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Egypt: Release blogger prosecuted by military court

Amnesty International today called for the Egyptian authorities to immediately and unconditionally release a blogger and prisoner of conscience facing up to nine and a half years in prison after he published a post alleging nepotism within the armed forces.

Ahmad Mostafa, 20, is set to face a military trial in Cairo on 7 March over a post published on his Matha Assabaka ya Watan (What happened to you, oh nation?) blog in March 2009. He is the first Egyptian blogger to face a military trial for his alleged activities.

“Ahmed Mostafa has been prosecuted solely for exercising peacefully his right to freedom of expression on his blog,” said Hassiba Hadj Sahraoui, Deputy Director of Amnesty International’s Middle East and North Africa programme.

“He is now facing bogus charges that reveal the determination of the authorities to control the Egyptian blogosphere, which has become a pocket of free expression in the country.” added Hassiba Hadj Sahraoui.

The post recounted the story of a student who had allegedly been forced to resign from a military academy in order to leave room for another applicant amid accusations of nepotism.

Ahmed Mostafa, an engineering student at the university of Kafr El Sheikh, has been accused of publishing military secrets online, publishing false information about the army and of insulting officers involved in the recruitment process at the military academy.

According to lawyers from the Arabic Network for Human Rights Information, he was first arrested by military intelligence officers on February 17 and was questioned about his blog.

He first appeared before a military tribunal on Monday 1 March although lawyers representing him from the Hisham Mubarak Law Center and the Association for the Freedom of Thought and Expression told Amnesty International that they only received his case file from the authorities on Tuesday 2 March.

“The use of military courts to try bloggers is a shocking new development. Egypt has consistently been criticized by UN human rights bodies for this misuse of military justice. Rather than addressing the unfairness of trials of civilians by such courts, the Egyptian authorities are now seeking to widen their use,” said Hassiba Hadj Sahraoui.

Ahmed Mostafa is not the only Egyptian blogger in jail for his writing.

Karim Amer, an Amnesty International prisoner of conscience, was sentenced to four years’ imprisonment in

February 2007 for criticizing President Hosni Mubarak and Egypt's al-Azhar religious authorities on his blog.

Hani Nazeer, another prisoner of conscience, has been held in administrative detention since October 2008 for posting on his blog the cover of a book deemed insulting to Muslims.

Amnesty International also urged the Egyptian authorities to accept key UN recommendations on freedom of expression and peaceful dissent.

On 19 February 2010, during a UN examination of Egypt's human rights record, the Egyptian authorities rejected a recommendation calling on them to "release bloggers and activists currently detained under the Emergency Law and cease its arrests and detentions of political activists", as factually incorrect or inaccurate.

Background

In line with international law, Amnesty International opposes the trial of civilians by military courts. Such trials violate the right to a fair and public hearing before a competent, independent and impartial tribunal established by law as guaranteed in Article 14 of the International Covenant on Civil and Political Rights to which Egypt is a state party.

Military courts were established in Egypt under the Code of Military Justice (Law No. 25 of 1966). The Law was amended in April 2007, but the changes did not address the fundamental flaws inherent in trying civilians before military courts.