



**ELDH European Association of Lawyers
for Democracy & World Human Rights**

EIDM Europäische Vereinigung von Juristinnen & Juristen für Demokratie und Menschenrechte in der Welt
EIDH Asociación Europea de los Juristas por la Democracia y los Derechos Humanos en el Mundo
EIDH Association Européenne des Juristes pour la Démocratie et les Droits de l'Homme
EGDU Associazione Europea delle Giuriste e dei Giuristi per la Democrazia e i diritti dell'Uomo nel Mondo

WITH LAWYERS
IN 18 COUNTRIES



DAY OF THE ENDANGERED LAWYER – 24 January 2018

Solidarity with Egyptian lawyers

Appeal to the Egyptian Government - Respect the rights of Egyptian lawyers

In 2017 ELDH, with members in 20 countries, already choose to focus its activities on the endangered lawyers in Egypt. Many human rights organizations, among them Amnesty International, Human Rights Watch, IDHAE, and the International Commission of Jurists confirm that the Egyptian authorities have moved beyond scaremongering and are now rapidly taking concrete steps to shut down the last critical voices in the country's human rights community. Egypt is going through the most serious human rights crisis in its history. Every day security forces arbitrarily displace 3 or 4 people (AI Secretary General, 18 Dec. 2016).

In 2018 the focus of all activities concerning the Day of The Endangered Lawyers will entirely focus on Egypt.

Today in Egypt, human rights activists, lawyers, and journalists, all have to live with their phone calls being tapped, and with intimidation and threats from the authorities. After the overthrow of President Mohammed Morsi the human rights situation has deteriorated dramatically. The government has restricted severely freedom of expression, freedom of assembly, and freedom of association. The authorities have taken harsh actions against dissidents, ten thousands have been arbitrarily arrested, and many of them tortured during custody. Security forces that killed demonstrators have not been held accountable. After harsh unfair trials, hundreds of people have received prison or even death sentences. Victims of this persecution include not only alleged members and supporters of the Muslim brotherhood but also any other opponents to the present government, in particular alleged members of left organizations and human rights activists.

Some prominent examples of endangered lawyers and human rights defenders in Egypt are

- **Dr. Ahmad Abdallah**, human rights defender, representing the family of Italian student Giulio Regeni who was tortured and murdered in Cairo, chairperson of the board of the Egyptian Commission for Rights and Freedoms (ECRF);
- **Malek Adly** a human rights lawyer working for the Egyptian Centre for Economic and Social Rights (ECESR) and co-founder of the Front of Defence for Egyptian Protesters (FDEP);
- **Khalid Ali**, a lawyer for workers' rights and one of the founders of the Egyptian Center for Economic and Social Rights;

- **Nasser Amin**, lawyer and director of the Arab Centre for the Independence of the Judiciary and the Legal Profession in Egypt, as well as the Chairman of the Complaints Committee of the quasi-official National Council for Human Rights.
- **Mohammed Azmy**, Nubian lawyer and former president of the General Nubian Union, a recently founded movement based in Aswan promoting the Nubians' right to return to their ancestral land.
- **Hossam Baghat**, Cairo, a human rights defender;
- **Negad al-Boraei**, Cairo, a lawyer;
- **Gamal Eid**, a human rights lawyer, Executive Director of the Arabic Network for Human Rights Information (ANHRI)
- **Ibrahim Metwally Hegazy**, is a human rights lawyer and the co-founder and coordinator of the Association of the Families of the Disappeared.
- **Tariq Hussein**, a 24-year-old human rights lawyer recently kidnapped and unlawfully incarcerated by police for five weeks.
- **Gamal Khattab**, Lawyer and head of the Freedoms Committee at the Lawyers Syndicate
- **Mahinour al-Masry**, Alexandria, Lawyer and member of Revolutionary Socialist Party; in 2014 she received the renowned "Ludovic-Trarieux-Prize" a human rights prize which is awarded once a year by a large group of European Bar Associations;
- **Haitham Mohamedein**, labour lawyer. After nearly six months in pre-trial detention he was released from Al-Saf police station in Giza, after the court ordered his release on 10 October 2016.
- **Asmaa Naim** and Mohammed Ramadan, In Alexandria, lawyer Asmaa Naim (lawyer at the Egyptian Center for Economic and Social Rights), lawyer Mohammed Ramadan and four other lawyers were referred to the trial on the background of the lawyers' meeting before the Manshiyeh Court during the discussion of the Tiran and Sanafir Agreement on 13 June 2017.
- **Ahmed Ragheb**, lawyer and founder of the National Community for Human Rights and Law (NCHRL). On 15 November 2016 Ragheb was told by passport control officials at Cairo International Airport that he was banned from travelling
- **Yara Sallam**, Cairo, a lawyer, feminist, human rights activist and researcher in the Transitional Justice Unit;
- **Mohammed al-Sharqawi**, lawyer, detained on charges of publishing false news and of belonging to a terrorist organisation.
- **Azza Soliman**, Cairo, a lawyer and leading women's rights defender. She was arrested, because she had born witness against police officers, who shot a demonstrator; and because the centre for the legal aid for women which was co-founded by her allegedly received financial support from abroad.
- **Hoda Abd el-Wahab**, Cairo, Hoda Abd El-Wahab is a lawyer and Executive Director of the Arab Centre for the Independence of the Judiciary and the Legal Profession
- **Ahmad Zanoun and Ahmed Yusri**, lawyers who were arrested after participating in a demonstration

DEMANDS:

1. Immediately and unconditionally release and compensate all detained lawyers and other human rights activists;
2. Immediately drop all charges against these lawyers and other human rights activists, as these prosecutions are clearly aimed at hindering their peaceful human rights activities and put an end to all acts of harassment, including at the judicial level against them, and more generally all human rights defenders in Egypt;
3. Guarantee in all circumstances the physical and psychological integrity of these lawyers as well as all human rights defenders in Egypt;

4. Comply with all the provisions of the UN Basic Principles on the Role of Lawyers, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990, in particular with
 - Art. 16. Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.
 - Art.18. Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.
5. Comply with all the provisions of the United Nations Declaration on Human Rights Defenders adopted on December 9, 1998 by the United Nations General Assembly, in particular with:
 - its Article 1, which provides that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of Human rights and fundamental freedoms at the national and international levels”;
 - its Article 5(a) : “For the purpose of promoting and protecting Human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels (a) To meet or assemble peacefully”
 - its Article 6(a), which foresees that “everyone has the right, individually and in association with others, to participate in peaceful activities against violations of Human rights and fundamental freedoms” ; its Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration” ;
6. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Egypt.
7. Egypt should abide by its March 2015 pledge at the conclusion of its Universal Periodic Review before the United Nations Human Rights Council to “respect the free exercise of the associations defending human rights.” This should include allowing groups to register under a new associations law that parliament should draft following consultation with independent groups, and which should abide by article 75 of the constitution, which protects groups from interference by the government. The law should comply with international standards on freedom of association.

The Human Rights Council and its member states should condemn the current crackdown in Egypt and demand concrete measures to improve respect for fundamental human rights.

It also requests the European Union to exert pressure upon the Egyptian government by economic sanctions, in particular the discontinuation of arms supply, in order to make it respect human rights. Under no circumstances must there be a refugee agreement similar to that with Turkey because neither Turkey nor Egypt are safe third countries.

The international coordination for the Day of the Endangered Lawyer is in the hands of Day of the Endangered Lawyer Foundation supported by IAPL, ELDH and AED:

- **Stuart Russell**, Monitoring Committee on Attacks on Lawyers/Comité de surveillance des attaques contre les avocats , International Association of People's Lawyers (IAPL)
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