

# Amnesty International

## Public Statement

AI Index: MDE 12/1573/2015  
3 May 2015

### **Egypt: Journalists jailed or charged for challenging the authorities' narrative**

Scores of Egypt's journalists and media workers are languishing in detention or facing criminal investigations for challenging the authorities' political narrative and human rights record, Amnesty International said today.

Since Mohamed Morsi's ousting as president in July 2013, the authorities have rounded up critical and opposition-linked journalists on trumped-up charges of broadcasting "false news, information or rumours", as well as sedition and incitement to violence.

At least 18 journalists and other media workers are currently detained in Egypt, according to Amnesty International's research. Security forces have also arrested dozens of other journalists and released them only after questioning by prosecutors and the National Security Agency.

Most had to post bail before their release and face ongoing criminal investigations – a practice apparently aimed at intimidating or silencing them.

Since July 2013, the Public Prosecution had also detained several journalists for prolonged periods without charge or trial. For example, Mahmoud Abu Zeid "Shawkan" an Egyptian photojournalist has been held for over 600 days without formal charge or trial.

Most of the journalists arrested had documented human rights violations, criticized the security forces or government, or had simply taken pictures of the police or army. Several worked for outlets known for their support of the now-outlawed Muslim Brotherhood movement. A few others appear to have been caught up in the continued political rift between Egypt and Qatar, which had strongly backed Mohamed Morsi's administration.

Since 3 July, courts have jailed a number of journalists on trumped-up charges that include "belonging to a banned group", "spreading false news, information or rumours" and "inciting violence" – and have tried others in their absence.

A court sentenced one journalist to death earlier this month on charges of creating media committees with the purpose of spreading "false news" that led to attacks on state institutions.

Defence lawyers told Amnesty International there was no incriminating evidence against their clients. In most cases, courts reviewed the journalists' work but handed down convictions based solely on the testimonies and investigations of the security forces – including the National Security Agency and officers at the Criminal Investigations Department.

Courts have also routinely imposed gag-orders on politically charged trials.<sup>1</sup> While courts may, in certain special circumstances, exclude the press or public for a number of reasons, in Egypt the practice has routinely been abused to remove from public scrutiny cases where former and current officials have stood accused of human rights violations or where the government's

---

<sup>1</sup> Cases include, for example, the recent trials of Mohamed Morsi, the trial of 213 people accused of belonging to the armed group Ansar Beit al-Maqdis, the trial of Hosni Mubarak on charges of corruption, criminal investigations into the death of a lawyer alleged to have died under torture, and investigations into the killing of activist and poet Shaimaa al-Sabbagh.

critics or political opponents have stood trial.<sup>2</sup> The pattern of arrests, charges and prosecution of journalists suggests that they are aimed at silencing the government's political opponents and critics, Amnesty International has said.

The authorities are also set to expand the crackdown on-line. An Egyptian newspaper last year leaked official proposals to systematically monitor social media – including Facebook, Twitter, WhatsApp, Viber, Instagram and YouTube -- for terrorism; however, it is being used to monitor dissent.<sup>3</sup>

At least six journalists have been killed while covering protests since June 2013, according to Amnesty International research and media reports. Most of them were killed by security forces while others were killed in violence between Morsi supporters and pro-government protesters.

The authorities have justified their crackdown by claiming that they are targeting individuals who have incited violence or spread “false information” to local and international audiences. In the cases researched by Amnesty International, the Public Prosecution has presented no credible evidence to support the charges of incitement to violence and depended entirely on security forces' testimonies and National Security Agency investigations.

Amnesty International has further found that such incitement is common in pro-government media, which have often featured calls for violence against supporters of Morsi and the Muslim Brotherhood.

Such incidents have not led to investigations and prosecutions of pro-government media outlets. As regards charges of “spreading false news, information or rumours”, these too have in many cases been unproven. In any event, such conduct should not be a criminal offence and should never be the basis upon which individuals are imprisoned.

State media and some privately owned media have been conducting a vitriolic campaign against the Muslim Brotherhood.<sup>4</sup> They have repeatedly called for Muslim Brotherhood supporters to be stripped of their Egyptian nationality, and for shops, schools and offices linked to the group to be shut down.<sup>5</sup>

Amnesty International is warning that today there is no safe space for a journalist or blogger in Egypt to criticize the authorities' political or human rights records, or to peacefully express their opposition to President Abdel Fattah al-Sisi's government.

The organization is urging the Egyptian authorities to immediately and unconditionally release anyone detained solely for their journalistic work – for peacefully exercising their right to freedom of expression.

---

<sup>2</sup> Under Article 14 of the International Covenant on Civil and Political Rights, which states that the press and the public may be excluded from all or part of a trial for reasons of morals, public order (ordre public) or national security in a democratic society, or when the interest of the private lives of the parties so requires, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice; but any judgement rendered in a criminal case or in a suit at law shall be made public except where the interest of juvenile persons otherwise requires or the proceedings concern matrimonial disputes or the guardianship of children.

<sup>3</sup> Amnesty International, Egypt's plan for mass surveillance of social media an attack on internet privacy and freedom of expression, 4 June 2014: <https://www.amnesty.org/en/articles/news/2014/06/egypt-s-attack-internet-privacy-tightens-noose-freedom-expression/>

<sup>4</sup> See for example: Ahmed Moussa on Tahrir channel on 24 July 2013:

[https://www.youtube.com/watch?v=74F\\_75a\\_1PE](https://www.youtube.com/watch?v=74F_75a_1PE); Lamees Al Hadeedy on CBC 15 July 2013:

<https://www.youtube.com/watch?v=y59oUeIM9Ik>; Lamees Al Hadeedy:

<https://www.youtube.com/watch?v=cCLEoITLoy0>; Ahmed Mousa saying “no one should be arrested, if they are one million and armed, they must be killed immediately”: <https://www.youtube.com/watch?v=tCYHg6q376s>, see also an interview with former politician Mostafa Bakry: [https://www.youtube.com/watch?v=ib\\_4T9xrA4s](https://www.youtube.com/watch?v=ib_4T9xrA4s) and another Ahmed Mousa interview available at: <https://www.youtube.com/watch?v=KiZrHBUVCWM>

<sup>5</sup> A montage from Egyptian media presenters Lamees Al Hadeedy, Youssef Elhussieny, Ahmed Mousa and Amr Adeeb is available at: <https://www.youtube.com/watch?v=Gd4gqQmI4q4>.

They should also order the immediate release of journalists detained on charges of “spreading false news, information or rumours”. Such imprisonment is an inherently disproportionate restriction on the right to freedom of expression.

## Cases

As well as the cases detailed below, Amnesty International is aware that there are other detained journalists, including for example Freedom and Justice Party correspondent **Abdel Rahman Shaheen**, Rassd News journalist **Mahmoud Mohamed Abdel Naby**, and Karmouz photojournalist **Abdel Rahman Abdel Sallam**.

The organization does not present the following information as an exhaustive list, but rather to illustrate a growing pattern of detaining critical journalists.

### *Al-Masry Al-Youm* journalists

Five journalists working at the Egyptian daily newspaper *Al-Masry Al-Youm* are facing a criminal investigation after accusing the security forces of corruption and committing human rights violations in a 19 April article entitled: “*The police – martyrs and sinners (the holes in the uniform)*”. The Interior Ministry took “legal action” against the paper and accused the journalists of “spreading false information”.<sup>6</sup> The state security prosecutor summoned the paper’s editor and four journalists to attend questioning about the article on 21 April. However, following nationwide criticism the prosecutor postponed the questioning to 26 April and then again the prosecutor notified the Journalists’ Syndicate that the questioning is postponed without setting another date.

### ‘Shawkan’

Freelance photojournalist **Mahmoud Abu Zied**, known as “Shawkan”, has now spent over 600 days in detention without charge or trial. Security forces arrested him on 14 August 2013 while he was taking pictures of them breaking up a sit-in by supporters of Egypt’s ousted president in Rabaa al-Adawiya Square in Cairo’s Nasr City district. The security forces beat him after arresting him, and restrained him using plastic ligatures that scarred his wrists. The ill-treatment continued at Abu Zaabal Prison, where security forces held the journalist along with dozens of other detainees for over eight hours in the hot sun in a police truck. “I was very afraid and thought I was going to die,” he later wrote in a letter published by Amnesty International.<sup>7</sup> Security forces at the prison then punched and kicked him and beat him with sticks as part of a “welcoming party”. “Shawkan” is currently in the Tora Prison complex, south of the capital, Cairo.

### The ‘Rabaa Operations Room’

A Cairo criminal court on 11 April sentenced 14 journalists and other media workers to 25-year prison terms on charges of “spreading false information” and inciting violence against the security forces.<sup>8</sup> The men were part of a group of 51 accused of running an “operations room” at the Rabaa al-Adawiya sit-in that also included leading Muslim Brotherhood officials. The court sentenced another journalist to death for “creating media committees to spread false information that led to attacks on state institutions”.

---

<sup>6</sup> The Interior Ministry’s statement is available at: <https://www.facebook.com/MoiEgy/photos/a.181676241876047.36036.181662475210757/885267311516933/?type=1>

<sup>7</sup> See Abu Zied, Mahmoud, *600 days in jail for taking pictures: A letter from an Egyptian prison*, 5 April 2015: <https://www.amnesty.org/en/articles/blogs/2015/04/600-days-in-jail-for-taking-pictures/>

<sup>8</sup> According to the casefile seen by Amnesty International, the court convicted the 14 journalists of “broadcasting news, statements and false rumours regarding the internal situation in the country via the international information network and some satellite channels. And, the public promotion of fake images suggesting the death and injury of protesters while breaking up their protests, and broadcasting news and false rumours and photos to stir up public opinion internally and abroad about the situation in the country, and incitement against state institutions and the armed forces, the police and the use of websites as a form of communication”.

Defence lawyers working on the case and families told Amnesty International that there was no material evidence against any of the journalists. The court tried and sentenced four of the men in their absence.

Those tried and sentenced to life in the case include Amgad TV presenter **Mohamed Eladly** and Rasd News journalists **Abdallah Alfakhrany** and **Samhi Mostafa**. Security forces arrested the three men on 25 August 2013 when raiding the house of Muslim Brotherhood official Salah Soltan. The journalists had been visiting their friend Mohamed Soltan, Salah Soltan's son, who the security forces also arrested.

Security forces confiscated the journalists' mobile phones, laptops and bags and took them to Basateen Police Station, where they held them for over 18 hours with their hands still handcuffed behind them. When the men asked the security forces why they had been arrested, one told them "stay here and we will find some accusations against you".

On 26 August 2013, the State Security Prosecution questioned the three journalists over accusations that they belonged to a banned group, had funded the Rabaa al-Adawiya sit-in and had spread "false information".

Security forces subsequently beat the men as part of "welcoming parties" after transferring them to different police stations and prisons. All three journalists are now in Tora Istiqbal Prison.

Al-Aqsa Channel head **Ahmed Sebeh** was also among those tried and sentenced to life as part of the "Rabaa Operations Room" case. Security forces arrested him at his home on 4 October 2013 and took him to Helwan Police Station. He remained there for a year and a month while the Public Prosecution repeatedly renewed his detention without charge or trial.

During this time, prosecutors questioned Ahmed Sebeh as part of criminal inquiries into the "Rabaa Operations Room" case, as well as on separate charges of spreading "false information" during a protest around the Republican Guards compound – charges for which he now faces a military trial.

The authorities finally transferred Ahmed Sebeh to Al-Aqrab Prison, a maximum-security facility, in December 2014. Officials there are holding him in solitary confinement and have only permitted his family to visit him once in the last three months.

Security forces searched the Al-Aqsa Channel's offices in Cairo after Ahmed Sebeh's arrest, confiscating equipment, cameras and tapes. Ahmed Sebeh's defence lawyers told Amnesty International that the Public Prosecution had later formally concluded that the confiscated material had no link with the Muslim Brotherhood and did not mention the political situation in Egypt.

Lebanese security forces arrested Ahrar 25 Channel head **Mosaad Elbarbary** on 2 April 2014, apparently at the request of the Egyptian authorities, and detained him for five days in Beirut's General Security Prison. On 7 April 2014, Lebanese and Egyptian security officials took the journalist to the airport and put him on a plane to Egypt. When he arrived in Egypt, the security forces took him to Tarhelat al-Giza Prison, where he faced questioning by the National Security Agency over what would become the "Rabaa Operations Room" case. He is currently held in Tora Prison.

Security forces arrested **Hani Salah Eldin**, the former head of the Youm7 news website and member of Egypt's Press Syndicate, on 28 November 2014 at Cairo Airport. Police subsequently questioned him at Nasr City Police Station before transferring him to Al-Aqrab Prison. Officials at the prison then held the journalist in solitary confinement for five months before ordering his transfer to Tora Liman Prison.

According to his family, a prosecutor did not question Hani Salah Eldin until 21 days after his arrest, even though the Egyptian constitution requires that detainees be brought before the Public Prosecution within 24 hours of their arrest.

A court sentenced **Waleed Shalaby**, a journalist for the official newspaper of the Freedom and Justice Party, to death in the case on charges of creating and overseeing media committees at the Rabaa al-Adawiya sit-in to spread “false information” that resulted in attacks on state institutions.

The court also tried, convicted and jailed several other journalists and media workers in the “Rabaa Operations room” case: Al-Karama journalist **Hassan Al Kabany**; Ikhwanweb journalist **Khaled Hamza**; Ikhwanwiki head **Abdo Mostafa Desouky**; and television presenter **Youssef Talaat**.

The court also sentenced a number of journalists in their absence (in absentia): Rasd News head **Amr Farag**; Ikhwan On-line journalist **Magdy Abdelatif**; freelance journalist **Ibrahim Eltaher**; and al-Mokhtar al-Islamy journalist **Gamal Nassar**.

### Ahmed Gamal Zeyada

Photojournalist **Ahmed Gamal Zeyada**, arrested in December 2013 while he was photographing protests by Al Azhar students in Cairo’s Nasr City, was detained for over a year and a half before being charged.

In a letter seen by Amnesty International, Ahmed Gamal Zeyada said that security forces arrested him after he took pictures of them beating students. He added that the security forces had been angry at him for taking pictures of them instead of taking picture of the students’ alleged violence.

The head of Yaqeen on-line news network informed the prosecutor in charge of investigations that the journalist had been working for them at the time of his arrest.

Ahmed Gamal Zeyada spent much of his detention at Abu Zaabal Prison in al-Qalyubia Governorate, north of Cairo. He said that security forces tortured and ill-treated him there.

Egypt’s National Council for Human Rights has separately accused security forces of beating detainees at the prison and holding them in poor conditions, following a visit there in late March 2015.<sup>9</sup>

The Public Prosecution referred Ahmed Gamal Zeyada to trial in March 2015 on charges of protesting without authorization and assaulting the security forces. A court acquitted him on 29 April 2015.

### Ahmed Fouad

Security forces arrested 18-year-old photojournalist **Ahmed Fouad** seemingly at random while he was covering protests in Alexandria on 25 January 2014, the third anniversary of the 2011 uprising.

The Public Prosecution subsequently charged Ahmed Fouad with “protesting without authorization”, attacking the security forces and possessing Molotov cocktails. He is currently held in Borg al-Arab Prison in Alexandria.

---

<sup>9</sup> National Council for Human Rights, *The National Council for Human Rights sends its report on Abu Zaabal Prison to the attorney general* [original in Arabic], 1 April 2015: <http://www.nchregypt.org/index.php/home-arabic/11-2010-02-08-20-15-08/news/1567-the-national-human-rights-sends-abu-zaabal-prison,-the-attorney-general-s-report.html>

His trial began on 14 December 2014 and is still ongoing. Defence lawyers have shown the court evidence that Ahmed Fouad had been covering the protest at the request of news website Karmouz, but he remains in detention.

## Ayman Saqr

Security forces arrested journalist **Ayman Saqr** on 28 November 2014 while he was covering protests in Mattareya for news website Almasreyoon. The Public Prosecution charged him with “protesting without authorization”, belonging to the Muslim Brotherhood and taking pictures of military buildings.

The Public Prosecution refused to release Ayman Saqr after questioning, even though his lawyers presented evidence proving he was a journalist. Delegates from Egypt’s Press Syndicate also attended the questioning to support him.

Ayman Saqr remained in detention until 15 April 2015, when a misdemeanor court ordered his release on bail of 5,000 Egyptian pounds (US\$654).<sup>10</sup> However, the Public Prosecution has not closed the case and he still remains the subject of a criminal investigation.

## Ahmed Samih

Security forces arrested Internet radio director **Ahmed Samih** on 4 April 2015 after raiding the office of Radio Horeyatna, an on-line radio station.

The journalist subsequently faced questioning by the security forces and prosecutors about how the station chose which topics to cover and his political affiliation.

The Public Prosecution ordered his release the following day on bail of 5,000 Egyptian pounds (US\$654). He faces ongoing criminal investigations, including into accusations that he possessed a pirated CD copy of the Windows operating system.

## Mohamed Ali Hassan

Security forces arrested **Mohamed Ali Hassan**, a member of the Journalists’ Syndicate, in the early hours of 11 December 2014, alongside his wife and 45-day-old daughter. Mohamed Ali Hassan and his wife were questioned about his work for the on-line news outlet and TV channel Misr Alaan.

He is facing six formal accusations, including “broadcasting false news and rumours”, “accepting funds from outside the Republic [of Egypt]”, “joining the illegal [Muslim] Brotherhood organization”, “inciting the crime of protesting” and the “misuse of communication methods and the Internet”, according to the prosecution’s investigation sheet seen by Amnesty International. He denied the accusations.

According to Mohamed Ali Hassan’s family, he was beaten and ill-treated upon arrest and in detention at the Agouza Police Station in Cairo. His wife and daughter were released after 12 hours. Mohamed was transferred after three weeks to Camp “Kilo 10.5”, a barracks outside Cairo belonging to the National Security Agency. According to his lawyer, his detention order is renewed every 15 days and the evidence being used against him includes news material published by Misr Alaan and personal family bank accounts that show remittances from his two brothers, who have been working in Saudi Arabia and Libya.

## Hussein Mahmoud Abdel Halim Aly

A correspondent for *al-Dostour* daily newspaper, **Hussein Mahmoud Abdel Halim Aly**, was arrested by security forces on 11 April 2015, the Ministry of Interior announced via its

---

<sup>10</sup> See Almesryoon, *Ayman Saqr is free* [original in Arabic], 15 April 2015: <http://almesryoon.com/%D8%AF%D9%81%D8%AA%D8%B1-%D8%A3%D8%AD%D9%88%D8%A7%D9%84-%D8%A7%D9%84%D9%88%D8%B7%D9%86/717047-%D8%A3%D9%8A%D9%85%D9%86-%D8%B5%D9%82%D8%B1-%D8%AD%D8%B1>

Facebook page.<sup>11</sup> The Ministry said its arrest of the journalist is based on his sentencing in seven previous criminal cases from drugs and weapons possession to theft and bribery, dating from 2003 to 2013. The arrest came after Hussein Mahmoud Abdel Halim Aly published a series of articles critical of the police. The Ministry's statement says that the journalist has been launching a campaign via the newspaper's pages since 5 April aimed at bringing down the institution of the police and distorting public opinion against them. The allegations made by the journalist are being investigated by the Public Prosecution. The Ministry has called on the Egyptian press to "carefully choose its reporters". *Al-Dostour* newspaper's editor and chairman were questioned by prosecution about the reporter for a period of 10 hours and released only after paying a fine of 5,000 Egyptian pounds (US\$655), according to Egyptian state media.

## Al Jazeera English journalists

Al Jazeera English journalists **Mohamed Fahmy** and **Baher Mohamed** are facing a retrial before a Cairo criminal court on trumped-up charges of assisting a banned terrorist organization and "falsifying news". The two men are currently free on bail while their retrial continues.

The court is also retrying journalist Peter Grete, who stood trial in the case last year, in his absence along with several other Al Jazeera staff and a Dutch journalist.

Security forces arrested Mohamed Fahmy and Peter Grete, at the Marriott Hotel, and Baher Mohamed, at his home, all on the night of 29 December 2013.

The Public Prosecution charged the men in late 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".

The men then faced trial along with six other detainees accused of being part of a Muslim Brotherhood plot to undermine Egypt's international reputation – though the groups were unconnected.

Amnesty International observed several sessions of the trial. 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 by not inviting defence lawyers to attend a court-ordered screening to review audio-visual 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 convicted the three Al Jazeera journalists of the charges against them in June 2014 and jailed them for between seven and 10 years. Egypt's highest court of law overturned their conviction on 1 January 2015 but refused to release them on bail pending their retrial.

---

<sup>11</sup> The Interior Ministry's statement is available at:  
<https://www.facebook.com/MoiEgy/photos/a.881902805186717.1073745446.181662475210757/881902811853383/>

Following widespread international pressure, the authorities deported Peter Greste from Egypt in February 2015 but Mohamed Fahmy and Baher Mohamed have continued to face the retrial.

Mohamed Fahmy, originally a dual Canadian-Egyptian national, felt he had no choice but to give up his Egyptian nationality in December 2014 after security forces told him it would be his “only way out” in the case. The authorities have also failed to provide the journalist with adequate medical care for a broken arm sustained in the days before his arrest in December 2013, or for Hepatitis C.

The authorities have frequently targeted Al Jazeera and its staff since Mohamed Morsi’s ousting in July 2013.<sup>12</sup> The network has claimed that security forces have repeatedly raided its offices and detained its staff. The authorities have also banned Al Jazeera’s Egypt channel, Mubasher Masr, known for its vitriolic criticism of Mohamed Morsi’s opponents.<sup>13</sup>

The Public Prosecution detained Al Jazeera Arabic journalist **Abdallah Elshamy** for 10 months without charge or trial following his arrest in August 2013, ordering his release on “health grounds” after the journalist staged a gruelling hunger strike.

---

<sup>12</sup> See for example, Al Jazeera, “Al Jazeera under fire in Egypt in 2013”, *Al Jazeera demands Egypt release Cairo team*, 31 December 2013: <http://www.aljazeera.com/news/middleeast/2013/12/al-jazeera-asks-egypt-release-journalists-2013123011046540660.html>

<sup>13</sup> Al Jazeera announced it was “temporarily” ceasing broadcasts of Mubasher Masr in December 2014.