

URGENT ACTION

TORTURED TO CONFESS CHILD FACES 15 YEARS IN JAIL

The trial of 15-year-old Aser Mohamed has been adjourned to 27 December. He faces a string of charges, including belonging to the banned Muslim Brotherhood group and attacking a hotel, based on “confessions” that he says were obtained under torture after 34 days of enforced disappearance. If convicted, he faces up to 15 years imprisonment.

Aser Mohamed was arrested by National Security Agency (NSA) officers on 12 January and subjected to enforced disappearance for the next 34 days during which he claims he was tortured to “confess” to offences he did not commit. He was 14 years old at the time of the arrest. On 15 February, Aser Mohamed appeared before the Supreme State Security Prosecution for questioning without the presence of his lawyer. The child told the prosecutor that he had been given electric shocks and suspended from his limbs for long hours. But the prosecutor did not open an investigation into the allegations. Instead, Aser Mohamed says the prosecutor threatened that he would send him back to the NSA to face further torture if he tried to retract his confessions. The prosecutor then ordered Aser Mohamed’s pre-trial detention in contravention of Egyptian law that prohibits pre-trial detention for children under the age of 15. He was referred to trial in August.

The last court session was held on 29 November. The court refused the request of defence lawyers for the judge in the case to respond to their allegations that he is biased. At the 8 October Cairo Appeals Court session, defence lawyers alleged that the judge made remarks in the media expressing his hatred for the Muslim Brotherhood, described it as a terrorist organisation. Aser Mohamed was not transferred to court for this session. At the next court session on 27 December, Aser Mohamed’s lawyer is expecting for the evidence in the case to be presented in court and for the case to be adjourned again. The boy’s family told Amnesty International on 5 December that he continues to find his detention psychologically difficult. He remains in Camp 10.5, where his family said officers aggressively searched the boy and his inmates’ cell, taking away their kettle, food and tearing their pillows.

Please write immediately in English, Arabic or your own language:

- Calling on the Egyptian authorities to release Aser Mohamed immediately as his detention is unlawful;
- Calling on them to protect Aser Mohamed from torture and other ill-treatment and allow him full access to his lawyer, medical treatment and family;
- Calling on them to ensure an impartial, effective investigation into his enforced disappearance and allegations of torture and other ill-treatment, and prosecute those responsible in a fair trial without recourse to the death penalty.

PLEASE SEND APPEALS BEFORE 17 JANUARY 2017 TO:

Public Prosecutor

Nabil Sadek
Office of the Public Prosecutor
Madinat al-Rehab
New Cairo, Arab Republic of Egypt

Salutation: Dear Counsellor

Interior Minister

Magdy Abdel Ghaffar
Ministry of Interior
Fifth Settlement, New Cairo
Egypt
Fax: +202 2794 5529
E: HumanRightsSector@moi.gov.eg
Twitter: @moiegy

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 second update of UA 197/16. Further information: <https://www.amnesty.org/en/documents/MDE12/5002/2016/en/>

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ADDITIONAL INFORMATION

Egyptian media refer to the case in which 15-year-old Aser Mohamed is one of the defendants as the “Three Pyramids” case, named after the hotel in which he and 25 other defendants are alleged to have attacked on 7 January 2016.

A mixed force of armed police and National Security Agency (NSA) officers in plain clothes raided Aser Mohamed’s family home and arrested him in the early morning of 12 January. They did not show a judicial arrest or search warrant. The officers refused to inform his parents where they were taking him but told them that they would return him after two hours or so. But they did not return him, and for the next 34 days his family did not know where he was and they had no contact with him. Aser Mohamed’s family made frantic efforts to locate him. They searched in Cairo’s Bulaq al-Dakrou, Omraneya, Talbeya, Haram and Giza police stations; they all denied that he was in their custody. The family also reported and sent postal telegrams to the Public Prosecutor, Ministry of Interior and Attorney General, all without obtaining any information or getting any response.

Aser Mohamed appeared before a prosecutor on 15 February and the NSA sent an official investigation report. The investigation report claimed that he had been arrested only earlier that day, giving 15 February as his arrest date. The report makes no reference to his previous 34 days of incommunicado detention.

Amnesty International has documented numerous cases where the NSA of the Ministry of Interior has used enforced disappearances to deter opposition and to prevent peaceful dissent. At least three to four people disappear each day across the country, according to figures supplied by Egyptian NGOs. The rise of enforced disappearance has coincided with the appointment of Minister of Interior Magdy Abdel Ghaffar, who is a long serving officer under the State Security Investigations Service, which under former President Hosni Mubarak was responsible for abductions, torture, enforced disappearances and other serious human rights violations. For further information, please refer to Amnesty International’s report and press release on Egypt, which features Aser Mohamed’s case. The report published on 13 July and titled “*Hundreds disappeared and tortured amid wave of brutal repression*” is available at: <https://www.amnesty.org/en/latest/news/2016/07/egypt-hundreds-disappeared-and-tortured-amid-wave-of-brutal-repression/>

Further information on UA: 197/16 Index: MDE 12/5278/2016 Issue Date: 6 December 2016