

URGENT ACTION

ACQUITTAL OF WITNESSES TO KILLING CHALLENGED

Egypt's public prosecution has appealed the acquittal of 17 people, including women's human rights defender and lawyer Azza Soliman, who witnessed the killing of Egyptian leftist activist and poet Shaimaa Al-Sabbagh. The first appeal hearing is on 13 June. If the charge of illegal protest is upheld by the court they could face up to five years in jail.

Egypt's Public Prosecution on 26 May appealed the acquittal of 17 people, including women's human rights defender and lawyer **Azza Soliman**, who witnessed the killing of Shaimaa Al-Sabbagh a leftist activist and poet. Shaimaa Al-Sabbagh was on her way to Tahrir Square in Cairo on 24 January together with about 30 others to lay a wreath of flowers as part of a peaceful march organised by the Socialist Popular Alliance Party to commemorate the hundreds that died following the "25 January Revolution" when police officers used unnecessary and excessive force, including firing shots, to disperse the peaceful march before participants could get to the Square. This excessive use of force resulted in Shaimaa Al-Sabbagh's death.

A Cairo court acquitted the 17 eyewitnesses on 23 May of charges of protesting illegally and disturbing public order under Egypt's repressive Protest Law. The first session of the appeal is due on 13 June. Their defence lawyers told Amnesty International that in the first hearing the judge could uphold the acquittal or choose to hear the appeal case. If the appeal is heard and the acquittal reversed, the 17 eyewitnesses risk up to five years in jail.

The 17 eyewitnesses were charged with participating in an illegal protest after they gave their testimony into the killing of 32-year-old Egyptian activist Shaimaa Al-Sabbagh in a move seen as an attempt by authorities to shield security forces from accountability.

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

■ Calling on the Public Prosecutor not to present the case for appeal at the court session, as they had been charged solely for exercising their right to peaceful assembly and as retribution for testifying about abuses by security forces.

PLEASE SEND APPEALS BEFORE 9 JULY 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
(only during 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
Email: p.spokesman@op.gov.eg
Moh_moussa@op.gov.eg

Salutation: Your Excellency

And copies to:

Deputy Assistant Minister of Foreign
Affairs for Human Rights
Mahy Hassan Abdel Latif
Ministry of Foreign Affairs
Corniche al-Nil, Cairo
Arab Republic of Egypt
Fax: +202 2 574 9713
Email: Contact.US@mfa.gov.eg

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 second update of UA 80/15. Further information:
<https://www.amnesty.org/en/documents/mde12/1712/2015/en/>

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ADDITIONAL INFORMATION

Leftist activist and poet Shaimaa Al-Sabbagh was shot dead on 24 January during a peaceful commemorative march in central Cairo forcibly dispersed by Egyptian security forces. Video footage and photographs of the incident, taken by journalists and activists, sparked widespread outrage in Egypt and beyond.

Shaimaa Al-Sabbagh had been taking part in a peaceful commemorative march to Tahrir Square by the leftist political party, the Socialist Popular Alliance Party (SPAP). The small group of around 30 marchers had been carrying a banner with the party's name, as well as flowers to pay tribute to the hundreds who died during the 2011 uprising. They marched on the sidewalk to avoid blocking traffic. Under Egypt's draconian Protest Law, participating in a gathering or a demonstration of 10 or more people without prior authorization by the Interior Ministry is a crime. However, the participants in the march maintain that they were not demonstrating, rather they were marching to commemorate those who died.

An eyewitness has told Amnesty International that the security forces guarding the entrance to Tahrir Square had stopped the march in nearby Talaat Harb Street before opening fire on the protesters with shotguns and tear gas.

According to the head of Egypt's Forensic Authority, Shaimaa Al-Sabbagh died from injuries caused by birdshot fired into her back and the back of her head from eight metres away. While the authorities initially denied that the security forces were responsible for her death, the Public Prosecution has since charged a member of the security forces with "beating, injury or giving harmful substances that led to death" of Shaimaa Al-Sabbagh. The officer has also been placed in preventative detention, according to one of the defence lawyers of the 17 eyewitnesses.

Azza Soliman, founder of the NGO Center for Egyptian Women's Legal Assistance, said in her testimony that she had not been part of the march, but had been sitting in a café with her family and friends. She heard the marchers chanting and went outside to see. She saw the security forces breaking up the march with tear gas and shotguns. She also saw a body in the street, which she later learned was that of Shaimaa Al-Sabbagh. There are two others, now on trial, who were not involved in the march but witnessed the killing. One is a doctor, who offered first aid to Shaimaa Al-Sabbagh after she was shot; the second is a bystander who carried Shaimaa Al-Sabbagh to a nearby café for safety. Both were arrested at the scene. The remaining 14 defendants were part of the peaceful commemorative march. Some were arrested at the scene, and others went to testify after being summoned by the Public Prosecutor. One man was accused of killing Shaimaa Al-Sabbagh after offering his eyewitness testimony. When no evidence was found against him, he was instead charged with protesting illegally and disturbing public order.

Names: Azza Soliman, Nagwa Abbas, Maher Shaker, Mostafa Abdelaal, Sayed Abu El Ela, Elhami El Merghany, Adel El Meleegy, Mohamed Ahmed Mahmoud, Zohdy El Shamy, Ahmed Fathy Nasr, Talaat Fahmy, Taha Tantawi, Abdel Hameed Mostafa Nada, Mohamed Saleh Fathy, Hossam Nasr, Mohamed Saleh, Khaled Mostafa.

Gender m/f: Both

Further Information UA: 80/15 Index: MDE 12/1737/2015 Issue Date: 28 May 2015