

## Egypt: Ahmed Agiza (m)

### Concern: Rendition, Torture and other ill-treatment, Unfair Trial

Ahmed Agiza and Mohammed El Zari, two male Egyptian asylum-seekers, were detained in Sweden on 18 December 2001 and flown to Egypt. The Swedish authorities had rejected the men's asylum applications, and decided to execute immediately their decision to summarily expel them without giving the men or their lawyers any prior warning or notification.

Only a few hours later, Mohammed El Zari and Ahmed Agiza were picked up by Swedish Security Police personnel and, within hours, they were chained inside the back of a small CIA-leased plane, surrounded by US and Egyptian agents, heading for Cairo in Egypt. The same plane has been used in other known rendition cases.

At Bromma airport in Stockholm, in the presence of Swedish Security Police personnel and two representatives from the US Embassy in Sweden, US agents wearing civilian clothes and hoods subjected Ahmed Agiza and Mohammed El Zari to a so-called "security check". In fact, this procedure amounted to an extremely serious physical assault on the two men. The Swedish authorities were responsible for this prohibited treatment at the hands of US agents immediately prior to the expulsion, but still on Swedish soil.

In Egypt, the two men were held incommunicado and allegedly tortured. The Swedish authorities had obtained "diplomatic assurances" from Egypt purporting to guarantee that the men would not be tortured or be subjected to the death penalty, and would be given a fair trial on their return to Egypt. Such assurances were worthless.

Mohammed El Zari was released from prison in Cairo in October 2003 without ever having been charged. In April 2004, after an unfair retrial before a military court in Egypt, Ahmed Agiza was sentenced to 25 years' imprisonment. His sentence was later reduced to 15 years and he remains in prison in Egypt. In 2005 his wife, Hanan Attia, and their five children were granted refugee status in Sweden.

#### Please write to the Egyptian authorities:

- Asking them to grant Ahmed Agiza a new trial before an independent and impartial civilian court in proceedings that meet internationally recognized fair trial standards;
- Calling for a prompt, independent and impartial investigations into the torture allegations;
- Asking the authorities to ensure that he receives appropriate and adequate medical care;
- Asking them to allow Ahmed Agiza unfettered access to his lawyers and to grant him regular family visits Egypt

#### Please write to the Swedish authorities:

- Asking them to investigate the exact role played by the Swedish authorities in the transfer of Ahmed Agiza and Mohammed El Zari to US custody with a view to determining any criminal responsibility;
- Calling on them to immediately establish an independent investigation with a view to determining the criminal responsibility, of those individuals directly or indirectly involved in the failure to prevent the ill-treatment of both men at Bromma airport and on the plane;
- Calling on them to ensure that adequate reparation is provided to Ahmed Agiza and Mohammed El Zari;
- Calling on them to lift the expulsion order prohibiting Ahmed Agiza and Mohammed El Zari from returning to Sweden for 10 years so can be reunited with his family;
- Asking them to publicly commit never to seek to obtain and rely again on "diplomatic assurances" or similar bilateral agreements as a way of attempting to circumvent the principle of *non-refoulement*.

#### Please send Egyptian appeals to:

Egypt Minister of the Interior  
General Habib Ibrahim El Adly  
Ministry of the Interior  
Al-Sheikh Rihan Street  
Bab al-Louk  
Cairo EGYPT

#### Please send Swedish appeals to:

Prime Minister Fredrik Reinfeldt  
Prime Minister's Office  
Rosenbad 4  
103 33 Stockholm  
SWEDEN