



BY AIRMAIL

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

Fax: +202 23901998

Amsterdam, 25 May 2016

Re: detained human rights lawyer Mr. 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 arrest of our Egyptian colleague and human rights lawyer Mr. Malek Adly. Lawyers for Lawyers has reason to believe that the case against him is connected to his legitimate activities as a lawyer.

Malek Adly is the director of the Egyptian Centre for Economic and Social Rights (ECESR) and the founder of the Front for Defending Egypt's Protesters, a group of human rights organizations and lawyers documenting illegal practices carried out by the police against protesters, and providing assistance to protesters and prisoners.

Malek Adly was arrested on 5 May 2016, after an arrest warrant was issued against him on 23 April. His arrest came at the backdrop of his work as a human rights lawyer, his critical views on the rule of law situation in Egypt, and his legitimate and peaceful exercise of freedom of expression and assembly in opposing transferring the sovereignty of Tiran and Sanafir islands from Egypt to Saudi Arabia.

He has been charged with, inter alia, destabilizing the country and attempting to overthrow the regime. Reportedly he has also been charged with affiliation of a group that seeks to destroy the constitution, but without the Prosecution disclosing the identity of this group, despite his lawyers' attempts to clarify the charges. He is currently detained in Cairo's Tora prison; during a remand hearing held on 18 May his detention was prolonged with another two weeks.

The Defence team for Malek Adly has filed complaints with various judicial authorities about the violations of his rights during his arrest and detention, including maltreatment and beating, solitary confinement, refusal of medication, and an initial denial of family and lawyer visits. His health is reported to be rapidly deteriorating.

Lawyers for Lawyers suspects that the detention of Malek Adly serves to curb his legitimate activities as a lawyer. We draw your attention to the United Nations Basic Principles on the Role of Lawyers¹ (Basic Principles), more in particular Principles 16 and 23, which read:

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.



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. Lawyers for Lawyers therefore urges you to:

- i. drop all charges against Malek Adly and put an end to all acts of harassment, including at the judicial level, against him and all human rights lawyers in Egypt;
- ii. guarantee in all circumstances the physical and psychological integrity of Malek Adly and all human rights lawyers in Egypt;
- iii. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by 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.

On behalf of the President of Lawyers for Lawyers, Phon van den Biesen,

Yours sincerely,

LAWYERS FOR LAWYERS

Adrie van de Streek
Executive Director

Letters concerning the same topic were sent to:

- Prime Minister, Mr. Sherif Ismail
- Minister of the Interior, General Magdy Abdel Ghaffar,
- Minister of Justice, Judge Hossam Abdel Rehim
- Public Prosecutor, Counsellor Nabeel Sadek, Dar al-Qadha al-Ali

A copy of this letter was sent to:

- Mr. Mohamed Fayege, President of the National Council For Human Rights
- H.E. Ms. Wafaa Bassim, Ambassador, Permanent Mission of Egypt to the United Nations in Geneva
- Embassy of the Kingdom of the Netherlands in Cairo