

URGENT ACTION

PROSECUTOR CALLS FOR DEATH PENALTY IN MASS TRIALS

On 3 March, the prosecutor in the “Rabaa dispersal” case called for Mahmoud Abu Zeid, also known as “Shawkan”, and the other 738 defendants in the case to be sentenced to death. The next hearing in the case at the Cairo Criminal Court will take place on 17 March.

On 3 March, at a court hearing in the trial of Egyptian photojournalist and prisoner of conscience, **Mahmoud Abu Zeid**, popularly known as “Shawkan”, the prosecutor called for sentencing all defendants, including Shawkan, to death. The next hearing is scheduled for 17 March, when the defence will be able to present their case.

The 29-year-old photojournalist is a defendant in a mass trial along with 738 others, including senior leaders of the Muslim Brotherhood. The Public prosecutor charged him with twenty-four offences, including murder. So far, the prosecution has not provided sufficient evidence to establish a connection that Mahmoud Abu Zeid is responsible for the offences with which he is charged. Amnesty International considers Mahmoud Abu Zeid a prisoner of conscience.

Mahmoud Abu Zeid’s family told Amnesty International that he was diagnosed with Hepatitis C before his arrest on 14 August 2013 and that his health is deteriorating in prison. However, on 20 May 2017, the Public prosecutor presented the Forensic Medical Authority report on Shawkan’s health condition to the Cairo criminal court. The report claimed that Mahmoud Abu Zeid is not suffering from any disease, and that he is in “very good” health. In the same session, the judge ordered an investigation into allegations made by several detainees, including Mahmoud Abu Zeid, that the prison administration ill-treated them through withholding medicine and toiletries in addition to physically assaulting them.

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

- Urging the Egyptian authorities to drop all charges against Mahmoud Abu Zeid, and to 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 protect Mahmoud Abu Zeid from torture and other ill-treatment, pending his release, and provide him with any healthcare he may require;
- Calling on them to order an independent and effective investigation into allegations that he has been tortured or otherwise ill-treated while in custody, and bring those responsible to justice in fair trials without recourse to the death penalty.

PLEASE SEND APPEALS BEFORE 24 APRIL 2018 TO:

President

Abdel Fattah al-Sisi
Office of the President
Al Ittihadia Palace
Cairo, Arab Republic of Egypt
Fax: +202 2391 1441
Email: p.spokesman@op.gov.eg
Twitter: @AlsisiOfficial

Salutation: Your Excellency

Interior Minister

Magdy Abdel Ghaffar
Ministry of Interior
Fifth Settlement, New Cairo
Egypt
Fax: +202 2794 5529
Email: center@moi.gov.eg
Twitter: @moiegy

Salutation: Your Excellency

And copies to:

Deputy Assistant Minister of Foreign
Affairs for Human Rights
Ahmed Ihab Gamal Eldin
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. 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 thirteenth update of UA 243/14. Further information:

www.amnesty.org/en/documents/mde12/6903/2017/en/

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ADDITIONAL INFORMATION

After Mohamed Morsi was ousted on 3 July 2013, Mahmoud Abu Zeid began taking photos of a large sit-in staged by the former president's supporters in Rabaa al-Adawiya Square, Nasr City, in the capital, Cairo. Egyptian security forces used excessive, including lethal, force to disperse the sit-in on 14 August, killing hundreds of people. In the ensuing violence, eight members of the security forces also died. Police forces arrested Shawkan on 14 August 2013 while he was on assignment for London-based photo agency Demotix. They also arrested two foreign journalists along with him, but they released the two foreign journalists on the same day. Demotix told the Public Prosecutor's Office that Mahmoud Abu Zeid was on assignment for them, but Egyptian authorities continued to detain him.

Mahmoud Abu Zeid told Amnesty International that police and army officers ill-treated 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, officers punched, kicked him and beat him with batons. They also kept him in a parked truck for eight hours, although the temperature was above 30 degrees centigrade, without food, water, or fresh air, when they arrived Abu Zaabal Prison. In the letter, he described his indefinite detention as "psychologically unbearable". 2015. See Shawkan's letter: 600 days in jail for taking pictures: A letter from an Egyptian prison, 5 April 2015 (<https://www.amnesty.org/en/latest/news/2015/04/600-days-in-jail-for-taking-pictures/>). He was transferred to Cairo's Tora Prison Complex in December 2013, where he is still held.

Shawkan was part of Amnesty International's Write for Rights campaign in December 2016, during which people all over the world wrote letters of solidarity and appeals to the government. At least 445,590 from all over the world called for Shawkan's release as part of the campaign.

The UN Human Rights Council's Working Group on Arbitrary Detention released an opinion on 21 October 2016 calling on the Egyptian authorities to "immediately release" Shawkan and "accord him an enforceable right to reparation". It considers the arrest of Shawkan and the deprivation of his liberty to be 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 (ICCPR).

Shawkan's detention, now ongoing for more than two years, is illegal under Egyptian law. He has been held for far longer than the two-year detention limit set out in Article 143 of Egypt's Code of Criminal Procedures for individuals held on charges carrying life imprisonment or the death penalty. Based on this article, Shawkan's detention is illegitimate and represents yet another hefty blow to human rights in Egypt.

Shawkan's court hearings have been adjourned by the court for over 50 times, mainly as a result of the number of people on trial. Mass trials of this nature are incompatible with the right to a fair trial. Egyptian authorities have repeatedly denied Shawkan's lawyers' access to key documents related to the case.

Egypt is a state party to the ICCPR, Article 9 of which prohibits arbitrary detention. Article 19 of the ICCPR guarantees the right to freedom of expression - that is, 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.

Name: Mahmoud Abu Zeid ("Shawkan")

Gender m/f: m

Further information on UA: 243/14 Index: MDE 12/8016/2018 Issue Date: 13 March 2018