



PUBLIC

AI Index: MDE 12/52/98

12 November 1998

Further information on Extra 53/98 (MDE 12/42/98, 4 August 1998) - Fear of execution / Fear of torture New Concern: Fear of unfair trial

EGYPT            Ahmad Ibrahim al-Sayyid al-Naggar, aged 35  
                  Mohammad Huda, aged 39  
                  Mohammad Hassan Mahmoud, aged 22  
                  Magid Mostafa, aged 36  
New Names:    Sayyed Salama  
                  Tareq 'Ali Mursi

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Ahmad Ibrahim al-Sayyid al-Naggar, Mohammad Huda, Mohammad Hassan Mahmoud and Magid Mostafa were recently transferred to the High Security prison in Tora (south of Cairo), where the risk of being subjected to torture and ill-treatment is reduced. The risk of Ahmad Ibrahim al-Sayyid al-Naggar being imminently executed is also diminished.

The four men are among 50 alleged members of the Islamist armed group *al-Gihad* currently being questioned by the Military Prosecution. Sayyed Salama, who was forcibly returned from Saudi Arabia on June 1 1998, and Tareq 'Ali Mursi, who was forcibly returned from South Africa at the end of October, are also among those being questioned in relation to this case.

Amnesty International is concerned that all six men will be tried before a Military Court as trials of civilians before Military Courts violate international standards. Defence lawyers are denied sufficient time to prepare their cases, and there is no right to appeal against a sentence passed by a Military Court. Sentences are subjected only to review by the Military Appeals' Bureau - a body composed of military judges which is not a court - and ratification by the President. All death sentences passed by military courts since the end of 1992 have been confirmed by the Bureau and ratified by the President.

In July 1993 the UN Human Rights Committee reviewed Egypt's record of implementing the International Covenant for Civil and Political Rights (ICCPR) and expressed concern about military courts trying civilians, concluding that: "*military courts should not have the faculty to try cases which do not refer to offences committed by members of the armed forces in the course of their duties*".

#### BACKGROUND INFORMATION

On 15 October 1997, Ahmad Ibrahim al-Sayyid al-Naggar was sentenced to death *in absentia* by the Supreme Military Court in Cairo (see UA 324/97, MDE 12/56/98, 16 October 1997). Ahmad Ibrahim al-Sayyid al-Naggar, Mohammad Huda, Mohammad Hassan Mahmoud and Magid Mostafa were forcibly returned from Albania to Egypt in July 1998. They were reportedly first held in the headquarters of the State Security Investigation Department in Lazoghly Square (Cairo). Sayyed Salama and Tareq 'Ali Mursi are allegedly members of *al-Gihad*.

**FURTHER RECOMMENDED ACTION:** Please send telegrams/telexes/faxes/express/airmail letters in Arabic, English, French, or in your own language:

- urging that the six men be guaranteed a fair trial before a civilian court in accordance with recognized international standards;
- seeking assurances that all six men are humanely treated and have regular access to lawyers of their own choice and to their families;
- urging the President of the Republic to use his constitutional powers to grant clemency to Ahmad Ibrahim al-Sayyid al-Naggar and commute this and all other death sentences;
- reminding the government of Egypt of its commitment to the Universal Declaration of Human Rights, in particular Article 10 : "Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal".

**APPEALS TO:**

His Excellency Mohammad Hosni Mubarak  
President of the Arab Republic of Egypt  
'Abedine Palace, Cairo, Egypt

**Telegrams: President Mubarak, Cairo, Egypt**

**Telexes: 93794 WAZRA UN**

**Faxes: + 202 390 1998**

**Salutation: Your Excellency**

His Excellency General Habib al-'Adeli  
Minister of the Interior  
Ministry of the Interior  
Al-Sheikh Riham Street, Bab al-Louk, Cairo, Egypt

**Faxes: + 202 579 2031**

**Salutation: Dear Minister**

**COPIES TO:**

Ms Navla Gabr  
The Human Rights Department  
Ministry of Foreign Affairs  
Corniche al-Nil, Cairo, Egypt

**Faxes: + 202 574 9533**

Mr Raqa' al-'Arabi  
Public Prosecutor  
Dar al-Qadha al-'Ali  
Ramses Street, Cairo, Egypt

Dr Fathi Sorour  
Speaker  
The People's Assembly  
Magles al-Sha'ab Street, Cairo, Egypt

**Faxes: + 202 574 91 75**

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 10 December 1998.

"Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal"

*Article 10, Universal Declaration of Human Rights*

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