

URGENT ACTION

SHAWKAN'S TRIAL ADJOURNED UNTIL 1 NOVEMBER

A Cairo court adjourned to 1 November the trial of photojournalist Mahmoud Abu Zeid, popularly known as Shawkan. He is a prisoner of conscience facing nine trumped-up charges and is at risk of the death penalty, if convicted.

On 8 October, Cairo Criminal Court adjourned the trial of photojournalist **Mahmoud Abu Zeid** and 738 other defendants to 1 November, while it released Hosny Ali, a defendant suffering from cancer. One of Mahmoud Abu Zeid's lawyers told Amnesty International that the trial has been adjourned to screen the remaining pictures and videos that are supposed to contain evidence backing up the charges against the defendants.

Mahmoud Abu Zeid was arrested on 14 August 2013 while photographing the violent dispersal by security forces of the Rabaa al-Adaweya sit-in in Cairo. The case is referred to by Egyptian media as the "Rabaa dispersal" case. At the 8 October session, the Public Prosecution displayed a few CDs containing pictures and videos allegedly incriminating the defendants. However, defence lawyers objected to what was contained in the CDs because they related to events that pre-date the dispersal of the Rabaa al-Adaweya sit-in, such as the "25 January Revolution" in 2011. The Prosecution responded by saying the evidence was supplied by the National Security Agency without elaborating. Since early 2015, the National Security Agency has emerged as the principle state agency engaged in suppressing opposition to the government, committing torture and other serious violations with impunity.

Shawkan has been held far in excess of the two-year detention limit set out in Article 143 of Egypt's Code of Criminal Procedures for those at risk of life imprisonment or the death penalty. The law says that they must be sentenced within a two-year period, or otherwise released immediately. His lawyers' requests for his release have been unsuccessful so far. He is detained in Cairo's Tora Prison Complex, and was moved on 19 October from Istiqbal Prison to Tahqiq. The reason for this transfer is still unclear.

Mahmoud Abu Zeid is being tried in a mass trial with 738 other defendants, including leaders of the Muslim Brotherhood movement. He faces nine trumped-up charges, which include "joining a criminal gang" and "murder". He has denied the charges against him. Mahmoud Abu Zeid only receives medication for Hepatitis C sporadically.

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

- Urging the Egyptian authorities to drop all charges against Mahmoud Abu Zeid and release him immediately and unconditionally as he is a prisoner of conscience detained solely for peacefully exercising his right to freedom of expression;
- Calling on them to provide Mahmoud Abu Zeid with any medical treatment he may require.

PLEASE SEND APPEALS BEFORE 7 DECEMBER 2016 TO:

Public Prosecutor
Nabil Sadek
Office of the Public Prosecutor
Madinat al-Rihab
New Cairo, Egypt

Salutation: Dear Counsellor

Interior Minister
Magdy Abd El-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 El Din
Ministry of Foreign Affairs
Corniche al-Nil, Cairo
Arab Republic of 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 eighth update of UA 243/14. Further information: <https://www.amnesty.org/en/documents/MDE12/4170/2016/en/>

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ADDITIONAL INFORMATION

Mahmoud Abu Zeid (also known by his nickname Shawkan) is a freelance photojournalist, who was arrested while on assignment for London-based photo agency Demotix. Two foreign journalists were also arrested with him, but they were released on the same day. Demotix told the Prosecutor's Office that Mahmoud Abu Zeid was on assignment with them, but he was still detained. Mahmoud Abu Zeid previously worked for a range of publications, including Time magazine, the German national weekly newspaper Die Zeit and German tabloid BILD.

Mahmoud Abu Zeid has said police and soldiers beat him during his first day under arrest and on 17 August 2013, when he was transferred from an overcrowded cell at a police station in Cairo to the capital's Abu Zaabal Prison. According to his letter, published by Amnesty International on 5 April 2015 (see: <https://www.amnesty.org/en/latest/news/2015/04/600-days-in-jail-for-taking-pictures/>), officers punched and kicked him, and beat him with batons. He was also kept in a parked truck for eight hours when the temperature was above 30 degrees centigrade, without food, water or fresh air when he got to Abu Zaabal Prison. In the letter, he described his indefinite detention as "psychologically unbearable".

The proceedings against Shawkan have been unfair. His lawyers have repeatedly been denied access to key documents relating to the case, including the list of charges. This has made it difficult for them to prepare his defence. Mass trials also make it difficult to ensure the right to a fair trial is guaranteed for each of the defendants. The Egyptian authorities have used mass trials to target opposition groups, with many of those put on trial facing trumped-up charges without proving each defendant's individual criminal responsibility.

The trial of Shawkan and 738 others is being held in a building annexed to Tora Prison called the Tora Police Institute. The defendants are kept in a glass, soundproof dock when they are brought into the courtroom and listen to the proceedings through headsets that make it hard to hear, according to one of the lawyers. They cannot address the court unless the judge permits them to leave the glass dock to do so.

Egypt is a state party to the International Covenant on Civil and Political Rights (ICCPR), Article 9 of which prohibits arbitrary detention. Article 19 of the ICCPR guarantees the right to seek, receive and impart information and ideas. Article 14 guarantees the right of everyone to a fair and public hearing by a competent, independent and impartial tribunal established by law. The article further guarantees the rights of everyone facing criminal charges to be informed promptly of the nature and cause of the charges against them, the right to have adequate time and facilities for the preparation of their defence, the right to be tried in their presence, and the right to examine, or have examined, the witnesses against them.

Further information on UA: 243/14 Index: MDE 12/5001/2016 Issue Date: 26 October 2016