



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, 26 September 2017

Re: our Egyptian colleague and human rights lawyer Mr. Ibrahim Metwally Hegazy

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 our Egyptian colleague Mr. Ibrahim Metwally Hegazy.

We have been informed by reliable sources about the abduction and arbitrary and incommunicado detention of Mr. Ibrahim Metwally Hegazy, human rights lawyer, Co-founder and Coordinator of the Association of the Families of the Disappeared in Egypt¹. Mr. Ibrahim Metwally Hegazy reportedly also provided legal advice to Giulio Regeni's family².

According to the information received, on September 10, 2017, Mr. Ibrahim Metwally Hegazy disappeared at Cairo International Airport before boarding a flight to Geneva. Mr. Ibrahim Metwally Hegazy was travelling to Switzerland in response to an invitation by the United Nations Working Group on Enforced and Involuntary Disappearances (WGEID) to attend the proceedings of its 113th Session, held from September 11 to 15, 2017 at the UN Human Rights Council.

His family lost contact with him around 8 AM after he had arrived at the airport, texting that he "was heading to the security [forces'] office" which is near passport control. They subsequently contacted the authorities at the Geneva airport who communicated that the latter had not arrived on the flight from Cairo, leading them to believe that he had been arrested at Cairo International Airport. The lawyers of Mr. Ibrahim Metwally Hegazy contacted the airport police and looked for him in nearby police stations but they were

¹ The organisation name in Arabic is "Awqefoo el Ikhtifaa el Qasry" (Stop Enforced Disappearances) which aims to determine the fate and whereabouts of "disappeared" family members. Mr. Ibrahim Metwally Hegazy became an active human rights defender working on the issue of enforced disappearances after the disappearance of his son Amr Ibrahim Metwally, who was forcibly disappeared on July 8, 2013 and is still missing.

² Giulio Regeni was an Italian graduate who was abducted and tortured to death in Egypt.



not able to obtain any information on his whereabouts. They subsequently sent a telegram to the prosecutor general's office to report the suspected arrest.

The whereabouts of Mr. Ibrahim Metwally Hegazy remained unknown from that date until September 12, in the evening, when the Stop Enforced Disappearance Campaign reported he had been located in State Security Prosecution custody, in Al-Tagammo' al-Khamis on the outskirts of Cairo. He was interrogated by the State Security Prosecution (SSP) for charges of communicating with foreign entities to harm state security, spreading false news and forming and managing a group that was formed against the law and the constitution. During his interrogation, his home was searched by security forces. The official invitation made by the WGEID and Mr. Hegazy's passport were confiscated as evidence in the criminal case No. 900/2017 opened against him. The SSP ordered the detention of Mr. Ibrahim Metwally Hegazy for 15 days pending investigations, and sent him to the high security wing of Tora prison complex.

Mr. Ibrahim Metwally Hegazy is not the only member of the Association of the Families of the Disappeared who has been targeted by the Egyptian authorities. Fellow Co-founders Ms. Hanan Badr El-Din Othman and Mr. Ahmed Amasha as well as Mr. Islam Salameh (another lawyer who represents the forcibly disappeared families) have been arrested and detained during 2016 and 2017.

Lawyers for Lawyers expresses its utmost concern over the abduction and arbitrary detention of Mr. Ibrahim Metwally Hegazy, as they appeared to be linked to his legitimate activities as a lawyer and his human rights activities. Lawyers for Lawyers recalls that arbitrary detentions and enforced disappearances have become common practice in Egypt over the past few years targeting dissenting voices, including human rights defenders.

In this context we draw your attention to the United Nations Basic Principles on the Role of Lawyers (Basic Principles)³, 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.*

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.



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 United Nations (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 UN, Egypt is expected to comply with the Universal Declaration of Human Rights and the various principles, guidelines, standards and recommendations adopted by the UN General Assembly and other UN bodies relating to these rights.

Lawyers for Lawyers therefore urges you to:

1. Immediately and unconditionally release Mr. Ibrahim Metwally Hegazy as well as all other (human rights) lawyers arbitrarily detained in Egypt or, if credible evidence of an internationally recognized crime exists, that Mr. Ibrahim Metwally Hegazy is transferred to an official place of detention, charged promptly and remanded by an independent court in line with international human rights standards. In this respect, we also demand that the case-handling organs should immediately notify his family in writing as the law provides;
2. Put an end to all acts of harassment and improper interferences, including at the judicial level, against Mr. Ibrahim Metwally Hegazy, and all other members of the Association of the Families of the Disappeared;
3. More generally, guarantee in all circumstances that all lawyers in Egypt are able to carry out their legitimate activities without fear of reprisal and 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 will continue to monitor this case closely.

Yours sincerely,

LAWYERS FOR LAWYERS

p.p.

Phon van den Biesen
President

Letters concerning the same topic were sent to:

- Prime Minister, Mr. Sherif Ismail, E-mail: primemin@idsc.gov.eg
- Minister of the Interior, General Magdy Mohamed Abdel Ghaffar, E-mail: center@iscmi.gov.eg
- Minister of Justice, Mr. Mohamed Hosam Ahmed Abdel-Rahim, E-mail: mjustice@moj.gov.eg

Copies of these letters were sent to:

- Mr. Mohamed Fayege, President of the National Council For Human Rights, E-mail: nchr@nchr.org.eg
- Ms. Wafaa Bassim, Ambassador, 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