

URGENT ACTION

NUBIAN ACTIVISTS FACE UP TO FIVE YEARS IN PRISON

32 Nubian activists who were referred to the State Security Emergency Court on 13 November, were released pending trial by a court order on 15 November. The trial has been adjourned to 12 December. If convicted, they could face up to five years in prison.

On 15 November, the Aswan State Security Emergency Court ordered the release of all 32 Nubian activists and adjourned their trial to 12 December. The Nubian activists, including two women activists Seham Osman and Wafaa Abelqawi, were originally referred to a State Security Emergency Court on 13 November. They are set to appear in front of the court in Aswan, in the south of Egypt, on 12 December. The activists are being charged with “participating in an unauthorized protest” and “repeating chants against the state for the purpose of harming public interest.” If convicted, they could face up to five years in prison. Sentences imposed by State Security Emergency Courts cannot be appealed and only require the President’s approval to be authorized.

On 3 September, 25 Nubian activists were arrested for their participation in peaceful protests. Later, the Aswan Prosecutor added eight more protesters to the case and issued arrest warrants against them too.

The first session of the trial was scheduled for 15 November, but it was adjourned to 12 December. The referral comes after the death in custody of prisoner of conscience Gamal Sorour, who was arrested along with the other 24 protesters. He died as a result of medical negligence which led to a diabetic coma, and the reluctance of prison authorities at Al Shalal Security Camp in Aswan to take him to the hospital in a timely manner. Egyptian authorities have not yet investigated his death.

Please write immediately in Arabic, English, or your own language urging the Egyptian authorities to:

- Drop all charges against the 32 Nubian activists that stem solely from the peaceful exercise of their human rights to freedom of expression and peaceful assembly;
- Repeal the decrees stipulating that crimes under protest laws are referred to State Security Emergency Courts, and ensure everyone convicted of a criminal offence has the right to appeal and have the conviction and sentence reviewed by a higher tribunal;
- Promptly initiate an independent, impartial, and effective investigation into the death of Gamal Sorour with a view to bring anyone suspected of criminal responsibility to justice, without resorting to the death penalty.

PLEASE SEND APPEALS BEFORE 27 DECEMBER 2017 TO:

President

Abdel Fattah al-Sisi
Office of the President
Al Ittihadia Palace
Cairo, Arab Republic of Egypt
Fax: +202 2391 1441
Email: p.spokesman@op.gov.eg
Twitter: @AlsisiOfficial
Salutation: Your Excellency

Interior Minister

Magdy Abdel Ghaffar
Ministry of Interior
Fifth Settlement, New Cairo
Egypt
Fax: +202 2794 5529
Email: center@moi.gov.eg
Twitter: @moiegy
Salutation: Your Excellency

And copies to:

Deputy Assistant Minister of Foreign
Affairs for Human Rights
Laila Bahaa El Din
Ministry of Foreign Affairs
Corniche al-Nil, Cairo
Arab Republic of Egypt
Fax: +202 2574 9713
Email: Contact.Us@mfa.gov.eg
Twitter: @MfaEgypt

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR NASSER AHMED KAMEL ALI, Embassy of the Arab Republic of Egypt, 26 South Street W1K 1DW, 020 7499 3304/2401, Fax 020 7491 1542, eg.emb.london@mfa.gov.eg and etembuk@hotmail.com

Please check with your section office if sending appeals after the above date. This is the first update of UA 249/17. Further information: www.amnesty.org/en/documents/mde12/7397/2017/en

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ADDITIONAL INFORMATION

Nubian activists' peaceful gatherings have been previously dispersed by security forces. On 19 November 2016, police stopped a peaceful march in support of the community's human rights and encircled protesters for several hours without food or water, until they were forced to leave. 25 activists were arrested that day.

Nubian activist Mohamed Saleh Sorour (also known as Gamal Sorour) died on 4 November after falling into a diabetic coma, while in detention in Aswan, in the south of Egypt. According to his relatives, Gamal Sorour had been suffering from diabetes and experienced two heart attacks two years ago. He had been receiving regular treatment for his health problems before his arrest on 3 September for partaking in a peaceful protest. According to lawyers and relatives, despite other inmates repeatedly knocking on the cell door begging prison guards for help, it took prison authorities three hours to take Gamal Sorour to the hospital.

Since 10 April 2017, a new state of emergency has been declared in Egypt and has been renewed every three months since then. The Egyptian emergency law grants the president the power to refer civilians to State Security Courts, while the state of emergency is active. On 8 and 12 October, the Egyptian Prime Minister issued two decrees number 2165/2017 and 2198/2017, requiring prosecutors to refer those charged under ten laws to State Security Emergency Courts. These laws involve all acts prohibited by protest laws number 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 gatherings 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; what in effect 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 for breaking the law could face up to five years in prison and fines of EGP100,000 (USD5,700).

Further information on UA: 249/17 Index: MDE 12/7461/2017 Issue Date: 15 November 2017