

URGENT ACTION

TRIAL ADJOURNED, MEDICAL EXAM INSISTED FOR RELEASE
A Cairo court adjourned to 19 November the trial of Egyptian photojournalist Mahmoud Abu Zeid (“Shawkan”). He faces trumped-up charges and risks the death penalty if convicted. The court also ordered that he be examined by a prison doctor after the release of two defendants on health grounds for the same illness Shawkan suffers from.

South Cairo Criminal Court adjourned on 1 November the trial of photojournalist **Mahmoud Abu Zeid** (“Shawkan”) to 19 November. The court also ordered that Shawkan be examined by a prison doctor, along with other defendants in the same case, and the release of two defendants on health grounds. Lawyer Karim Abdelrady told Amnesty International that the two were released after reports by a forensic doctor confirmed that they have Hepatitis C, the same illness Shawkan suffers from. Shawkan’s defence team are awaiting the results of the prison doctor’s report, and may insist on his examination also by a forensic doctor in order to secure his release.

On 2 November, the Egyptian Press Syndicate submitted a list of 29 detained journalists, among them Shawkan, so that they can be considered for an amnesty. The list was submitted to a committee formed after President Abdel Fattah al-Sisi called for a review of cases of those held in pre-trial, or “precautionary”, detention. The committee includes a politician, writer, a member of parliament, a member of the National Council for Human Rights, and a former member of al-Sisi’s electoral campaign, according to the state-run Al-Ahram news website. Shawkan has been held for longer than the maximum pre-trial detention period of two years that is provided for by Article 143 of the Egyptian Code of Criminal Procedures.

The UN Human Rights Council’s Working Group on Arbitrary Detention released its opinion on 21 October calling on the Egyptian authorities to “immediately release” Shawkan and “accord him an enforceable right to reparation”. It considers the arrest and deprivation of Shawkan’s liberty arbitrary and in violation of rights and freedoms guaranteed by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

Please write immediately in Arabic, English 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 19 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
 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 ninth update of UA 243/14. Further information: <https://www.amnesty.org/en/documents/MDE12/5001/2016/en/>

**AMNESTY
 INTERNATIONAL**



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ADDITIONAL INFORMATION

Mahmoud Abu Zeid (popularly known by his nickname “Shawkan”) is a freelance photojournalist, who was arrested on 14 August 2013 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 Public Prosecutor’s Office that Mahmoud Abu Zeid was on assignment with them, but he was still detained. Mahmoud Abu Zeid has been published by a range of publications, including Time magazine, the German national weekly newspaper Die Zeit and German tabloid BILD.

Mahmoud Abu Zeid has said that police and army officers 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 degree 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”.

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 2016 from Istiqbal Prison to Tahqiq Prison. 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.

The proceedings against Shawkan have been unfair. His lawyers have repeatedly been denied access to key documents related 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 providing 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 12/5103/2016 Issue Date: 7 November 2016