family visits and receiving food from outside the prison were suddenly withdrawn without explanation, detainees were held incommunicado and their cells were frequently searched for hidden means of communication. These changes of their conditions of detention followed directly from the changed grounds for holding them.

Torture and Cruel, Inhuman or Degrading Treatment or Punishment

In the 1960s torture of political detainees — most particularly of Muslim Brothers — was widespread. During the early 1970s a number of officers responsible for ordering the torture of political detainees during the previous decade were brought to justice and in certain cases former victims of torture or, where the victim had died as a result of torture, their families were awarded compensation by the Egyptian Government. Few cases of political detainees being tortured or ill-treated were reported in the 1970s.

In late 1981, however, Amnesty International began to receive a number of reports that political detainees had been subjected to various forms of torture while held at the Citadel Prison, Tora Reception Prison and Al Marg Prison, as well as at certain State Security Intelligence service and police headquarters. Torture was reportedly used mostly for obtaining confessions and information regarding other individuals. The overwhelming majority of torture victims have been alleged members of various militant Islamic groups, although Amnesty International knows also of some cases of left-wing detainees being tortured.

According to the reports received by Amnesty International, ill-treated political detainees were most commonly subjected to beatings on various parts of the body, in particular, the back, chest, buttocks, thighs, feet and head. Instruments used for this included whips, sticks and lengths of rubber hose; one detainee was allegedly beaten over the head with the barrel of a machine-gun. Some reports stated that electricity had been applied as a method of torture. Other forms of torture reported included burning with cigarettes, hanging by the hands and feet, and threats of murder and of sexual assault, directed both at

detainees themselves and at female members of their families.

Some of these detainees are known to have subsequently undergone medical examination while still in detention. Many of the resulting medical reports, to which Amnesty International has had access, conclude that the injuries sustained are consistent with the detainees' allegations of torture.

Amnesty International believes that certain procedures currently used in the detention process may enhance the likelihood of torture or ill-treatment. Detainees are often held in solitary confinement during the period of investigation immediately after arrest. They may even be blindfolded each time they are taken outside their cells — some detainees have claimed that they were blindfolded specifically to prevent them from being able to identify those who inflicted torture or ill-treatment. Detainees may be held for prolonged periods, sometimes for months, without access to a lawyer or members of their families. Amnesty International considers that prompt and regular visits from family members, as well as access to a lawyer and regular medical examinations, constitute important safeguards against torture or ill-treatment.

The use of torture is forbidden in Article 42 of the Egyptian constitution as well as in various United Nations Instruments (see Appendix I[i] and [iii]). Despite these provisions, no effective measures have been introduced in Egypt to safeguard detainees from the possibility of being tortured.

The following extracts are from reports by authorized medical doctors who examined detainees claiming to have been tortured during the last three months of 1981. The examinations were not initiated by or carried out by Amnesty International. It believes them to be accurate and authentic, but is not in a position to substantiate them. On 24 June 1982 Amnesty International submitted 10 such reports in its memorandum to the Egyptian Government for consideration and comment; it received no response.

Cases

Mr X, who claimed to have been beaten with a whip, a length of rubber hose and sticks in the Citadel and Al Marg Prisons.

Medical Reports (Extracts)

"1) Slight bruising, longitudinal in shape and darkish in colour in the shape of two parallel lines, the distance between them being about 1.5cm; one at the bottom of the left side of the back, another at the lower part of the right upper arm, and a third on the front part of the left side of the chest. There were three transverse parallel lines about 23cm to 25cm in length in the upper part of the abdomen in the mid-line. In one area it was observed that these grazes were also along both sides of the abdomen.

"There was a group of bruises, transverse and overlapping, which went around the bottom of the right thigh in an area about 27cm by 12 cm. A similar one but less visible was in the front of the lower left thigh.

"ii) A slight change of colour at the bottom of the back. In an area between the mid-line and mid-scapular line on the right side. The area in question was 8cm by 5cm. The lower part was an area semi-lunar in shape about 1cm to 1.5cm long, more to the bottom and to the right. There was healing in that area.

"Two flat areas where there was healing, pinkish in colour, 2cm above and in front of the left heel in an area of 3.5cm by 2.5 cm, in the middle a superficial greyish scab, 0.5cm by 1cm. The second one was similar on top of the second toe of the foot, transverse in position, 2.5cm by 1.5cm, with a greyish scab in the centre.

"On examination it appears that there was slight longitudinal bruising caused by contact with blunt oblong objects, such as sticks. Those bruises which were round and were along the body curvature indicate the flexibility of the oblong objects used. The bruises could have been caused by a whip, or a length of rubber tubing or some similar object. The accused showed evidence of recent superficial healing wounds. They occurred some time ago thus resulting in the present condition. This is consistent with the dates on which they are alleged to have been sustained."

Mr Y, who claimed that various parts of his body had been beaten with a stick and a whip while he was in Al Marg Prison, and that he had been beaten with a stick and a whip on the back and forearms while in Tora Prison.

Medical Report (Extracts)

"The diagnosis was a severe bruising of the left arm, forearm and axilla and a severe bruising below the left scapula as a result of an injury with a thick object. There were ulcerated wounds on the upper part of the back between both shoulders and the lower part of the right scapula. There were scattered scratches and grazes all over the back caused by a sharp and pointed instrument. There was a bruise below the left eye. These injuries were about seven to eight days old.

"There was a large number of bruises, linear in shape, darker than the normal skin, parallel in shape. The distance between them was 1.5cm to 2cm. Their maximum length was 12cm. There was grazing of the skin throughout, with some healing. There were multiple bruises, some were parallel, others overlapping scattered all over the back, the top of the shoulders, arms and forearms, and the left leg. It was observed that some went round both sides of the chest.

"On examination we found that there were linear bruises on the back, shoulders, buttocks and left leg as a result of a contact with a blunt, rough, oblong object, such as a stick. Some were observed to go round the body curvature which indicates that the oblong objects used were flexible. It is possible that they were caused by a whip or similar object. The injuries observed on both lower forearms and wrists are similar to those that result from tying the forearms with a rough object. The injuries resulting were sustained some time ago, which is consistent with the date given."

Mr Z, who claimed to have been beaten on the head with a stick when he was arrested and to have been beaten with sticks and a whip while in Tora Prison.

Medical Reports (Extracts)

"i) Three healing wounds on the left side of the top of the head. The areas in question were pinkish in colour, linear in shape. One was on the top of the head about 3cm anteriorly of the mid-line and slightly to the left. It measured 3cm by 2mm. The second one was 2.5cm in front of it, and similar to the first. It measured 3cm by 5mm. The third one was on top of the left parietal region, transverse, and measured 3.5cm by 7mm.

- "ii) Inflammation behind the right ear, 5cm posterior to the ear lobe, tender. The area in question had hard edges, but a soft centre. The area measured 4cm by 4cm.
- "iii) Bruises, longitudinal in shape, dark in colour in the shape of two parallel lines. The distance between them was between 0.5cm and 1.5cm. There were about 14 bruises. One was on the front of the top of the upper arm, about 5cm in length, and the other below the right axilla, about 7cm in length.
- "iv) There was a group of bruises, irregular in shape, on top of the left upper arm and in the middle of the arm. There was also a group in the middle of the left thigh. The clinical examination on the accused revealed three healing wounds on the scalp, there was slight longitudinal bruising of both arms and thighs. From the shape of the above bruises it is evident that they were caused by rectangular blunt objects, such as sticks. From the clinical changes it appears that the injuries happened some time ago which is consistent with the date given by the accused."

The reports received by Amnesty International during the past year do not necessarily indicate that the torture of political detainees is systematic. Nevertheless, Amnesty International is in possession of definite information on a number of specific cases of torture, and the apparent lack of safeguards accorded to political detainees in Egypt continue to make it possible for situations to occur in which torture and ill-treatment may be inflicted.

Conditions of detention

In the course of numerous interviews with former detainees over a number of years Amnesty International has collected consistent and detailed testimonies on conditions of detention for political prisoners in Egyptian jails.

Deaths in Detention

Amnesty International knows of four political detainees who died in prison between October and December 1981 in disturbing circumstances.

• Muhammad Kamaleddine Al Sananiri, aged 64, a prominent member of the Muslim Brotherhood, died in early November in the Tora Reception Prison. The circumstances of his

death are unclear. Although officials stated that he committed suicide, Amnesty International received several reports that he had been tortured.

- Dr Abdul Azim Abu Al Ata, aged 56, a former cabinet minister, reportedly died in the annexe to the Agricultural Prison at Tora as a result of a heart attack on 20 November. He had reportedly spent two months in the prison hospital, where the treatment he received for cardiac troubles and gastro-duodenal ulceration appears to have been grossly inadequate.
- Gaber Breqa'a, a worker from Alexandria, is also reported to have died on 20 November in Tora Penitentiary because of cardiac problems. Reports received by Amnesty International suggest that his own requests for medical treatment and those of other detainees on his behalf were not acted upon by the prison authorities.
- Dr Muhammad Muharib, another detainee in Tora Reception Prison, is reported to have died there in the absence of necessary medical attention.

Although Amnesty International does not have the relevant information at its disposal to allow for an impartial and independent assessment of the conditions of these deaths, the organization is concerned that in all cases it has been consistently reported that basic medical facilities were not available for the alleviation of suffering and that this may have contributed to the death of these prisoners.

After the death of Dr Abu Al Ata on 20 November 1981, selected political detainees were transferred to the hospital of Qasr Al Aini or were allowed to see their personal private doctor and to receive medicines from outside the prisons in which they were being held.

Disciplinary Punishment

Certain forms of disciplinary punishment inflicted in Egyptian prisons give cause for concern. Amnesty International has received reports of political detainees being punished by being held in solitary confinement on severely reduced diets. In Tora Penitentiary non-political prisoners may be punished by means of al aroussa, a pillory-like wooden structure with a locking device for the head to which the prisoner is strapped and

then beaten on the back and the legs. The use of such forms of punishment is in violation of Article 31 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (see Appendix I).

Medical Facilities

EGYPT

Medical facilities in Egyptian prisons appear to fall seriously short of the standards set down in Articles 22, 24, 25 and 26 of the UN Standard Minimum Rules for the Treatment of Prisoners (Appendix I). Amnesty International knows of cases where seriously ill prisoners have not been transferred to specialized hospitals for treatment which had been prescribed necessary by the prison medical staff. In addition, the organization has on record instances of detainees being denied necessary medicines because they were not permitted to obtain them from outside (the medicines were unavailable inside the prison). Amnesty International delegates have interviewed former prisoners who have maintained that prison medical staff were not adequately trained or experienced. This assessment was supported to some extent by the fact that certain medical personnel within the prisons gave diagnoses which conflicted with those given by the detainees' highly qualified personal doctors and also prescribed different treatment. Prison pharmacies and hospitals are severely understocked in proper medical equipment and drugs.

Other reports received by Amnesty International state that detainees held after the violent events in Assiut in October 1981, who sustained bullet wounds and other injuries, remained without medical attention for periods of up to a month.

Official reports indicate that efforts have been made to modernize and expand the medical facilities in Tora Prison Hospital to enable it to deal with the medical needs of Egypt's prison population. This development reportedly took place during 1982 and it is too early for Amnesty International to evaluate it.

Hygiene

Standards of hygiene in prisons often appear grossly inadequate. Conditions are worsened by overcrowding and by the intense heat in summer. Reports of prisoners having skin and eye affections, including glaucoma, are frequent.

Lavatory facilities are commonly described as unsatisfactory. Some cells have lavatories of a kind which the elderly or incapacitated find difficult to use. In other cells, lavatory facilities consist solely of a bucket left in the cell for communal use: in the Citadel Prison a detainee may be forced to bang on the door of his or her cell for some time before attracting the attention of a guard, who then ensures that no other detainee is outside the cell before escorting the first detainee to the lavatory. This rather lengthy operation is aimed at ensuring that a detainee held in solitary confinement during the investigation period has no contact with any other detainee.

Detainees often complain that prison cells are poorly ventilated — this is particularly grave for prisoners in poor health or elderly prisoners during summer months. Prisoners are said to lie down on the floor of the cell and press their faces close to the bottom of the door in order to breathe fresh air.

Food

Although ordinary criminal detainees are normally allowed, immediately after arrest, to receive food prepared by families and brought to the prison and are allowed to buy additional food from the prison canteen, political prisoners are generally not accorded these privileges routinely but only after a delay of weeks or months.

The official prison diet (generally white cheese, rice, lentils, bread, beans, molasses, occasionally meat) appears to cover the main nutritional requirements for a normal healthy person. However, there have been consistent complaints that in certain prisons the food was so poor that it was inedible. In particular, Amnesty International has received frequent complaints over a number of years of insect-infested bread. Special medical diets, such as those required by diabetics and people suffering from renal disease, are generally unavailable.

Death Penalty

The Egyptian Penal Code provides for the death penalty as a punishment for many offences against the state and against the individual. Article 13 states that execution is by hanging, except in the case of members of the armed

forces, where it is by firing squad (Article 106A of the Military Code).

Offences against the state are divided into those harmful to external security (such as espionage and conspiring with a hostile state to damage Egypt's defence or military operations) and those against internal security (such as armed attacks on law enforcing authorities, use of arms or explosives with the aim of overthrowing the regime and political assassination).

Under provisions of Article 83A of the Penal Code, the death penalty may be imposed for any offence against external security, as contained in Articles 77-85, if the aim of the person committing the offence is to assist the enemy or cause harm to the military operations of Egypt's armed forces.

The death penalty may also be imposed for any offence against internal security, as contained in Articles 86-102, if the aim is to violate the nation's independence or integrity, or if the offence is committed during time of war, with the aim of assisting the enemy or causing harm to the military operations of the armed forces.

Offences against the individual which provide for the death penalty include premeditated and deliberate murder and torture that results in death (Article 12C).

Additional offences carrying the death penalty

are contained in the Military Code. They include various forms of collaboration with enemy forces (Articles 130, 132 and 133), such as facilitating the entry of enemy forces into Egyptian territory and revealing defence secrets. Other offences punishable by death include those that concern sedition, misuse of a position of authority (Article 148), desertion from the armed forces during combat (Article 154) and ill-treatment of prisoners of war and the wounded (Articles 134, 135 and 136).

The death penalty has been imposed and carried out in Egypt for both political and criminal offences in recent years. In 1981 Amnesty International knew of eight people sentenced to death on charges of deliberate or premeditated murder. Between January and October 1982 it learned of eight death sentences having been passed, including those on five people who were found guilty of participation in the assassination of President Sadat. They were executed on 15 April 1982. Amnesty International is following developments in the case of more than 300 people accused of belonging to the Islamic group, Al Jihad, with the aim of overthrowing the government and participation in the violent events in Assiut in October 1981: the prosecution has reportedly demanded the death penalty for 299 defendants.

The Legal Context

Legislation

Laws are in force in Egypt allowing people to be arrested and imprisoned for their non-violent political beliefs or activities. They are subject to frequent change. In the period August to October 1981, for example, at least three distinct detention procedures were applied to political detainees at different times. The laws under which prisoners of conscience are charged and tried have also been frequently amended and new laws added. The tendency in the years from 1971 to 1982 has consistently been towards more restrictions on non-violent political activity and longer prison sentences.

The normal legislative and judicial functions in Egypt have been affected markedly by the imposition of a state of emergency. In the last decade this has been lifted for only a single period of less than 18 months — between 15 May 1980 and 6 October 1981; even then a partial state of emergency was in force along the border with Libya. A full state of emergency was re-imposed for a period of one year on 6 October 1981 after the assassination of President Sadat and was extended in October 1982 for a further year.

The enforcement of a state of emergency over the years has contributed substantially to the erosion of many of the rights and freedoms guaranteed by the constitution. It has done so through the introduction of various laws which permit arbitrary arrest, rearrest and imprisonment of individuals for the non-violent exercise of their political beliefs; prolonged incommunicado detention; and trials before military or state security courts with restricted rights of appeal. The state of emergency also allows the executive authority considerable freedom to intervene in the judicial process.

Article 4 of the International Covenant on Civil and Political Rights permits a State Party to

derogate from certain of its obligations under the covenant "in time of public emergency which threatens the life of a nation". However, this derogation is subject to a number of restrictions and conditions. For one thing, the state in question must immediately inform the United Nations Secretary-General "of the provisions from which it has derogated and of the reasons by which it was actuated". To Amnesty International's knowledge Egypt has made no such notification and it must therefore be presumed that the provisions of the covenant apply to it without exception.

Laws under which prisoners of conscience are charged and tried

A number of laws in Egypt are inconsistent with the rights to freedom of opinion, expression and association, as guaranteed by the Egyptian constitution and by Articles 19 (1 and 2), 21 and 22 (1) of the International Covenant on Civil and Political Rights (see Appendix I). Application of these laws has led to the imprisonment of people for the non-violent exercise of their right to freedom of expression and association.

One of the provisions most frequently used in this way is Article 98A of the Penal Code of 1937, as amended (see Appendix II). It has repeatedly been used in recent years to arrest and detain people for their participation in illegal organizations and has been applied on occasion to persons alleged to be members of various militant Islamic organizations. Its most consistent application has been in cases involving alleged members of communist organizations, but it has also on occasion been applied in cases involving alleged members of militant Islamic organizations.

In cases relating to the Egyptian Communist Party, the Egyptian Workers Communist Party and the 8 January Movement the indictment has been framed in such a way as to suggest that the

"communism". The Egyptian Court of Cassation rejected this implication in a 1961 decision (Appeal No. 2379, hearing of 27 February 1961), holding that in any charge of activity connected with an illegal organization under Article 98A of the Penal Code "the use of force or terrorism or any other illegal means" must be proved, and that the term "communism", legally undefined, did not itself imply such use. The court ruling has been commonly invoked by defence lawyers, resulting in a high percentage of acquittals where the prosecution has been unable to show that the defendants' political activity was violent.

Articles 102 (bis), 171 and 174 of the Penal Code (see Appendix II) have often been applied in secondary charges in conjunction with provisions of Article 98 (see Appendix II). These provisions relate to the dissemination of false information affecting public security, or the possession of printed materials, printing or recording machinery for the production and dissemination of such information; encouraging or inciting another person to commit an offence orally or through written material, pictures or any other means and incitement to hatred of the regime or the propagation of doctrines aiming to change the constitutional order of the state.

Apart from provisions of the Egyptian Penal Code, other laws permit the imprisonment of people for the non-violent exercise of their human rights. Some such laws identify particular activities as offences for which people may be brought to trial. An example of this is Law 2 of 1977, which provides for sentences of up to life imprisonment with hard labour for participation in a strike which may harm the national economy (Article 7), or planning or participation in a sit-in which may endanger public security (Article 8). The same punishment may be imposed on people convicted of belonging to clandestine or military organizations considered hostile to the state (Article 2).

Law 2 of 1977 (see Appendix II) was promulgated after the "food riots" of 18 and 19 January 1977 (see page 22). Amnesty International knows of no cases of individuals having been convicted under this law, although several defendants in the "food riots" trial arrested in February 1977 — after the law had been promulgated — were charged, *inter alia*, under Law 2 of 1977.

Those defendants were acquitted but are facing a retrial.

Articles 22 and 23 of Law 40 of 1977 on political parties (see Appendix II) are similar in substance to Article 98A of the Penal Code but contain a much more encompassing definition of the categories of proscribed organization and do not require the use or advocacy of violence to be shown for a conviction to be secured. Article 22 provides for punishment of up to life imprisonment with hard labour for those who, inter alia, set up organizations hostile to the system of society, or are of a military nature, or are in contact with a foreign country. Following an amendment introduced through Law 156 of 1981, the setting up of religious organizations considered to possess the characteristics outlined above is also punishable by a maximum of life imprisonment with hard labour. Thus not only is the punishment for non-violent political activity under Law 40 of 1977 greater than under previous legislation, but the wording of the relevant provisions allows an even wider range of interpretation, and thus facilitates the arrest and imprisonment of people for exercising their rights to freedom of opinion, expression and association.

Law 40 of 1977 is believed to have been applied for the first time in the context of illegal political organizations to 30 people arrested in August 1979. They were accused of having set up the banned Egyptian Communist Party between the end of 1977 and August 1979 (Supreme State Security Case No. 632 of 1979). The trial before the Supreme State Security Court in Cairo began on 1 October 1980 and was still in progress more than two years later. Although the defendants were provisionally released towards the end of 1979, a number of them were rearrested in March, September and October 1981 when similar or identical charges were brought against them in new cases.

Procedural Law

Repeated Arrests

The laws described in the previous section have been the basis for charges against hundreds of prisoners of conscience in Egypt. Most of these cases have gone to trial before state security courts or military courts. After arrest and some months in detention, defendants are usually

provisionally released, sometimes for up to three years or more before their trials are eventually concluded. During this period they may be rearrested, detained and face further charges, which may be identical or similar to those faced in the first case.

It is important to stress that arrest and detention are not always followed by trials. Many individuals have been arrested repeatedly and detained for several months at a time in connection with their political activities without ever having been brought to trial.

The case of a journalist, Hussein Abdul Raziq, illustrates these procedures. He was



Hussein Abdul Raziq

arrested in January 1977 and detained for some months before being provisionally released. He was charged under Articles 102 (bis) and 174 of the Penal Code with instigating the public disturbances of 18 and 19 January 1977. His trial began before the Supreme State Security Court over a year later, on 16 April 1978, and was still in progress when he was twice rearrested and detained for several months in January 1979 and again in August 1979.

In April 1980 he was acquitted by the Supreme State Security Court but, as a result of his rearrest in August 1979, faced charges of participation in the banned Egyptian Communist Party (Law 40 of 1977, see Appendix II). After the

beginning of the second trial and while still provisionally at liberty, he was again rearrested twice, in March and September 1981.

This second trial was scheduled to resume in December 1982. Whatever its outcome Hussein Abdul Raziq also faces a retrial in the case of 176 people in which he was acquitted in April 1980 (see page 9), as well as fresh changes of a similar nature in a case brought in April 1982 (Supreme State Security Case No. 207 of 1981), relating to his arrest in March 1981.

Arrest and detention procedures

A wide range of legislation governs arrest and detention procedures for political suspects in Egypt. People may be arrested and held in prison under a number of procedures and, although some of them offer more safeguards to the detainee than others. Amnesty International considers that all of these procedures fall short of the provisions set out in the Egyptian constitution and the International Covenant on Civil and Political Rights.

Where political detainees are arrested by order of the state security nivaba, the arrest is made on the basis of information obtained and investigations carried out by the State Security Intelligence service. The nivaba is normally required to supply written authorization for arrests but when a state of emergency is in force the authorization may be given orally. Before issuing warrants for arrest, the nivaba should be satisfied as to the "seriousness" of the intelligence service's reports. However, defence lawyers allege that the nivaba does not take adequate steps to verify the information passed on by the State Security Intelligence service and that it frequently issues orders for arrest solely at that service's request.

The reports of the State Security Intelligence service are used as the basis for formulating charges and as evidence for the prosecution in any trial which may ensue. There has been persistent criticism that such reports are often not in fact "serious" or suitable as grounds for arrest and charges.

Amnesty International delegates have observed a trial in which lawyers for the defence challenged such reports: in the "food riots" trial of 176 people between 1978 and 1980. In it, one agent of the State Security Intelligence service claimed in his report to have personally witnessed

the actions of more than 40 defendants in different parts of Cairo during a short space of time. The defence was able to demonstrate that he could not possibly have done so, and this was accepted by the court.

Under Law 37 of 1972, the *niyaba* — in its capacity as investigating judge — is not bound by certain provisions of the Code of Criminal Procedure while conducting its investigations. These provisions are devoted to important safeguards for detainees, stipulating that lawyers be present during their questioning and that there be witnesses to the searching of suspects' homes and the confiscation of documents and other materials.

Law 34 of 1971 on Sequestration and Security of the People is largely concerned with the sequestration of property and wealth of people who have accumulated it illegally. However, it also contains provisions which allow for detention without charge or trial for a maximum of five years and was applied to prisoners of conscience in 1973. More recently, the same provision was included in Law 95 of 1980 on the Protection of Moral Values from Shameful Conduct.

Several detention procedures fall under provisions of the state of emergency. Two are illustrated in the charts which follow. The first, under Article 6 of Law 162 of 1958 (on the state of emergency), as amended by Law 37 of 1972, which was in force between 1972 and 1980 and was largely reintroduced in June 1982, allowed detainees to appeal against their detention before the competent state security court, whose decision was subject to review by the President of the Republic. Appeals for provisional release before state security courts could continue for a period of six months, after which the matter was referred to a court competent to try the case. This court was then empowered to extend the period of detention by further periods of 45 days, with no upper limit being defined by the law. Article 3 of the same law, which is still in force, permits the President of Egypt to order the arrest and preventive detention of suspects or individuals considered to be harmful to security. Procedures for obtaining provisional release are similar to those described under Article 6. These same powers were accorded to the Minister of the Interior under Presidential Order No. 4, issued in September 1982. According to information available

to Amnesty International this procedure has not been put into practice.

A subsequent detention procedure under the state of emergency was introduced in October 1981 (see page 22) and denied the courts any role in its application, petitions for release being made directly to the President or the Minister of the Interior. Under this procedure a detainee could be held for six months, the detention being renewable for as long as the state of emergency remained in force. This was applied to thousands of people arrested between October 1981 and May 1982. However, in June 1982 the People's Assembly approved a change in the procedures to permit the Supreme State Security Court to decide on provisional release according to the procedures contained in Article 6 of Law 162 of 1958, as amended, the Minister of the Interior, instead of the President, being empowered to approve or reject the court's decision. In September 1982 Presidential Order No. 3 of 1982 invested the Prime Minister with all the presidential powers contained in Law 162 of 1958. thus reinforcing even further the powers of the executive in the judicial process.

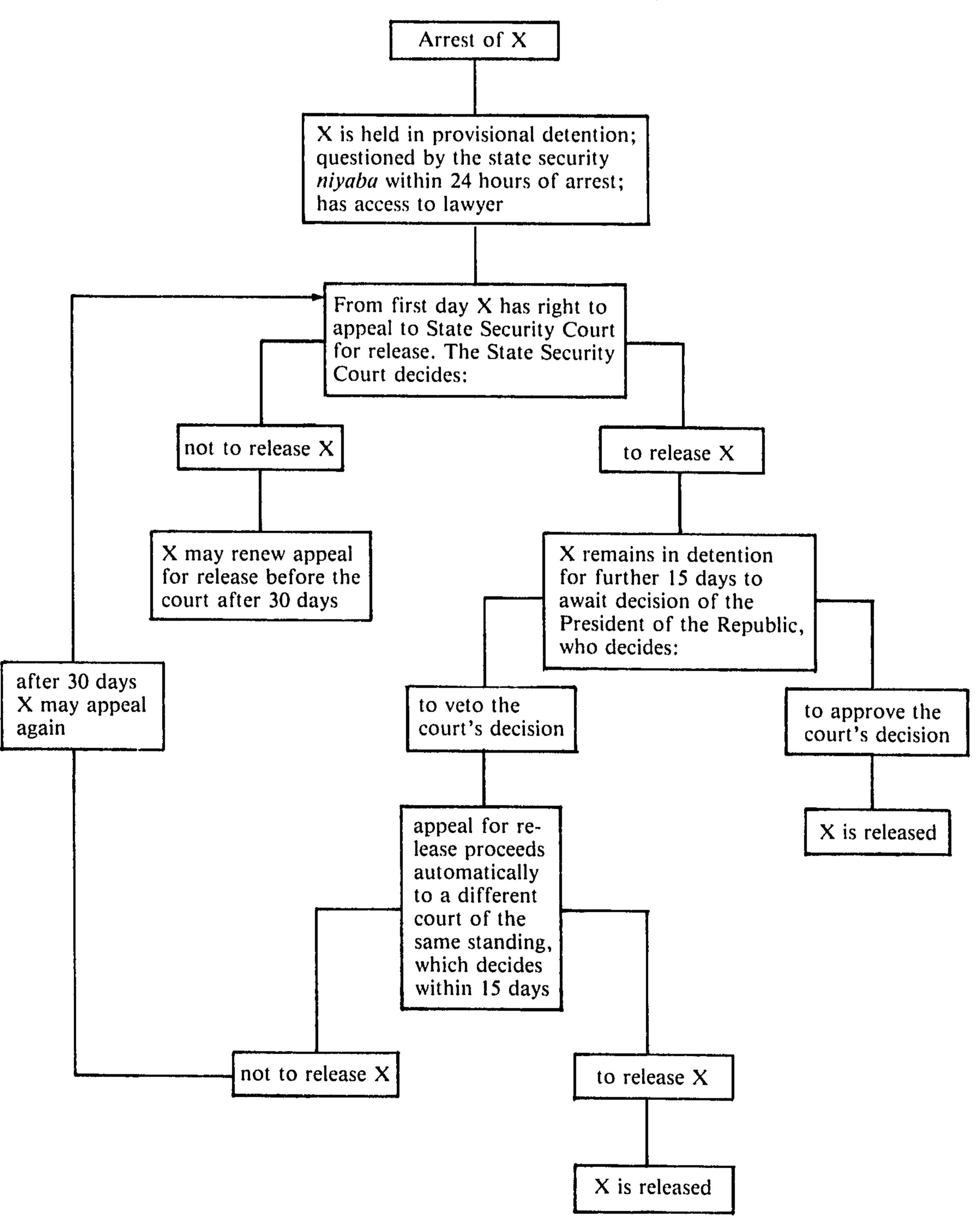
Other Procedures

During the period when no general state of emergency was in force (May 1980 to October 1981) political detainees were held in accordance with provisions of the Code of Criminal Procedure.

Article 142 of the code states that an individual may be held in detention pending investigation by the *niyaba* for an initial period of 15 days, but this may be extended for a further period of 45 days by decision of the investigating judge. In practice the *niyaba* is responsible for both extensions, as Law 105 of 1980 accords it the powers and responsibilities normally ascribed to the investigating judge. If, after a period of 45 days, the investigation has not been completed, the case documents are forwarded to the misdemeanours court of appeal. This court is empowered to grant provisional release or to extend the period of detention for further periods of 45 days. If, after six months, the person is still held, the matter proceeds to a court competent to try the case, which may extend the detention for further periods of 45 days.

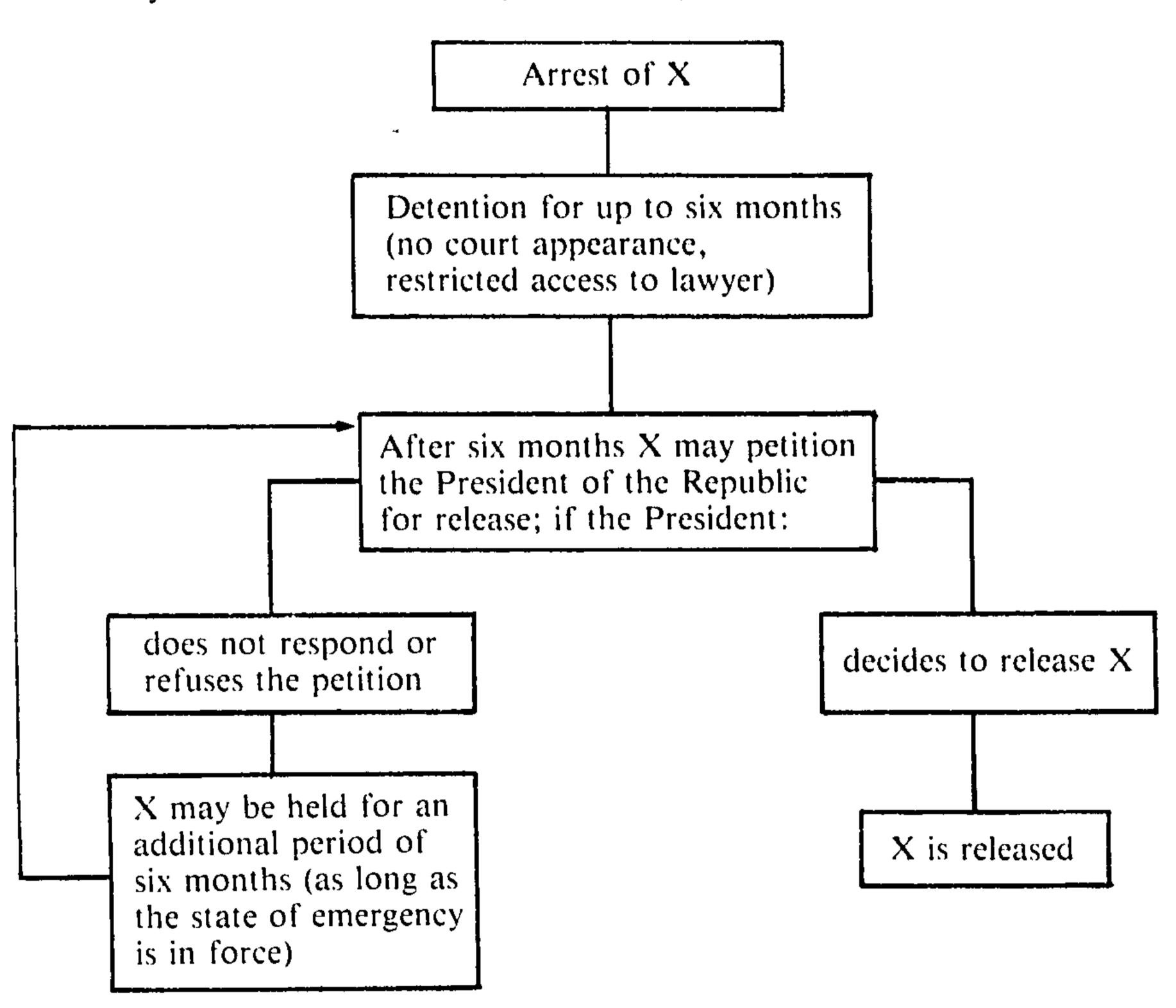
Provisional detention under the State of Emergency (1972-1980)

Law 162 of 1958 as amended by Law 37 of 1972



Detention under the State of Emergency (October 1981)

Law 164 of October 1981 amending Law 162 of 1958 (in force until June 1982)



Responsibilities within the legislative and judicial processes

The Executive

The 1971 constitution defines legislative, executive and judicial powers and responsibilities. Article 108 authorizes the President of the Republic "in exceptional circumstances" to issue decrees having the power of law. In addition, in exceptional circumstances when national unity or security are under threat, the President is empowered to adopt "urgent measures" (Article 74). He is required to make a public announcement to this effect and put the issue to a referendum within 60 days.

Illustrations of the exercise of the executive power provided for by Article 74 of the constitution are Presidential Decree No. 493 of September 1981, which ordered the arrest and imprisonment of 1,536 named people, and Law 2 of 1977 (concerning, *inter alia*, participation in illegal organizations — see page 18 and Appendix II).

The latter was originally issued in the form of a presidential decree on 3 February 1977 and approved by referendum one week later. The constitutionality of this law has been questioned by lawyers on the grounds that the exceptional circumstances resulting from the "food riots" of 18 and 19 January 1977 had come to an end by the time the President adopted the urgent measures.

The executive may be empowered to arrest and detain people with no reference whatsoever to the judiciary, and to decide whether people charged with certain offences shall be tried by military or state security courts. It also has the power to review court decisions.

Executive Powers of Arrest and Detention

During the state of emergency the President or the Minister of the Interior, according to Presidential Decree No. 562 of 1981 — is empowered to arrest and detain people suspected of endangering national unity or public order, as well as to authorize searching of their persons and homes or offices, without recourse to the normal procedures set down in the Criminal Procedure Code (Article 3(1) of Law 162 of 1958, as amended). Under Law 164 of 1981 (amending Law 162 of 1958), appeals for release must be directed to either the President or the Minister of the Interior after six months have elapsed. If either of them refuses the appeal, or fails to respond, the detainee may renew the petition at the end of each period of six months. (This detention procedure was further amended in June 1982 to allow appeals for provisional release before the court.)

Executive powers of arrest and detention under state of emergency legislation have been exercised constantly between 1971 and 1982, excluding the period between 15 May 1980 and 6 October 1981 when no state of emergency was in force. And towards the end of this 17-month period the executive power of arrest and detention was exercised, under Presidential Decree No. 493 of September 1981, which enabled President Sadat to order the arrest and detention of 1,536 named people during the first week of that September.

The extent of executive powers in this field is clearly illustrated by this particular case. The decree under which the 1,536 people had been arrested and detained was effectively suspended by decision of the State Council Administrative Court (pending a final decision on the matter) on 11 February 1982. Those still in detention at that time were therefore expected to be released. In fact, they continued to be held, no longer under the original decree, but effectively redetained the day it was suspended, under state of emergency legislation as amended by Law 164 of 1981.

Hence, under the emergency laws and presidential decrees, individuals may be arrested or detained for indefinite periods on the sole authority of the executive power, with no recourse to a judicial hearing — contrary to the guarantees set

down in Article 9 (3) and (4) of the International Covenant on Civil and Political Rights.

State Security Courts, Military Courts

Under Law 162 of 1958, as amended, and Military Law No. 25 of 1966, the President is empowered to refer any offence to a military court or state security court. He may also order that state security courts be constituted solely of officers of the armed forces to examine given cases.

Since 1971 most trials of prisoners of conscience have taken place before state security courts, but a number of political cases have also been tried by military courts, even when the defendants were civilians.

While a state of emergency is in force, convicted people may not appeal against the decisions made by these courts or submit the case for review by the Court of Cassation. Only the President is competent to review such cases. This lack of appeals machinery violates a basic prerequisite for fair trials and is also contrary to the principle laid down in Article 14 (5) of the International Covenant on Civil and Political Rights.

An additional executive power concerning the courts is contained in Law 105 of 1980 (promulgated after the lifting of the state of emergency) which provides for the setting up of state security courts. Article 2 allows the President to add two officers of the armed forces to the three Court of Appeal judges who compose the Supreme State Security Court.

Emergency state security courts were set up by Presidential Orders No. 1 and 2 of 1981, in accordance with Article 7 of Law 162 of 1958, as amended. These courts are empowered to try both offences contained in laws which penalize non-violent political activity (such as Law 2 of 1977 and Law 40 of 1977) and offences against laws on weapons and explosives. Of particular concern to Amnesty International is that once more not only does the legislation on emergency state security courts fail to provide for an appeals procedure, but it even denies recourse to the Court of Cassation, the President alone being authorized to review any cases.

Trials

Although the executive has no authority to intervene directly in the trial proceedings of any case, court decisions are frequently subject to executive approval.

Article 12 of Law 162 of 1958, as amended, states that there may be no appeal against verdicts by state security courts while a state of emergency is in force — but that their verdicts are not considered final before ratification by the President. Article 14 accords the President the power to reduce sentences, to annul or suspend them either in part or altogether, or to order a retrial (Presidential Order No. 3 of September 1982 accords these powers to the Prime Minister). If a retrial is ordered, its outcome is treated as final.

An example of the exercise of this executive power over the judiciary may be seen in the case of 19 people arrested in Alexandria in 1973 and charged with membership of an illegal organization (the Egyptian Communist Party). All 19 — adopted by Amnesty International as prisoners of conscience — were acquitted after being tried by a state security court in Alexandria in 1976. The following year President Sadat exercised his power to veto the acquittal and the 19 were retried for the same offence by a state security court in Alexandria in 1978. (An Amnesty International observer attended the trial.) Once more the defendants were acquitted by the state security court and only then was the verdict exonerating them declared final.

The executive power to order a retrial contravenes the internationally recognized rule barring double jeopardy as set out in the International Covenant on Civil and Political Rights in Article 14(7) (see Appendix I), and the denial of any possibility of appealing to a higher court is incompatible with Article 14(5) of the same covenant.

These extraordinary executive powers are also difficult to reconcile with the generally recognized principle of the independence of the judiciary, as guaranteed by Articles 165 and 166 of Egypt's constitution.

The Role and Functions of the State Prosecutor The niyaba

The niyaba compiles the pre-trial "record" that

becomes the basis for the trial of the accused, formulates the charges and presents them before the court. It is charged with protecting the public interest and has wide-ranging powers of investigation and interrogation. In principle, it is sufficiently independent to search for all evidence of innocence as well as guilt and consists of various specialized sections, including state security and military, all of which are under the authority of the na'ib 'amm (Prosecutor General), who is in turn directly responsible to the Minister of Justice.

The niyaba is the power authorized to issue warrants for arrest and the search of property. Here it works closely with the judicial police, who are under its authority (Article 22 of the Code of Criminal Procedure). The niyaba is obliged to ensure that there exists sufficient reason for arrest before issuing warrants.

The niyaba has the right to visit prisons (Article 42 of the Code of Criminal Procedure) and the obligation to ensure that no detainee is wrongfully held. Each prisoner has the right to lodge a written or oral complaint and to ask that it be conveyed immediately to the niyaba. It has overall responsibility for prisons and their inspection. It investigates hunger-strikes.

Article 64 of the Code of Criminal Procedure gives the niyaba the option to seek the appointment of an investigating judge in a given case, but under state of emergency legislation as well as the law establishing state security courts (Article 7 of Law 105 of 1980) the state security niyaba automatically assumes all the powers of the investigating judge in political cases, thus giving cause for serious doubts as to the impartiality of the investigation process.

Under Article 36 of the Code of Criminal Procedure, detainees should in some cases be referred to the niyaba within 24 hours of arrest and questioning should take place within a further 24 hours; this procedure does not apply in all cases of political detention.

The state security branch of the niyaba was established by a decree issued by the Minister of Justice under President Nasser on 12 March 1953. Its field of competence was defined to include the investigation of offences contained in certain sections of the Penal Code relating to the press and publications, as well as strikes, demonstrations and military offences.

Further ministerial decrees issued in June

1957, January 1964 and November 1972 expanded its powers by increasing the number of offences which would fall within its competence. These included additional sections of the Penal Code as well as offences referred to courts by the President of the Republic in accordance with Law 162 of 1958.

As has been mentioned previously, under certain detention procedures political detainees are brought before the state security niyaba for questioning. In many cases the interrogation appears very far removed from a factually based interview on a specific and defined offence but consists instead of wide-ranging questioning of the detainees' political and ideological views and associations.

The Socialist Prosecutor General

The position of the Socialist Prosecutor General is provided for in the 1971 constitution; Article 179 states:

"The Socialist Prosecutor General is charged with taking the necessary measures to safeguard the rights of the people, the security of the society and its political system, the preservation of socialist gains, and to ensure compliance with socialist behaviour. The law prescribes his other functions. He is subject to control of the People's Assembly. All this is according to the provisions of the law."

The Socialist Prosecutor General's field of competence and the method of his selection are described in Law 95 of 1980 (the Law on the Protection of Moral Values from Shameful Conduct) and other powers are specified in Law 34 of 1971 on Sequestration and Security of the People and Law 33 of 1978 on the Protection of the Home Front and Social Peace. Wideranging powers of investigation and interrogation are accorded to the Socialist Prosecutor General, whose findings may be referred for trial to the Court of Values. This court is formed by a decree issued by the Minister of Justice and comprises seven members: four from the judiciary and three from the general public. The court is presided over by one of the Vice-Presidents of the Court of Cassation and is competent to hear cases referred to it by the Socialist Prosecutor General. Appeals against decisions made by this court may be made to the Supreme Court of Values, which comprises nine members.

The Court of Values may impose the following measures — in addition to any punishment handed down by other courts. It may impose a:

- ban on standing for election for representative on popular councils;
- ban on standing for election or appointment to head or participate in the administration of public firms or organizations; or press associations;
- ban on establishing political parties or participating in their administration or membership;
- ban on working in certain professions which influence public opinion or youth; it may also order people to be transferred from the posts they hold.

These bans may last for up to five years.

Under Article 3 of Law 95 of 1980 those who may be summoned for political interrogation by the Socialist Prosecutor General include: people who advocate doctrines which imply a negation of divine teachings; those who disseminate false or misleading information which could harm the national welfare; and those who have committed acts punishable inter alia under Law 2 of 1977, Law 40 of 1977, as amended, and Law 33 of 1978 on the Protection of the Home Front and Social Peace.

The interrogation conducted by the office of the Socialist Prosecutor General has, in practice, tended to be of a general political nature, rather than focusing on a specific criminal act. For example, after the 1,536 arrests by presidential decree in September 1981, detainees were called upon by the Socialist Prosecutor General to describe their lives, often in some detail, and were then questioned on their activities dating back over a number of years. A lawyer was questioned about a legal case in which he had acted for the defence as long ago as 1949. Journalists were often asked about their activities within the journalists' union. Some detainees were summoned for questioning seven or eight times and their interrogations continued for hours at a time.

There appears to be no clear upper time limit to how long a person may be detained before being interrogated for the first time. Amnesty International knows of a case in the group referred to above where the detainee was summoned for the first time to the office of the

Socialist Prosecutor General more than 90 days after his arrest. During this period he had no access to a lawyer or his family.

If, in the course of an investigation, the Socialist Prosecutor General finds evidence of a criminal offence, he may transfer the relevant documents to the appropriate branch of the niyaba to pursue its own investigation. An example of this occurred in November 1981 when the Socialist Prosecutor General transferred the cases of 22 individuals to the state security niyaba, which subsequently charged them with having been in contact with a foreign state, the USSR; the charges were dropped in December 1981. Thus one individual may be sentenced to a term of imprisonment and be subject to the measures mentioned on page 25, both as a result of the same alleged offence.

The Defence

Amnesty International has sent several delegations to Egypt to observe trials or parts of trials of prisoners of conscience in 1975, 1978 and 1979. These trials took place before military or state security courts. In all cases observers reported that fundamental rights of the defence (including free choice of lawyers) were duly respected and Amnesty International has reason to believe that this is the general rule.

However, the organization was concerned about the expulsion of defence lawyers from the trial before the Supreme Military Court of 24 individuals accused of participation in the assassination of President Sadat. The trial began on 21 November 1981 and almost all the proceedings were held in camera. One of the 60 defence lawyers was reportedly charged with contempt, after accusing the court of falsifying the court records. His accusation was supported by the other defence counsel and all were as a result banned from th court and, hence, from completing their defence. They were replaced by 15 lawyers appointed by the court, which announced its verdicts three days later.

Lawyers acting for the defence in other political cases have encountered certain difficulties in the preparation of their cases. Under the state of emergency legislation in force until 15 May 1980, political detainees were able to appeal for provisional release before state security courts every 30 days. (Much the same procedure was

reintroduced in June 1982.) Defence lawyers could study reports by the State Security Intelligence service and other reports on documents and other items that may have been found at the detainees' home or office. These reports were kept at the office of the *niyaba*. When cases were considered to be state security cases the defence lawyers themselves were obliged to go to the office of the *niyaba* and copy down by hand the elements in the report that they would need to know in order to prepare their case for the provisional release of their client. This task could not be delegated to assistants and photocopying was forbidden.

Defence lawyers are also obliged to buy their own copies of the case dossier, which may run to thousands of pages — like that in the "food riots" case (see page 9), in which the initial cost of the dossier amounted to £500 (Egyptian).

Under recent amendments to the Code of Criminal Procedure copies of the dossier need not be printed at all, but a copy may be made available to lawyers in the court to study within a fixed period of time. Amnesty International knows of no political cases where this has been the case.

In September, October and November 1981, when thousands of people were arrested (including a large number of lawyers), many lawyers found it impossible to find out where their clients were being held. This was partly because neither the Prosecutor General nor the Socialist Prosecutor General was acknowledging responsibility for issuing permission to lawyers to visit clients. Additional difficulties were encountered when the lawyers tried to find out the date of interrogation by the Socialist Prosecutor General so that they could be present with their clients. In the majority of cases no advance notification was given.

The Egyptian Bar Association has a long tradition of defending civil and human rights. Its own Committee for the Defence of Freedoms has ensured on many occasions that political detainees had defence counsel. The Bar Council also protested frequently against the continued imposition of the state of emergency. However, on 22 July 1981, the elected Bar Council of the Egyptian Bar Association was formally dissolved by the People's Assembly following a decision by President Sadat, who accused the Bar Council of opposition activity of a political

nature. A number of its members were among those arrested in September under Presidential Decree No. 493 of 1981. The Egyptian Bar Association was subsequently directed by a temporary Bar Council designated by the President and approved by the People's Assembly.

The Judiciary

Article 165 of the 1971 constitution states that: "The Judiciary is independent", and Article 166 states:

"Judges are independent. In the administration of justice, they are subject to no other authority save that of the law. No authority whatever has the right to interfere in pending cases or in the affairs of justice.

The civil judicial system consists of four different levels of court, headed by the Court of Cassation which is responsible, inter alia, for

ensuring a uniform interpretation of the law. The courts that have examined the cases of prisoners of conscience for over a decade have been exceptional courts outside the regular court system: state security and military courts.

The impartiality of the judiciary in Egypt is generally acknowledged and has been amply demonstrated during the past 10 years, when judges in state security courts, appointed by presidential decree, have ordered a high percentage of acquittals in cases relating to nonviolent political activity. Similarly, when political detainees appeared before state security courts to appeal for provisional release under the state of emergency detention procedures in force between 1972 and 1980, the courts tended to grant provisional release fairly frequently after relatively short periods — although the presidential right to veto provisional release came to be exercised with increasing frequently, thus seriously eroding the power of the judiciary.

Extracts from International United Nations Instruments Concerning Human Rights

i Extracts from the International Covenant on Civil and Political Rights (adopted by the United Nations General Assembly on 16 December 1966; ratified by Egypt on 14 January 1982).

Articles

- 4.1 In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.
- 4.2 No derogation from Articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18 may be made under this provision.
- 4.3 Any State Party to the present Covenant availing itself of the right of derogation shall immediately inform the other States Parties to the present Covenant, through the intermediary of the Secretary-General of the United Nations, of the provisions from which it has derogated and of the reasons by which it was actuated. A further communication shall be made, through the same intermediary, on the date on which it terminates such derogation.
- 6.1 Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.
- 7. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.
- 9.1 Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.
- 9.2 Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.

- 9.3 Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgement.
- 9.4 Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.
- 9.5 Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.
- 10.1 All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.
- 14.1 All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. The press and the public may be excluded from all or part of a trial for reasons of morals, public order (ordre public) or national security in a democratic society, or when the interest of the private lives of the parties so requires, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice; but any judgement rendered in a criminal case or in a suit at law shall be made public except where the interest of juvenile persons otherwise requires or the proceedings concern matrimonial disputes or the guardianship of children.

- 14.2 Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law.
- 14.3 In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality:
- a) to be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him;
- b) to have adequate time and facilities for the preparation of his defence and to communicate with counsel of his own choosing:
- c) to be tried without undue delay;
- d) to be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it;
- e) to examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
- f) to have the free assistance of an interpreter if he cannot understand or speak the language used in court;
- g) not to be compelled to testify against himself or to confess guilt.
- 14.4 In the case of juvenile persons, the procedure shall be such as will take account of their age and the desirability of promoting their rehabilitation.
- 14.5 Everyone convicted of a crime shall have the

- right to his conviction and sentence being reviewed by a higher tribunal according to law.
- 14.6 When a person has by a final decision been convicted of a criminal offence and when subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law, unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly attributable to him.
- 14.7 No one shall be liable to be tried or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the law and penal procedure of each country.
- 19.1 Everyone shall have the right to hold opinions without interference.
- 19.2 Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
- 21. The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (order public), the protection of public health or morals or the protection of the rights and freedoms of others.
- 22.1 Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.
- ii Standard Minimum Rules for the Treatment of Prisoners (approved by the United Nations Economic and Social Council on 31 July 1957 and 13 May 1977)

Rules:

- 22 (1) At every institution there shall be available the services of at least one qualified medical officer who should have some knowledge of psychiatry. The medical services should be organized in close relationship to the general health administration of the community or nation. They shall include a psychiatric service for the diagnosis and, in proper cases, the treatment of states of mental abnormality.
- 22 (2) Sick prisoners who require specialist treatment shall be transferred to specialized institutions or to civil hospitals. Where hospital facilities are provided in an institution, their equipment, furnishings
- and pharmaceutical supplies shall be proper for the medical care and treatment of sick prisoners, and there shall be a staff of suitably trained officers.
- 24 The medical officer shall see and examine every prisoner as soon as possible after his admission and thereafter as necessary, with a view particularly to the discovery of physical or mental illness and the taking of all necessary measures; the segregation of prisoners suspected of infectious or contagious conditions; the noting of physical or mental defects which might hamper rehabilitation, and the determination of the physical capacity of every prisoner for work.
- 25 (1) The medical officer shall have the care of the

physical and mental health of the prisoners and should daily see all sick prisoners, all who complain of illness, and any prisoner to whom his attention is specially directed.

- 25 (2) The medical officer shall report to the director whenever he considers that a prisoner's physical or mental health has been or will be injuriously affected by continued imprisonment or by any condition of imprisonment.
- 26 (1) The medical officer shall regularly inspect and advise the director upon:
- a) The quantity, quality, preparation and service of food;
- b) The hygiene and cleanliness of the institution and the prisoners;
- c) The sanitation, heating, lighting and ventilation of the institution:
- d) The suitability and cleanliness of the prisoners' clothing and bedding;
- The observance of the rules concerning physical education and sports, in cases where there is no technical personnel in charge of these activities.

26 (2) The director shall take into consideration the reports and advice that the medical officer submits according to rules 25(2) and 26 and, in case he concurs with the recommendations made, shall take immediate steps to give effect to those recommendations; if they are not within his competence or if he does not concur with them, he shall immediately submit his own report and the advice of the medical officer to higher authority.

- 31. Corporal punishment, punishment by placing in a dark cell, and all cruel, inhuman or degrading punishments shall be completely prohibited as punishments for disciplinary offences.
- 32 (1) Punishment by close confinement or reduction of diet shall never be inflicted unless the medical officer has examined the prisoner and certified in writing that he is fit to sustain it.
- 32 (2) The same shall apply to any other punishment that may be prejudicial to the physical or mental health of a prisoner. In no case may such punishment be contrary to or depart from the principle stated in rule 31.

iii Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (adopted by the United Nations General Assembly on 9 December 1975)

Articles

- 1. For the purpose of this Declaration, torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted by or at the instigation of a public official on a person for such purposes as obtaining from him or a third person information or confession, punishing him for an act he has committed or is suspected of having committed, or intimidating him or other persons. It does not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions to the extent consistent with the Standard Minimum Rules for the Treatment of Prisoners.
- 2. Torture constitutes an aggravated and deliberate form of cruel, inhuman or degrading treatment or punishment.
- 3. No State may permit or tolerate torture or other cruel, inhuman or degrading treatment or punishment. Exceptional circumstances such as a state of war or a threat of war, internal political instability or any other public emergency may not be invoked as a justification of torture or other cruel, inhuman or degrading treatment or punishment.
- 8. Any person who alleges that he has been subjected to torture or other cruel, inhuman or

degrading treatment or punishment by or at the instigation of a public official shall have the right to complain to, and to have his case impartially examined by, the competent authorities of the State concerned.

- 9. Wherever there is reasonable ground to believe that an act of torture as defined in Article 1 has been committed, the competent authorities of the State concerned shall promptly proceed to an impartial investigation even if there has been no formal complaint.
- 10. If an investigation under Article 8 or Article 9 establishes that an act of torture as defined in Article 1 appears to have been committed, criminal proceedings shall be instituted against the alleged offender or offenders in accordance with national law. If an allegation of other forms of cruel, inhuman or degrading treatment or punishment is considered to be well founded, the alleged offender or offenders shall be subject to criminal, disciplinary or other appropriate proceedings.
- 11. Where it is proved that an act of torture or other cruel, inhuman or degrading treatment or punishment has been committed by or at the instigation of a public official, the victim shall be afforded redress and compensation in accordance with national law.

Appendix II

LEGISLATION: Articles 98, 102, 171, 174 of the Penal Code, Law 2 of 1977 and Law 40 of 1977.

Article 98A of the Egyptian Penal Code has been used in recent years as a basis for hundreds of arrests of non-violent political opponents of the Egyptian Government. Paragraph (1) of this article states:

"Any person who sets up, founds, organizes or administers associations or organizations seeking the dominance of one social class, or to overthrow the basic national, social and economic orders, or to destroy any of the fundamental orders of society, or to favour any of the preceding actions if the use of force or terrorism or any other illegal means is evident, shall be punished by hard labour for a period not exceeding ten years and a fine of not less than £100 (Egyptian) and not more than £1,000."

Under the third paragraph of Article 98A membership of, or participation in an organization such as described in paragraph (1) is punishable by imprisonment and a fine of not less than £50 (Egyptian) and not exceeding £200 (Egyptian), and a maximum penalty of five years' imprisonment may be imposed on a person who has direct or indirect contact with the organization or its branches.

Article 98A (bis) provides for a maximum punishment of imprisonment and a fine not exceeding £1,000 (Egyptian) for those found guilty of organizing an association which aims to oppose the fundamental principles upon which the socialist regime is based or incitement to hatred or contempt of it, or going against the alliance of the popular working forces or incitement to opposition to the public authorities. If force, violence or terrorism is evident then the punishment is hard labour and a fine of not less than £500 (Egyptian) and not exceeding £2,000 (Egyptian).

Imprisonment for a period not exceeding five years and a fine of not less than £50 (Egyptian) and not exceeding £500 (Egyptian) is the penalty for membership of such an association or organization. The same punishment applies to anyone who propagates opposition to the fundamental principles upon which the socialist regime is based. In addition, whoever is in possession of printing machinery for the propagation and distribution of such material is subject to the same punishment.

Article 98B allows for a maximum penalty of five years' imprisonment and a fine of £500 (Egyptian) for

disseminating or preparing by whatever means materials advocating change of the basic constitutional principles of the state or its political or social systems or the dominance or liquidation of a social class or the overthrow of the basic social or economic order of the state when the use of force or violence or any other illegal means is evident.

Article 98B (bis) provides for a maximum punishment of five years and fine of £500 (Egyptian) for possession of printed material intended for distribution, which is considered contrary to the basic constitutional principles of the state or its political or social system. The same penalty applies for possession of printing or recording machinery used for the above purpose.

Article 98C (as amended by Law 29 of 1982) provides for up to a six months' imprisonment or a fine not exceeding £500 (Egyptian) for those who set up or establish international organizations or branches thereof in the Republic of Egypt without government authorization.

Membership of or participation in such an organization is punishable by a maximum of three months' imprisonment and a fine not exceeding £300.

Article 98D allows for a maximum penalty of five years' imprisonment and a fine of £1,000 (Egyptian) for receiving directly or indirectly money or advantage of any kind from a person or association outside the country or inside if this is to be used in committing an offence mentioned in Articles 98A, 98A (bis), 98B, 98C and 174 of the penal code. The punishment is the same for whoever encourages and helps financially or materially in committing the crime mentioned in the articles indicated above.

Article 98E empowers the court to dissolve any organization or association as outlined above and to confiscate any funds or property related to the offence.

Amendments to the Penal Code introduced under Law 29 of 1982 on 22 April 1982 added a further paragraph to Article 98.

Article 98F provides for imprisonment of between six months and five years or a fine of not less than £500 (Egyptian) and not exceeding £1,000 (Egyptian) for anyone who exploits religion in propagating or

encouraging extremist views with the aim of inciting civil strife, contempt or disdain of one of the "divine religions" or sects thereof, or causing harm to national unity or social peace.

Article 102 (as amended by Law 29 of 1982) provides for imprisonment of one year and a fine not exceeding £200 (Egyptian) for anyone who shouts or chants in public in order to cause civil strife.

Article 102 (bis) allows for a maximum punishment of £200 (Egyptian) for disseminating false news or statements affecting public security. The penalty is increased to imprisonment and a fine of not less than £100 (Egyptian) and not exceeding £500 (Egyptian) if the offence is committed in time of war.

The same penalty applies for possession of printed materials relating to the above if intended for distribution and for possession of printing or recording machinery intended for dissemination of the above.

Article 171 states that whoever incites one or more persons to commit a felony or misdemeanour by public statement, declamation, action, gesture, written material, drawings, photographs, symbols or other means of representation, shall incur the penalty set down for that offence, if committed. If, however, the incitement results only in an attempt to commit a felony then the judge will enforce the penalty for intention to commit an offence.

Article 174 The punishment is imprisonment for a period not exceeding five years and a fine of not less than £50 (Egyptian) and not exceeding £500 (Egyptian) for anyone who commits the following acts:

 incitement to overthrow the regime in Egypt or incitement to hatred or contempt of it, 2) the propagation or dissemination of doctrines aiming to change the fundamental constitutional principles or the basic social order by force or terrorism or other illegal means.

Punishment is the same for whoever encourages the above either materially or financially.

Law 2 of 1977 provides for sentences of up to life imprisonment with hard labour for those found guilty of:

- membership of clandestine, military organizations considered hostile to the state (Article 2 this article has since been replaced by Law 40 of 1977);
- participating in a strike which could be damaging to the national economy (Article 7);
- planning or participating in a sit-in which could endanger public security (Article 8).

Law 40 of 1977 (as amended by Law 36 of 1979 and Law 56 of 1981). The text of this law was published in the Official Gazette of 7 July 1977. It sets down the requirements and limits for establishing political parties as well as punishment for those who participate in illegal political parties. Amendments to this law contained in Law 36 of 1979 also set down conditions for authorizing the continuing existence of a political party. Article 4 of Law 40 states that no political parties, their programs or leadership should be opposed to, inter alia, the principles of Islamic law (Shari'a) as a main source of law, or the principles of the revolutions of 23 July 1952 and 15 May 1971, or the principles of the referendum on the peace treaty with Israel which took place on 2 April 1979. Under Article 22, activity connected with illegal political organizations is punishable by life imprisonment with hard labour.

Amnesty International—a worldwide campaign

In recent years, people throughout the world have become more and more aware of the urgent need to protect human rights effectively in every part of the world.

- Countless men and women are in prison for their beliefs. They are being held as prisoners of conscience in scores of countries—in crowded jails, in labour camps and in remote prisons.
- Thousands of political prisoners are being held under administrative detention orders and denied any possibility of a trial or an appeal.
- Others are forcibly confined in psychiatric hospitals or secret detention camps.
- Many are forced to endure relentless, systematic torture.
- More than a hundred countries retain the death penalty.
- Political leaders and ordinary citizens are becoming the victims of abductions, "disappearances" and killings, carried out both by government forces and opposition groups.

An international effort

To end secret arrests, torture and killing requires organized and worldwide effort. Amnesty International is part of that effort.

Launched as an independent organization over 20 years ago, Amnesty International is open to anyone prepared to work universally for the release of prisoners of conscience, for fair trials for political prisoners and for an end to torture and executions.

The movement now has members and supporters in more than 150 countries. It is independent of any government, political group, ideology, economic interest or religious creed.

It began with a newspaper article, "The Forgotten Prisoners", published on 28 May 1961 in *The Observer* (London) and reported in *Le Monde* (Paris).

Announcing an impartial campaign to help victims of political persecution, the British lawyer Peter Benenson wrote:

Open your newspaper any day of the week and you will find a report from somewhere in the world of someone being imprisoned, tortured or executed because his opinions or religion are unacceptable to his government. . . . The newspaper reader feels a sickening sense of impotence. Yet if these feelings of disgust all over the world could be united into common action, something effective could be done.

Within a week he had received more than a thousand offers of support—to collect information, publicize it and approach governments. The groundwork was laid for a permanent human rights organization that eventually became known as Amnesty International. The first Chairperson of its International Executive Committee (from 1963 to 1974) was Sean MacBride, who received the Nobel Peace Prize in 1974 and the Lenin Prize in 1975.

The mandate

Amnesty International is playing a specific role in the international protection of human rights.

It seeks the release of men and women detained anywhere because of their beliefs, colour, sex, ethnic origin, language or religious creed, provided they have not used or advocated violence. These are termed prisoners of conscience.

It works for fair and prompt trials for all political prisoners and works on behalf of such people detained without charge or trial.

It opposes the death penalty and torture or other cruel, inhuman or degrading treatment or punishment of all prisoners without reservation.

This mandate is based on the civil and political rights set down in the United Nations Universal Declaration of Human Rights and it reflects the belief that these rights transcend the boundaries of nation, race and belief.

Through its practical work for prisoners, Amnesty International participates in the wider promotion and protection of civil, political, economic, social and cultural rights.

Amnesty International does not oppose or support any government or political system. Its members around the world include supporters of differing systems who agree on the defence of all people in all countries against imprisonment for their beliefs, and against torture and execution.

Amnesty International at work

The working methods of Amnesty International are based on the principle of international responsibility for the protection of human rights. The movement tries to take action wherever and whenever there are violations of those human rights falling within its mandate. Since it was founded, Amnesty International groups have intervened on behalf of more than 20,000 prisoners in over a hundred countries with widely differing ideologies.

A unique aspect of the work of Amnesty International groups—placing the emphasis on the need for international human rights work—is the fact that each group works on behalf of prisoners held in countries other than its own. At least two prisoner cases are assigned to each group; the cases are balanced geographically and politically to ensure impartiality.

There are now over 2,500 local Amnesty International groups throughout the world. There are sections in 40 countries (in Africa, Asia, the Americas, Europe and the Middle East) and individual members, subscribers and supporters in more than 100 other countries. Members do not work on cases in their own countries. No section, group or member is expected to provide information on their own country and no section, group or member has any responsibility for action taken or statements issued by the international organization concerning their own country.

Continuous research

The movement attaches the highest importance to balanced and accurate reporting of facts. All its activities depend on meticulous research into allegations of human rights violations. The International Secretariat in London (with a staff of 150, comprising nearly 30 nationalities) has a Research Department which collects and analyses information from a wide variety of sources. These include hundreds of newspapers and journals, government bulletins, transcriptions of radio broadcasts, reports from lawyers and humanitarian organizations, as well as letters from prisoners and their families. Amnesty International also sends fact-finding missions for on-the-spot investigations and to observe trials, meet prisoners and interview government officials. Amnesty International takes full responsibility for its published reports and if proved wrong on any point is prepared to issue a correction.

Once the relevant facts are established, information is sent to sections and groups for action. The members then start the work of trying to protect the individuals whose human rights are reported to have been violated. They send letters to government ministers and embassies. They organize public meetings, arrange special publicity events, such as vigils at appropriate government offices or embassies, and try to interest newspapers in the cases they have taken up. They ask their friends and colleagues to help in the effort. They collect signatures for international petitions and raise money to send relief, such as medicine, food and clothing, to the prisoners and their families.

A permanent campaign

In addition to case work on behalf of individual prisoners, Amnesty International members campaign for the abolition of torture and the death penalty. This includes trying to prevent torture and executions when people have been taken to known torture centres or sentenced to death. Volunteers in dozens of countries can be alerted in such cases, and within hours hundreds of telegrams and other appeals can be on their way to the government, prison or detention centre.

Amnesty International holds as a matter of principle that the torture and execution of prisoners by anyone, including opposition groups, can never be accepted. Governments have the responsibility of dealing with such abuses, acting in conformity with international standards for the protection of human rights.



In its efforts to mobilize world public opinion, Amnesty International neither Amnesty International supports nor opposes economic or cultural boycotts. It does take a stand against the international transfer of military, police or security equipment and expertise likely to be used by recipient governments to detain prisoners of conscience and to inflict torture and carry out executions.

Amnesty International does not grade governments or countries according to their record on human rights. Not only does repression in various countries prevent the free flow of information about human rights abuses, but the techniques of repression and their impact vary widely. Instead of attempting comparisons, Amnesty International concentrates on trying to end the specific violations of human rights in each case.

Policy and funds

Amnesty International is a democratically run movement. Each year major policy decisions are taken by an International Council comprising representatives from all the sections. They elect an International Executive Committee to carry out their decisions and supervise the day-to-day running of the International Secretariat.

The organization is financed by its members throughout the world, by individual subscriptions and donations. Members pay fees and conduct fund-raising campaigns—they organize concerts and art auctions and are often to be seen on fund-raising drives at street corners in their neighbourhoods.

Its rules about accepting donations are strict and ensure that any funds received by any part of the organization do not compromise it in any way, affect its integrity, make it dependent on any donor, or limit its freedom of activity.

The organization's accounts are audited annually and are published in its annual report.

Amnesty International has formal relations with the United Nations (ECOSOC), UNESCO, the Council of Europe, the Organization of African Unity and the Organization of American States.

The following list includes a selection of reports issued since 1976. For a complete list, including available translations, write to Amnesty International Publications, London.

AMNESTY INTERNATIONAL REPORT

This annual report provides a complete country-by-country survey of Amnesty International's work to combat political imprisonment, torture and the death penalty throughout the world. The report is arranged in regional sections and normally covers developments in over 100 countries.

This is probably the most widely read—and most influential—of the many reports published by Amnesty International each year.

Now available: the Annesty International Report 1982. This 368-page report, illustrated with regional maps for easy reference, covers events in 1981. Published in October 1982. £5.00.

AMNESTY INTERNATIONAL NEWSLETTER

This monthly bulletin provides a regular account of Amnesty International's work: the latest reports of fact-finding missions, details of the arrest and release of political prisoners, reliable reports of torture and executions. It also gives practical information for Amnesty International supporters: each issue includes appeals on behalf of prisoners of conscience and victims of torture around the world.

The newsletter is written—without political bias—for human rights activists throughout the world. It is widely used by journalists, students, political leaders, doctors, lawyers and other professionals.

Individual subscriptions: £5.00 (US \$12.50) a year.

HOW TO ORDER THESE REPORTS

If you live in a country where a section of Amnesty International has been formed, you can obtain all these reports from the section. Section addresses are available from the International Secretariat.

If there is no section in your country, you can order these reports direct from the International Secretariat of Amnesty International:

- select the publications you wish to order
- note the listed price
- make out a money order or bank draft payable to AMNESTY INTERNATIONAL for the total price of all the publications
- send your order and payment to AMNESTY INTERNATIONAL 10 SOUTHAMPTON STREET LONDON WC2E 7HF UNITED KINGDOM

THE DEATH PENALTY

This unique study of the ultimate punishment examines the laws and methods by which people can be put to death in 134 countries. The 206page report draws on more than a decade of research, using official and unofficial sources. Devoted mainly to a country-by-country survey of legislation and practice, the report also covers the phenomena of "disappearances" and summary executions through which suspected political opponents have been eliminated in large numbers by repressive regimes. First published 1979; illustrated. £2.00.

PRISONERS OF CONSCIENCE

Who are today's prisoners of conscience and why are they in jail? This 48-page report highlights cases in 15 countries and offers an excellent introduction to worldwide efforts to free them. First issued 1981. £2.00.

Africa

GUINEA

A 12-page briefing on political imprisonment, torture and the death penalty. First issued 1978. £0.40.

HUMAN RIGHTS VIOLATIONS IN ETHIOPIA

An account of political killings, the destruction of the rule of law, political imprisonment and use of torture. First issued 1977. 26 pages. £0.50.

HUMAN RIGHTS VIOLATIONS IN UGANDA

An examination of human rights violations during the presidency of Idi Amin, including the overthrow of the rule of law, murder of judges, public executions, torture and killings. First issued 1978. 25 pages. £0.50.

HUMAN RIGHTS VIOLATIONS IN ZAIRE

Details on political prisoners and their treatment, together with the political and legal background. First issued 1980. 22 pages. £1.00.

EGYPT

NAMIBIA

A 16-page briefing on political imprisonment, torture and the death penalty. First issued 1977, £0.40.

POLITICAL IMPRISONMENT IN SOUTH AFRICA

A detailed report, including photographs and case histories, on the political and legal background to human rights violations, the treatment of prisoners, killings, use of torture and the death penalty. First issued 1978, 108 pages, £1.00.

The Americas

CUBA: MEMORANDUM TO THE GOVERNMENT

Findings and recommendations of a mission that visited Havana in 1977 to examine questions of long-term political prisoners, prison regimes, the situation of released prisoners and the application of the death penalty. First issued 1978. Eight pages. £0.50.

"DISAPPEARED" PRISONERS IN CHILE

A dossier on political prisoners held in secret detention camps, with background information on 'disappeared' prisoners, appeals from their relatives and numerous photographs. First issued 1977. £1.45.

GUATEMALA: A GOVERN-MENT PROGRAM OF POLITICAL MURDER

Eye-witness testimony on political abductions and killings directed from secret offices in an annex of the presidential palace. First issued 1981. 32 pages, illustrated. £2.00.

PARAGUAY

A 16-page briefing on political imprisonment, torture and the death penalty. First issued 1978. £0.40.

PERU

A 12-page briefing on political imprisonment, torture and the death penalty. First issued 1979. £0.40.

POLITICAL IMPRISONMENT IN URUGUAY

A dossier of documents on political

imprisonment, law and justice for political prisoners, detention conditions, ill-treatment and torture, with 14 case histories. First issued 1979. £0.40.

TESTIMONY ON SECRET DETENTION CAMPS IN ARGENTINA

Testimony of two detention camp victims, including detailed information about their fellow prisoners; list of prisoners and correspondence to and from government officials about missing people. First issued 1980. 60 pages. £1.00.

USA: PROPOSAL FOR A COMMISSION OF INQUIRY INTO THE EFFECTS OF DOMESTIC INTELLIGENCE ACTIVITIES ON CRIMINAL TRIALS

A 144-page study of misconduct in the cases of convicted minority militants. First issued 1981. £3.00.

Asia

AFGHANISTAN: VIOLATIONS OF HUMAN RIGHTS AND FUNDA-MENTAL FREEDOMS

A report, released in September 1979, on consistent violations: widespread arrests, torture, "disappearances" and deaths in detention between April 1978 and May 1979. 34 pages. £0.50.

ALI LAMEDA: A PERSONAL ACCOUNT OF THE EX-PERIENCE OF A PRISONER OF CONSCIENCE IN THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

The personal story of a Venezuelan poet and Communist Party member subjected to six years' political imprisonment in North Korea. First issued 1979. 39 pages. £0.50.

BANGLADESH: REPORT OF AN AMNESTY INTERNATIONAL MISSION

Representations to the Bangladesh Government reflecting Amnesty In-

ternational's concern about trials of civilians by martial law courts and the execution of military personnel. First issued 1978, 20 pages, £0.50.

INDIA: REPORT OF AN AMNESTY INTERNATIONAL MISSION

The findings and recommendations of an investigation following the 1975-1977 Indian Emergency. First issued 1979, 84 pages. £1.00.

INDONESIA

A detailed account of political imprisonment between 1965 and 1976, including description of trials, prison conditions and forced labour, permanent post-release "resettlement" and case histories. First issued 1977. 146 pages. £2.00.

MALAYSIA: REPORT OF AN AMNESTY INTERNATIONAL MISSION

An examination in 1978 of the Internal Security Act, under which political prisoners, including members of political parties and trade unions, have been held without charge or trial and tortured. First issued 1979. 67 pages. £0.50.

PAKISTAN: REPORT OF AN AMNESTY INTERNATIONAL MISSION

Findings of a mission in 1978 that documented martial law provisions curtailing fundamental freedoms and military trials of civilians exercising the right of free speech. First issued 1978. 24 pages. £0.50.

POLITICAL IMPRISON-MENT IN THE PEOPLE'S REPUBLIC OF CHINA

A major report on the constitutional, legal and penal systems under which political dissenters have been detained, interrogated, tried and punished. First issued 1978. 171 pages, illustrated. £2.00.

REPUBLIC OF KOREA: VIOLATIONS OF HUMAN RIGHTS

The report that launched a world-wide campaign against human rights abuses inflicted on South Korean

dissenters. First issued 1981. 44 pages. £2.00.

SINGAPORE: REPORT OF AN AMNESTY INTER-NATIONAL MISSION

A 1978 examination of preventive detention, trials, arrest and interrogation, prison conditions, torture and the use of the death penalty. First issued 1978, 60 pages, £2.00.

TAIWAN (REPUBLIC OF CHINA)

A 14-page briefing on political imprisonment, torture and the death penalty. First issued 1976; second edition 1980. £0.40.

THE PHILIPPINES: REPORT OF AN AMNESTY INTERNATIONAL MISSION

Evidence collected in 1981 of illegal arrests, torture, "disappearances" and killings by security forces. First issued 1982, 127 pages, £3,00.

VIET NAM: REPORT OF AN AMNESTY INTERNATIONAL MISSION

The published exchange of memoranda between the government and Amnesty International following an on-the-spot examination of the reeducation system in 1979. First issued 1981, 42 pages, £2,00.

Europe

CZECHOSLOVAKIA

A 20-page briefing on political imprisonment and the death penalty. Second edition 1981. £0.60.

GERMAN DEMOCRATIC REPUBLIC

A 12-page briefing on political imprisonment and the death penalty. Second edition 1981. £0.60.

NORTHERN IRELAND: REPORT OF AN AMNESTY INTERNATIONAL MISSION

The findings and recommendations of a mission in 1977 that investigated allegations of ill-treatment of detain-

ees and called for a public inquiry. First issued 1978, 72 pages, £1.00.

ROMANIA

A 19-page briefing on political imprisonment and the death penalty. First issued 1980, £0.60.

SPAIN: REPORT OF AN AMNESTY INTERNATIONAL MISSION

First published in November 1980, the findings of a mission that examined the treatment of security detainces, plus Amnesty International's recommendations to prevent torture. 68 pages. £3.00.

TORTURE IN GREECE: THE FIRST TORTURERS' TRIAL 1975

A rare insight into the inner clockwork of a torture state, this 98-page report analyses a contemporary example of the possibility of submitting accused torturers to due process of law. First issued 1977. £0.85.

TURKEY

A 12-page briefing on political imprisonment, torture and the death penalty. First issued 1977, £0,40.

PRISONERS OF CONSCIENCE IN THE USSR: THEIR TREATMENT AND CONDITIONS

This 200-page report, containing photographs of prisoners of conscience and camps in which they are held, examines Soviet laws and their application to dissenters and includes new material on the treatment of dissenters in psychiatric institutions. First issued 1975; second edition 1980. £5.00.

YUGOSLAVIA: PRISONERS OF CONSCIENCE

This illustrated report describes the arrests, trials and prison conditions of people imprisoned on political grounds in recent years. First issued 1982. 50 pages. £2.00.

Middle East

IRAQ: EVIDENCE OF TORTURE

This report, published after painstaking research into allegations of political torture, presents detailed findings in 15 cases and calls for the protection of all detainees. First issued 1981. 44 pages, illustrated. £2.00.

ISRAEL: REPORT AND RECOMMENDATIONS OF AN AMNESTY INTERNA-TIONAL MISSION

Report of a mission in 1979 that examined allegations of ill-treatment in the Occupied Territories and legal procedures used. Includes Amnesty International's recommendations and the government's reply. First issued 1980, 71 pages, £2.00.

LAW AND HUMAN RIGHTS IN THE ISLAMIC REPUBLIC OF IRAN

An examination of legal procedures, revolutionary tribunals, offences and post-revolutionary executions during the first seven months after the 1979 revolution. First issued 1980. 216 pages. £10.00.

MOROCCO: REPORT OF AN AMNESTY INTERNA-TIONAL MISSION

The findings and recommendations of a mission in 1981 concerned with recent political cases, torture and "disappearances". First issued 1982. 74 pages. £2.00.

PEOPLE'S DEMOCRATIC REPUBLIC OF YEMEN

A 12-page briefing on political imprisonment, torture and the death penalty. First issued 1976. £0.40.

SYRIA

A 16-page briefing on political imprisonment, torture and the death penalty. First issued 1979. £0.40.