

URGENT ACTION

SHAWKAN'S TRIAL ADJOURNED TO 17 JANUARY

The trial of Egyptian photojournalist Mahmoud Abu Zeid, also known as "Shawkan", is adjourned to 17 January. The prison doctor's report stated that he is in good health, despite Shawkan's family's claim that he was diagnosed with Hepatitis C before arrest.

The last court session for the trial of Egyptian photojournalist and prisoner of conscience **Mahmoud Abu Zeid**, popularly known as "Shawkan", took place on 27 December. According to one of the defence lawyers in attendance, the judge read out a report by the Tora prison doctor, which stated that Shawkan is in good health. This contradicts claims by Shawkan's family that he was diagnosed with Hepatitis C before his arrest on 14 August 2013. One of three defence lawyers for Shawkan, Karim Abdelrady, stated on Egyptian television that the lawyers will request that he be presented to a Forensic Medicine Authority doctor to assess the state of his health. Other defendants in the case have been released from prison on health grounds based on doctors' reports stating that they have cancer, or Hepatitis C.

The 29-year-old photojournalist is a defendant in a mass trial along with 738 others, including senior leaders of the Muslim Brotherhood movement. He has been charged with nine offences, including murder, which puts him at risk of the death penalty if convicted. So far, no evidence has been presented to establish that Mahmoud Abu Zeid is responsible for the offences with which he is charged. He was arrested while taking photographs.

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

- Urging the Egyptian authorities to ensure that all charges against Mahmoud Abu Zeid are withdrawn, and to release him immediately and unconditionally as he is a prisoner of conscience detained solely for peacefully exercising his right to freedom of expression;
- Calling on them to protect Mahmoud Abu Zeid from torture and other ill-treatment for so long as he remains in detention;
- Calling on them to order an independent and impartial investigation into allegations that he has been beaten and tortured in custody, and bring those responsible to justice in fair trials without recourse to the death penalty.

PLEASE SEND APPEALS BEFORE 17 JANUARY 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

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

Interior Minister

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the eleventh update of UA 243/14. Further information: www.amnesty.org/en/documents/mde12/5320/2016/en/

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ADDITIONAL INFORMATION

Mahmoud Abu Zeid ("Shawkan") was part of Amnesty International's Write for Rights campaign in December 2016, during which people all over the world wrote letters of solidarity and appeals to the government. As of November 2016, at least 235,000 all over the world called for Shawkan's release. This figure is likely to rise once the Write for Rights figures are finalised.

A freelance photojournalist, Shawkan was arrested on 14 August 2013 while on assignment for London-based photo agency Demotix. Two foreign journalists were also arrested with him, but they were released on the same day. Demotix told the Public Prosecutor's Office that Mahmoud Abu Zeid was on assignment with them, but he was still detained.

Mahmoud Abu Zeid has said that police and army officers beat him during his first day under arrest and on 17 August 2013, when he was transferred from an overcrowded cell at a police station in Cairo to the capital's Abu Zaabal Prison. According to his letter, published by Amnesty International on 5 April 2015 (see: <https://www.amnesty.org/en/latest/news/2015/04/600-days-in-jail-for-taking-pictures/>), officers punched and kicked him, and beat him with batons. He was also kept in a parked truck for eight hours when the temperature was above 30 degrees centigrade, without food, water or fresh air when he got to Abu Zaabal Prison. In the letter, he described his indefinite detention as "psychologically unbearable".

Shawkan has been held far in excess of the two-year detention limit set out in Article 143 of Egypt's Code of Criminal Procedures for those held on charges carrying life imprisonment or the death penalty. The law says that they must be sentenced within a two-year period, or otherwise released immediately.

The UN Human Rights Council's Working Group on Arbitrary Detention released its opinion on 21 October 2016 calling on the Egyptian authorities to "immediately release" Shawkan and "accord him an enforceable right to reparation". It considers the arrest of Shawkan and the deprivation of his liberty to be arbitrary and in violation of rights and freedoms guaranteed by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR).

He was moved to Cairo's Tora Prison Complex in December 2013, where he is still held.

The proceedings against Shawkan have been unfair. His lawyers have repeatedly been denied access to key documents related to the case, including the list of charges against him before the trial began. This made it difficult for them to prepare his defence. Mass trials also make it difficult to ensure the right to a fair trial is guaranteed for each of the defendants. The Egyptian authorities have used mass trials for those connected with opposition groups with many of those put on trial facing trumped-up charges without evidence establishing each defendant's individual criminal responsibility.

Egypt is a state party to the ICCPR, Article 9 of which prohibits arbitrary detention. Article 19 of the ICCPR guarantees the right to freedom of expression - that is, the right to seek, receive and impart information and ideas. Article 14 guarantees the right of everyone to a fair and public hearing by a competent, independent and impartial tribunal established by law. The article further guarantees the rights of everyone facing criminal charges to be informed promptly of the nature and cause of the charges against them, the right to have adequate time and facilities for the preparation of their defence, the right to be tried in their presence, and the right to examine, or have examined, the witnesses against them.

Name: Mahmoud Abu Zeid ("Shawkan")
Gender m/f: m

Further information on UA: 243/14 Index: MDE 12/5420/2017 Issue Date: 5 January 2017