

# AMNESTY INTERNATIONAL

## Public Statement

AI Index: MDE 12/023/2007 (Public)  
News Service No: 133  
13 July 2007

### **Egypt: Amnesty International condemns use of military court to try civilians**

On the eve of the trial of 40 members of the Muslim Brotherhood before the Supreme Military Court in Heikstep, northeast of Cairo, Amnesty International reiterates its call to the Egyptian authorities to cease trying civilians before military courts and to ensure that all civilian accused receive fair trials before independent and impartial civilian courts.

The 40 Muslim Brotherhood members, seven of whom are being tried in their absence, are all civilians. They have been sent for trial before the Supreme Military Court, charged with terrorism and money laundering, on the orders of Egyptian President Hosni Mubarak. This follows the acquittal of 17 of the accused on similar charges by a civilian criminal court in Cairo last January.

Amnesty International considers that military courts should not have jurisdiction to try civilians, whatever the charges they face. Trying civilians before military courts, whose judges are serving members of the military, flouts international standards of fair trial and is inherently unjust, regardless of whether the defendants are allowed a right of appeal or not.

Amnesty International's concern about this trial is heightened by the Egyptian authorities' refusal to allow independent legal observers access to the court during the opening session of the trial on 3 June 2007. Amnesty International and other national and international human rights groups had sent observers but they were all turned away without being granted access to the court.

Amnesty International is again sending an observer to attend the trial when it re-opens on 15 July and is seeking assurances from the Egyptian authorities that its delegate and legal observers sent by other human rights groups will be allowed entry to the court.

### **Background**

The 40 accused include Khairat al-Shatir, one of the the Muslim Brotherhood's most senior leaders. He and 16 other leading members of the organization, which is formally banned in Egypt but otherwise tolerated, were arrested in pre-dawn raids on 14 December 2006. All 17 were subsequently charged with membership of a banned organization, and providing students with weapons and military training. On 29 January 2007, however, a Cairo criminal court dismissed all the charges against them and ordered their immediate release, only for them to be immediately rearrested by security officials. The previous day, the Public Prosecutor had ordered a freeze on their financial and material assets and those of 12 others who are now among those also facing trial.

On 4 February, President Mubarak ordered that Khairat al-Shatir and his 16 co-accused, should be referred to the military court, despite their previous acquittal, together with 23 others, to stand trial on charges of terrorism and money laundering. On 8 May, an administrative court in Cairo ruled that President Mubarak's order was invalid, but this decision was reversed a week later by the Supreme Administrative Court after the government appealed.