



FREEDOM OF ASSOCIATION IN JEOPARDY

THE EURO-MEDITERRANEAN HUMAN RIGHTS NETWORK AND THE OBSERVATORY FOR THE PROTECTION OF HUMAN RIGHTS DEFENDERS CONCERNED ABOUT THE DETERIORATION OF THE CONDITIONS FOR THE ENJOYMENT OF FREEDOMS OF ASSOCIATION AND PEACEFUL ASSEMBLY IN EGYPT

After a fact-finding and advocacy mission on freedom of association and the situation of civil society organisations conducted in Egypt from February 11 to 14, 2012, the Euro-Mediterranean Human Rights Network (EMHRN) and the Observatory for the Protection of Human Rights Defenders – a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT) - are publishing today the findings of the mission, and note that one year after the Revolution, the conditions for the enjoyment of freedoms of association and peaceful assembly in Egypt have significantly deteriorated. Our organisations are particularly concerned about the direct attacks by the government against Egyptian and international human rights NGOs.

The delegation was composed of Kamel Jendoubi, EMHRN President and member of OMCT Executive Council; Raji Sourani, FIDH Vice-President; Khadija Cherif, FIDH Secretary General on behalf of the Observatory; and Abdessatar Ben Moussa, President of the Tunisian League for Human Rights (*Ligue Tunisienne des Droits de l'Homme* - LTDH, a member organisation of EMHRN, FIDH and OMCT), and met representatives of Egyptian human rights organisations, the government and Parliament, as well as the EU, other European countries and the United States.

The delegation found that:

1. The media and political campaign aimed at discrediting human rights NGOs by accusing them of 'representing foreign interests' is particularly harmful and virulent, and serves to undermine the public support enjoyed by these civil society organisations, which played an important role in the revolution and in denouncing the violations perpetrated under the regime of former President Hosni Mubarak;
2. Direct attacks against NGOs are continuing. Following the December 2011 raids in the offices of several Egyptian and international NGOs, legal proceedings were initiated against 43 employees of U.S. and German NGOs on February 26, 2012, for having opened offices in Egypt illegally and having received funds from abroad. The intimidation is targeting not only these foundations but all human rights NGOs in general, in an attempt to hinder their activities. Since the February 2011 revolution, these organisations have been denouncing the abuses committed by the military council, in particular the severe crackdowns on demonstrations which resulted in many protesters being killed, and the ongoing attempts to curtail the rights to freedom of expression, assembly and association;
3. Although they denied that a final draft legislation on associations has been prepared, government representatives made it clear that they intended to ensure that the reformed legislative framework will maintain civil society organisations under tight control, by forcing them to obtain prior authorisation to conduct their activities, by exerting greater control on funding from outside sources and by prohibiting them from carrying out any 'political' activities, a measure that is clearly aimed at restricting the human rights associations' activities of civil vigilance and of denunciation of abuses;
4. In 2011, several demonstrations were violently suppressed, and some of the defenders covering the human rights violations perpetrated in that framework were arrested and subjected to judicial harassment.



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des Droits de l'Homme

The EMHRN and the Observatory express their solidarity with Egyptian human rights organisations, which are conducting their activities of civil vigilance in increasingly difficult conditions and are facing the threat of prosecution in the exercise of their legitimate activities.

Our organisations reiterate their concern about the deteriorating environment for the enjoyment of the rights to freedom of association and peaceful assembly, and call upon the Egyptian authorities to comply with their international and constitutional obligations in this regard – and in particular to immediately put an end to all judicial proceedings and acts of harassment against human rights defenders and non-governmental organisations – and to initiate a genuine democratic transition process, which is a prerequisite for the development of a diverse, independent civil society.

Our organisations also call upon the Egyptian government to accede as soon as possible to the requests to visit Egypt made by the United Nations Special Rapporteur on the Rights to Freedom of Peaceful Assembly and Association, and the UN Special Rapporteur on the Situation of Human Rights Defenders, especially in light of the intervention made by the Egyptian mission on the occasion of the interactive dialogue with the Special Rapporteur on the Situation of Human Rights Defenders during the 19th session of the United Nations Human Rights Council.

In particular, the EMHRN and the Observatory urge the newly elected representatives of the Egyptian people in Parliament to break with past practices and to encourage the development and expression of an active and autonomous civil society. This requires the adoption of a legislative framework on associations compatible with international standards in this area, in consultation with civil society organisations, some of which have submitted a proposal in that regard. It is useful to remind that the implementation of international standards on freedom of association and of good financial management practices favour transparency in the administration of associations without requiring interference and prior control by the authorities.

The EMHRN and the Observatory call upon the European Union to engage in the active promotion of the rights to freedom of association and peaceful assembly in Egypt, to implement the instruments designed to support civil society created in the framework of the European Neighbourhood Policy and the Guidelines on Human Rights Defenders, and to make any future cooperation with the Egyptian government conditional upon the achievement of genuine democratic progress and respect for public freedoms.

Our organisations call upon the UN Special Rapporteur on the Situation of Human Rights Defenders, the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, and the Special Rapporteur on the Situation of Human Rights Defenders in Africa of the African Commission on Human and Peoples' Rights to call upon the Egyptian authorities to guarantee the physical and psychological integrity of all human rights defenders in Egypt, to prevent and put an end to violations of fundamental rights and freedoms, and to investigate all such violations when they occur, and bring all those responsible to justice.

The findings of the mission are available at the following URLs:

http://www.euomedrights.org/files.php?force&file=Note_Mission_Egypte_ENG_FINAL_348951331.pdf

http://fidh.org/IMG/pdf/note_mission_egypte_eng_final.pdf

http://www.omct.org/files/2012/03/21687/note_mission_egypte_eng.pdf

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