

URGENT ACTION

PUBLIC
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14 February 2002

Fear of *refoulement*/Fear of Torture or Ill-treatment

YEMEN 'Abdul 'Aziz al Sharif (m), Egyptian national

Amnesty International is concerned that 'Abdul 'Aziz al-Sharif is at risk of being forcibly returned from Yemen to Egypt. Should he be returned he could be tortured or ill-treated due to his alleged connection to an opposition Islamist group, an accusation which his family deny.

'Abdul 'Aziz al-Sharif, an Egyptian national who is married to a Yemeni woman, was working as a surgeon in the city of Ibb in Yemen when he was arrested at the hospital where he worked about three months ago by members of the Political Security Office (PSO). There are conflicting reports as to his current whereabouts. Some suggest that he has already been handed over to the Egyptian authorities, while others claim that he is still being held by the PSO in Ibb.

It is thought that 'Abdul 'Aziz al-Sharif may have been arrested because of his connection to Afghanistan. Prior to his entry into the Yemen, he worked as a surgeon with the Mujahideen fighting the Soviet Union in Afghanistan during the early 1990's. He had left Egypt in the early 1980's.

BACKGROUND INFORMATION

In Egypt suspected members of armed Islamist opposition groups are frequently tortured, particularly at the State Security Intelligence (SSI) headquarters in Lazoghly Square, Cairo, and also other SSI branches, at police stations and occasionally prisons. The methods most commonly reported 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. Despite hundreds of complaints of torture reported by lawyers and local human rights groups to the Public Prosecutor's Office, no impartial investigations are known to have been conducted.

After considering the State Party Report in May 1999, the UN Committee Against Torture recommended "that Egypt takes effective measures to prevent torture in police and SSI custody... [and] that a proper registry of detainees, both police and SSI, which is accessible to members of the public be established and maintained."

Trials of alleged members of armed Islamist groups before military and (Emergency) Supreme State Security courts are grossly unfair and violate international standards for fair trial. In April 1999 the Supreme Military Court issued its verdict in a trial of 107 people, 60 *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 various countries, including Albania, Saudi Arabia and the United Arab Emirates. Returned defendants were interrogated over several months while held in unacknowledged incommunicado detention by the SSI, and defence lawyers were not allowed to meet the defendants until they appeared in court in February 2002. Several defendants alleged that they had been tortured, but no independent investigation is known to have been carried out.

Since the events of 11 September 2001, numerous Egyptians suspected of affiliation with armed Islamist groups have reportedly been extradited to Egypt from several countries, including Azerbaijan, Bosnia and Herzegovina, and Sweden. In the case of Sweden, two men were forcibly returned to Egypt in December 2001 following an unfair procedure. Their whereabouts remained unknown for over one month after their return to Egypt, during which period access to lawyers and relatives was denied. Relatives of one of the men

were subsequently granted a visit. They informed Amnesty International that their son told them that he had been subjected to torture and ill-treatment while in incommunicado detention. Representatives of the Swedish authorities, who also visited the two men, reported that the men did not volunteer information to suggest that they were subjected to torture or ill-treatment during interrogation sessions. (See UA 324/01, MDE 12/035/2001, 19 December 2001 and 3 follow-ups including the most recent MDE 12/006/2002, 1 February 2002).

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

- immediately disclose 'Abdul 'Aziz al-Sharif's whereabouts and reasons for his detention;
- allow 'Abdul 'Aziz al-Sharif access to legal counsel and the possibility to challenge his detention and any decision on expulsion;
- abide by its international obligations and ensure that 'Abdul 'Aziz al-Sharif is not forcibly sent to Egypt or any other country where he might be at risk of serious human rights abuses, including torture.

APPEALS TO:

President

His Excellency General 'Ali 'Abdullah Saleh
President of the Republic of Yemen
Sana'a
Republic of Yemen

Telegrams: President Ali 'Abdullah Saleh, Sana'a, Republic of Yemen

Telexes: 2422 RIASAH YE

Faxes: + 967 127 4147

Salutation: Your Excellency

Prime Minister

'Abd al-Qader Bajamal
Prime Minister of the Republic of Yemen
Sana'a
Republic of Yemen

Telegrams: Prime Minister of the Republic of Yemen, Sana'a, Republic of Yemen

Faxes : + 967 1 282 669

Salutation : Your Excellency

Minister of Interior

Rashid Muhammad al-Alimi
Ministry of interior
Sana'a
Republic of Yemen

Telegrams: Interior Minister, Sana'a, Yemen

Faxes: + 967 1 251 529 / 251 566

Salutation: Your Excellency

COPIES TO: diplomatic representatives of Yemen accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 28 March 2002.
