

URGENT ACTION

MORSI'S AIDES DETAINED, FACING CHARGES

The Public Prosecution in Egypt has formally detained four of Mohamed Morsi's aides while it investigates the protest violence that occurred in December 2012, Egyptian media has reported. The five other members of the deposed President's team remain arbitrarily detained in an unknown location. Their families have not officially been told of their place of detention or the legal basis for their detention.

Prosecutors have ordered the preventive detention of Mohamed Morsi's chief of staff, **Refa'a al-Tahtawy**, his deputy chief of staff, **Assaad al-Shikh**, his office director, **Ahmed Abdelaty**, and his security advisor, **Ayman al-Hodhod**, as part of an investigation into deadly clashes between Mohamed Morsi's supporters and opponents around the Presidential Palace in Cairo on the night of 5 December 2012. Egyptian media reported that all four face charges relating to the violence and are now detained in Tora Prison, south of Cairo.

According to the media reports, the Public Prosecution has ordered the detention of all four men for 15 days while it carries out the investigation. It remains unclear on what legal basis the men were held before the Public Prosecution's decision to detain them. Amnesty International was able to speak to the families of two of the four aides. They said that they have not spoken to the men since they were arrested on 3 July, nor received any official information on their whereabouts or the charges against them.

Mohamed Morsi remains detained without access to a lawyer or family while a judge investigates charges that he collaborated with Hamas to attack the security forces, police stations, public buildings and prisons during the 2011 uprising.

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

- Calling on them to immediately grant Mohamed Morsi and all nine aides access to their families, lawyers and doctors;
- Urging the Egyptian authorities to disclose immediately the whereabouts of the five aides of Mohamed Morsi whose place of detention remains unknown;
- Urging them to release the five aides unless they are promptly charged with recognizably criminal offences and tried before civilian courts, in full compliance with international fair trial guarantees;
- Calling on them to ensure that anybody who is charged is detained only if the detention is ordered and supervised by an independent court and they are held in a lawful place of detention;
- Calling on them to protect all those deprived of their liberty from torture and other ill-treatment.

PLEASE SEND APPEALS BEFORE 18 SEPTEMBER 2013 TO:

Interim President

Adly Mahmoud Mansour
Office of the President
Al Ittihadia Palace
Cairo, Arab Republic of Egypt
Fax: +202 2 391 1441

Salutation: Your Excellency

Minister of Defence

General Abdel Fattah al-Sisi
Ministry of Defence
Cairo, Arab Republic of Egypt
Fax: +202 2 290 6004;
+202 2 291 6227

Email: mmc@afmic.gov.eg
Salutation: Dear General

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
(switched off after office hours, GMT+2)

Salutation: Dear Counsellor

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date. This is the second update of UA 196/13. Further information:

<http://amnesty.org/en/library/info/MDE12/041/2013/en>

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ADDITIONAL INFORMATION

Deposed President Mohamed Morsi and his nine aides are believed to be held without visits by their families or lawyers. EU and African Union representatives have visited Mohamed Morsi in detention, but the authorities have not announced his whereabouts. Two human rights defenders met with Refa'a al-Tahtawy in an unidentified military facility on 27 July. Refa'a al-Tahtawy told them that he was being held there with both Mohamed Morsi and Assaad al-Shikh, and that the authorities had transferred them there after protests around the Republican Guard Club on 5 July. The five aides of Mohamed Morsi who remain arbitrarily detained in an unknown location are Ayman Ali, Khaled al-Qazzaz, Essam al-Haddad, Abdelmeguid Mashali and Ayman al-Serafy.

At least 10 people died and hundreds were injured in the violence on the night of 5 December 2012, many of them Mohamed Morsi supporters. However, Mohamed Morsi's supporters also captured scores of people during the fighting, questioned them, and in some cases subjected them to torture and other ill-treatment.

Thousands of Egyptians took to the streets on 30 June to call on President Mohamed Morsi to step down. It was the start of a new wave of protests against his rule. The protests had been sparked by the Tamarud ("Rebellion") movement, which had collected a petition calling on the president to resign, and were backed by a coalition of opposition leaders. Over the next few days, many of the president's supporters also took to the streets to stage counter-protests. Many of the protests saw clashes between the president's supporters and opponents.

On the night of 3 July, Minister of Defence Abdel Fattah al-Sisi announced that the Constitution was suspended and that Mohamed Morsi was no longer president. He named Adly Mansour, the head of Egypt's Supreme Constitutional Court, as Egypt's new president and said that an interim government would rule the country ahead of fresh elections. In the days that followed, the security forces rounded up hundreds of Mohamed Morsi's supporters on accusations that they had incited or participated in violence.

Those arrested include prominent leaders of the Muslim Brotherhood and its political party, the Freedom and Justice Party. While most have been released, others have remained in detention because they do not have the money to post bail. At least nine leading members of the Muslim Brotherhood and their allies have been detained. They include the Muslim Brotherhood's former General Guide, Mohamed Mahdi Akef; Deputy General Guides Khairat al-Shater and Rashad Bayoumi; the head of the Freedom and Justice Party, Saad al-Katatni; and Muslim Brotherhood lawyer Abdelmonim Abdelmaqsud. They are believed to be held in the maximum-security prison of Al-Aqrab ("The Scorpion"), south of Cairo. On 3 August, the authorities announced that Khairat al-Shater, Rashad Bayoumi and Muslim Brotherhood Supreme Guide Mohamed Badie would be tried on 25 August for "inciting violence" in clashes around the group's Cairo headquarters.

Some members or supporters of the Muslim Brotherhood might have been involved in inciting or participating in violence. However, Amnesty International is concerned that others are being pursued solely for their membership or support of the Muslim Brotherhood, and their peaceful exercise of their rights to freedom of expression and assembly. Amnesty International has called on the Egyptian authorities to release all those detained, or charge them with recognizably criminal offences consistent with international human rights standards, and try them fairly. It has also urged the authorities to release, immediately and unconditionally, anyone detained solely for peacefully exercising their rights to freedom of expression, assembly or association.

Name: Mohamed Morsi; Ayman Ali; Ahmed Abdelaty; Assaad al-Shikh; Khaled al-Qazzaz; Essam al-Haddad; Abdelmeguid Mashali; Refa'a al-Tahtawy; Ayman al-Hodhod; Ayman al-Serafy

Gender m/f: m

Further information on UA: 196/13 Index: MDE 12/042/2013 Issue Date: 7 August 2013