

To: Medical professionals  
From: Medical office / Middle East Program  
Date: 8 April 1997

**MEDICAL LETTER WRITING ACTION**

**Prisoners of conscience: 12 medical professionals  
EGYPT**

**Keywords**

Theme: Prisoners of conscience / unfair trials  
Affiliation: doctors / medical association

**Summary**

Amnesty International is concerned at the continuing imprisonment of 12 medical professionals serving sentences of between three and five years, some with hard labour. They appear to have been imprisoned solely for their membership of the Muslim Brothers organization. There is no suggestion that they have committed any recognizable crime. AI regards them as prisoners of conscience and is urging their release.

**Recommended Actions**

Letters are requested from medical professionals to the addresses given below:

- expressing concern at the continuing detention of 12 doctors who have been imprisoned solely for the non-violent expression of their beliefs; you should list their names
- expressing concern that they were tried by a military court although all are civilians and expressing concern at the lack of legal safeguards that these courts provide
- seeking information about their well-being and state of health
- seeking assurances that they have adequate access to medical care
- urging that they be released from prison on the grounds that they are prisoners of conscience

**Addresses**

H.E. Mohammad Hosni Mubarak  
President of the Arab Republic of Egypt  
'Abdine Palace  
Cairo, Egypt  
Telex: 93794 WAZRA UN  
Fax: +202 260 5417

Dr Mohammad Raghieb Duwaydar  
Minister of Health  
Ministry of Health  
Magles al-Sha'ab Street  
Cairo, Egypt  
Fax: + 202 355 152

Ms Nayla Gabr  
 The Human Rights Department  
 Ministry of Foreign Affairs  
 Corniche al-Nil  
 Cairo, Egypt  
 Fax: +202 574 9677

Mr Faruq Sayf al-Nasr  
 Minister of Justice  
 Ministry of Justice  
 Midan Lazoghly  
 Cairo, Egypt  
 Fax: +202 355 8103

General Nabil Sayyam  
 Director of Prisons  
 Maslahat al-Sugun  
 Al-Gala'a Street  
 Cairo, Egypt  
 Fax: + 202 574 5561

Al-Mustashar Ahmad al-Sayyid Ahmad  
 Assistant Public Prosecutor and Head  
 of the Human Rights Unit  
 The Public Prosecutor's Office  
 (Maktab al-Na'ib al-'Am)  
 Dar al-Qadaa al-'Ali, Ramses Street  
 Cairo, Egypt  
 Telex: 94107 MOHEG UN

General Hassan al-Alfy  
 Minister of the Interior  
 Ministry of the Interior  
 Al-Sheikh Rihan Street  
 Bab al-Louk  
 Cairo, Egypt  
 Telex: 21361 MOICM UN  
 Fax: +202 355 7792

### **Further action**

Please inform your professional association of these cases and urge that they communicate their concerns to the Egyptian authorities as well as to inform the Egyptian Medical Syndicate of any action they take.

Egyptian Medical Syndicate  
 Dar al-Hikmah  
 42 Kasr el Eini Street  
 Cairo, Egypt  
 Fax: +20.2.356.4906

Egyptian Medical Syndicate  
 Secretary-  
 Alexandria Branch  
 Egyptian Human Rights Committee  
 Sapa Pacha  
 Alexandria, Egypt  
 Tel: +20.3.588.1406  
 Fax +20.3.588.1412

[Dr Ibrahim Khalil al-Za'afarani was

General of the Alexandria branch of the Medical  
 Syndicate and head of its human rights committee  
 at the time of his arrest.]

Please send **copies** of letters to the nearest diplomatic representative of Egypt and to the Egyptian Organization of Human Rights:

Egyptian Organization of Human Rights (EOHR)  
 8/10 Mathaf El Manial Street  
 Manial El Roda  
 Cairo, Egypt  
 Fax: +20.2.362.0467  
 e-mail: [eohr@link.com.eg](mailto:eohr@link.com.eg)

EXTERNAL

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**Prisoners of conscience - 12 medical professionals  
EGYPT**

Amnesty International is appealing for the immediate release of 12 medical professionals imprisoned in Egypt for the non-violent expression of their political beliefs. The names of the doctors, who were convicted on political charges in three separate trials, are given below:

<i>Name/age/speciality</i>	<i>Sentence (HL = hard labour)</i>	<i>Date of arrest</i>
<b><u>CASE NO. 8/1995 (Sentences passed 23 November 1995)</u></b>		
<b>'Issam al-'Iryan, 43</b> Deputy Secretary General of the Egyptian Medical Syndicate	5 years+HL 22 January 95	
<b>Mohammad Ahmad 'Abd al-Ghani Hassanein, 44</b> 1995 Medical doctor at the Zaqaziq University Hospital.	3 years+HL	22 January
<b>Ibrahim Khalil al-Za'afarani, 45</b> 22 January 1995 Medical Doctor / Secretary General of the Alexandria Branch of the Egyptian Medical Syndicate and head of its human rights committee	3 years +HL	
<b>'Ali Hassan Hassan al-Day, 42, Dermatologist</b> 1995	3 years+HL	16 July
<b>Mohammad Fu'ad 'Abd al-Magid Ahmad Yusuf, 65</b> 1995 Gynaecologist	3 years+HL	16 July
<b><u>CASE NO. 11/1995 (Sentences also passed 23 November 1995)</u></b>		
<b>Al-Sayyid Mahmoud 'Izzat Ibrahim 'Eissa, 52</b> October 1995 Medical doctor & lecturer at Zaqazig University Faculty of Medicine	5 years+HL	
<b>'Abd al-Mun'im Abu al-Futuh 'Abd al-Hady, 45</b> October 1995 Medical doctor & Deputy Secretary General of the Arab Medical Union	5 years+HL	
<b>Mohammad Sa'd 'Alawiyya al-Sayyid Taha, 41</b> October 1995 Dermatologist	3 years+HL	

<b>Al-Sayyid Mostafa al-Sayyid Mostafa Samak, 32</b> 1995 Doctor at 'Abd al-Nasser hospital, Cairo	3 years	October
<b>Mohy al-Din Mohammad Mahmoud al-Zayat, 41</b> October 1995 Medical doctor & member of the board of the Islamic Medical Association clinic	3 years+HL	
<b>Anwar Hassan Hassan Shahhata, 42</b> October 1995 Treasurer of the Egyptian Medical Syndicate	3 years+HL	
<b>Al-Sayyid Mahmoud 'Izzat Ibrahim 'Eissa, 53</b> October 1995 Doctor & lecturer at Zagazig University Faculty of Medicine	5 years+HL	

**CASE NO. 5/1996 (Sentence passed 15 August 1996)**

<b>Mostafa Tahar 'Ali al-Ghunaymi, 41</b> 1996 Dermatologist	3 years	2 April
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**Background**

The 12 doctors named here were all arrested in 1995 and 1996 apparently solely for their membership of the banned *Muslim Brothers* organization. The first to be targeted for arrest were taken into custody in January 1995 together with 24 other members of the *Muslim Brothers*. They were initially held under a series of consecutive 15-day detention orders for the maximum period of six months. Some individuals were then released, while the detention of the remainder was extended by a State Security Court ruling and a trial against them commenced in August 1995. They included office-bearers within the Egyptian Medical Syndicate, Egypt's national medical association. Dr 'Issam al-'Iryan was deputy Secretary-General of the Syndicate, and Dr Ibrahim al-Za'farani the Secretary-General of the Syndicate's Alexandria branch.

The January arrests were followed by two other waves of arrest of *Muslim Brother* members or supporters in July and October 1995. Several doctors were again among those arrested. These arrests signalled the government's intention to clamp down on the influence which the *Muslim Brothers* held within Egypt's professional bodies. (Please see page 3 for information on the organization.) The *Muslim Brothers* organization is very influential within Egyptian society generally and is not an organization which advocates violence. Amnesty International has adopted these doctors and other alleged members of the organization as prisoners of conscience. It is widely believed that the reason for their arrest, detention and subsequent conviction was the fact that some of them were planning to stand as independent candidates for parliamentary elections held in November and December 1995.

The doctors and others were tried in two separate cases, both of which concluded in November 1995. They underwent trial by the Supreme Military Court after President Hosni Mubarak issued two special decrees on 28 August and 15 October 1995 referring the cases to the military judiciary.

This was the first time in decades that members of the *Muslim Brothers* had been tried by a military court. Mass trials of civilians have been taking place in Egyptian military courts since October 1992 when President Mubarak began issuing special decrees to this effect. These trials have violated some of the most fundamental requirements of international law, including the right to be tried before independent and competent judges, the right to present proper legal defence, to have adequate time to prepare it, and the right of appeal to a higher court. Their trial was based

solely on testimonies given by State Security officers involved in their arrest and on the contents of a video tape which had been recorded at the *Muslim Brothers'* Cairo headquarters. The prosecution argued that it showed defendants participating in a "secret meeting" to revive the activities of the organization and to elect a Consultative Council.

Charges against the doctors included "membership of a banned organization, plotting to change the present regime through the infiltration of vital institutions with a view to setting up an Islamic state and possession of anti-government literature".

In both cases, defence lawyers withdrew after only a few sessions, arguing that these were political cases and that the defendants had not committed any criminal offence. The court (situated in the military barracks of Heikstep, north-east of Cairo) also refused to allow the lawyers to cross-examine the only prosecution witness and refused to provide them with a complete list of the evidence the prosecution was presenting. The military court then appointed new defence lawyers, all of whom were former military judges or personnel and with whom the defendants refused to cooperate. The original lawyers then petitioned the Supreme Constitutional Court, arguing that President Mubarak did not have the right to refer civilians for trial by military courts. As yet, the Supreme Constitutional Court has not examined this petition. Verdicts were reached in both cases on 23 November 1995 and 54<sup>1</sup> defendants, including 11 of the doctors, were sentenced to terms of imprisonment. Five leading members of the *Muslim Brothers* were sentenced to five years' imprisonment with hard labour, 40 others to three years' imprisonment with hard labour (one *in absentia*), and nine others to three years in jail. Twenty-seven others were acquitted. (See above for the sentence each doctor is serving.) The military court also subsequently ordered the closure of the *Muslim Brothers'* main offices in Cairo.

Dr Mostafa Tahar 'Ali al-Ghunaymi was arrested on 2 April the following year - one of 12 members of the *Muslim Brothers* to be arrested on that date. They were also tried by the Supreme Military Court by virtue of a special presidential decree. Their trial was again based solely on testimonies given by State Security officers involved in their arrest and on the contents of the video tape used in the 1995 trials.

### The *Muslim Brothers* organization

The *Muslim Brothers'* organization, founded in 1928, is probably the biggest and most influential opposition force in Egypt. Its aim is the establishment of a system of rule in the country based on Islamic values and principles. Although the organization was banned in 1954, it was tolerated from the late 1970s by the Egyptian authorities. The arrests at the beginning of 1995 marked the beginning of the Egyptian government's implementation of a program of repression aimed at the organization, targetting in particular the professional associations. The Engineers Syndicate has been under judicial control since mid-1995 and the Bar Association was placed under judicial control in January 1996.

At least 1,000 members or supporters of the *Muslim Brothers* were arrested in the run-up to and during parliamentary elections held in November and December 1995. Many were arbitrarily arrested and detained without charge. Others were charged with allegedly planning riots and

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<sup>1</sup>[Of the total 54 convicted, one has since died as a result of complications of a blood clot in the leg, and another was pardoned on medical grounds in January 1997.]

demonstrations to disrupt the elections, and with attempting to prevent voters from casting their ballots. Most were released after the elections.

Although in the past the *Muslim Brothers* organization did advocate the use of violence, their position on this has changed in more recent years and, in addition to affirming that the organization neither engages in nor supports acts of violence, it has consistently condemned the violent activities of armed Islamist groups, such as the attempt on President Mubarak's life in Addis Ababa in June 1995, the bombing of the Egyptian embassy in Pakistan in November that year and the deliberate killing of 10 Christian Copts by alleged Islamist activists in a church in Upper Egypt in February 1997. Amnesty International considers that those who have been convicted solely on the grounds of membership or support of the *Muslim Brothers* and who have not used or advocated violence are prisoners of conscience.

The *Muslim Brothers* have repeatedly stated that they believe that the only way to bring about changes beneficial to the country and its people is through legal means, and through dialogue with the government. They also insist that progress can only be made through the modification and reform of the country's political system to allow organizations such as the *Muslim Brothers* the freedom to form political parties and publish their literature.

Although members of the *Muslim Brothers* cannot stand for election in the name of the movement itself, some of the members have stood in previous elections as representatives of officially recognized political parties. Dr 'Issam al-'Iryan, for example, was a member of the People's Assembly (Parliament) during the 1980s.