

URGENT ACTION

PRISON SENTENCES FOR AL JAZEERA JOURNALISTS

Journalists Mohamed Fahmy and Baher Mohamed were jailed by a Cairo court on 29 August on charges of “broadcasting false news” and operating without authorization. The court sentenced journalist Peter Greste to prison in his absence.

On 29 August the Cairo Criminal Court jailed **Mohamed Fahmy** for three years and **Baher Mohamed** for three-and-a-half years, also sentencing **Peter Greste** in his absence to three years in prison. Mohamed Fahmy and Baher Mohamed are prisoners of conscience, detained solely for exercising their right to freedom of expression.

In a brief address before the sentencing, the judge said that the court did not recognize the men as journalists, that they had been in possession of unauthorized broadcasting equipment, and that they had broadcast “lies” about Egypt on the Al Jazeera news network while operating without official authorization from a Cairo hotel. These charges led to three-year prison sentences.

The court sentenced Baher Mohamed to an additional six months in prison and a fine of 5,000 Egyptian pounds (around US\$640) for possessing a bullet, which he had argued was a souvenir from his work as a journalist in Libya.

The court also sentenced students **Khaled Mohamed Abdulraouf Mohamed, Shadi Abdul Hameed Abdul Azeem Ibrahim** and **Sohaib Saad Mohamed Mohamed** to three years each in prison, apparently on similar charges of broadcasting “false news”. Sohaib Saad Mohamed Mohamed had told other defendants that security forces tortured and otherwise ill-treated him after rearresting him in early June 2015.

The court acquitted **Khalid Abdulrahman Mahmoud Ahmed Abdulwahab** and **Noura Hassan al-Banna**.

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

- Calling on the Egyptian authorities to release Mohamed Fahmy and Baher Mohamed immediately and unconditionally, ensure their convictions are quashed and facilitate Mohamed Fahmy’s request for deportation;
- Urging them to ensure that the other men’s convictions are quashed to the extent that they are based on charges relating solely to the peaceful exercise of their right to freedom of expression;
- Calling on them to investigate effectively, independently and impartially Sohaib Saad Mohamed Mohamed’s allegations of torture and other ill-treatment.

PLEASE SEND APPEALS BEFORE 17 OCTOBER 2015 TO:

President

Abdel Fattah al-Sisi
Office of the President
Al Ittihadia Palace
Cairo, Arab Republic of Egypt
Fax: +202 2 391 1441

Salutation: Your Excellency

Public Prosecutor

Deputy Public Prosecutor Ali Omran
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
(switched off after office hours, GMT+2)

Salutation: Dear Counsellor

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 sixth update of UA 83/14. Further information:

<https://www.amnesty.org/en/documents/mde12/0010/2015/en/>

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ADDITIONAL INFORMATION

The court will produce a written ruling, detailing for each defendant which charges it upheld and which ones it acquitted them of. Amnesty International considers that the charges of “broadcasting false news” are not in accordance with international human rights law and considers the charges of working without official authorization to be politically motivated and aimed at punishing the men for their journalistic work and for peacefully exercising their right to freedom of expression.

The Cairo Criminal Court sentenced the journalists and students in June 2014 to prison terms of seven to 10 years for broadcasting “false news”, possessing unauthorized equipment and aiding or joining the Muslim Brotherhood movement. The court also tried and sentenced a number of people in their absence, including other Al Jazeera staff and a Dutch freelance journalist. Egypt’s highest court of appeal, the Court of Cassation, overturned the convictions and sentences of those jailed in the case on 1 January 2015. They were then retried before a new panel of judges at the Cairo Criminal Court, which ordered their release on bail in February, before issuing the verdicts on 29 August. All those jailed in the case may now appeal once more before the Court of Cassation. Under Egypt’s Code of Criminal Procedures, all those sentenced in their absence have the right to retrial if they present themselves before the court.

Mohamed Fahmy’s representatives have said that they are seeking a presidential pardon. The journalist has also applied for deportation from Egypt to Canada under a November 2014 law allowing the authorities to transfer foreign nationals to their home countries to face trial or serve their sentences, if such a move would be in “the highest interest of the State”. The authorities deported Australian national Peter Greste from Egypt under the law on 1 February 2015. Mohamed Fahmy, originally an Egyptian-Canadian national, gave up his Egyptian citizenship in prison in December 2014, after officials told him it would be his only way to secure deportation. He has not received adequate medical treatment in detention for Hepatitis C or his broken arm, which has limited the movement in his shoulder.

Sohaib Saad Mohamed Mohamed was arrested on 1 June 2015, along with two of his friends, held for at least three days in National Security premises and then transferred to a military facility where he was held until 16 June, when he was transferred to Tora “Istiqbal” Prison. Sohaib Saad Mohamed Mohamed was held under conditions of enforced disappearance for 16 days, without access to his family or lawyers, in the National Security premises and an unknown military facility where he was questioned and tortured. The Defence Ministry released a film on 11 July about “dangerous terror cells” in which Sohaib Saad Mohamed Mohamed appeared, “confessing” to buying a firearm for use against the security forces. The video showed a number of other people making similar “confessions”. He told his co-defendants in the trial that the security forces had subjected him to torture and other ill-treatment during questioning by Military Intelligence and National Security, including electric shocks and hanging him by his hands. He, along with 15 others are now facing a separate trial before a military court that is due to begin on 6 September.

The Cairo Criminal Court retried Noura Hassan al-Banna in her presence, acquitting her of joining and assisting the Muslim Brotherhood, of possessing unauthorized communications and broadcasting equipment, and of broadcasting “false news”. The court, headed by different judges, had tried her in her absence at the first trial and sentenced her to 10 years in prison.

Over 20 other journalists are detained in Egypt, according to Amnesty International’s monitoring, many on similar charges of “broadcasting false news”.

Names: Mohamed Fahmy, Baher Mohamed, Peter Greste, Sohaib Saad Mohamed Mohamed, Khaled Mohamed Abdulraouf Mohamed, Shadi Abdul Hameed Abdul Azeem Ibrahim, Khalid Abdulrahman Mahmoud Ahmed Abdulwahab, Noura Hassan al-Banna
Gender m/f: both

Further information on UA: 83/14 Index: MDE 12/2363/2015 Issue Date: 3 September 2015