

EXTRA 10/00

Forcible Return/ Risk of Torture

18 February 2000

GERMANY

'Abd al-Akher Hammad, aged 44  
Muhi al-Din Ahmad 'Abd al-Mun'im, aged 40  
Their families

---

Amnesty International is very concerned that the German authorities may forcibly return the two Egyptian asylum-seekers named above, and their families, possibly as early as today. Amnesty International believes that if returned to Egypt, they, and possibly members of their families, would be at grave risk of torture, unfair trial and other serious human rights violations.

'Abd al-Akher Hammad is suspected of being one of the leadership in exile of the armed Islamist group *al-Gama'a al-Islamiya* (Islamic Group). He denies this, although he has been listed as a leading member of *al-Gama'a al-Islamiya* in various international and Egyptian publications over the past few years. The London-based Arabic newspaper *al-Hayat* today described him and Muhi al-Din Ahmad 'Abd al-Mun'im as leaders of *al-Gama'a al-Islamiya*.

Muhi al-Din Ahmad 'Abd al-Mun'im served a seven-year sentence in Egypt from 1981 to 1988 after an unfair trial before an (Emergency) Supreme State Security Court. He left Egypt in 1994, reportedly while under a seven-year probation sentence that began when he left prison. Amnesty International is further concerned for his and his family's safety because a close relative of his is apparently wanted by the Egyptian authorities as a member of the *al-Gama'a al-Islamiya* leadership in exile.

The men and their families applied for asylum when they arrived at Frankfurt am Main airport on 26 January 2000, reportedly after several years living outside Egypt. Muhi al-Din Ahmad 'Abd al-Mun'im had his wife and son with him, and 'Abd al-Akher Hammad his wife and five children. Their asylum applications were examined and rejected, and their appeals were turned down by an administrative court (*Verwaltungsgericht*) in Frankfurt am Main on 15 and 16 February 2000 respectively, all under an accelerated special "airport procedure" (*Flughafenverfahren*).

#### BACKGROUND INFORMATION

In Egypt suspected members of armed Islamist opposition groups are frequently tortured, particularly at the State Security Intelligence (SSI) headquarters in Lazoghly Square, Cairo, but also other SSI branches, at police stations and occasionally prisons. The methods most commonly reported are electric shocks, beatings, suspension by the wrists or ankles, burning with cigarettes, and various forms of psychological torture, including death threats and threats of rape or sexual abuse of the detainee or their female relatives. Despite hundreds of complaints of torture reported by lawyers and local human rights groups to the Public Prosecutor's Office, no impartial investigations are known to have been conducted.

After considering the State Party Report in May 1999, the UN Committee Against Torture recommended "that Egypt takes effective measures to prevent torture in police and SSI custody...[and] that a proper registry of

detainees, both police and SSI, which is accessible to members of the public be established and maintained."

Trials of alleged members of armed Islamist groups before military or (Emergency) Supreme State Security courts are grossly unfair. In April 1999 the Supreme Military Court issued its verdict in a trial of 107 people, 60 *in absentia*, accused of membership of the Islamist armed group *al-Gihad* (Holy Struggle). Nine were sentenced to death *in absentia*; 78 received prison sentences ranging from three years to life imprisonment; and 20 were acquitted. The defendants included more than a dozen people forcibly returned to Egypt from various countries, including Albania, Saudi Arabia and the United Arab Emirates. Returned defendants were interrogated over several months while held in unacknowledged incommunicado detention by the SSI, and defence lawyers were not allowed to meet the defendants until they appeared in court in February. Several defendants alleged that they had been tortured, but no independent investigation was apparently carried out.

**RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English, German or your own language:**

- expressing concern at reports that the two Egyptian asylum-seekers and their families are at imminent risk of being forcibly returned to Egypt, and calling for all attempts to return them to be halted;
- urging the German government to end the forcible return of any person to a country where they are at risk of serious human rights violations, in accordance with Germany's international obligations, including the United Nations Convention relating to the Status of Refugees; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and the European Convention for the Protection of Human Rights and Fundamental Freedoms;
- urging the German government not to send the asylum-seekers to any third country where they would not be granted effective and durable protection against forcible return to Egypt.

**APPEALS TO:**

Minister of the Interior Otto Schily  
 Ministry of the Interior  
 Alt-Moabit 101  
 D 11014 Berlin  
 Germany

**Telegrams: Interior Minister, Berlin, Germany**  
**Faxes: + 49 30 39812926 or + 49 30 39811014**  
**E-mails: posteingang@bmi.bund400.de**  
**Salutation: Sehr geehrter Herr Innenminister / Dear Minister**

Federal Border Police  
 Bundesgrenzschutz Frankfurt am Main  
**Fax: + 49 69 693075**

**COPIES TO:**

Foreign Minister Herrn Joschka Fischer  
 Außenminister  
 Adenauerallee 99-103  
 D-53001 Bonn  
 Germany

**Faxes:** + 49 228 173402  
**E-mails:** [poststelle@auswaertiges-amt.de](mailto:poststelle@auswaertiges-amt.de)

and to diplomatic representatives of Germany accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 1 March 2000.