

16 May 2016

STATEMENT

Bar Human Rights Committee expresses serious concern at arrest and detention of Egyptian lawyers

The Bar Human Rights Committee of England and Wales (“BHRC”) expresses serious concern at the recent arrests and arbitrary detention of a number of Egyptian lawyers, human rights defenders, and journalists, including Malek Adly, Amr Badr and Mahmoud Al-Saqa amidst an increasing clampdown on those perceived to criticize the authorities.

Malek Adly is a prominent human rights lawyer, the co-founder of the Front for Defending Egypt's Protesters, and a director of Lawyers Network at the Egyptian Centre for Economic and Social Rights (“ECESR”). On the 5th May 2016, he was arrested in Cairo's Maadi district during the Egyptian government's most recent crackdown on critics of the decision to cede control of two Red Sea islands to Saudi Arabia.

Mr Adly was one of a number of lawyers who filed a lawsuit against an agreement over the islands signed by President Abdel Fattah el-Sisi and Saudi Arabia. He had recently called for protest against that decision, as well as the alleged perpetration of human rights abuses and crimes committed by Egyptian security forces.

A protest was due to take place on the 25th April 2016, demonstrating against the transfer of islands, though numerous people were arbitrarily arrested ahead of the planned demonstration. On 14th May,, according to reports by public prosecutors and defence lawyers,

two Egyptian courts sentenced 152 people to prison, for between 2 and 5 years, for taking part in that protest. BHRC understands that heavy fines have been levied of 100,000 Egyptian pounds against 101 of those convicted.

BHRC understands that following the arrest Mr Adly was to be detained for 15 days, though this may be subject to extension. He has been charged with crimes relating to attempting to overthrow the ruling regime, affiliation to a banned organisation, and broadcasting false news, all of which he denies. It is alleged by his legal representatives that security forces have subjected him to beatings on arrest and ill treatment in detention.

On the 1st May 2016 Mr Amr Badr and Mahmoud Al-Saqa, prominent Egyptian journalists, were also arrested when security forces stormed the Journalists' Syndicate Headquarters in Cairo. This was following their coverage of the planned demonstrations and a sit-in protest that they had begun after their homes had been raided by state forces. The men now face charges relating to inciting protest against the regime, distributing flyers to protest, affiliation to a banned organisation, and promoting false news.

The arrest and detention of these individuals is part of a series of recent arrests made by Egyptian security forces against those who have criticised or protested against the decisions of the state, including lawyers, human rights defenders, and journalists. On 14th May, Sanaa Seif, a well-known activist and brother of blogger Alaa Abdel-Fattah,, also commenced a six month prison sentence for “insulting” a public official.

The continued repression and mass arrest of human rights defenders in Egypt has escalated following these calls to protest. BHRC has serious concerns about the motivations for these arrests and their impact on the rights to freedom of expression, assembly and protest, which are now substantially and unacceptably threatened, contrary to Egypt’s international human rights obligations.

Crimes alleging the creation or distribution of “false news” are frequently used against journalists and human rights defenders in Egypt, and substantially interfere with the freedom of expression guaranteed under Article 19 of International Covenant on Civil and Political Rights (“ICCPR”), to which Egypt is party.

BHRC also 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. BHRC further notes that the prosecution of peaceful protesters 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 ICCPR.

BHRC calls on the Egyptian authorities to affirm, enforce and ensure, through its governments and courts, full respect of the fundamental rights of these men and of all lawyers and journalists working in Egypt, as guaranteed under international law and the Egyptian Constitution, in particular, freedom of expression (including the independence of the media) and assembly, and the prohibition against arbitrary detention. Urgent steps are needed to restore confidence in the fairness and credibility of the Egyptian justice system. BHRC further calls upon the UK government to make representations to the Egyptian authorities about these matters and to promote full respect for the fundamental freedoms of lawyers and journalists working in the country.

ENDS.

NOTES FOR EDITORS

1. For an interview with our spokesperson, please contact Ed Gillett, Coordinator, on +44 (0)7854 197862
2. For more information on the Bar Human Rights Committee (BHRC), visit our website at <http://www.barhumanrights.org.uk>
3. 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.