



BY AIRMAIL

President of the Arab Republic of Egypt
H.E. Abdel Fattah el-Sisi
Office of the President
Al Ittihadia Palace
CAIRO, **EGYPT**

Amsterdam, 29 May 2018

Per e-mail : p.spokesman@op.gov.eg

Subject: Detention of labour rights defender Mr Haytham Mohamadeen

Your Excellency,

Lawyers for Lawyers is an independent and non-political foundation that seeks to promote the proper functioning of the rule of law by pursuing freedom and independence of the legal profession.

Lawyers for Lawyers is concerned about the detention of Haytham Mohamadeen. Haytham Mohamadeen is a lawyer and a labour rights defender, who offers pro-bono legal aid to workers. He is a member of El-Naddim Centre for the Rehabilitation of Victims of Violence, an Egyptian NGO dedicated to combating torture and providing medical and legal aid in support of victims of human rights' abuses.

According to our information, on the night of the 15th of May 2018, members of the police and National Security Agency arrested Haytham Mohamadeen at his home in El Saf in Giza Governorate. He was detained in an unknown location until he appeared before the Supreme State Security Prosecution in New Cairo's Tagammu El-Khamis District on 19 May. The prosecutor ordered a 15-day detention period pending an investigation on charges of "aiding a terrorist organisation to achieve its goals" and "calling for illegal protests".

It was reported that, although the lawyer did not take part in the protests over the rise in metro fares on 12 May, he is being charged under State Security Case no.718/2018, which involves 20 individuals who are also accused of participating in these protests. Haytham Mohamadeen was transferred to the Central Security Forces Camp "Kilo 10.5", which is located on the Cairo-Alexandria desert road.

Lawyers for Lawyers – as well as various other organizations - fear that the arrest of Haytham Mohamadeen is connected to, and serves to curb his legitimate activities as an attorney.



Further, Lawyers for Lawyers believes that these incidents are part of a wider crackdown against human rights defenders and independent civil society organised by the Egyptian government. Whilst civil society, human rights defenders, lawyers, journalists and independent unions are the cornerstone of the rule of law in a democracy, the Egyptian government is heavily shutting down civic space and systematically violating the rule of law on security and counter-terrorism grounds. Criminal charges based on the Egyptian protest law – imposing a requirement for the Ministry’s prior authorisation – seem to be a common pattern of harassment increasingly used by the Egyptian authorities against human rights defenders. Protesters convicted of breaking the law could face up to five years in prison and fines of EGP 100,000 (USD 5,700).

In this context, we draw your attention to the United Nations (UN) Basic Principles on the Role of Lawyers¹ (Basic Principles), more in particular Principles 16 and 23, which read:

16. Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference (...) 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.

23. 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. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognized standards and ethics of the legal profession.

These principles are universally applicable. Therefore, your government is under an obligation to adequately protect and support its lawyers.

Further, as a member of the African Union and the UN, and as a party to the African Charter on Human and Peoples’ Rights and the International Covenant on Civil and Political Rights, Egypt has legal obligations to adopt measures that effectively ensure rights to liberty, freedom from arbitrary detention, freedom of expression, and fair trial. Also as a member of the United Nations, Egypt is expected to comply with the Universal Declaration of Human

¹ 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.



Rights and the various principles, guidelines, standards and recommendations adopted by the UN General Assembly and other UN bodies relating to these rights.

In view of the above, Lawyers for Lawyers respectfully urge you to:

- Immediately and unconditionally release Mr. Haytham Mohamadeen and put an end to all acts of harassment against him, including at the judicial level;
- Take all necessary measures to guarantee the physical and psychological integrity and security of Haytham Mohamadeen;
- Guarantee in all circumstances that all human rights lawyers in Egypt are able to carry out their legitimate professional rights and duties without fear of reprisals and free of all restrictions including judicial harassment.

Thank you for your attention to this very important matter. We are confident that the government of Egypt will give this case the attention it deserves and we will continue to monitor this case closely.

Yours sincerely,

LAWYERS FOR LAWYERS (L4L)

p/o

Judith Lichtenberg, Executive Director

Copies of these letters were sent to:

- Mr. Mohamed Fayeq, President of the National Council For Human Rights, Email: nchr@nchr.org.eg
- Permanent Mission of Egypt to the United Nations in Geneva, Email: mission.egypt@ties.itu.int
- Embassy of Egypt in the Netherlands, Email: info@ambeg.nl
- Embassy of the Kingdom of the Netherlands in Cairo, Egypt, Email: kai@minbuza.nl