

URGENT ACTION

DETAINED LIBYAN JOURNALIST DENIED FAIR TRIAL

Detained Libyan journalist Amara Abdalla al-Khattabi's lawyer has been prevented from representing him, in breach of his right to a fair trial. Amara Abdalla al-Khattabi has been on hunger strike since 28 February 2013, and his wife has also begun a hunger strike in protest against his continued detention.

In a hearing on 1 April, the Tripoli Criminal Court reportedly decided to bar Ramadan Salem, **Amara Abdalla al-Khattabi's** lawyer, from representing his client, and appointed a state lawyer instead. The court-appointed lawyer was given access to the case file, but was prevented from pleading on Amara Abdalla al-Khattabi's behalf due to objections from his family. The trial was postponed until 15 April. Amara Abdalla al-Khattabi's lawyer has filed a request for the removal of one of the three judges presiding over the case arguing that the judge's alleged conflict of interest is affecting Amara Abdalla al-Khattabi's right to a fair trial. Amara Abdalla al-Khattabi, the editor-in-chief of al-Umma newspaper, was arrested in December a month after his newspaper published a list of 84 judges allegedly involved in corruption.

Charged with "offending" the judiciary, Amara Abdalla al-Khattabi faces up to 15 years in prison under Article 195 of the Penal Code relating to "the insulting of constitutional or popular authorities", a law frequently used in the al-Gaddafi era to repress freedom of expression. Amara Abdalla al-Khattabi is detained solely for the peaceful exercise of free expression, and is considered a prisoner of conscience.

Amara Abdalla al-Khattabi, who is 67 years old, has been on hunger strike since 28 February, and continues to be denied bail. He was eventually transferred to a hospital on 4 April, 35 days into his hunger strike. On 7 April, Amara Abdalla al-Khattabi's wife declared an open-ended hunger strike in protest at her husband's continued detention and the violation of his fair trial rights. There is concern that Amara Abdalla al-Khattabi will be transferred back to prison once his health improves.

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

- Urging the Libyan authorities to drop the charges against Amara Abdalla al-Khattabi and release him immediately and unconditionally
- Calling on the Libyan authorities, pending his release, to grant Amara Abdalla Al-Khattabi access to a lawyer of his own choosing.

PLEASE SEND APPEALS BEFORE 24 MAY 2013 TO:

Minister of Justice and Human Rights

Salah Marghani

Ministry of Justice and Human Rights

Fax: +218 2 14 80 54 27

(if voice answers, say "Fax") (Fax is the only reliable communication method;

please do not send letters)

Salutation: Your Excellency

Minister of Interior

Ashur Shuwail

Fax: +218 2 14 80 36 45

+218 21 44 42 997 (keep trying)

(Fax is the only reliable communication method; please do not send letters)

Salutation: Your Excellency

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date. This is the second update of UA 49/13. Further information: <http://amnesty.org/en/library/info/MDE19/002/2013/en>

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ADDITIONAL INFORMATION

Amara Abdalla al-Khattabi was arrested on 19 December 2012, the month after his newspaper published a list of 84 judges it said were involved in corruption. The newspaper had obtained the list from a source whose identity Amara Abdalla al-Khattabi has kept confidential. Amara Abdalla al-Khattabi was initially denied access to his family and lawyer and up until his court session on 11 March, Amara Abdalla al-Khattabi had not been informed of brought to any of his assigned court sessions, which had been repeatedly postponed.

Amara Abdalla al-Khattabi is being charged under Article 195 of the Code of Criminal Procedure relating to “the insulting of constitutional or popular authorities”, an al-Gaddafi era law which criminalizes activities that amount to the exercise of freedom of expression. Amnesty International is gravely concerned that the Libyan authorities are resorting to using the same provisions which led to the arrest of thousands of political detainees during the al-Gaddafi era, and the stifling of any opposition.

Name: AmaraAbdalla al-Khattabi

Gender m/f: Male

Further information on UA: 49/13 Index: MDE 19/004/2013 Issue Date: 12 April 2013

