

PUBLIC

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11 September 2002

Further information on UA 214/02 (MDE 12/024/2002, 16 July 2002) - Fear for safety/Fear of torture or ill-treatment New concerns: administrative detention

EGYPT 'Aziza 'Abbas Muhammad (f)

'Amar Nabil al-Maghrebi (m), aged 16, her son

new name: Muhammad Nabil al-Maghrebi (m), her son

The whereabouts of 'Aziza 'Abbas Muhammad remained unknown for two months. On 7 September, her lawyer was allowed for the first time to visit her in detention. Following her arrest on 8 July she was reportedly held for about six weeks in incommunicado detention at the headquarters of the State Security Intelligence (SSI) at Lazoghly Square in Cairo. She was subsequently transferred to Qanatir Women Prison where she remains to be held in administrative detention under emergency legislation.

Her two sons, 16-year-old 'Amar Nabil al-Maghrebi and his older brother Muhammad Nabil al-Maghrebi, were reportedly held for about six weeks in incommunicado detention at premises of the SSI. Amnesty International initially reported that her two sons were held in prison in July, but according to recent information they were only transferred to prison in mid-August.

The two sons were reportedly accused of an illegal attempt to provide their father, a political prisoner, with a mobile telephone. On 14 August, the Juvenile Court of North Cairo ordered the release of 'Amar Nabil al-Maghrebi, and on 1 September the Misdemeanors Court of the al-Ma'adi district of Cairo acquitted Muhammad Nabil al-Maghrebi. However, both remain held in administrative detention at Istiqbal Tora Prison under emergency legislation.

Istiqbal Tora Prison is a penal institution for adults where juveniles should not be held. According to Article 37 of the UN Convention for the Right of the Child: "(c) (...) every child shall be separated from adults unless it is considered in the child's best interest not to do so (...)"

Amnesty International has so far received no information about the treatment of 'Aziza 'Abbas Muhammad and her two sons in detention.

BACKGROUND INFORMATION

Torture of political detainees is common in Egypt, in SSI branches, police stations and occasionally prisons. Relatives of political prisoners have been victims of human rights violations, including detention without charge and torture, solely by reason of their family relationship.

Several thousand political detainees remain in administrative detention under Article 3 of the Emergency Law despite having been issued release orders by the courts. Administrative detention is ordered by the executive branch of a government without a judicial warrant and without the filing of any criminal charges. Anyone held in administrative detention under Article 3 has certain rights of appeal, but these are complex and open to abuse.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Arabic or your own language:

- urging for the immediate release of 'Amar Nabil al-Maghrebi whose release has been ordered by a juvenile court and of Muhammad Nabil al-Maghrebi who has been acquitted;
- calling for 'Aziza 'Abbas Muhammad to be charged with a recognizably criminal offence or immediately released;
- calling to investigate who was responsible for their incommunicado detention and to take necessary measures to prevent this practice in future;
- calling to investigate who is responsible for the detention of 16-year-old 'Amar Nabil al-Maghrebi in violation of international standards which demand the separation of a detained child from adults and to take necessary measures to prevent similar events in future,
- calling to end the use of administrative detention based on emergency legislation:

APPEALS TO:

His Excellency Mohammad Hosni Mubarak
 President of the Arab Republic of Egypt
 'Abedine Palace, Cairo, Egypt
Telegram: President Mubarak, Cairo, Egypt
E-mail:webmaster@presidency.gov.eg
Fax:+ 202 390 1998
Telex:93794 WAZRA UN
Salutation:Your Excellency

His Excellency General Habib al-Adeli
 Minister of the Interior
 Ministry of the Interior
 Al-Sheikh Rihan Street
 Bab al-Louk, Cairo, Egypt
Telegram:Minister Interior, Cairo, Egypt
E-mail:moi@idsc.gov.eg
Fax: + 202 579 2031
Salutation:Dear Minister

His Excellency Mr Faruq Sayf al-Nasr
 Minister of Justice
 Ministry of Justice
 Midan Lazoghly, Cairo, Egypt
Telegrams:Minister Sayf al-Nasr, Cairo, Egypt
E-mail: mojob@idsc.gov.eg
Fax:+202 795 8103
Salutation: Dear Minister

COPIES TO:

Public Prosecutor
 Counsellor Maher 'Abd al-Wahid
 Dar al-Qadha al-'Ali
 Ramses Street, Cairo, Egypt
Fax:+ 202 577 4716

and to diplomatic representatives of Egypt accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 23 October 2002.