

URGENT ACTION

ACTIVISTS SENTENCED FOR PEACEFULLY PROTESTING
Human rights activist and prisoner of conscience Mahienour el-Masry sentenced along with labour activist Moatasem Medhat to two years in prison for “participating in an unauthorized protest”. Three other activists, Asmaa Naem, Waleed el-Amry, and Ziad Abu el-Fadl, convicted in absentia to three years in prison in the same case.

On 30 December, Montazah Misdemeanour Court in the city of Alexandria, Egypt’s second largest city, sentenced human rights defender and prisoner of conscience **Mahienour el-Masry** as well as labour activist **Moatasem Medhat** to two years in prison for their peaceful participation in a protest on charges of “participating in an unauthorized protest” and “show of force”. The defendants’ lawyer filed an appeal and the hearing is scheduled for 13 January. Security forces moved Mahienour el-Masry to Damanhour women’s prison, and detained Moatasem Medhat in Borg el-Arab prison, near the Egyptian city of Alexandria.

In the same case, the court also sentenced three other activists, **Asmaa Naem, Waleed el-Amry, and Ziad Abu el-Fadl**, in absentia to three years in prison on charges of “participating in an unauthorized protest” and “show of force”. Under Egyptian law, defendants who are sentenced in absentia are entitled to a re-trial.

The sentences are related to a peaceful protest on 14 June 2017 in Alexandria against the ratification of an agreement by which Egypt ceded sovereignty over two islands in the red sea, Tiran and Sanafir, to the Kingdom of Saudi Arabia.

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

- Immediately and unconditionally release Mahienour El-Masry and Moatasseem Medhat, as they are imprisoned solely for the peaceful exercise of their rights to freedom of expression and assembly;
- Ensure that the sentences against Mahienour El-Masry, Moataseem Medhat, and the three other defendants are quashed;
- Amend protests laws 107/2013 and 10/1914 in order to ensure that they respect the rights to freedom of expression and peaceful assembly.

PLEASE SEND APPEALS BEFORE 22 FEBRUARY 2018 TO:

Public Prosecutor

Nabil Sadek

Office of the Public Prosecutor, Dar al-Qada al-Ali, Down Town

Cairo, Arab Republic of Egypt

Fax: +20225774716

Salutation: Dear Counsellor

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

And copies to:

Deputy Assistant Minister of Foreign Affairs for Human Rights

Laila Bahaa Eldin

Ministry of Foreign Affairs

Corniche el-Nile, Cairo, 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 255/17. Further information: www.amnesty.org/en/documents/mde12/1867/2015/en/

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ADDITIONAL INFORMATION

All five activists peacefully protested Egypt's decision to hand over two Red Sea islands, Tiran and Sanafir, to the Kingdom of Saudi Arabia in Alexandria. Security forces did not arrest any protesters that day. However, shortly thereafter the Montazah 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 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 unauthorised protests. They were mostly sentenced under protest laws 107/2013 and 10/1914.

Law 107 of 2013 Regulating the Right to Public Gatherings, Processions and Peaceful Protests, passed in November 2013, gives the Interior Ministry wide discretionary powers to ban or intervene with peaceful protests. The law 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). It also requires organizers to submit complete plans for any gathering of more than ten people to the Interior Ministry at least three days in advance.

Law 10/1914 on Assembly, 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; if coupled with destruction of property the penalties could extend to up to 25 years in prison.

Mahienour El-Masry is a prominent human rights lawyer in Alexandria, where she has played a leading role in defending the right of workers, women and refugees' rights in particular. While in detention in 2014 for exercising her right to freedom of peaceful assembly, she was awarded the Ludovic Trarieux Human Rights Prize, 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 on trumped up charges of "protesting without authorization", "damaging police property", "attacking security forces", and "threatening public security". The case started on 29 March 2013, after Mahienour peacefully 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.

Further information on UA: 255/17 Index: MDE 12/7697/2018 Issue Date: 11 January 2018