

# URGENT ACTION

## 20 ACTIVISTS RE-ARRESTED AS RETRIAL IS POSTPONED

On 27 October, a Cairo Criminal Court ordered the arrest and detention of activist Alaa Abdel Fattah and 19 others as their retrial began. The 20 activists are currently held in Tora Prison and are standing retrial alongside five others for defying the country's repressive protest law, after an earlier unfair trial. The next hearing is on 11 November.

Alaa Abdel Fattah and 24 other men were sentenced on 11 June, *in absentia*, to 15 years' imprisonment and a fine of 100,000 Egyptian pounds (US\$13,900) for taking part in a peaceful protest. Following the judgment, Alaa Abdel Fattah, Mohamed Abdel Rahman and Wael Mohamed Metwally were arrested and held in detention. Lawyers challenged the verdict and in a re-trial on 15 September, all three were released on bail, before judges recused themselves as that very same panel had already sentenced the 25 defendants to 15 years in prison.

A second retrial took place on 27 October in the Tora Police Institute, a building annexed to Tora Prison, where 20 of the 25 defendants were present. The defendants and their lawyers were not notified of the new hearing date and only found out about it in the news. The court ordered the arrest and detention of all 20 activists, including leading activist Alaa Abdel Fattah, and postponed the hearing to 11 November. The defendants are currently held in Al Mazraa Prison in Tora Prison Complex. Alaa Abdel Fattah is held in a different cell, separated from the 19 others.

All 25 defendants are charged for participating in an unauthorized protest outside the Shura Council in November 2013 and a range of overly broad or trumped-up charges, including "assaulting the security forces", "stealing a police radio", "cutting off access to roads" and "interrupting the work of national institutions".

Laila Soweif, Alaa Abdel Fattah's mother, and Mona Saif, his sister, have been on hunger strike for 58 days in protest at the detention of Alaa Abdel Fattah and his sister, Sanaa Seif. They stopped drinking water on 28 October, the same day they also started a sit-in in front of the Egyptian Supreme Court.

### Please write immediately in Arabic or English:

■ Calling on Egyptian authorities to drop all charges against the 25 defendants and immediately and unconditionally release Alaa Abdel Fattah and the 19 others, as they are detained solely for their peaceful exercise of the rights to freedom of expression and assembly.

### PLEASE SEND APPEALS BEFORE 11 DECEMBER 2014 TO:

#### 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+3)

Salutation: Dear Counsellor

#### Minister of Justice

Mahfouz Saber  
Ministry of Justice  
Cairo  
Arab Republic of Egypt  
Fax: +202 2 795 8103  
Email: mojeb@idsc.gov.eg  
Salutation: Your Excellency

#### And copies to:

President of the National Council for  
Human Rights  
Mohamed Fayek  
69 Giza St. – next to the Embassy of  
Saudi Arabia  
Arab Republic of Egypt  
Fax: +202 3 762 48

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 seventh update of UA 322/13. Further information: [www.amnesty.org/en/library/info/MDE12/050/2014/en](http://www.amnesty.org/en/library/info/MDE12/050/2014/en)

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### ADDITIONAL INFORMATION

The security forces arrested dozens of protesters on 26 November 2013, after using excessive force to break up a peaceful demonstration by the No To Military Trials group in front of the Shura Council, (upper house of parliament), in Cairo. The group was protesting against the committee drafting Egypt's new constitution for including provisions that allowed civilians to be tried before military courts. The security forces beat several of the protesters, their lawyers told Amnesty International. Women protesters also said that plainclothes security forces officers had beaten them, dragged them across the ground and pulled them by their hair. Some of the women also reported being sexually harassed by members of the security forces. Journalists, lawyers and women protesters were quickly released without charge, but the Prosecution ordered the detention of 24 male protesters. Alaa Abd El Fattah was arrested at his home two days later. Most of the men were released on bail on 4 December, with Alaa Abd El Fattah and protester Ahmed Abdel Rahman released on bail on 23 May 2014.

Alaa Abd El Fattah and 24 other men were sentenced on 11 June, *in absentia*, to 15 years' imprisonment and a fine of 100,000 Egyptian pounds (US\$13,900) for taking part in a peaceful protest. Lawyers told Amnesty International that the court began the trial before its scheduled time, without giving the lawyers or defendants any notice. The South Cairo Criminal Court, convened at the Tora Police Institute, handed down the sentences at 9.10am, contradicting a decision by the court's General Assembly that trials should start at 9.30am. Alaa Abd El Fattah, Wael Metwally and Mohamed Abdul Rahman were arrested at 9.30am, when they arrived at the Tora Police Institute to attend the trial. Defence lawyers appealed the verdict and the court quashed the sentences and ordered the retrial of the 25 defendants.

During the first hearing of the re-trial on 15 September, the court requested an investigation into the inclusion of audio-visual material of a family member of one of the defendants. The audio-visual evidence, displayed during the trial, included a video of Alaa Abd El Fattah's wife at home. The video was taken from his personal laptop after the security forces confiscated it during his arrest. The court panel stated the audio-visual evidence violated the right to privacy enshrined under the Egyptian Constitution. The court also ordered the release of Alaa Abd El Fattah, and activists Mohamed Abdel Rahman and Wael Mohamed Metwally on bail in the evening of 15 September 2014. By the end of the court session, the court panel recused itself as that very same panel had already sentenced the 25 defendants, in their absence, to 15 years in prison in June.

A new protest law signed by President Adly Mansour on 24 November 2013 gives the Interior Ministry wide discretionary powers over protests. It requires protest organizers to submit complete plans for any gatherings of more than 10 people to the Interior Ministry at least three days in advance. The law also gives the Interior Ministry the authority to cancel a demonstration or change its route; in effect meaning that demonstrations can take place only with the Ministry's prior authorization. The law also gives the security forces a legal framework for the use of excessive force against any protesters deemed to have committed a "crime punishable by law". Protesters convicted of breaking the law face up to five years in prison and fines of EGP100,000 (US\$14,500).

Name: Alaa Abd El Fattah; Ahmed Abdel Rahman Mohamed; Ahmed Hossam El Din Mohamed; Jamal Abdullah Zaki; Yahya Mahmoud Abdul Shafi; Mdug Jamal al-Din Hassan; Mahmoud Yahya Abdal Shafi; Peter Jalal Yousef; Mohamed Hossam El Din Mahmoud; Wael Mahmoud Mohammed Metwally; Hossam Ahmed Shawki; Mohammed Hassan Ibrahim; Mustafa Yousri Mustafa; Baz Mohammad Rifai; Ahmed Mohamed Nabil Hassan; Tariq Abdul Rahman; Mohammed Salah al-Din al-Hilali; Mohammed Abdul Rahman; Mahmoud Abdul Hameed; Abdul Rahman Atef Bobo; Hani Mahmoud Jamal; Mohammad Sami Mokhtar; Abdul Rahman; Mahmoud Mohammed Abdulaziz; Muhammad Abdul Hakim.  
Gender m/f: Male

Further information on UA: 322/13 Index: MDE 12/058/2014 Issue Date: 30 October 2014