

URGENT ACTION

POOR PRISON CONDITIONS FOR EGYPTIAN MAN

Ten Egyptian human rights organizations have filed a joint complaint with the Public Prosecutor about the conditions in which prisoner of conscience Alber Saber Ayad is being held in Tora Prison, Egypt. He is currently on trial for “defaming religion”. There are concerns about possible violations of his right to a fair trial.

According to one of his lawyers, the cell in which **Alber Saber Ayad** is being held lacks clean drinking water and lighting. It is also located near a collapsed sewer and is said to be infested with insects. Despite the poor conditions, the prison authorities have not allowed Alber Saber Ayad to leave his cell. He is also yet to be treated for an injury to one of his fingers, reportedly sustained after police officers tugged on his handcuffs during his last trial session. The prison authorities are also said to have confiscated letters he has written to his family and friends.

During a court hearing on 17 October, the court rejected or ignored a number of requests by Alber Saber Ayad's defence team. The lawyers were not allowed to take, or make, copies of the official investigation. The court ignored requests to summons the arresting or investigating police officers as witnesses and to provide a copy of a medical report conducted after Alber Saber Ayad was attacked by other detainees. The defence team also asked for the individuals who had filed the original complaint against Alber Saber Ayad to be summonsed to court, but the court told the defence lawyers that they had to call the individuals themselves. However, without an order from the Public Prosecution, the complainants would be under no obligation to appear. Under Article 14 of the International Covenant on Civil and Political Rights (ICCPR), Alber Saber Ayad has the right to a fair trial. This right includes the rights to be informed in detail of the nature and cause of any charges, and to have witnesses examined.

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

- Urging the Egyptian authorities to release Alber Saber Ayad immediately and unconditionally as he is a prisoner of conscience, detained solely for peacefully exercising his right to freedom of expression;
- Calling on them to guarantee that Alber Saber Ayad receives a fair trial, in line with Egypt's obligations under international law;
- Urging them to ensure Alber Saber Ayad receives any medical treatment he may require, and that his prison conditions are in line with international standards, including the Standard Minimum Rules for the Treatment of Prisoners and the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.

PLEASE SEND APPEALS BEFORE 5 DECEMBER 2012 TO:

Minister of Interior

Ahmed Gamal El Din

Ministry of Interior

El Sheikh Rihan St

Cairo, Egypt

Fax: +202 2795 9494

Salutation: Your Excellency

Prosecutor General

Counsellor Abd El-Megeed Mahmoud

Dar al-Qadha al-'Ali

Ramses St

Cairo, Egypt

Fax: +202 2577 4716

Salutation: Dear Counsellor

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

POOR PRISON CONDITIONS FOR EGYPTIAN MAN

ADDITIONAL INFORMATION

The 10 Egyptian organizations filing a joint complaint with the Public Prosecutor are: the Association for Freedom of Thought and Expression; the Hisham Mubarak Law Center; the Cairo Institute for Human Rights Studies; Nazra for Feminist Studies; the Egyptian Initiative for Personal Rights; the Arabic Network for Human Rights Information; the Egyptian Center for Economic and Social Rights; the Foundation for Media Studies; the Nadim Center for Rehabilitation of Victims of Violence and Torture; and the Centre for Appropriate Communication Techniques for Development. Alber Saber Ayad's lawyer is the Legal Unit Director of the Association for Freedom of Thought and Expression.

Alber Saber Ayad is being tried on the charge of "defamation of religion". If convicted he could receive a six-year prison sentence and a fine of 500 Egyptian pounds (approximately US\$82). He was arrested at his home in Cairo on 13 September 2012, a day after angry groups of men 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 told his lawyers that, while in detention, a police officer in El Marg Prison incited other detainees to attack him.

Alber Saber Ayad's mother told Amnesty International: "I now see him in this cell sleeping with insects, without water, his hair shaved and wearing white clothes, like criminals...when I see him, I want to protect him any way I can. I would rather be in prison and he is released. I do not want anyone to touch my son or to hurt him."

The charges against Alber Saber Ayad are reminiscent of practices under Hosni Mubarak to limit freedom of expression. Karim Amer, a blogger, was sentenced to four years in prison in 2007 for criticizing Hosni Mubarak and Egypt's al-Azhar religious authorities in his blog. One of the charges for which he was convicted was "inciting strife and defaming Muslims on the internet by describing the Prophet of Islam and his comrades as murdered, which disturbs national peace." In November 2008, the UN Working Group on Arbitrary Detention (WGAD) declared Karim Amer's detention to be "arbitrary" on the grounds that it violated freedoms guaranteed under the Universal Declaration of Human Rights and the ICCPR.

Film clips purportedly made by a US-based anti-Islam propagandist were translated into Arabic and posted on the Internet under the title of *Innocence of Muslims*. They depict the prophet Muhammad and other figures revered by Muslims in an insulting manner and have deeply offended many Muslims. The clips have been cited as the reason for a series of protests in several Muslim countries in front of embassies and other places associated with the USA and other Western states. Some of these protests have been violent and have resulted in deaths and injuries to protesters and members of the security forces.

Amnesty International is also investigating other cases, including reports of individuals of different religions being accused and convicted of blasphemy. These include the case of a Shi'a man reportedly charged with desecrating a mosque, two Muslim men reportedly charged with defaming Christianity for burning the Bible, and a Christian man reportedly sentenced to six years in prison for posting pictures on the Internet which were deemed offensive to Islam. International human rights law protects expression of ideas that are offensive. 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 criticism of (or insult to) religious beliefs violate freedom of expression. Such criticism, insult or mockery does not interfere with the individual believer's freedom of religion, however offensive they may find it.

Name: Alber Saber Ayad

Gender m/f: m

Further information on UA: 278/12 Index: MDE 12/034/2012 Issue Date: 24 October 2012