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Egypt: Fears of spurious charges in trial of another opposition activist

There are credible fears that the charges against a well-known opposition activist in Alexandria may be spurious and in retaliation for his activism, Amnesty International said as his appeal hearing is due to resume.

On 12 March, the activist Hassan Mostafa was convicted and sentenced to two years in prison for insulting and attacking a public prosecutor in Alexandria – accusations he vehemently denies. The case was marred by procedural irregularities and the refusal of the trial court to hear all defence witnesses. Hassan Mostafa is currently being held at the Borg al-Arab Prison and will attend his next hearing on Saturday.

“We fear that Hassan Mostafa may be imprisoned solely for the peaceful exercise of his right to freedom of expression and other human rights, in which case Amnesty International would consider him to be a prisoner of conscience and call for his immediate and unconditional release,” said Hassiba Hadj Sahraoui, Deputy Middle East and North Africa Programme Director at Amnesty International.

“The appeals court must review all the evidence in this case.”

The alleged incident took place in the morning of 21 January this year inside the Manshiya Prosecution office in Alexandria. Hassan Mostafa had gone there with a group of local lawyers and activists to enquire about the fate and whereabouts of dozens of protesters and passers-by, including children, who had been arrested a day earlier during unrest following the trial of police officers accused of killing protesters during the "25 January Revolution".

About an hour after leaving the Manshiya Prosecution office, Hassan Mostafa was arrested inside the adjacent Alexandria Court complex, in a corridor outside the office of Alexandria's Attorney General. According to other activists present at the time, a group of riot policemen beat them with sticks as they were trying to shield the activist from arrest.

Colleagues of the plaintiff led the investigations and brought the charges against Hassan Mostafa.

“In view of the concerns this raises about impartiality, Amnesty International believes that the interests of justice would have been better served if evidence-gathering and investigations into the alleged crime had not been conducted by prosecutors from that office,” said Hassiba Hadj Sahraoui.

At his first appeal hearing on 4 May – which an Amnesty International delegate attended – witnesses testified that, while a verbal altercation did occur inside the Manshiya Prosecution office, Hassan Mostafa did not slap or otherwise physically assault the public prosecutor.

At this hearing, the judge decided to postpone the proceedings until 18 May in order to hear testimony

from the prosecution witnesses. He also ordered the prosecution to present evidence linked to a hospital medical report which reportedly documents the redness of the plaintiff's cheek after the alleged incident – since the defence lawyers raised concerns about its reliability.

Before his recent arrest, Hassan Mostafa had been active in Egypt's opposition movement for several years. In April 2010, he was detained during a protest demanding the end of emergency laws, which the then-President Hosni Mubarak had kept in place for decades.

Amnesty International fears that the charges he faces are linked to his opposition activism and, more specifically, his activities urging the Manshiya Prosecution to reveal the fate and whereabouts of individuals arrested in connection with the unrest earlier this year.