URGENT ACTION

PROMINENT ACTIVIST RISKS INDEFINITE DETENTION

On 29 September, prominent Egyptian-British activist Alaa Abdel Fattah will have been imprisoned for the length of his unjust five-year prison sentence, amid fears that Egyptian authorities will refuse to release him. On 20 December 2021, he was convicted on bogus charges and sentenced to five years in prison, following a grossly unfair trial. Alaa Abdel Fattah, who has spent most of the past decade behind bars, has been subjected to a litany of human rights violations including arbitrary detention, unfair trial, torture and other ill-treatment and periodic bans on family visits. Alaa Abdel Fattah is a prisoner of conscience who should be immediately and unconditionally released as his detention is solely linked to the exercise of his human rights.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

<u>President Abdel Fattah al-Sisi</u> Office of the President Al Ittihadia Palace Cairo, Arab Republic of Egypt Email: <u>p.spokesman@op.gov.eg;</u> Twitter: @AlsisiOfficial

Your Excellency,

Prominent Egyptian-British activist Alaa Abdel Fattah, who has been detained since 29 September 2019, is serving an unjust five-year prison sentence following his conviction in a grossly unfair trial. In December 2021, an Emergency State Security Court (ESSC) convicted him on bogus charges of "spreading false news" for sharing a social media post under Case No. 1228/2021. On 3 January 2022, President Abdel Fattah al-Sisi ratified the verdict against Alaa Abdel Fattah and two other defendants. A <u>document</u> issued by the prosecution and seen by Amnesty International indicated that the authorities considered that his sentence commenced from the date of ratification, rather than from the date of his arrest. The document states that Alaa Abdel Fattah is to be released in January 2027.

Alaa Abdel Fattah's family, lawyers and supporters fear that the authorities will not release him, despite him having served five years in prison, because they will not count the time spent pretrial detention as part of his prison sentence. The authorities may also seek to justify his ongoing arbitrary detention by opening new bogus criminal investigations against him – this abusive practice is commonly referred to as "rotation", when individuals held for political reasons are accused of identical or similar charges in new cases to keep them detained indefinitely, even when prosecutors or judges order their release, or after they have served their sentence.

Following supporter mobilization and public outcries during COP27 held in Egypt in 2022, Alaa Abdel Fattah's conditions of detention and overall health have improved especially after his transfer to the Wadi-al-Natroun prison in May 2022. However, authorities keep denying him access to his lawyer whom he has not seen since March 2020. Authorities also continue to deny him consular visits from the British authorities as well as phone calls to his family. Since 2019, prison officials have also denied Alaa Abdel Fattah access to sunlight and fresh air. He can exercise, but only in an enclosed hallway.

I urge you to release Alaa Abdel Fattah immediately and unconditionally, as he is detained solely for exercising his human rights. Pending his release, he must have regular access to his lawyers, family and adequate healthcare and be held in conditions that meet international standards for the treatment of prisoners. He must be granted a consular access without further delay.

Yours sincerely,

ADDITIONAL INFORMATION

Alaa Abdel Fattah, a well-known political activist and government critic, has been repeatedly arrested during the past decade including for his role in the 2011 uprising. On 29 September 2019, National Security Agency (NSA) officers arrested him from Dokki police station in Greater Cairo, where he was forced to spend 12 hours every night following his release on probation in March 2019, after having served another unjust five-year prison sentence. Later that day human rights lawyer Mohamed Baker, was arrested from a prosecution office while attending the investigation session of his client Alaa Abdel Fattah. Alaa Abdel Fattah and Mohamed Baker were ordered into pre-trial detention pending investigations into bogus terrorism-related charges under Case No.1356/2019 of the Supreme State Security Prosecution (SSSP), a branch of the Public Prosecution specialized in investigating national security threats.

The SSSP opened investigations into similar charges against them under new Case No. 1228/2021 as part of a strategy increasingly used by the authorities, referred to as "rotation", to circumvent the two-year limit for pre-trial detention allowed under Egyptian law and to indefinitely extend the detention of activists. Their trial in Case No. 1228/2021 started on 28 October 2021, together with another defendant: blogger and activist Mohamed Ibrahim Radwan "Oxygen". Mohamed Baker and "Oxygen" were convicted on charges of "spreading false news" in relation to social media posts and sentenced to four years' imprisonment. Proceedings before emergency courts are inherently unfair as their verdicts are not subject to appeal by a higher tribunal. Defence lawyers were prevented from communicating with defendants in private and photocopying the casefiles and indictments.

Alaa Abdel Fattah was held in inhumane conditions at the Tora Maximum Security 2 Prison, in Cairo from September 2019 to May 2022. Prison authorities held him in a small, poorly ventilated cell and have denied him a bed and mattress. The prison authorities also denied him reading materials, exercise in the prison yard, adequate clothing, radios, watches, access to hot water and any personal belongings, including family photos. On 12 May 2022, Alaa Abdel Fattah told his mother that he was beaten while handcuffed by the deputy prison warden at Tora Maximum Security 2 prison. On 18 May 2022, he was transferred to Wadi al-Natroun Prison after significant public pressure.

On 19 July 2023, following sustained supporter mobilization Mohamed Baker received a presidential pardon after nearly four years of arbitrary detention stemming solely from his human rights work. Since the President's reactivation of the Presidential Pardons Committee in April 2022, the Egyptian authorities released high-profile prisoners of conscience and hundreds of others held for political reasons. However, thousands remain arbitrarily detained solely for exercising their human rights, or following grossly unfair trials, or without legal basis.

During UN Climate Change Conference (COP27), a chorus of voices called on the Egyptian authorities to release Alaa Abdel Fattah who was on hunger strike for seven months when the event started on 6 November 2022. For instance, on 8 November, expressing deep regret at his ongoing detention, UN High Commissioner for Human Rights, Volker Türk, called for his immediate release and urged the authorities to provide him with the necessary healthcare. Alaa Abdel Fattah began his hunger strike on 2 April 2022 to protest his unjust imprisonment and denial of consular visits. On 1 November 2022, he escalated his hunger strike and stopped consuming the 100 calories he had been consuming since April and on 6 November 2022 he stopped drinking water. On 11 November 2022, Alaa Abdel Fattah lost consciousness in the shower, and when he regained it, he was held by a cellmate, surrounded by a large crowd and had a tube inserted into his body. Following this near-death experience, he decided not to resume his hunger strike immediately, but vowed to continue if "there continues to be no real movement on his case".

On 24 March 2023, the UN Human Rights Committee <u>published</u> its concluding observations on Egypt's compliance with its obligations under the International Covenant on Civil and Political Rights highlighting several issues raised since 2013 by Amnesty International and other Egyptian and international human rights groups, including arbitrary detention and abuse of counterterrorism legislation to silence actual or perceived critics of the Egyptian authorities.

On 14 November 2023, Alaa Abdel Fattah's family have filed an urgent <u>appeal</u> with the United Nations Working Group on Arbitrary Detention over his continuing and unjust imprisonment.

PREFERRED LANGUAGE TO ADDRESS TARGET: Arabic and English.

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 25 March 2025.

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Alaa Abdel Fattah (he/him).

LINK TO PREVIOUS UA: <u>https://www.amnesty.org/en/documents/mde12/7744/2024/en/</u>. ADDITIONAL TARGETS

Minister of Interior Mahmoud Tawfiq Ministry of the Interior 25 El Sheikh Rihan Street Bab al-Louk, Cairo, Egypt Fax: +202 2794 5529 Email: center@iscmi.gov.eg or E.HumanRightsSector@moi.gov.eg Twitter: @moiegy Salutation: Dear Minister

National Council for Human Rights 340 D - شارع التسعين الشمالي - التجمع الخامس Fax: +2028135607 WhatsApp/phone: +201558345554 Email: <u>nchr-n@nchr.org.eg</u>

His Excellency Mr Sherif Ahmed Mahmoud Kamel *Ambassador Extraordinary & Plenipotentiary* Embassy of the Arab Republic of Egypt 26 South Street, W1K 1DW Tel.: 020 7499 3304/2401 Fax: 020 7491 1542 E-mail address: egtamboff@gmail.com Egyemb2020@gmail.com Opening Hours: Monday-Friday 9:00-17:00 Salutation: Your Excellency