

URGENT ACTION

LIFE OF ARBITRARILY DETAINED ACTIVIST IN DANGER

Concerns are growing over activist Alaa Abdel Fattah's life and wellbeing after his family and lawyer learned about his suicidal thoughts due to his unjust detention and cruel prison conditions. On 29 September, Alaa Abdel Fattah and human rights lawyer Mohamed Baker will complete two years of arbitrary detention without charge or trial solely for their peaceful exercise of human rights. Amnesty International calls for their immediate and unconditional release.

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

Public Prosecutor Hamada al-Sawi

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Dear Counsellor,

*I am writing to raise my concerns about the ongoing arbitrary detention of activist **Alaa Abdel Fattah** and lawyer **Mohamed Baker**, who have been in pre-trial detention over unfounded terrorist-related accusations since 29 September 2019, solely for the peaceful exercise of their human rights. They are held in cruel, inhuman and degrading conditions, that violate the absolute prohibition of torture and other ill-treatment, at the Tora Maximum Security 2 Prison, in Cairo, the Egyptian capital.*

On 13 September, Alaa Abdel Fattah's lawyer and family publicly raised the alarm about him being in "imminent danger" and expressed concerns that he may be suicidal. In a statement published on 14 September, his family denounced the authorities' barring him from reading books and newspapers and accessing sunlight and clean water, noting that these horrid conditions are having a detrimental impact on his mental health. They wrote: "His mental health is failing after two years of careful planning and cruel implementation by the interior ministry and National Security Agency [a specialized police force with a mandate of policing terrorism and security threats]. His life is in danger, in a prison that operates completely outside the space of the law and with the complete disregard of all officials, foremost among them the public prosecutor, the interior minister, the justice minister, and of course the president." Despite his mother, Leila Souef's, near daily trips to, and hours-long wait at, the prison gate since 19 September, the prison authorities have been cruelly denying her a letter from him raising further concerns about his wellbeing. Prison authorities are holding Mohamed Baker in similarly cruel conditions. He is confined around the clock in a small and poorly ventilated cell and deprived of a bed, books and newspapers.

Both men remain in pre-trial detention pending investigations into bogus terrorism accusations in violation of the Egyptian Code of Criminal Procedures, which sets the maximum duration for pre-trial detention at two years for crimes punishable by the death penalty or life imprisonment. They have not been charged, presented with evidence linking them to any crime, or allowed to challenge the lawfulness of their detention.

I urge you to release Alaa Abdel Fattah and Mohamed Baker immediately and unconditionally and drop all charges against them as they are detained solely for peacefully exercising their human rights. Pending their release, I urge you to ensure that they are held in conditions meeting international standards, including being granted access to adequate medical care, including in specialized facilities outside prison when required, protected from torture and other ill-treatment and allowed to regularly communicate with their families.

Yours sincerely,

ADDITIONAL INFORMATION

Mohamed Baker and Alaa Abdel Fattah have been detained since 29 September 2019 pending investigations into charges of “joining a terrorist group”, “funding a terrorist group”, “disseminating false news undermining national security” and “us[ing] social media to commit a publishing offence” under Case No.1356/2019 of the Supreme State Security Prosecution (SSSP), a branch of the Public Prosecution specialized in investigating national security threats. On 29 September 2019, Alaa Abdel Fattah did not leave the Dokki police station in Greater Cairo, where he spent 12 hours every night as per his police probation terms since his release on 29 March 2019 after serving an unjust five-year prison term for peacefully participating in a protest. The police told his mother that he was taken by National Security Agency (NSA) officers to the SSSP. Later that day, Mohamed Baker entered the SSSP building to represent him. According to their families and friends, Alaa Abdel Fattah’s and Mohamed Baker’s whereabouts were unknown until on 1 October 2019, when they appeared at Tora Maximum Security Prison 2.

The two are held in inhumane conditions at the Tora Maximum Security 2 Prison, in Cairo. From 1 October 2019 to 9 May 2021, Mohamed Baker and Alaa Abdel Fattah shared a small poorly ventilated cell of 3.5m x 5m with two other prisoners. Prison authorities have denied them beds and mattresses; they have been sleeping on the floor on rough blankets. Unlike other prisoners, they are prohibited from exercising in the prison yard and are not allowed to use the prison library nor to receive books or newspapers from outside prison at their own expense. The prison authorities have also been denying them adequate clothing, radios, watches, access to hot water and any personal belongings, including family photos. On 11 May 2021, during a visit, Mohamed Baker informed his wife that he had been transferred to another cell with similar conditions. He said that as a result of limited movement and poor prison conditions, he developed pain in his joints and muscles. The families of Mohamed Baker and Alaa Abdel Fattah have lodged official complaints about their treatment in prison, including their exclusion from the Covid-19 vaccine rollout amid concerns that detainees are being transferred from prisons to courts without personal protective equipment (PPE) and held in cramped unhygienic conditions. No information has been made available on the status on their complaints.

On 30 August 2020, Mohamed Baker was brought in front of the SSSP to face questioning into another case (No. 855/2020). According to information gathered by Amnesty International, prosecutors based the accusations against them mainly on NSA investigations case files, which defendants and their lawyers were not allowed to examine. In recent months, the SSSP has been increasingly bypassing court or prosecution decisions to release detainees held in prolonged pre-trial detention by issuing new detention orders covering similar charges in a practice commonly referred to as “rotation”. On 14 September 2021, Alaa Abdel Fattah was transferred from prison to court, but was not brought in front of the judge, who renewed his pretrial detention for an additional 45 days in his absence.

On 23 November 2020, the Official Gazette published the decision of the Cairo Criminal Court to include Mohamed Baker and Alaa Abdel Fattah to the “terrorists list” for five years without any due process as part of case No. 1781/2019 by the SSSP. Baker and his lawyers were not aware that he was also under investigation in case No. 1781/2019 until the publication of the decision, and he has never been questioned by the SSSP in relation to that case or provided with information about the exact charges against him. The effect of the decision includes a travel ban and prohibition from engaging in political or civic work for five years. The appeal is scheduled for 23 November 2021 before the Court of Cassation.

Alaa Abdel Fattah, a well-known political activist and government critic, has been repeatedly arrested in recent years including for his role in the 2011 uprising. Mohamed Baker is a human rights lawyer and director of Adalah Center for Rights and Freedoms, which he founded in 2014. They are among the thousands of people detained arbitrarily in Egypt solely for exercising their human rights or on the basis of grossly unfair trials, including mass and military trials.

PREFERRED LANGUAGE TO ADDRESS TARGET: Arabic or English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 24 November 2021

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

NAME AND PRONOUNS: Alaa Abdel Fattah (he/him) and Mohamed Baker (he/him)

LINK TO PREVIOUS UA: www.amnesty.org/en/documents/mde12/4167/2021/en/