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Egypt: Violent attacks and arrests of peaceful protesters must stop

Amnesty International is greatly concerned about the wave of repression and arrests that took place in Egypt last week, as protesters came out calling for respect of the independence of the judiciary, in support of two senior judges, Mahmoud Mekki and Hisham Bastawisi, who were due to appear before a disciplinary panel for speaking out against election irregularities.

Heavy police security was used to seal off several areas in Cairo leading to the High Court Building where the hearing of the two senior judges was due to take place on 18 May. Riot police and men in plain clothes assisting them beat and kicked pro-reform and opposition protesters with truncheons. At least 300 were arrested during the attacks; most of them were members of the banned Muslim Brotherhood Organization, including leading members Essam al-Erryan, Muhammed Morsy and Maged Hassan.

Most of those arrested remain in custody following orders by the Public Prosecutor to detain them for 15 days pending investigation. They have reportedly been accused of participating in demonstrations, slandering the President of the Republic of Egypt, resisting the authorities and obstructing the implementation of the law. On 17 May, the Minister of Interior had issued an order banning any peaceful assembly and demonstrations in front of the High Court Building.

The police violence and wave of arrests occurred when people came out to demonstrate for more independence of the judiciary, in support of Mahmoud Mekki and Hisham Bastawisi, vice-presidents at the Court of Cassation, who were being disciplined on account of their criticism of alleged fraud and other irregularities during the country's recent parliamentary elections. The disciplinary panel cleared Mahmoud Mekki of "insulting the judicial authority" and "criticising colleagues who supervised last year's parliamentary elections" but reprimanded Hisham Bastawisi on similar accusations and denied his upcoming promotion. Amnesty International is concerned that the hearing may not have been impartial, given that some members of the disciplinary board had publicly condemned statements made by the two judges.

In a separate development, the Court of Cassation confirmed the five-year imprisonment sentence that was handed against *al-Ghad* (Tomorrow) Party leader Ayman Nour in December 2005 on what he said were trumped up forgery charges. The December trial was marred by a number of irregularities that violate international standards of fair trials. Amnesty International remains concerned that the trial may be politically motivated and calls on the authorities to retry Ayman Nour in compliance with international standards of fairness.

Amnesty International is calling on the Egyptian authorities to respect freedom of expression and peaceful assembly and to stop attacks against peaceful demonstrators. All those detained must be released immediately unless there is evidence that they have engaged in violence, in which case they should be

charged with a recognizable criminal offence.

Background:

Mahmoud Mekki and Hisham Bastawisi, vice-presidents at the Court of Cassation, appeared before a disciplinary panel in Cairo on 27 April 2006 on account of their outspoken criticism of the irregularities that marred parliamentary elections in November and December last year and their pressing for an inquiry into alleged electoral fraud where a number of judges close to the government are said to have been complicit. The hearing was postponed until 11 May in order to allow the defence team representing the two judges to examine the case files. The two judges, however, refused to attend the 11 May hearing in protest at the actions taken to prevent their supporters being present and the disciplinary panel postponed the case once again until 18 May when Mahmoud Mekki was cleared and Hisham Bastawisi was reprimanded. Since the start of the disciplinary procedures against both judges, opposition parties, pro-reforms and trade unionists were organizing demonstrations in support of the judges.

On 29 January 2005, Ayman Nour, a member of parliament and leader of the opposition party, al-Ghad, was arrested immediately after he was stripped of his parliamentary immunity. He was accused of having forged more than a thousand signatures in an application seeking his party's legal registration. Ayman Nour denied these accusations. On 31 January 2005, the Supreme State Security prosecution office extended his detention order for 45 days, pending investigations. Ayman Nour, however, was allowed to challenge President Hosni Mubarak in the September 2005 first contested presidential elections where he came second. In the parliamentary elections in November/December 2005, Nour lost his seat to a candidate from the ruling National Democratic Party. In December 2005 Nour was sentenced to five years' imprisonment in a trial that did not meet international standards of fairness. Ayman Nour has reportedly not been allowed to write articles for his party's newspaper during the last two months.