

URGENT ACTION

15-YEAR-OLD BOY'S TRIAL ADJOURNED, STILL DETAINED

The trial of 15-year-old Aser Mohamed has been adjourned to 16 November. He faces a string of charges, including belonging to the banned Muslim Brotherhood group and attacking a hotel, based on “confessions” that he says were obtained under torture after 34 days of enforced disappearance. If convicted he faces up to 15 years imprisonment.

Aser Mohamed was arrested by National Security Agency (NSA) officers on 12 January and subjected to enforced disappearance for the next 34 days during which he claims he was tortured to “confess” to offences he did not commit. He was 14 years old at the time of the arrest. He was referred to trial in August. The court held the first hearing on 6 August and then postponed the hearing to 15 August and again to October. At the 8 October Cairo Appeals Court session, defence lawyers questioned the judge’s impartiality raising remarks he is alleged to have made expressing his hatred for the Muslim Brotherhood, which he described as a terrorist organization. Egyptian media refer to the case in which 15-year-old Aser Mohamed is one of the defendants as the “Three Pyramids” case, named after the hotel which he and 25 other defendants are alleged to have attacked on 7 January 2016.

His continued detention is taking a heavy psychological toll on Aser Mohamed, his family told Amnesty International on 27 September after visiting him, adding that he is depressed especially since he misses school and his friends. The family visits are weekly but only last about 10 to 15 minutes. The torture he described included being given electric shocks and being suspended from his limbs for long hours. His family said that when they visited him for the first time in detention, 9 days after he appeared, Aser Mohamed was covered with white spots and markings of the electric shocks, and his shoulders were dislocated. The lawyer’s requests to the court for a forensic medical examination have not been answered. Aser Mohamed might be transferred to another place of detention, since about 100 of his fellow inmates were transferred at the end of September, his family said after their 4 October visit. He is currently held in Central Security Forces camp Kilo 10.5.

Please write immediately in English, Arabic or your own language:

- Calling on the Egyptian authorities to release Aser Mohamed immediately as his detention is unlawful;
- Calling on them, in the interim, to allow him full access to his lawyer, medical treatment and family;
- Calling on them to end Aser Mohamed’s ill-treatment, and ensure an impartial, effective investigation into his enforced disappearance and allegations of torture and other ill-treatment, and prosecute those responsible in a fair trial.

PLEASE SEND APPEALS BEFORE 1 DECEMBER 2016 TO:

Public Prosecutor

Nabil Sadek
Office of the Public Prosecutor
Madinat al-Rehab
New Cairo, Arab Republic of Egypt

Salutation: Dear Counsellor

Interior Minister

Magdy Abdel Ghaffar
Ministry of Interior
Fifth Settlement, New Cairo,
Egypt
Fax: +202 2794 5529
Email: center@moi.gov.eg or
E.HumanRightsSector@moi.gov.eg
Twitter: @moiegy

Salutation: Your Excellency

And copies to:

Deputy Assistant Minister of Foreign
Affairs for Human Rights
Laila Bahaa Eldin
Ministry of Foreign Affairs
Corniche el-Nile, Cairo, Egypt.
Fax: +202 2574 9713
Email: contact.us@mfa.gov.eg
Twitter: @MfaEgypt

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR NASSER AHMED KAMEL ALI, Embassy of the Arab Republic of Egypt, 26 South Street W1K 1DW, 020 7499 3304/2401, Fax 020 7491 1542, eg_emb_london@mfa.gov.eg and etembuk@hotmail.com

Please check with your section office if sending appeals after the above date. This is the first update of UA 197/16. Further information:
<https://www.amnesty.org/en/documents/MDE12/4709/2016/en/>

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ADDITIONAL INFORMATION

A mixed force of armed police and National Security Agency (NSA) officers in plain clothes raided Aser Mohamed's family home and arrested him in the early morning of 12 January 2016. They did not show a judicial arrest or search warrant. The officers refused to inform his parents where they were taking him but told them that they would return him after two hours or so. But they did not return him, and for the next 34 days his family did not know where he was and they had no contact with him. Aser Mohamed's family made frantic efforts to locate him. They searched in Cairo's Bulaq al-Dakrou, Omraneya, Talbeya, Haram and Giza Police Stations; they all denied that he was in their custody. The family also reported and sent postal telegrams to the Public Prosecutor, Ministry of Interior and Attorney General, all without obtaining any information or getting any response.

Aser Mohamed faces a string of charges including belonging to the banned Muslim Brotherhood group and attacking a hotel. The charges against him were based on his "confessions" that he says were obtained under torture by the NSA during the 34 days of enforced disappearance. Aser Mohamed appeared before a prosecutor on 15 February and the NSA sent an official investigation report. The investigation report claimed that he had been arrested only earlier that day, giving 15 February as his arrest date. The report makes no reference to his previous 34 days of incommunicado detention. The prosecutor charged Aser Mohamed with membership of the Muslim Brotherhood group and participation in the 7 January hotel attack. When he denied the charges, Aser Mohamed told the prosecutor that he had been tortured to "confess" to these offences, including by being given electric shocks and suspended from his limbs for long hours. However, the prosecutor did not open an investigation into the allegations of torture and enforced disappearance. Instead, Aser Mohamed says that the prosecutor threatened that he would send him back to the NSA to face further torture if he tried to retract his "confessions." The prosecutor then ordered Aser Mohamed's pre-trial detention; although he was 14-years-old when he was arrested and by law he should have been referred to the prosecutor within 24 hours of arrest. The ordering of his pre-trial detention contravenes Egyptian laws that prohibit pre-trial detention for children under the age of 15. Aser Mohamed was 14-years-old upon arrest. He turned 15 on 2 February while he was unlawfully detained incommunicado by NSA officers.

Amnesty International has documented numerous cases where the NSA of the Ministry of Interior has used enforced disappearances to deter opposition and to prevent peaceful dissent. At least three to four people disappear each day across the country, according to figures supplied by Egyptian NGOs. The rise of enforced disappearance has coincided with the appointment of the Minister of Interior, Magdy Abd el-Ghaffar, who is a long serving officer under the State Security Investigations Service, which under former President Hosni Mubarak was responsible for abductions, torture enforced disappearances and other serious human rights violations. For further information please refer to Amnesty International's report and press release on Egypt which features Aser Mohamed's case. The report published on 13 July and titled "*Hundreds disappeared and tortured amid wave of brutal repression*" is available at:

<https://www.amnesty.org/en/latest/news/2016/07/egypt-hundreds-disappeared-and-tortured-amid-wave-of-brutal-repression/>

Further information on UA: 197/16 Index: MDE 12/5002/2016 Issue Date: 20 October 2016