



BAR HUMAN RIGHTS
COMMITTEE OF
ENGLAND AND WALES

London, 29 May 2015

STATEMENT

BHRC seriously concerned by prosecution of Egyptian women's rights lawyer, Azza Soliman

The Bar Human Rights Committee of England and Wales (BHRC) expresses serious concern about the continuing prosecution of Ms Azza Soliman, women's rights lawyer and co-founder of the Center for Egyptian Women's Legal Assistance. The case against Ms Soliman stems from the fatal shooting in January 2015 – allegedly by the Egyptian police – of Ms Shaimaa al-Sabbagh, a prominent Egyptian activist. The shooting occurred at a protest against State killings of activists during the so-called 'Arab Spring' uprising of 2011. Ms Soliman gave witness evidence to the police in respect of the violent crowd dispersal and shooting. Subsequently, she herself was charged and prosecuted with criminal violation of Egypt's protest laws.

On 23rd May 2015, Ms Soliman and 16 other defendants were acquitted of all charges against them. The Court stated that: "What the defendants did cannot be explained or considered as a protest or political demand to be considered as illegal action; it was just a commemoration of the revolution's martyrs like the gatherings for national celebrations all over the country." And "[...] the case's documents did not have a proof of the defendants attacking any of the police officers or citizens or public property...".

However, on 26th May 2015, the Egyptian Public Prosecutor announced that he would appeal the acquittal. The next hearing in the case is due to take place on 13th June 2015.

The BHRC is concerned that the prosecution of Azza Soliman suggests an attempt on the part of the Egyptian authorities to criminalise protest and to deter other witnesses from giving evidence in connection with the fatal shooting of Ms Shaimaa al-Sabbagh and other incidents of State violence.

This forms part of a broader trend in Egypt at present. A restrictive anti-protest law, which bans all gatherings of ten or more people without a permit issued by the authorities, is being

used by the State as an instrument to harass, prosecute and criminalise human rights defenders.

The BHRC recalls the provisions of the United Nations Declaration on Human Rights Defenders, in particular Articles 5 and 6, which protect the right and freedom to meet and assemble peacefully for the purpose of promoting and protecting human rights, as well as the freedom to participate in peaceful activities against violations of human rights and fundamental freedoms. It also recalls Article 9 which safeguards the right to complain about the policies and actions of individual officials and governmental bodies with regard to violations of human rights and fundamental freedoms. Pursuant to Article 12, States must ensure that they take all necessary measures to ensure protection by the competent authorities of everyone, individually and in association with others, against any violence, threat, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of any person's legitimate exercise of their rights, as set out in the Declaration, including the right to peacefully oppose human rights violations and acts of violence perpetrated by the State.

Ms Soliman asserts that she was not participating in the protest which she observed on January 2015. However, insofar as the State asserts that she was, the BHRC further notes that the prosecution of peaceful protestors who are expressing their right to freedom of expression and assembly constitutes a breach of Articles 6, 7, 9 and 11 of the African Charter on Human and People's Rights, which Egypt has ratified. These rights are protected equally by the International Covenant on Civil and Political Rights, which Egypt also has ratified.

The BHRC calls upon the Egyptian authorities to ensure that the appeal against Ms Soliman's acquittal and that of her co-defendants is revoked, to take urgent steps to repeal the State's undemocratic protest laws, and to ensure that the right to peaceful protest is protected. The facts of the case raise serious concerns that the prosecution is being pursued as a reprisal against those willing to speak out against State violence. Such reprisals, together with the increasingly draconian crack-down by the Egyptian authorities on any form of political dissent or protest suggest a rapidly diminishing respect for the rule of law. Egypt must urgently promote an environment in which the country's international obligations to protect human rights defenders are strictly safeguarded.

ENDS.

NOTES FOR EDITORS:

- On 24 January 2015, whilst sitting at a restaurant, Ms Soliman witnessed the killing of Ms Shaimaa al-Sabbagh, a prominent Egyptian activist, who was shot and killed by the police during a violent dispersal of a peaceful protest to commemorate those killed in the Egyptian uprisings or so-called 'Arab Spring' of 2011. Ms Soliman voluntarily gave her testimony to the Prosecution Office, in which she recorded her view that the police were responsible for Ms al-Sabbagh's death. She filed a complaint against the Minister of Interior and the Security Forces and she also posted her testimony on Facebook.
- On 23 March 2015, the Prosecution Office in Cairo charged her and 16 other witnesses of protesting illegally and breaching public order and security under the

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Protest Law #104 of 2013. On 28 March 2015, Ms Soliman's lawyers unsuccessfully requested the General Prosecutor to remove Ms Soliman as a defendant and for her to be re-listed as a witness to the killing.

- For an interview with our spokesperson, please contact Céline Grey, Project Coordinator, on +44 (0)7854 197862
- For more information on the Bar Human Rights Committee (BHRC), visit our website at <http://www.barhumanrights.org.uk>
- The Bar Human Rights Committee of England and Wales (BHRC) is the international human rights arm of the Bar of England and Wales, working to protect the rights of advocates, judges and human rights defenders around the world. The BHRC is concerned with defending the rule of law and internationally recognised legal standards relating to human rights and the right to a fair trial. It is independent of the Bar Council.