



BAR HUMAN RIGHTS
COMMITTEE OF
ENGLAND & WALES



CAIRO INSTITUTE
FOR HUMAN RIGHTS STUDIES



EuroMed Rights
EuroMed Droits
الأورو-متوسطية للحقوق

His Excellency Abdel Fattah el-Sisi, President of the Arab Republic of Egypt
Office of the President
Al Ittihadia Palace
Cairo, Arab Republic of Egypt

London, 19 September 2016

Your Excellency,

We, the Bar Human Rights Committee of England and Wales, EuroMed Rights and the Cairo Institute for Human Rights Studies, together with the undersigned Bar Associations and Law Societies, are writing to you to express solidarity with lawyers in Egypt.

We condemn the arrest and continued detention of lawyers for reasons related to the performance of their professional functions. We express concern at the recent increase in the number of arrests of lawyers who provide counsel and representation to human rights defenders. We further condemn the use of extended pre-trial detention without a reasoned decision for refusing conditional release, capable of constituting a punitive use of pre-trial detention. We also note with concern that no official records are publically available as to the number of lawyers arrested and detained. We further condemn the intimidation and harassment of lawyers who seek to promote and defend human rights. We attach, by way of annex to this letter, a non-exhaustive list of lawyers about whom we currently remain extremely concerned.

We recall the right to liberty, the rights to freedom of expression and association, the right to an effective remedy, the right to equality before the law, and the prohibition of discrimination as contained in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the African Charter of Human and the Public Freedoms, Rights and Duties to which Egypt is party, and enshrined in Chapter Three of the Egyptian Constitution. We further recall the United Nations “Basic Principles on the Role of Lawyers”, which is based on recognised and accepted human rights standards enshrined in other international instruments ratified by Egypt.

The role of the lawyer is a crucial element of any functioning democracy. Lawyers serve an essential role in the protection of human rights and constitutional principles and in furthering the ends of justice and the public interest. It is a fundamental duty incumbent on the State to protect lawyers and to ensure that they are not prosecuted or threatened with prosecution or with other sanctions for the exercise of their professional duties. The State must also ensure

Bar Human Rights Committee of England and Wales (BHRC), 53-54 Doughty Street, London WC1N 2LS
Chair: Kirsty Brimelow QC | Vice-Chairs: Blinne Ní Ghrálaigh & Schona Jolly

coordination@barhumanrights.org.uk | www.barhumanrights.org.uk
+44 (0) 20 7404 1313 ext. 359 | +44 (0) 7854 197862

that lawyers are able to perform their legal functions without intimidation, hindrance, harassment or improper interference.

The recent arrests and detention of lawyers by the Egyptian authorities, their intimidation and harassment, constitute a prima facie of breach Egypt's obligations under international human rights conventions and under its own Constitution. Further, they appear to constitute an assault on the integrity of the Egyptian justice system and on the rule of law.

We call upon you, as a matter of urgency, to take immediate steps to:

1. Cease the continuing arrests and detention of lawyers for reasons related to the performance of their professional functions
2. Review and, where appropriate, withdraw all investigations and criminal charges against such lawyers
3. Restore and guarantee respect for the rights of lawyers and human rights defenders
4. Release all lawyers currently being detained in violation of international human rights laws and standards and domestic obligations
5. Ensure full protection for lawyers from further intimidation, harassment or obstruction in the performance of their professional duties
6. Respond favourably to the request of the UN Special Rapporteur on the Independence of Judges and Lawyers to conduct a country visit to Egypt and permit the visit
7. Reaffirm and uphold Egypt's commitment to the rule of law and human rights

We the undersigned appreciate your attention in this matter, and ask that you kindly reply letting us know what steps you propose to take. We thank you for your kind consideration and look forward to your positive response.

Yours sincerely,

Signed,

Kirsty Brimelow QC
Chair, Bar Human Rights Committee of
England and Wales (BHRC)

Michel Tubiana
President, EuroMed Rights

Kamal Jendoubi
President, Cairo Institute for Human Rights
Studies

Chantal-Aimee Dorries QC
Chair, Bar Council of England & Wales

Robert Bourns
President, Law Society of England & Wales

Tony Fisher
Chair, Human Rights Committee, Law
Society of England & Wales

Dorothy R Bain QC

Convener, Human Rights Committee,
Faculty of Advocates (Scotland)

Victoria Ortega Benito

Chair, Spanish Bar Council

Elina Fraga

President, Portuguese Bar Association

Jean-Pierre Buyle

President, avocats.be

Patrick A. Dillen

Nederlandse Orde van Advocaten bij de
Balie te Brussel

Alexandre Gillain

President, Charleroi Bar Association

Jeremy Muller SC

Chairman, General Council of the Bar,
South Africa

**Mvuzo Notyesi and Jan Janse van
Rensburg**

Co-chairpersons, Law Society of South
Africa

Darfur Bar Association

Bar Council of Malaysia

Dominique Attias

Secretary General, International
Observatory of Lawyers in Danger
(created by the French National Bar
Council in partnership with the Paris Bar
Association and the Spanish and Italian
National Bar Councils)

Daniela Valdez

President, European Young Bar
Association

Carlos José da Silva Santos

National President, Centro de Estudos das
Sociedades de Advogados (Brazil)

Lawyers for Lawyers

Lawyers Rights Watch, Canada

**PILnet : The Global Network for Public
Interest Law**

**World Organisation Against Torture
(OMCT) and International Federation
for Human Rights (FIDH)** in the
framework of the Observatory for the
Protection of Human Rights Defenders

**Arab Penal Reform Organization
(APRO)**