

EGYPT

ACTIVISTS AND PRISONERS OF CONSCIENCE IN DETENTION

Defender of women’s human rights and prisoner of conscience Mahienour El-Masry has been detained on remand, alongside activist Moataseem Medhat. If convicted, Mahienour and Moataseem, as well as three other activists, could face up to five years in prison for “participating in an unauthorized protest”, amongst other charges.

On 18 November, the Montazah Misdemeanour Court in the city of Alexandria, Egypt’s second largest city, ordered the detention of **Mahienour El-Masry** (f) and **Moataseem Medhat** (m) until 30 December, when a verdict is expected in their trial. The detention is a result of the protest on 14 June 2016, when activists from across Egypt organized peaceful demonstrations against the Egyptian government decision to hand over two islands, Tiran and Sanafir, to the Kingdom of Saudi Arabia. The court is charging Mahienour and Moataseem, along with activists **Asmaa Naem** (f), **Waleed El-Amry** (m), and **Ziad Abu El-Fadl** (m), with “participating in an unauthorized protest”, “show of force”, and “insulting the president”. If convicted, they could face up to five years in prison and five years of probation.



On 18 November, only Mahienour and Motaseem attended the trial. However the judge adjourned the trial to 30 December and ordered the detention of Mahienour and Motaseem until the next session. Mahienour is currently detained in Qanater prison in Northern Cairo.

Amnesty International believes that the charges against the five activists are unfounded and that Mahienour and Moataseem are prisoners of conscience, imprisoned solely for peacefully exercising their rights to freedom of expression and assembly.

Please send a message without delay. (Postage is \$2.50.) **Urge the authorities**

- * to immediately and unconditionally release Mahienour El-Masry and Moataseem Medhat, as they are imprisoned solely for the peaceful exercise of their rights to freedom of expression and assembly;
- * to drop the charges against Mahienour El-Masry, Moataseem Medhat, and the three other defendants;
- * to amend protests laws 107/2013 and 10/1914 in order to ensure that they provide adequate protection to the rights to freedom of expression and assembly.

Here is the contact information you need:

Public Prosecutor

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Salutation: Dear Counsellor

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Salutation: Your Excellency

Please send a copy to

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Additional information

All five activists peacefully protested Egypt's decision to hand over two islands, Tiran and Sanafir, to the Kingdom of Saudi Arabia in Alexandria. Security forces did not arrest any protester that day. However, the Montaza prosecutor in Alexandria charged the five activists with "participating in an unauthorized protest", "show of force", and "insulting the President", and then referred them to the Montazah Misdemeanour Court. The first session

was supposed to be held on 19 September but was adjourned to 17 October, then to 18 November.

Security forces arrested at least 240 political activists and protesters between April and September 2017 on charges ranging from online speech which they considered “insulting” to the president, to participating in unauthorized protests. They were mostly sentenced under protest laws 107/2013 and 10/1914.

The 107/2013 protest law, passed in November 2013, gives the Interior Ministry wide discretionary powers over the conduct of peaceful protests. It requires organizers to submit complete plans for any gathering of more than ten people to the Interior Ministry at least three days in advance. The law also gives the Interior Ministry the authority to cancel a demonstration or change its route. This imposes a requirement for the Ministry’s prior authorization, contrary to international law and standards. The law also authorizes the security forces to use force against any protesters deemed to have committed a “crime punishable by law”, which could allow the use of unnecessary or excessive force. Protesters convicted of breaking the law could face up to five years in prison and fines of EGP100,000 (USD 5,700).

Law 10/1914 on gatherings, the oldest statute still in force in Egypt, carries stiff penalties for peaceful assembly in the event that certain vaguely defined crimes are committed during the demonstration, such as infringement of public order or disturbance of the peace that could reach up to 25 years in prison, if coupled with destruction of property.

The 107/2013 law carries a probation period after imprisonment. Amnesty International has described certain uses of probation in Egypt as amounting to deprivation of liberty. For more information see: www.amnesty.org/en/latest/news/2017/03/egypt-punitive-probation-measures-latest-tactic-used-to-harass-activists/.

Mahienour El-Masry is a prominent human rights lawyer in Alexandria, where she plays a leading role in defending workers’, women’s, and refugees’ rights. While in detention in 2014 for exercising her right to freedom and assembly, she was awarded the Ludovic Trarieux Human Rights Prize. It is given each year to a lawyer working in defence of human rights.

In February 2015, Mahienour was sentenced to two years in prison. The sentence was reduced by the appeal court on 11 May 2015 to one year and three months. She was convicted of “protesting without authorization”, “damaging police property”, “attacking security forces”, and “threatening public security”. The case started on 29 March 2013, after Mahienour participated in a protest in front of al-Raml Police Station in Alexandria. The protest was in solidarity with lawyers being detained and interrogated inside the police station, after they accused police officers of verbally and physically attacking them. On 13 August 2016, Mahienour was released from jail after serving her prison term of one year and three months.