

Egypt: Release orders ignored for 21 Muslim Brotherhood leaders; issues administrative detention orders



On Monday 15 March 2010, District Prosecutors ordered the release of 21 Muslim Brotherhood leaders, who following announcements of their candidatures in Egypt's upcoming [arrested last Friday 12 March 2010](#) were November 2010 parliamentary elections. Following the Prosecutors' release orders, the Egyptian Ministry of Interior immediately issued administrative orders for their arrest – orders issued by the executive branch of the government, as opposed to the Judiciary, and therefore without any legal basis. Alkarama condemns this use of administrative detention to detain political opponents, and calls for the immediate release of these 21 individuals.

The 21 individuals were part of a larger group of 42 Muslim Brotherhood leaders arrested on Friday morning following announcements throughout the week that they hoped to participate in the parliamentary elections due to be held in November 2010. The individuals were arrested at their homes in the early hours of Friday 12 March 2010. The arrests were followed by full house searches, during which many of their personal belongings were confiscated. The 42 were detained over the weekend in various locations.

On Monday 15 March 2010, those from the Giza area were brought before the District Prosecutors of Haram, Badrashain, Central Giza and Doqqi; those from Dakhaliah were brought before the District Prosecutor of Dakhaliah. All of their cases were considered and the prosecutors ordered the release of these 21 individuals for lack of any evidence against them. The Ministry of the Interior immediately issued administrative detention orders for all 21 individuals named below. They were transferred to the State Security detention centers, and early on Tuesday 16 March 2010, those from Giza were transferred to Burj Al-Arab prison and those from Dakhaliah were transferred to Damanhour prison.

Overturning a judicial decision from a competent court with a simple decision from the Executive branch clearly violates the guarantees to a fair trial provided for by Article 14 of the International Covenant on Civil and Political Rights (ICCPR). The detainees have no way of challenging the legality of their detention before a competent court, as a judicial authority has already ordered their release which has simply been ignored by the Executive branch of the

Egyptian Government. The detainees are also not told the reasons for their detention or for how long they will be detained. Alkarama has dealt with many cases from Egypt where detainees were held for more than 10 years on administrative detention orders without charge or trial.

The real reason why these individuals are detained is because they expressed their political opinions by announcing their candidatures for the upcoming elections, a right enshrined in the ICCPR. Any detention resulting from the exercising of these rights is considered arbitrary.

Alkarama believes their detention is therefore arbitrary, and will inform the United Nations Human Rights Mechanisms about these arrests, asking them to recognize the arbitrary nature of the arrests and the ensuing detention. Alkarama calls on the Egyptian government to immediately release these individuals and cease using administrative detention to hold political opponents, but more generally to cease overturning judicial orders of release with decisions from the executive.

The 14 electoral candidates from Giza currently detained in Burj al Arab prison following administrative detention orders are:

1. Mohammed Faki, and
2. Abdel Nasser Abu Al-Dahab,
3. Akasha Abad (former candidate of the Muslim Brotherhood in Parliamentary elections),
4. Mohammad Farooq,
5. Abdel Fattah Hanafi,
6. Ahmad Murad,
7. Rafat Saad,
8. Hossam Shandi,
9. Mohammed Abu Al-Qasim,
10. Muhammad Hussain,
11. Khalid Fadl,
12. Ali Jaber,
13. Abdel Karim Abdel-Maksoud,
14. Abdel-Fattah Fathi

The 7 electoral candidates from Al-Dakhaliah currently detained in Al-Masoura prison following administrative detention orders are:

1. Ibrahim Saleh
2. Mohammed Haikal
3. Saber Abu Zeid
4. Mohamed al-Zamity
5. Ramadan al-Khatib
6. Salah al-Din Saad

[Source](#)