

261/02 : Interights et al / Egypt

Summary of Facts

1. The complaint is submitted by INTERIGHTS representing the Pan-African Movement (PAM), the Legal Resources Consortium (LRC), the Legal Defence and [Assistance] Project (LEDAP) and Rencontre Africaine pour la Defense des Droits de l'Homme (RADDHO) wh[ich] filed the same on behalf of Professor Saadeddin Mohammed Ibrahim, head of the Ibn Khaldun Centre for Development Studies (IKC) and twenty-seven (27) other persons.

2. This complaint follows the trial and conviction by the Supreme Security Court of the Respondent State in May 2001 of Professor Saadeddin Ibrahim, Director and Chair of the Board of Directors of the Ibn Khaldun Center for Development Studies, who was also treasurer of *Hay'at Da'am al-Nakhibat* (Association for the Support of Women Voters, known in Egypt as 'Hoda Association'), together with twenty-seven (27) other persons. They were all working either as permanent employees or project associates of the two organisations and ten (10) of them were tried *in absentia*.

3. The Complainants allege that the accused were charged with deliberately disseminating information abroad about the internal situation in the Respondent State damaging its stature contrary to Article 80(d) of the Penal Code, conspiring to bribe public officials to undermine the performance of their duties contrary to Articles 40(2), 40(3) and 48 of the Penal Code, receiving donations from the European Union (EU) without prior permission from the competent authorities contrary to Articles, 1(6) and 2(1) of Military Order No. 4 of 1992, using deceptive methods to defraud the EU of funds made available to the two organisations contrary to Article 336(1) of the Penal Code, and accepting and offering bribes and of forgery of official documents contrary to Articles 103, 104, 107bis, 207, 211 and 214 of the Penal Code. They were convicted and sentenced to several terms of imprisonment ranging from seven years with hard labour to one year suspended terms.

4. In the process of apprehending, trying and convicting the accused, the Complainants allege that the Respondent State violated their pre-trial and trial rights, freedom of expression, rights to appeal, and rights to effective domestic remedies.

Complaint

5. The Complainants allege violations of [Articles 2, 3, 4, 5, 6, 7 \(1\), 9\(2\), 13\(1\), 16\(1\) and \(2\)](#), and [26](#) of the African Charter.

Procedure

6. The complaint was dated 4th October 2002 and received at the Secretariat on 9th October 2002 by mail.

7. At its 32nd Ordinary Session held from 17th to 23rd October 2002 in Banjul, The Gambia, the African Commission considered the complaint and decided to be seized thereof.

8. On 4th November 2002, the Secretariat wrote to the Complainant and Respondent State to inform them of this decision and requested them to forward their submissions on admissibility to the Secretariat before the 33rd Ordinary Session of the African Commission.

9. At its 33rd Ordinary Session held from 15th to 29th May 2003 in Niamey, Niger, the African Commission heard the Complainant's oral submissions on the matter, during which the latter made an explicit oral request to the African Commission to withdraw the communication. The Complainant also stated it will send its written request for the same soon.

Holding

For the above-mentioned reason the African Commission ,

Takes note of the withdrawal of the communication by the Complainant and decides to close the file.

Taken at the 33rd Ordinary Session in Niamey, Niger May 2003.