

URGENT ACTION

SHAWKAN'S TRIAL ADJOURNED UNTIL 17 MAY

Egyptian authorities adjourned until 17 May the trial of photojournalist Mahmoud Abu Zeid, popularly known as Shawkan. He is facing trumped-up charges as a result of his journalistic work. He is a prisoner of conscience and, if convicted, risks a death sentence.

On 10 May, Cairo Criminal Court postponed the trial of **Mahmoud Abu Zeid** to 17 May. According to his lawyer, the trial was postponed to allow for the prosecution to bring the remaining physical evidence to the court.

The court session marked over 1000 days that Shawkan has spent in jail. He is the only Egyptian journalist to be held for this long, far in excess of the two-year maximum pre-trial detention limit set out in Article 143 of Egypt's Code of Criminal Procedures (CCP). Mahmoud Abu Zeid has been detained since 14 August 2013, when he was arrested while photographing the violent dispersal of the Rabaa al-Adawiya sit-in in Cairo.

Mahmoud Abu Zeid is being tried in a mass trial with 738 other defendants, including leaders of the Muslim Brotherhood movement. The photojournalist faces nine trumped-up charges, which include "joining a criminal gang" and "murder". He has denied all the charges against him. On 26 March 2016, the Prosecutor submitted charges that were specific to Mahmoud Abu Zeid. A lawyer for the Press Syndicate submitted an affidavit to the court confirming that Mahmoud Abu Zeid had been doing journalistic work at the time of his arrest and requesting his release. The court session was then adjourned to April, so that the prosecution could bring forward the physical evidence in the case. On 23 April the court session was adjourned again, because one of the co-defendants in the case was not brought to the courtroom. Mahmoud Abu Zeid's defence team also requested that he undergo a medical examination to confirm that he has Hepatitis C. This has not been done yet and he continues to be denied access to medication, one of his lawyers said.

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 24 JUNE 2016 TO:

Public Prosecutor

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

Salutation: Dear Counsellor

President

Abdel Fattah al-Sisi
Office of the President
Al Ittihadia Palace
Cairo, Egypt
Fax: +202 2 391 1441
Email: p.spokesman@op.gov.eg
Twitter: @AlsisiOfficial

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, egtamboff@gmail.com, and eg.emb_london@mfa.gov.eg

Please check with your section office if sending appeals after the above date. This is the sixth update of UA 243/14. Further information: <https://www.amnesty.org/en/documents/MDE12/3786/2016/en/>

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ADDITIONAL INFORMATION

Mahmoud Abu Zeid is a freelance photojournalist who was arrested while on an assignment for the London-based photo agency Demotix. He previously worked for a range of publications, including Time Magazine, Die Zeit, BILD and Media Group. At the time of his arrest, he was covering the Egyptian security forces' violent dispersal of the Rabaa al-Adawiya sit-in on 14 August 2013. The agency told the Prosecutor's Office that he was working with them at the time, but he was still detained.

His detention order has been renewed repeatedly, to allow for questioning and investigations by the Public Prosecution. The CCP allows pre-trial detention for such purposes for up to six months when a defendant is charged with misdemeanours, or 18 months if charged with felonies, and two years if the alleged offence is punishable by life imprisonment or death (Article 143 of the CCP). Mahmoud Abu Zeid's detention exceeded this limit in August 2015. His lawyers submitted a petition to the Court of Appeal for him to be released immediately, but without success.

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. Officers are understood to have 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°C, without food, water or fresh air when he got to Abu Zaabal Prison. He wrote a letter in April 2015, which has been published by Amnesty International, detailing the appalling conditions and describing 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 consideration of proving each defendant's individual criminal responsibility.

Egypt is a state party to the International Covenant on Civil and Political Rights (ICCPR), Article 9 of which prohibits arbitrary detention. And 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 12/4026/2016 Issue Date: 13 May 2016