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August 12, 2002

His Excellency Mohammad Hosni Mubarak
President of the Arab Republic of Egypt
Abedine Palace, Cairo, Egypt

Dear President Mubarak:

The American Bar Association (ABA), established in 1878, is the world's largest professional organization representing more than 400,000 members of the legal and judicial communities. The ABA has a long-standing commitment and dedicated history of supporting the rule of law, the independence of the judiciary and legal professionals and advocates of civil liberties and human rights. It is the strong conviction of the ABA that the cornerstone of a fair and free society is an independent judiciary and the ability of persons to speak freely in opposition to policies or practices of one's government.

The ABA expresses its deep concern over the prosecution and conviction of Professor Saad Eddin Ibrahim and his colleagues and the unacceptably harsh sentence decreed for Professor Ibrahim. The Professor has been a prominent scholar and outspoken advocate for the protection of human rights. He has been a champion of free elections, civic participation and non-discrimination against women and minorities – values all free and democratic societies hold dear. Professor Ibrahim's "crime," it appears, was that his Institute at the American University in Cairo was helping to teach Egyptians how to register to vote, how to fill out a ballot and how to monitor elections. The charge that he embezzled funds from the European Union outraged European Union officials, who have confirmed that no such thing ever happened.

The ABA's concerns center around the repressive tactics involved in the selection of Professor Ibrahim and his associates as prosecution targets. The prosecutions have all the earmarks of a politically motivated endeavor to chill free speech, suppress human rights, and curtail due process guarantees in Egypt. To the knowledge of the ABA, Professor Ibrahim has engaged in no conduct that should constitute a crime in any free society, and no evidence has been revealed that would support either prosecution or conviction of the Professor, or his unduly harsh sentence.

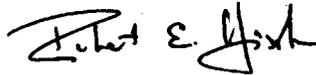
The ABA is also concerned with the prosecution of Professor Ibrahim by the Supreme State Security Court instead of a court of general civil jurisdiction. According to the information in the ABA's possession, a person tried under the Supreme State Security Court has substantially diminished appeal rights and an appeal from a decision of the Supreme State Security Court may not challenge the adequacy of the evidence before the court. The selective use of the Supreme State Security Court, as in this case, sends a threatening message to those who wish to speak out against injustice in this or other cases involving protection of human rights of citizens of Egypt.

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In keeping with its respect for the rule of law, the ABA does not suggest that you take steps to influence the outcome of any independently arrived at judicial decision in Egypt. However, the ABA calls upon your government to ensure the independence of all tribunals in Egypt and the due process of all persons who come before them. Because that assurance is so conspicuously absent in this instance, the ABA requests that you take steps within your lawful authority to cause the dismissal or withdrawal of the cases against the Professor and his associates.

The ABA will continue to monitor the situation in Egypt. We are hopeful that we will be able to report on your favorable consideration of this letter and the actions it requests.

Sincerely,



Robert E. Hirshon

cc: Honorable Colin Powell, Secretary of State
Ambassador C. David Welch, U.S. Embassy
William Joseph Burns, Assistant Secretary of State
Ambassador Nabil Fahmy, Embassy of Egypt
His Excellency Habib el Adly, Minister of the Interior
His Excellency Faruq Sayf Al-Nasr, Minister of Justice
Maher Abdel Wahab, Public Prosecutor
H.E. Mr. Ahmed Maher El Sayed, Minister of Foreign Affairs