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EGYPT: AMNESTY INTERNATIONAL CALLS FOR AN END TO MASS TRIALS OF CIVILIANS BEFORE MILITARY COURTS

Dozens of alleged members of the Muslim Brothers organization, who neither used nor advocated violence, are being tried by the Supreme Military Court in the army barracks of Heikstep, north-east of Cairo.

"These detainees are prisoners of conscience. They should be immediately and unconditionally released," Amnesty International said.

They have all been charged with plotting to change the present regime through the infiltration of vital institutions with a view of setting up an Islamic state, and include prominent members of professional associations and former members of the parliament.

Three Amnesty International delegates returned from Cairo on 10 November after observing sessions of the trials of two groups of people before the Supreme Military Court. Case no. 8/1995 involved 49 defendants, including one *in absentia*, who are allegedly members of the Muslim Brothers, a banned but until recently tolerated Islamist group. The Muslim Brothers have publicly condemned violence

The 49 include some prominent figures like Dr 'Issam al-'Iryan, the Deputy Secretary General of the Egyptian Medical Syndicate and former member of the People's Assembly (parliament), Dr Ibrahim al-Za'farani, the Secretary General of the Alexandria branch of the Medical Syndicate, and Mohammad Ahmad 'Abd al-Ghani Hassanin, a medical doctor at the Zaqaziq University Hospital. Some of them were arrested on 22 January 1995 and others in July 1995. On 28 August President Hosni Mubarak issued a special decree referring this case to be tried by a military court.

The trial began on 16 September and after several sessions the defence lawyers withdrew because they felt that the case was political and that the defendants had not committed any recognized crime. Moreover, their request to bring the only prosecution witness back for cross-examination was turned down by the President of the court. Immediately after their withdrawal, the court appointed new defence lawyers, who are all former military judges or personnel, to continue the defence. The defendants refused to cooperate with them and insisted that they would only cooperate with the original lawyers.

The court's verdict was due to be given on 13 November but now it has been postponed to 23 November. In the meantime, the defence lawyers have already challenged the President's decision to refer civilians to military courts before the Supreme Constitutional Court.

The second case (no.11/1995) involves 33 alleged members of the Muslim Brothers, including Dr 'Abd al-Mun'im Abu al-Futuh, the Deputy Secretary General of the Arab Medical Union, and the journalist Salah 'Abd al-Maqsud, a board member of the Journalists' Syndicate. Most of them were arrested in October 1995 and on 15 October President Mubarak issued a special decree referring the case to a military court.

After a few sessions the defence lawyers withdrew and the court appointed the same lawyers who were appointed in the first case. The trial is still under way. Some of the defendants in both cases

had publicly stated before their arrest that they were going to stand as independent candidates for the parliamentary elections due to be held on 29 November 1995.

"The fact that some of the defendants in the trials had announced before their arrest that they would run in the upcoming parliamentary elections heightens fears that their arrests and trials are politically motivated," Amnesty International said.

Since October 1992 when President Mubarak started issuing special decrees referring civilians to be tried by military courts, 64 death sentences have been passed by these courts and 48 executions have now taken place. There is no right to appeal the verdict or sentence of a military court to a higher court.

"These mass trials of civilians before military courts are violating some of the most fundamental requirements of international law, including Egypt's solemn treaty commitments under the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights: the right to be tried before a competent, independent and impartial court, the right to have adequate time to prepare a defence, the right to be defended by a lawyer of one's choice and the right to appeal to a higher a court," Amnesty International said.

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