



BY AIRMAIL

Prime Minister
Mr. Sherif Ismail

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Amsterdam, 5 December 2016

Re: Travel ban and assets freeze against human rights lawyers Azza Soliman and Malek Adly

Your Excellency,

Lawyers for Lawyers is an independent and non-political Dutch foundation that seeks to promote the proper functioning of the rule of law by pursuing freedom and independence of the legal profession. We are concerned about the situation of our Egyptian colleagues, lawyers Ms. Azza Soliman and Mr. Malek Adly.

According to our information, on 2 November 2016 Mr. Malek Adly, a Egyptian human rights lawyer and director of the Lawyers Network of the Egyptian Center for Economic and Social Rights (ECESR) was, after his passport had already been stamped at the departures of Cairo International Airport, informed by the Egyptian Security that a travel ban had been placed upon him and that he was prevented from boarding his flight. He was given no explanations about the reasons behind the travel ban, he was questioned by the security and had his bag searched.

According to our information, on 17 November 2016 Ms. Azza Soliman, a human rights lawyer and founder of the Centre for Egyptian Women Legal Aid (CEWLA), and member of the Executive Committee of the WHRD MENA Coalition, intended to travel from Egypt to Jordan in order to participate in a training for the Mushawah movement, an organisation promoting equity within the Muslim community, when she was informed by the authorities that she was banned from travelling. This followed a judicial order instructed that same day by the investigative judge in the case No. 173/2011, commonly known as "NGOs foreign funding case", which also ordered the freezing of her personal as well as her law firm's assets.

We are extremely concerned about these acts of harassment against Ms. Azza Soliman and Mr. Malek Adly, which only seem to aim at sanctioning their legitimate human rights activities. We urge the Egyptian authorities to immediately and unconditionally put an end to all restriction against their freedom of movement and association, and more in general to protect all human rights defenders in Egypt.



Lawyers for Lawyers would like to recall that both the imposition of travel bans and of assets freezes against lawyers and organisations seems to be a common pattern of harassment increasingly used by the Egyptian authorities against human rights defenders in the country.

We also believe these incidents are part of a wider crackdown against human rights defenders, including lawyers, and independent civil society, perpetuated by the Egyptian government that risks to bring to a complete eradication of the human rights community in Egypt. While civil society, human rights defenders including lawyers, journalists and independent unions are the cornerstone of the rule of law in a democratic society, and essential to the realization of national reform processes, the Egyptian government is heavily shutting down civic space and systematically violating the rule of law on security and counter-terrorism grounds. Most worrying developments are the ruling of the Cairo Criminal Court of 27 September 2016 in favor of the asset freezing of prominent human rights organisations and human rights defenders¹ and the approval by the Egyptian Parliament of a new NGO bill which, should it come into force, will eradicate associations in the country².

We would like to draw your attention to the UN Basic Principles on the Role of Lawyers³, that contain the core values for lawyers.⁴ Article 16 of the UN Basic Principles on the Role of Lawyers states: *"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."*. Also, pursuant to article 23 of the Basic Principles, *"Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization. (...)"*.

Therefore, your government is under an obligation to adequately protect and support its lawyers. Lawyers for Lawyers urges you to:

1. immediately lift the travel ban against Azza Soliman and Malek Adly and against all other human rights lawyers in Egypt in reprisal for merely engaging in peaceful activities;
2. guarantee in all circumstances Ms. Soliman's freedom of movement and association, by immediately and unconditionally lifting the assets freeze imposed against her and her law firm, if they aim only at sanctioning her legitimate professional activities as a lawyer and

¹ See <http://www.omct.org/human-rights-defenders/urgent-interventions/egypt/2016/09/d23968/>

² <http://www.omct.org/human-rights-defenders/urgent-interventions/egypt/2016/11/d24066/>

³ The UN Basic Principles on the Role of Lawyers provide a concise description of international norms relating to the key aspects of the right to independent counsel. The Basic Principles were unanimously adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Havana, Cuba on 7 September 1990. Subsequently, the UN General Assembly "welcomed" the Basic Principles in their 'Human rights in the administration of justice' resolution, which was adopted without a vote on 18 December 1990 in both the session of the Third Committee and the plenary session of the General Assembly.

⁴ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/RoleOfLawyers.aspx>.



3. put an end to all acts of harassment – including at judicial level - against Ms. Azza Soliman, Mr. Malek Adly and all human rights lawyers in Egypt.

We thank you for your attention to this very important matter. We are confident of your sense of justice and will continue to monitor this case closely.

Yours sincerely,

LAWYERS FOR LAWYERS

Adrie van de Streek
Executive Director

Letters concerning the same topic were sent to:

- President of the Arab Republic of Egypt, H.E. Abdel Fattah el-Sisi
- Minister of the Interior, General Magdy Abdel Ghaffar
- Minister of Justice, Mr. Ahmed Al-Zanad

A copy of these letters were sent to:

- Mr. Mohamed Fayege, President of the National Council For Human Rights, Fax: + 202 25747497 / 25747670. Email: nchr@nchr.org.eg
- H.E. Ms. Wafaa Bassim, Ambassador, Permanent Mission of Egypt to the United Nations in Geneva, Email: mission.egypt@ties.itu.int, Fax: +41 22 738 44 15
- Embassy of Egypt in the Netherlands
- Embassy of the Kingdom of the Netherlands in Cairo, Egypt