

URGENT ACTION

STUDENT UNJUSTLY JAILED OVER 'FALSE NEWS'

Egyptian researcher and master's student Ahmed Samir Santawy went on hunger strike on 23 June after an emergency court sentenced him to four years' imprisonment for publishing "false news". His conviction is based solely on social media posts criticizing human rights violations in Egypt and the state's mishandling of the pandemic. Verdicts by emergency courts cannot be appealed and are only subject to the president's authorization. Ahmed Samir Santawy is a prisoner of conscience who must be immediately and unconditionally released.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

President Abdelfattah al-Sisi

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Your Excellency,

*I am writing to you about researcher and anthropology master's student **Ahmed Samir Santawy**, who started a hunger strike on 23 June in protest over his unjust conviction by an Emergency State Security Court, a special court whose proceedings are inherently unfair and not subject to appeal. He was convicted of publishing "false news to undermine the state, its national interests and public order and spread panic among the people" and sentenced to four years imprisonment on the basis of social media posts criticizing human rights violations in Egyptian prisons and the state's mishandling of the pandemic that he denied writing. Regardless of the author of the posts, criminalizing the dissemination of information based on vague concepts such as "false news" is contrary to the right to freedom of expression guaranteed by the Egyptian constitution and international human rights law.*

Ahmed Samir Santawy, who is currently jailed at Liman Tora prison, has been arbitrarily detained since 1 February 2021, when he was arrested by officials from the National Security Agency (NSA). The Supreme State Security Prosecution (SSSP) initially ordered his detention pending investigations over unfounded terrorism-related accusations, on the basis of secret NSA investigations that neither he nor his lawyers have been allowed to examine. That investigation is still ongoing. On 28 May, the SSSP referred him to trial in a separate case. Amnesty International considers Ahmed Samir Santawy to be a prisoner of conscience, targeted because of his research work on gender and religion, topics on which NSA officers and SSSP prosecutors questioned him extensively.

I therefore ask you to quash the verdict against Ahmed Samir Santawy, release him immediately and unconditionally, and ensure that investigations into unfounded terrorism-related accusations against him are dropped. Pending his release, I urge you to instruct the Minister of Interior to ensure that he has regular access to his family, lawyers and adequate healthcare, including in hospitals outside prison, as required.

Yours sincerely,

ADDITIONAL INFORMATION

Ahmed Samir Santawy is a researcher and a student of anthropology at the Central European University in Vienna, Austria. His research generally addresses women's rights, with a focus on the history of reproductive rights in Egypt.

During the hearing on 22 May 2021 before the State Supreme Security Prosecution (SSSP), a special branch of the Public Prosecution responsible for prosecuting crimes that relate to "state security", Ahmed Samir Santawy told prosecutors that he had been beaten the previous day by the deputy warden of Liman Tora prison. His lawyers requested his transfer to the Forensic Medical Authority to examine his injuries. The family of Zyad el-Elaimy, a former parliamentarian and human rights lawyer arbitrarily detained in Liman Tora solely for his peaceful political activities and expression of his opinions, also lodged a complaint with the public prosecutor about prison officials' beating him and Ahmed Samir Santawy on 21 May. On 25 May, the Ministry of Interior denied the allegations which it attributed to media channels supportive of the outlawed Muslim Brotherhood. No investigations have been conducted into these claims, as well as Ahmed Samir Santawy's previous complaints to prosecutors of being subjected to enforced disappearance, torture and other ill-treatment following his arrest on 1 February 2021 by the National Security Agency, a specialized police force.

The inability to appeal verdicts by emergency courts denies defendants the fundamental fair trial right to have their conviction and sentence reviewed by a higher tribunal. Ahmed Samir Santawy's right to have a reasoned written judgement has also been flouted as to date his lawyers have not been allowed to examine or photocopy the verdict, hampering their ability to submit a request to the president not to authorize it. The conviction of Ahmed Samir Santawy over social media posts by an exceptional court sends a chilling message on the erosion of rule of law in Egypt, and the use of such courts as a tool of repression. Following the verdict, Ahmed Samir Santawy started an open-ended hunger strike, reportedly telling his family during a prison visit that there was no difference between prison and death.

Blanket prohibitions on the dissemination of information, based on vague and ambiguous concepts such as "false news" or "spreading misinformation", are incompatible with international human rights law and standards since they do not meet the principles of necessity and proportionality. The UN Human Rights Committee has stated that general prohibitions of expressions of an erroneous opinion or an incorrect interpretation of events contravene article 19 of the International Covenant on Civil and Political Rights, to which Egypt is a party. Under international law, detention is arbitrary even if allowed by national law if it results from the exercise of human rights or is on the basis of unfair proceedings.

Egypt has been under a state of emergency since April 2017, with the president extending it every three months with parliamentary approval, thereby circumventing the six months limit set by the Egyptian constitution.

PREFERRED LANGUAGE TO ADDRESS TARGET: Arabic and English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 30 August 2021

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Ahmed Samir Santawy (He/him/his)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/mde12/3681/2021/en/>

And copies to:

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