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Egypt must urgently cancel 'dangerous' new powers given to military

A decision by Egypt's Justice Ministry to extend the military's power to arrest and investigate civilians for a wide range of offences would pave the way for fresh human rights violations and must be urgently revoked, Amnesty International said.

According to the decision, announced on Wednesday by Minister of Justice Adel Abdel Hamid Abdallah, military police and intelligence officers are now granted the same powers as judicial police when dealing with civilians suspected of offences related to national security and public order.

In the unrest since early 2011, peaceful protesters have routinely been punished under such offences, which include resisting public authorities and disobeying their orders, assaulting by insults and other acts, damaging public property, blocking traffic, strikes in key public places and “thuggery”.

“Instead of investigating the serious abuses committed by military officers and soldiers against protesters and others since January 2011, Egypt's authorities are giving them carte blanche to arrest and detain civilians,” said Hassiba Hadj Sahraoui, Deputy Middle East and North Africa Programme Director at Amnesty International.

“We urge the authorities to rescind this decision, which has dangerous and pervasive ramifications for the rule of law in Egypt, but also in the short term with run-off presidential elections just days away.”

“That the Minister of Justice could now give an army responsible for killing, torture, and thousands of arbitrary arrests and unfair trials the power to arrest and detain civilians beggars belief. It is nothing less than legally sanctioning abuse.”

The Head of Egypt's Military Judiciary said that the decision fills a gap left by the end of the Mubarak-era state of emergency – which expired on 31 May after being in effect for three decades – and insists it will not be used against peaceful protesters.

“The end of Egypt's long-standing state of emergency was an opportunity for the authorities to end decades of abuses that have corroded the country's justice system,” said Hassiba Hadj Sahraoui.

“Yet we fear this latest decision signals that instead of ushering in proper reform, the authorities are intent on holding on tight to the emergency powers they enjoyed for so long.”

Many of the offences that can be investigated by military police and intelligence officers, including national security-related offences and thuggery, were previously dealt with by the emergency law or referred to military courts.

Among them are activities protected under international human rights law, such as freedom of assembly

and the right to strike.

Worryingly, the new decision gives military police and intelligence officers the authority to arrest suspects in their homes as well as in the streets.

Amnesty International fears that civilians arrested and investigated under the new decision could face trial in military courts.

Civilians should never be tried in military courts. People held solely for peacefully exercising their right to freedom of assembly should be immediately and unconditionally released.

“We fear this decision will further entrench impunity for members of the military who violently repress peaceful protests and commit other human rights violations. The end of Egypt's emergency must mean an end to impunity and a return to the rule of law,” said Hassiba Hadj Sahraoui.

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