

## Call for Dr. Ayman Nour's Freedom



Friends of Democracy,

I attach here a copy from the letter that Nour just forwarded to the Congress members regarding his current situation, and I want to update you all that Nour has served half of the sentence in April and should have been freed by then with a presidential decree. However, the authorities promised that this will happen on the July 23rd celebrations, when most prisoners who have served half of the sentence are freed by a general presidential pardon. Nour fortunately survived a heart attack last Tuesday and was moved to a hospital outside of the prison for several hours. Will the President release him next Wednesday with thousands of other prisoners, including those accused of murder and espionage, or will they continue this process of retaliation? Please read his letter and call for his release next Wednesday. Thanks, Gameela Ismail



Congressman Frank Wolf

Members of the Congress External Affairs Committee

Members of the American Congress

Please accept my greetings, respect and gratitude

I have read with extreme gratitude what was written about my case in the draft bill 1303.

In my name and on behalf of my family, party and supporters I express our sincere gratitude for this interest in my case and condition.

However, I would like to draw your attention to new facts and developments, hoping they will be taken into consideration in the final version.

## I: Case summary:

The writer of this letter is the leader of the liberal Ghad Party of Egypt, parliament member from 1995 till 2005, has run for the –first and last– Egyptian presidential election where he came in second to the president from among 10 candidates leaders of Egyptian parties in September 2005. The writer has been detained since 5 December, 2005 on the obviously false grounds of forging some of the powers of attorney applying to establish the Ghad party. The Egyptian law only requires 50 such powers of attorney which negate the need to forge such documents. The documents, which have been submitted to the authorities since 2003, were legal. I was put on a trial that lacked the minimum standards of justice or neutrality and the five–year prison sentence was issued in one degree amid unprecedented local, regional and international anger. The Congress took a great stance since my detention prior to the unfair sentence and through to draft bill 1303 which includes the call to settle my legal position and release me.

From the start the case included Constitutional breaches related to the ungrounded measures taken against me prior to withdrawing my parliament immunity, an issue the parliament authority here refused to testify to or provide official papers of. I recently obtained a final court order obliging the parliament to give me access to the official documents allowing me to request a retrial according to the Egyptian law.

State Council Court issued a ruling in my favor on 19 February 2008 concerning lawsuits 14505 of 61[1] and 35185 of 61. This has led me to take the steps to request a retrial from Egypt's prosecutor general on 3 May 2008. I have not received a reply from the prosecutor general to date.

I have previously submitted a request on 1 September 2007 when one of those who were used to make the false case against me, prisoner Ayman Ismail al-Refai, changed his testimony. However, when I asked to hear his new testimony on 1 September 2007 he was found hung on the morning of Thursday 7 September 2007 before giving his testimony.

II: The other change is that I have now served more than half my prison sentence. It has been customary for over a quarter of a century to issue a pardon that includes all crimes for the remaining period of the sentence on the anniversary of the revolution on the 23rd of July. This practice includes even murderers, espionage convicts, etc.).

However, it is still doubtful that this customary practice will include me as the general pardon which includes all the prisoners who have served half their sentence some involves exceptions related to the seriousness of the crime, such as drug and arms trafficking (!!). Although it is not logical to apply the exception to the crime of forgery I was accused of, it is possible that this crime will be especially introduced to the presidential decree to be issued before 23rd July with the aim of depriving me even from such a customary measure as I have been deprived throughout the years of imprisonment from the right to medical treatment, medication, and writing, all of which are rights enjoyed by all political and criminal prisoners other than myself!!

III: The authorities took illegal measures by pushing some of those who were dismissed from the Ghad party to file a lawsuit to obtain a court ruling –not a final one– officially acknowledging them as the party's pro-government leaders. These persons were officially given funds based on the false ruling that was not issued against us. Moreover, the authorities demanded an appeal of the ruling from a higher court.

When we intervened in the lawsuit the appeal was withdrawn, an unprecedented situation in the history of political parties, which resulted in nationalizing the party. This was done with the aim of depriving us of the legitimacy of political and party presence. Tens of the party's young members were also detained due to the 6th April 2008 strike.

Thus, and in the light of all of the above developments I hope that your suggested draft bill includes the settling of my legal situation after I served half the sentence based on the following:

1- Allow me to enjoy my legal right to a retrial under the principles of fair trials based on the State Council final ruling to give me access to the documents withdrawing my immunity in accordance with the ruling related to cases 14505 and 35185 issued on 19 February 2008 in order to settle my legal situation and return my full political rights.

2- Include me in the general pardon related to serving half the sentence -the pardons issued by the president for all prisoners on 23rd July and 6th October of every year- and allowing me to regain legal standing or giving me the right to a retrial.

3- As for the liberal Al-Ghad party, put an end to official and security interference and lift any restrictions on the party's activities, as well as allowing the party newspaper to be published again and canceling any rulings not issued facing the party or related to a dispute the Party is party to.



Finally, I reiterate my gratitude for your sincere efforts.

Please accept my greetings and full appreciation

Yours sincerely,

Dr. Ayman Nour

Leader of the Al-Ghad liberal party

South Cairo on 6 July 2008

<http://www.freeaymannour.org>