

UA 257/01

Forcible

EGYPTAL-Sharif Hassan Saad (m), aged 37
Ussama Farag Allah (m), aged 40

The two men named above were forcibly returned to Egypt from the Federation of Bosnia and Herzegovina on 6 October, apparently in disregard of rulings by Bosnian courts. It is feared that they are held at the State Security Intelligence (SSI) Department, where torture is common.

Both men are married with children and had been living in Bosnia for several years.

Al-Sharif Hassan Saad was arrested on 19 July 2001, reportedly in connection with his alleged involvement in a bomb attack in Croatia, and detained in Zenica District Prison. On 4 October he was brought before Zenica Municipal Court, which reportedly extended his detention.

Ussama Farag Allah, who has apparently used other names, was also arrested on 19 July, reportedly on charges of giving the authorities false information about his identity. He was detained in Sarajevo District Prison. On 5 October the Sarajevo Municipal Court ordered his release, but local police forces reportedly re-arrested him immediately after his release.

BACKGROUND INFORMATION

In Egypt suspected members of armed Islamist groups are frequently tortured at SSI branches, 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. 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. 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.

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

- urging the Egyptian government to confirm the reports that Al-Sharif Hassan Saad and Ussama Farag Allah have been forcibly returned to Egypt;
- asking where the two men are now;
- asking for assurances that, if they are in custody, they are being humanely treated and given regular access to lawyers of their choice and to their families;
- asking that they be released unless 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: moheb@idsc.gov.eg
Salutation: Dear Minister

COPIES TO:

The Human Rights Department
Ministry of Foreign Affairs
Corniche al-Nil, Cairo, Egypt
Faxes: + 202 574 9533

Counsellor Maher 'Abd al-Wahid
Dar al-Qadha al-'Ali
Ramses Street
Cairo
EGYPT
Fax: + 202 577 47 16

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 November 2001.