PUBLIC AI Index: AMR 51/006/2008

16 January 2008

Further Information on UA 135/07 (AMR 51/097/2007, 05 June 2007) Fear of torture/ill-treatment

USA Sameh Khouzam (m), Egyptian national

Sameh Khouzam was released from York County prison, Pennsylvania on 15 January 2008; five days after a US federal judge ordered the US government to halt his deportation to Egypt. Amnesty International had feared that he would be at risk of torture of other ill-treatment if returned.

Despite a court ruling in 2004 that it was "more likely than not" that Sameh Khouzam would be tortured if returned to Egypt, US authorities had intended to return him based on secret diplomatic assurances from the Egyptian authorities that he would not be tortured on his return. In his ruling, the judge found that the US government could not proceed with the removal of Sameh Khouzam because the diplomatic assurances had not been subjected to impartial review. Sameh Khouzam and his lawyers have never seen the details of these diplomatic assurances.

The judge found that Sameh Khouzam had "made a credible showing that he had been the victim of torture at the hands of Egyptian law enforcement" and stated that ""Not even the President of the United States has the authority to sacrifice on the alter of foreign relations the right to be free from torture."

Sameh Khouzam was not released from detention immediately because the US government had requested that he remain detained while they appealed the decision. This request was denied.

On his release, Sameh Khouzam stated, "I cannot express how thankful and relieved I am to be a free man again. I am so grateful to my lawyers and to the American court system for stopping the government from sending me back to Egypt where I knew I would be tortured."

No further appeals requested. Many thanks to those who sent appeals.