

PUBLIC

AI Index: MDE 12/015/2002

23 April 2002

Further information on UA 257/01 (MDE 12/028/2001, 12 October 2001) - Forcible return/risk of torture

EGYPT **Al-Sharif Hassan Saad (m) , aged 37**
Ussama Farag Allah (m) , aged 40

Ussama Farag Allah was reportedly tortured while he was detained incommunicado, after he had been forcibly returned to Egypt from Bosnia-Herzegovina in October 2001.

There is no news of Al-Sharif Hassan Saad, who was returned to Egypt on the same day as Ussama Farag Allah.

Ussama Farag Allah was put on trial on 16 March, accused of membership of an armed Islamist group and arson attacks. He is being tried by an Emergency Supreme State Security Court, whose proceedings violates international standards for fair trial.

At the start of the trial he claimed that he had been tortured, and demanded a forensic medical examination. No such examination had been conducted when he was next brought before the court, on 20 April.

BACKGROUND INFORMATION

In Egypt suspected members of armed Islamist groups are frequently tortured at branches of the State Security Intelligence, particularly the headquarters in Lazoghly Square, Cairo, and also at police stations and occasionally prisons. The UN Committee Against Torture recommended "that Egypt takes effective measures to prevent torture in police and SSI custody" in May 1999.

The most commonly reported methods of torture are: electric shocks, beatings, suspension by the wrists or ankles, burning with cigarettes, and various forms of psychological torture, including death threats and threats of rape or sexual abuse of the detainee or their female relatives. Although lawyers and local human rights groups have filed hundreds of complaints of torture with the Public Prosecutor's Office, no impartial investigations are known to have been conducted.

Trials of alleged members of armed Islamist groups before military or (Emergency) Supreme State Security courts are grossly unfair. In April 1999 the Supreme Military Court issued its verdict in a trial of 107 people, 60 tried *in absentia*, accused of membership of the Islamist armed group *al-Gihad* (Holy Struggle). Nine were sentenced to death *in absentia*; 78 received prison sentences ranging from three years to life imprisonment; and 20 were acquitted. The defendants included more than a dozen people forcibly returned to Egypt from countries including Albania, Azerbaijan, Saudi Arabia and the United Arab Emirates. These defendants were interrogated over several months while held in unacknowledged incommunicado detention by the SSI, and their lawyers were not allowed to meet them until they appeared in court in February. Several defendants alleged that they had been tortured, but no independent investigation was apparently carried out.

Following the attacks in the US on 11 September 2001, the authorities in Bosnia-Herzegovina and Azerbaijan have announced that they have forcibly deported people to Egypt who are suspected of links with armed Islamist groups. The Bosnian Interior Ministry has arbitrarily removed the citizenship of dozens of people of Egyptian origin, and is reportedly investigating a group of nine Egyptians suspected of links with armed groups.

Many thanks to all who took action for Al-Sharif Hassan Saad and Ussama Farag Allah. Amnesty International will continue longer-term campaigning on their

behalf. If possible, please send a final round of appeals, in Arabic, English or your own language:

- urging the Egyptian authorities to order impartial and thorough investigations into Ussama Farag Allah's allegations that he was tortured in SSI custody;
- asking for him to be tried in accordance with international standards of fair trial, and not before the Emergency Supreme State Security Court, whose proceedings violate international standards;
- urging where Al-Sharif Hassan Saad is held, and asking for him to be released unless he is to be charged with a recognizably criminal offence;
- reminding the Egyptian authorities of their commitment to the Universal Declaration of Human Rights, in particular Article 5: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment".

APPEALS TO:

His Excellency General Habib al-'Adeli
Minister of the Interior
Ministry of the Interior
Al-Sheikh Rihan Street, Bab al-Louk, Cairo, Egypt
Telegrams: Minister Habib al-'Adeli, Cairo, Egypt
Emails: moi@idsc.gov.eg
Faxes: + 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
Faxes: +202 795 8103
E-mail: mojob@idsc.gov.eg
Salutation: Dear Minister

COPIES TO:

Counsellor Maher 'Abd al-Wahid
Dar al-Qadha al-'Ali
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Mr Hussain Dharar
The Human Rights Department
Ministry of Foreign Affairs
Corniche al-Nil, Cairo, Egypt
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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 4 June 2002.