

URGENT ACTION

AL JAZEERA JOURNALISTS RELEASED, TRIAL CONTINUES

An Egyptian court ordered the conditional release of journalists Mohamed Fahmy and Baher Mohamed on 12 February. The two prisoners of conscience were finally released the same night after more than 400 days in detention. The next hearing is expected on 23 February.

The Cairo Criminal Court ordered the conditional release of **Mohamed Fahmy** and **Baher Mohamed** at the end of the first hearing in their retrial on charges of “broadcasting false news” and aiding the Muslim Brotherhood. The court also released four other men detained in the same case: **Sohaib Saad Mohamed Mohamed, Khaled Mohamed Abdoulaouf Mohamed, Shadi Abdul Hameed Abdul Azeem Ibrahim** and **Khalid Abdulrahman Mahmoud Ahmed Abdulwahab**.

Mohamed Fahmy had to pay a bail of 250,000 Egyptian pounds (US\$32,800), while the other men were released without a monetary guarantee. According to Mohamed Fahmy’s family the men must sign in to a police station every day. They must also attend future sessions of the trial or risk re-arrest.

The court set the next hearing in the case for 23 February.

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

- Call on the Egyptian authorities to drop the charges against Mohamed Fahmy and Baher Mohamed and ensure that their release is immediate and unconditional;
- Urge them to drop charges against the other men which are based on their peaceful exercise of their rights to freedom of expression and association.

PLEASE SEND APPEALS BEFORE 27 MARCH 2015 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+2)

Salutation: Dear Counsellor

President

Abdel Fattah al-Sisi
Office of the President
Al Ittihadia Palace
Cairo, Arab Republic of Egypt
Fax: +202 2 391 1441

Salutation: Your Excellency

And copies to:

Deputy Assistant Minister of Foreign
Affairs for Human Rights
Mahy Hassan Abdel Latif
Multilateral Affairs and International
Security Affairs
Ministry of Foreign Affairs
Corniche al-Nil, Cairo
Arab Republic of Egypt
Fax: +202 2 574 9713

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 fifth update of UA 83/14. Further information:
<http://www.amnesty.org/en/library/info/MDE12/008/2015/en>

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ADDITIONAL INFORMATION

Al Jazeera English journalists Mohamed Fahmy and Peter Greste were arrested at the Marriott Hotel on 29 December 2013, and Baher Mohamed was arrested at his home that night. The Prosecution charged the men on 29 January 2014 with a string of criminal offences, including “broadcasting false news”, “possessing broadcasting equipment without a permit” and “aiding or belonging to the Muslim Brotherhood”, a group the Prosecution said was responsible for terrorism-related activity in Egypt.

In 12 sessions, the Public Prosecution failed to produce any evidence to substantiate charges that the three Al Jazeera staff had assisted the Muslim Brotherhood movement, broadcast “false news” or possessed banned equipment. Prosecutors obstructed the defendants’ right to review and challenge the evidence against them, not inviting defence lawyers to attend a court-ordered screening to review audiovisual evidence. Prosecutors had tried to charge Mohamed Fahmy’s lawyer 1.2 million Egyptian pounds (US\$170,000) to see video evidence against his client that they were holding.

Key witnesses for the prosecution also appeared to contradict their own written testimony, with technical experts admitting under cross-examination that they did not remember which footage the media workers were alleged to have doctored, did not know whether the network’s equipment was authorized, and could not assess whether the men were a threat to national security. The case was also marred by allegations of torture and other ill-treatment, after three students detained in the case told the court that the security forces had beaten them after they were arrested.

The court delivered its verdict on 23 June 2014, finding the three Al Jazeera staff guilty of all charges and sentencing them to seven years in prison. The judge sentenced Baher Mohamed to an additional three years in prison for possessing a bullet casing, which the producer said he had taken as a souvenir. The court convicted all but two of the other defendants, sentencing them to between seven and 10 years in prison. Most were sentenced in their absence, but a group of four other men – unconnected to the Al Jazeera journalists – were also jailed.

Egypt’s highest court of law overturned the conviction of the men on 1 January and ordered a retrial, criticizing the verdict in a ruling released last week.

Australian national Peter Greste was deported from Egypt on 1 February under new legislation which allows the authorities to transfer foreign nationals to their home countries to face trial or serve their sentences in cases of “the highest interest of the state”.

Mohamed Fahmy, a Canadian-Egyptian national, gave up his Egyptian citizenship under duress ahead of the appeal hearing on 1 January, after the authorities told him it would be his “only way out”. The journalist had hoped this would lead to him being deported to Canada, but is instead facing a new trial. His legal representatives have urged the authorities to facilitate his deportation.

Mohamed Fahmy did not receive adequate medical treatment in detention for Hepatitis C and a broken arm, sustained before his arrest in December 2013.

Name: Mohamed Fahmy, Baher Mohamed, Sohaib Saad Mohamed Mohamed, Khaled Mohamed Abdullaouf Mohamed, Shadi Abdul Hameed Abdul Azeem Ibrahim, Khalid Abdulrahman Mahmoud Ahmed Abdulwahab
Gender m/f: m

Further information on UA: 83/14 Index: MDE 12/010/2015 Issue Date: 13 February 2015