

AI Index: PRE 01/495/2012
16 October 2012

Egypt must release man on trial for criticizing religion

A man facing trial for publishing videos critical of religions should be immediately released by the Egyptian authorities and all charges against him dropped, Amnesty International said today.

Alber Saber Ayad, an activist from the 2011 uprising, is charged with "defamation of religion". If convicted he could receive a six-year prison sentence and a fine of 500 Egyptian Pounds (US\$82). His trial resumes on Wednesday before a Cairo misdemeanour court.

"Alber Saber Ayad is a prisoner of conscience, detained solely for peacefully exercising his right to freedom of expression and should be released immediately and unconditionally," said Hassiba Hadj Sahraoui, Deputy Director of Amnesty International's Middle East and North Africa Programme.

"Criticism of religions and other beliefs and ideas is a vital component of the right to freedom of expression. Laws – such as blasphemy laws – that criminalize such criticism violate human rights.

"Criticism, insult or mockery does not interfere with the individual believer's freedom of religion, however offensive they may find it."

Alber Saber Ayad told his lawyers that while in detention, a police officer in El Marg Prison incited other detainees to attack him.

The detainees beat Alber Saber Ayad and cut him with a razor blade along his neck. He was then taken to another room where he was beaten by 20 prisoners and forced to remain standing all night.

His lawyers fear for his safety in prison and outside if released. They also fear for the safety of his mother and sister who have been threatened and forced to leave their home which was surrounded by angry mobs.

Ahmed Ezzat, Alber Saber Ayad's defence lawyer and legal unit director at the Association for Freedom of Thought and Expression, said: "I am concerned by the attitude of a religious judge who cannot separate his personal views from the legal safeguards for defendants".

"The Egyptian authorities must complete a thorough, independent and impartial investigation into Alber Saber Ayad's treatment while in detention and bring those responsible to justice. They must also ensure that he and his family are protected from further harassment and threats," said Hassiba Hadj Sahraoui.

Alber Saber Ayad was arrested at his home in Cairo on 13 September, a day after angry groups of men had surrounded and tried to break into his house and called for his death, accusing him of heresy and atheism and of promoting "Innocence of Muslims" – a short film regarded by many to be offensive.

His mother called the police for protection but when they eventually arrived the next day they arrested Alber Saber Ayad and confiscated his personal computer and CDs.

Alber Saber Ayad's mother, Kariman Masihah Ghali said that the Public Prosecutor in charge of the investigation had put pressure on her about her own faith asking whether she was a Christian and what she thought of Christianity and of Islam. When she replied that she would be judged by god on these questions he ordered it be recorded that she had refused to give an answer.

Alber Saber Ayad has been charged with “defamation of Islam and Christianity”, “insulting the divine” and “satirizing religious rituals and sanctities and prophets” under articles 98 (f), 160 and 161 of the Egyptian Penal Code.

"Many others in Egypt like Alber Saber Ayad are being prosecuted for blasphemy. These cases set a dangerous precedent for the Egyptian authorities' tolerance of freedom of expression in the country," said Hassiba Hadj Saharaoui.

"Action must be taken now to stop the detention of more prisoners of conscience. The authorities must abolish the 'blasphemy' provisions in Egyptian law which are increasingly being used to suppress legitimate freedom of expression."