

EXTERNAL

AI Index: MDC 12/22/95

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To: Medical professionals
From: Medical Office / Middle East Regional Program
Date: 25 October 1995

FURTHER INFORMATION ON MEDICAL LETTER WRITING ACTION

(See MDC 12/05/95, 13 February 1995 and
MDC 12/14/95, 8 August 1995)

ARREST OF DOCTORS AND CONCERN OVER THEIR TRIAL BY MILITARY COURTS EGYPT

Keywords

Theme: POCs/trial by military court

Profession/association: Doctors/Egyptian Medical Syndicate

Summary

Dr 'Issam al-'Iryan, Deputy Secretary-General of the Egyptian Medical Syndicate, and Dr Ibrahim al-Za'farani, Secretary General of the Syndicate's Alexandria branch, both arrested on 22 January 1995, are currently being tried by a military court, together with 47 other prominent members of the *Muslim Brothers*. There have been further recent arrests of members of the Muslim Brothers and six doctors are among those recently arrested. Please see the details attached.

Recommended actions

Faxes and letters are requested from medical professionals to the addresses given below. If you have already appealed on the earlier arrests, you should state this in your letter. Letters should

- express deep concern at the arrest of a further six doctors on 9 October 1995, stating that they appear to have been arrested for membership of the Muslim Brothers (please give the names of the doctors and note that several are office bearers within the Egyptian Medical Syndicate)
- note that there is no indication that these individuals have used or advocated violence and express concern at the targeting of members for arrest
- express deep concern that Dr 'Issam al-'Iryan, Dr Ibrahim al-Za'farani and others who were arrested on 22 January 1995 are being tried by a military court, although all are civilians
- urge their immediate and unconditional release from custody

- express concern that an order has been given that those arrested on 9 October are also to be tried by military court. Express deep concern at the lack of legal safeguards that these courts provide and, again, call for the immediate and unconditional release of these doctors and others arrested for investigation with them on 9 October 1995

Addresses

H.E. Muhammad Hosni Mubarak
 President of the Arab Republic of Egypt
 'Abdine Palace
 Cairo, Egypt
Fax: +20.2.937.94

Mrs Nagla Gabr
 The Human Rights Department
 Ministry of Foreign Affairs
 Corniche al-Nil
 Cairo, Egypt
Fax: +20.2.723.173

General Hassan al-Afy
 Minister of the Interior
 Ministry of the Interior
 Al-Sheikh Riham Street
 Bab al-Louk
 Cairo, Egypt
Fax: +20.2.355.7792

Copies to:

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

and to Egyptian diplomatic representatives in your own country

PLEASE SEND THIS INFORMATION TO YOUR OWN NATIONAL MEDICAL ASSOCIATION ASKING THEM TO TAKE ACTION.

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**FURTHER ARRESTS OF DOCTORS AND
CONCERN ABOUT THEIR TRIAL IN MILITARY COURTS**

(See MDE 12/05/95, 13 February 1995 and
MDE 12/14/95, 8 August 1995)

EGYPT

In February and April 1995, Amnesty International issued information on the arrest of four doctors in Egypt, all members of the *Muslim Brothers*, who were among 28 members of the movement arrested on 22 January 1995. Two of the doctors were released, but two are currently on trial in a military court together with 47 other members of the *Muslim Brothers*. There is deep concern that military courts are being used to try them.

The *Muslim Brothers* is an Islamist movement which is officially banned but which, until recently, was allowed to operate freely. Members and leaders of the movement are influential within Egyptian society and dominant within professional organizations, including the Egyptian Medical Syndicate, Egypt's national medical association. Dr 'Issam al-'Iryan was deputy Secretary-General of the Egyptian Medical Syndicate at the time of his arrest, and Dr Ibrahim al-Za'farani was Secretary-General of the Alexandria branch of the Syndicate. At least 15 other members of the *Muslim Brothers* were arrested on 9 October 1995 in an operation which spanned seven provinces. Among these were six doctors, three of whom are office bearers within the Egyptian Medical Syndicate, and one who is Deputy Secretary-General of the Arab Medical Association.

Background

Although the *Muslim Brothers* have been allowed to operate freely in the past, it has been apparent for some time that the Egyptian government is intent on clamping down on the movement and, thus, the professional associations in which it is influential. Those arrested have included doctors, lecturers, teachers and engineers. The charges on which Dr 'Issam al-'Iryan, Ibrahim al-Za'farani and others arrested in January 1995 are being tried include "membership of a secret organization which aims to overthrow the regime by force, contacts with foreign quarters and possession of hostile printed material". The *Muslim Brothers* is not an organization which advocates any use of violence and, indeed, has publicly condemned it. There is no evidence that these individuals have used or advocated violence. Amnesty International believes that the reason for the arrests is that members of the *Muslim Brothers* had stated that they would stand as independent candidates in parliamentary elections due to be held in November 1995. 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 was a member of the People's Assembly (Parliament) during the 1980s.) The two doctors and the other *Muslim Brother* members arrested on 22 January are

reported to have held a private meeting to discuss election strategy which was reportedly videoed by the State Security Investigations Department (SSI).

Dr 'Issam al-Iryan, Dr Ibrahim al-Za'farani and the others arrested on 22 January 1995 were initially held under a series of consecutive detention orders. Under Egyptian law, the Procuracy can order the detention of individuals for investigation for up to six months. In this instance, the detainees were held in this manner for a full six months. Their detention orders were then further renewed by court ruling on 22 July 1995, exactly six months after their arrest, and on 2 September 1995 President Hosni Mubarak issued a presidential decree ordering that their cases be tried by military court. The first session of the trial took place on 16 September 1995 in the desert army barracks of Hekstep, north of Cairo. Further sessions took place on 30 September, 14 and 23 October, and others are scheduled in the coming days.

There is additional evidence to indicate that the arrests were linked with the forthcoming Parliamentary elections in that the members of the *Muslim Brothers* known to have been arrested on 9 October were all prominent within the movement and were either candidates in the forthcoming elections or actively involved in organizing the election campaigns for other members of the movement. The six doctors who were among those arrested on 9 October 1995 are:

- . Dr Mahmoud 'Izzat, lecturer at Zagazig University Faculty of Medicine
- . Dr 'Abd al-Mun'im 'Abu al-Futuh, deputy Secretary-General of the Arab Medical Association
- . Dr Anwar Shakhata, treasurer of the Egyptian Medical Syndicate
- . Dr Mohazy al-Din al-Zayat, dermatologist at 'Ain Shams University
- . Dr Sa'ad Zaghul al-'Ashmawi, surgeon and Secretary-General of the Cairo branch of the Egyptian Medical Syndicate
- . Dr Mohammad Sa'ad, treasurer of the al-Giza branch of the Egyptian Medical Syndicate

On 15 October 1995, President Mubarak issued a presidential decree also referring these cases for trial by military court.

Amnesty International is deeply concerned by the arrests and by the use of military courts to try these prisoners. Mass trials of civilians which have been taking place in Egyptian military courts since late 1992 are violating some of the most fundamental requirements of international law: the right to be tried before independent and competent judges, the right to have adequate time to prepare a defence, and the right to appeal to a higher court.

In October 1992, President Mubarak began to issue special decrees ordering that groups of civilians charged with offences related to "terrorism" be tried by military courts. Since then, a number of such trials have taken place, trials in which the amount of time between the beginning of the trial and the judgment has been very short. The courts have handed down 64 sentences of death during this period and 48 executions have taken place, some very soon after the conclusion of the trial.

Amnesty International does not believe these doctors or other members of the *Muslim Brothers* arrested in January and October 1995 to have been involved in any advocacy of violence. It considers them to be prisoners of conscience and is deeply concerned by the use of military courts to try them. It is calling for their immediate and unconditional release from custody.

For further information on military courts, please see *Egypt: Military trials of civilians: A catalogue of human rights violations* (AI Index: MDE 12/16/93, October 1993)