

PUBLIC

AI Index: MDE 12/002/2007

05 January 2007

UA 06/07 **Forcible return/torture/fear of further torture**

EGYPT **Ayman Hkiri (m)**
Ahamed Lahbib (m)
Mohamed Almadiri (m)
Another man, name not known

The Egyptian authorities are preparing to forcibly return the four Tunisian nationals listed above, and could do so at any time. If returned to Tunisia they would be in grave danger of torture. They are held at the al-Khalifa detention centre, in the capital, Cairo. They have not been charged with any offence. Five other Tunisian nationals are reported to have been forcibly returned on 4 January.

They were among a group of students, both foreign and Egyptian, arrested at around the end of November. All were interrogated and allegedly tortured in connection with the activities of a terrorist cell recruiting people in Egypt to go to fight the US-led coalition in Iraq. All were detained for some weeks at the State Security Intelligence (SSI) office in Madinet Nasr, Northern Cairo, during which time they claim that they were tortured: this included being beaten and given electric shocks to sensitive parts of their bodies while blindfolded and handcuffed. They were also prevented from sleeping and forced to watch as their cellmates were tortured.

Five other Tunisian nationals who suffered the same treatment at the SSI in Madinet Nasr were reportedly forcibly returned in the evening of 4 January, after spending a number of days at al-Khalifa detention centre. Their whereabouts are now unknown, and it is not clear whether they were arrested on arrival.

As well as the nine Tunisians, eight French, two Belgians, one US citizen and a number of Syrians and Egyptians had been arrested in a sweep through the Madinet Nasr district in Cairo and in Alexandria. The French and Belgian nationals were all students who had come to Egypt to learn Arabic and study Islam. They were arrested in November on suspicion of involvement in a terrorist network. All French and Belgian students were released when they were returned to their respective countries from Egypt on 7 December.

BACKGROUND INFORMATION

Over the years, Amnesty International has received numerous reports of torture and ill-treatment by the Tunisian security forces, including agents of the State Security Department at the Ministry of the Interior in the capital, Tunis. In virtually all cases, allegations of torture are not investigated and the perpetrators are not brought to justice.

In May 2004, Tunisian national Tarek Belkhirat was forcibly returned to Tunisia from France after his request for asylum was rejected. He was arrested upon arrival, and charged under the 2003 anti-terrorism law. In February 2005, the Council of State (*Conseil d'État*), the highest administrative court in France, quashed the order to deport Tarek Belkhirat to Tunisia. In March 2005, a court in Tunis sentenced him to 10 years' imprisonment. In October 2005 this was reduced on appeal to five years. He remains in prison in Tunisia.

The Tunisian authorities are holding some 400 prisoners under the 2003 counter-terrorism law for allegedly seeking to go to fight in Iraq.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English and Arabic or your own language:

To the Egyptian authorities

- expressing concern at allegations that the four Tunisian nationals (naming them), and all those detained with them, have been tortured in custody;
- calling on the authorities to open an immediate investigation into these allegations and bring those responsible to justice;
- calling on authorities to ensure that they are not subjected to any further violations;
- expressing concern at reports that the four men are in imminent danger of being forcibly returned to Tunisia, and calling for all attempts to return them to be halted;
- urging the authorities to stop the forcible return of any person to a country where they would be at risk of serious human rights abuses in accordance with their international obligations under Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- reminding the authorities that the forcible return of anyone to a country where there are substantial reasons to believe they are at risk of torture is absolutely prohibited under international law;
- urging the Egyptian authorities not to send the four to any third country where they would not be granted effective and durable protection against forcible return to Tunisia.

APPEALS TO:

H.E. Muhammad Hosni Mubarak
President of the Arab Republic of Egypt
'Abedine Palace, Cairo, EGYPT
Fax: +20 2 390 1998
E-mail: webmaster@presidency.gov.eg
Salutation: Your Excellency

General Habib Ibrahim El Adly
Minister of the Interior, Ministry of the Interior
Al-Sheikh Rihan Street, Bab al-Louk, Cairo, EGYPT
Fax: +20 2 579 2031
E-mail: moi@idsc.gov.eg
moi1@idsc.gov.eg
moi2@idsc.gov.eg
Salutation: Dear Minister

COPIES TO:

National Council for Human Rights
1113, Corniche al-Nil
NDP Building, Cairo, EGYPT
Fax: +20 2 5747670

and to diplomatic representatives of Egypt accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.