

THREE ACTIVISTS HELD BY THE EGYPTIAN ARMY

By Amnesty International

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Three political activists have been detained by the Egyptian army. The three men, all civilians, are possible prisoners of conscience and at risk of torture or other ill-treatment in detention. They are likely to face an unfair trial before a military court.

Youth members of the Egyptian Social Democratic Party (ESDP), Islam Amin, Karim Al Kenany and Mohamed Masoud were detained on 12 July 2012 after protesting in Rabaa Al Adawiya, in the Nasr City district of Cairo. The protest, which the men were helping to coordinate, was calling for greater inclusiveness in Egypt's Constituent Assembly – the body tasked with writing the country's next Constitution.

At around 11pm men in plain clothes disrupted the protest, reportedly attacking protesters and wounding at least one with a bladed weapon. As protesters began to disperse, they reportedly saw Mohamed Masoud being arrested by men in plain clothes, believed to be security officers. The friends and family of Islam Amin and Karim Al Kenany were unable to reach them on their mobile phones and so became concerned.

During the next three hours, an ESDP lawyer visited two police stations in Nasr City attempting to locate the activists. Enquiring at S28, a military area in Nasr City (previously employed by the military forces to detain protesters) a military officer denied the men were there, yet minutes later the lawyer saw the three activists being driven away in an openbacked vehicle surrounded by what appeared to be security officers in plain clothes. The head of Egypt's military police has since told the lawyer that the men have been taken to the Military Prosecution. Amnesty International would call for the activists' immediate and unconditional release if they are being held solely for peacefully exercising their right to freedom of assembly. The organization is concerned that, despite being civilians, the men are likely to face an unfair trial before a military court.

Please write immediately in Arabic, English or your own language:

Calling for the immediate and unconditional release of Islam Amin, Karim Al Kenany and Mohamed Masoud, if they

have been arrested solely for peacefully exercising their right to legitimate freedom of assembly;

Urging the Egyptian authorities to immediately disclose the whereabouts of the three activists and allow them access to lawyers of their choice, as well as their relatives and any medical treatment they may require;

Ensure that they are not subjected to torture or other ill-treatment;

Calling on the authorities to stop any investigations by the Military Prosecution in relation to the three activists and to

release them or refer them to the ordinary civilian judiciary through the office of the Public Prosecutor.

This is one of the first cases of activists being arrested and brought before military prosecutors since President Mohamed Morsi took office on 30 June 2012. It highlights the ongoing abuses by the army, despite the Supreme Council of the Armed Forces' (SCAF's) claims that they have handed over power to civilian authorities.

Islam Amin is 26 years old and is a freelance photographer, cameraman and media coordinator at ESDP in east Cairo.

Mohamed Masoud is 28 years old and works as a sales representative at a real estate company. He is also a youth leader at ESDP. Karim Al Kenany is youth co-ordinator at the ESDP in east Cairo.

On several occasions following protests in 2011 and 2012, military forces have tortured or otherwise ill-treated protesters and activists held in their custody. This has included severe beatings, electric shocks, flogging and threat of sexual assault. Military forces have remained above the law and no member is known to have been held to account for those violations.

Military courts have jailed thousands of ordinary Egyptians since the “25 January Revolution”. The trials are in violation of some of the basic guarantees of a fair trial, including the right to an effective appeal. While there are reports that many who have been tried in military trials have been tried again and released, thousands remain in prison.

In June, the Minister of Justice gave military police and intelligence officers the same powers as judicial police when dealing with civilians suspected of offences related to national security and public order. Amnesty International criticized the move as paving the way for further military trials and other human rights abuses. The decision has since been overturned by an administrative court. The SCAF also amended Egypt’s Constitutional Declaration, removing their forces from civilian oversight and giving the SCAF final say in all military matters. The amended powers also allow the army to intervene in situations of “unrest”, at the invitation of the President.

In line with international law, Amnesty International opposes the trial of civilians by military courts. Such trials violate the right to a fair and public hearing before a competent, independent and impartial tribunal established by law, as guaranteed in Article 14 of the International Covenant on Civil and Political Rights, to which Egypt is a state party.