

URGENT ACTION

HUMAN RIGHTS LAWYER SENTENCED, WITH OTHERS

Human rights lawyer Mahienour El-Massry and two others have been sentenced to 15 months in jail on trumped-up charges. Mahienour El-Massry is a prisoner of conscience detained solely for exercising her right to peaceful expression and assembly. The three are in prison, but will appeal.

Human rights lawyer **Mahienour El-Massry**, journalist **Youssef Shaaban** and activist **Loay El-Kahwagi** were sentenced to 15 months in prison on 31 May by El-Raml Appeal Misdemeanour Court in the city of Alexandria. The ruling can be appealed, but their lawyer has told Amnesty International that the court has not yet published its reasons for the verdict. Once it does, the lawyer will appeal. The three were already in detention after attending the first session of the appeal on 11 May. The judge ordered them to be detained until the verdict.

They had been appealing against a February 2015 verdict, in which they were sentenced to two years in prison for offences including “protesting without authorization”, “damaging police property”, “attacking the security forces” and “threatening public security” after they took part in a protest outside al-Raml Police Station on 29 March 2013. The protest had been in solidarity with lawyers protesting inside the police station, after they accused police officers of attacking them verbally and physically. Eight other people, tried in their absence, received similar sentences.

The subject of police officers attacking lawyers came up again on 7 June when Egypt’s President Abdel Fattah al-Sisi issued a public apology after a police officer hit a lawyer with a shoe, prompting a one-day strike by lawyers in Egypt. Mahienour El-Massry is being held in Al-Abadeya women’s prison in the city of Damanhour, while Youssef Shaaban and Loay El-Kahwagi are detained in Alexandria’s Borg El-Arab Prison.

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

- Calling on the Egyptian authorities to release Mahienour El-Massry immediately and unconditionally, and ensure her conviction is quashed, as she is a prisoner of conscience, detained solely for peacefully exercising her right to freedom of expression and assembly;
- Urging them to release Youssef Shaaban and Loay El-Kahwagi, as they appear to have been detained for peacefully exercising their right to freedom of expression and assembly, or else charge them with a recognizably criminal offence in proceedings that meet international fair trial standards.

PLEASE SEND APPEALS BEFORE 27 JULY 2015 TO:

Public Prosecutor

Hesham Mohamed Zaki Barakat
Office of the Public Prosecutor
Supreme Court House
1 “26 July” Road
Cairo, Arab Republic of Egypt
Fax: +202 2 577 4716
+202 2 575 7165
(only in office hours, GMT +2)
Salutation: Dear Counsellor

President

Abdel Fattah al-Sisi
Office of the President
Al Ittihadia Palace
Cairo, Arab Republic of Egypt
Fax: +202 2 391 1441
Email: p.spokesman@op.gov.eg
Moh_moussa@op.gov.eg
Salutation: Your Excellency

And copies to:

Deputy Assistant Minister of Foreign
Affairs for Human Rights
Mahy Hassan Abdel Latif
Ministry of Foreign Affairs
Corniche al-Nil, Cairo
Arab Republic of Egypt
Fax: +202 2 574 9713
Email: Contact.US@mfa.gov.eg

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 107/15. Further information:

<http://www.amnesty.org/en/library/info/MDE12/1652/2015/en/>

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ADDITIONAL INFORMATION

Three lawyers were detained on 29 March 2013 by members of the Muslim Brotherhood, who took them to the al-Raml police station and accused them of being their political opponents who might try to set fire to their offices, according to testimony by Mahienour El-Massry and fellow lawyer Nasser Khattab, who went to the police station to be present when the three lawyers were being questioned. This was during the government of former president Mohamed Morsi, who had been a senior member of the Muslim Brotherhood before he took office.

Nasser Khattab said in his testimony that police officers had prevented other lawyers from attending the questioning and assaulted them verbally and physically. The lawyers who were attacked took part in a protest sit-in at the police station until they received an official apology from the Ministry of Interior to the Lawyers' Syndicate, of which they were members, or the Public Prosecution opened an official investigation. Neither of these demands happened, so the protest continued late into the night, with more protesters standing outside the police station in solidarity.

Police officers from across Alexandria, as well as about 500 army officers and two police vehicles, arrived outside the al-Raml police station at about 1.30am, according to a video-recorded testimony by Youssef Shaaban. His wife, Ranwa Mohamed Youssef Ali, said in a television interview that police officers had sexually assaulted her as they were trying to arrest her husband. The security officers arrested a number of people at the scene, including Mahienour El-Massry, Youssef Shaaban and Loay El-Kahwagi, but released them later that day.

The case was postponed indefinitely. Then on 20 March 2014 it was reopened and 11 people, including Mahienour El-Massry, Youssef Shaaban and Loay El-Kahwagi, were charged with "congregating", "damaging police property", "attacking security officers", "disturbing public security" and "attempting to overthrow the regime". Each was sentenced to two years in prison and a fine of 5,000 Egyptian pounds (US\$653), on 9 February 2015. Mahienour El-Massry, Youssef Shaaban and Loay El-Kahwagi appealed. The others were tried in their absence, and are in hiding, according to a defence lawyer working on the case.

Mahienour El-Massry and Loay El-Kahwagi have been convicted in another, separate case of "protesting without authorization" outside the Alexandria Criminal Court on 2 December 2013 while it was retrying two police officers accused of killing 28-year-old Khaled Said, who had died in June 2010 after being publicly beaten by police officers. Mahienour El-Massry was sentenced in her absence to two years in prison in January 2014. She appealed, and was present when the court upheld the two-year sentence in May 2014. She was held in the Al-Abadeya women's prison for four months. The court of appeal reduced her sentence in June 2014 to six months' imprisonment and a fine of 50,000 Egyptian pounds (roughly US\$6,530). She was released in September 2014 after her lawyers challenged the verdict before Egypt's highest court of law, the court of Cassation. The court is yet to look into the case. Loay El-Kahwagi is serving his sentence at Borg El-Arab Prison.

Mahienour El-Massry is a prominent human rights lawyer in Alexandria, where she plays a leading role in defending workers' and refugees' rights. While she was detained in 2014 she was awarded the prestigious Ludovic Trarieux Human Rights Prize.

Names: Mahienour El-Massry (f), Youssef Shaaban (m), Loay El-Kahwagi (m)

Gender m/f: both

Further information on UA: 107/15 Index: MDE 12/1867/2015 Issue Date: 15 June 2015