

Egypt: Joint Press Statement by 17 Human Rights Organizations - In defense of human rights defenders

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STATEMENT BY 17 EGYPTIAN HUMAN RIGHTS ORGANIZATIONS

March 21, 2016

The Perpetrators of Human Rights Abuses Retaliate Against Rights Groups, the Voice of Victims:

In a time when the torture and murder of Egyptians has become a mark of patriotism, defenders of the victims of these crimes are prosecuted

Joint press statement

The undersigned organizations condemn the orchestrated, escalating assault on Egyptian civil society, especially advocacy groups, who see in recent measures an attempt to entirely eliminate rights organizations by reopening case no. 173/2011, known as the foreign funding case, and deploying the judiciary as a political and security weapon to achieve objectives that inflict grave harm to justice and human rights.

Over the past ten days, rights groups have been subjected to a security and media onslaught. This comes after a European Parliament resolution that criticized the state of human rights in Egypt and after rights groups sent a memo to the UN High Commissioner for Human Rights addressing the same topic. The memo detailed violations related to extrajudicial killing, police brutality, prisons, torture and ill treatment, freedom of association and peaceful assembly, the suppression of media and artistic freedoms, and the closure of cultural and academic centers, as well as economic and social justice issues, women's rights, and religious freedoms.

The handpicked investigating judges in the foreign funding case took a series of measures against leaders and staff at a number of rights organizations, including the Cairo Institute for Human Rights Studies (CIHRS), Nazra for Feminist Studies, the Egyptian Initiative for Personal Rights (EIPR), and the Arab Network for Human Rights Information (ANHRI). These measures also extended to a venerable law firm with a 75-year history, the United Group, and its director, rights lawyer Negad al-Borai.

The measures included travel bans and summons for questioning. In addition, Hossam Bahgat, the founder of the EIPR, and Gamal Eid, the director of ANHRI, along with two members of his family, had their assets frozen. The undersigned organizations expect additional repressive, retaliatory measures in the near future, not only to gag these organizations, but to silence the sole remaining voice of tens of thousands of victims of human rights abuses.

The undersigned organizations note that the investigating committee is taking these measures in total secrecy. The committee has refused to allow lawyers and their clients to see the case files or

disclose the nature and details of the allegations under investigation. At the same time, information has been leaked to the media, which has become the sole means by which lawyers and their clients are able to learn of the measures, including dates of court sessions. This is a flagrant violation of due process guarantees and a blatant violation of the constitution and Article 25 of the Code of Criminal Procedure. The investigating committee even issued travel ban orders for some people more than a year ago, without summoning them for questioning, charging them, or offering legal grounds for the ban. This violates the constitution, which requires such orders to be issued with cause and for a defined duration. One of the judges on the committee stated that no defendants have been named and that the measures taken are purely precautionary. In effect, this means that people are subject to open-ended curbs on their freedom to dispose of their assets and travel and move, without their knowledge and without facing specific charges.

Article 208(bis)(a) of the Code of Criminal Procedure, which the investigating judges cited as grounds to freeze the assets of Bahgat and Eid, contravenes constitutional principles. In making the grounds for the freeze “the existence of sufficient evidence in the investigation to prove the charge against the person subject to the precautionary measure,” it tramples on the presumption of innocence. The provision also violates the principle of the individuality of punishment. Without having proved that the persons subject to the freeze have transferred their assets to their family members, the provision violates the personal property rights of family members of persons subject to an asset freeze. Moreover, the provision restricts their ownership rights in the absence of a final judicial ruling.

The undersigned organizations believe that the rapid succession of measures in the past few days are designed to retaliate against them as the last remaining voice of victims, especially in light of the massive dysfunction of the justice system and the increasingly erratic conduct of the security apparatus, which is unaccountable to anyone, even for their internal corruption. The timing of the attack on these organizations also suggests that the actions are punishment for the groups for engaging with a human rights instrument, the OHCHR, and meeting with the high commissioner and the UN secretary-general, although the Egyptian government has ratified several international human rights conventions that allow these organizations to engage with the relevant UN bodies and instruments.

The way the Egyptian government and its security apparatus deal with local and international criticism, especially the most recent criticism, is absurd. Instead of silencing and repressing victims' voices with flawed legal procedures, the government would do better to realize the serious shortcomings in the management of the country and initiate reforms. It is the lawlessness of the security apparatus that “besmirches Egypt's international reputation.” The frequency and gravity of human rights abuses over the last two years have reached levels unprecedented in the country's modern history, and they cannot be hidden from publics at home or abroad. Rights organizations in Egypt are trying to play their role under tremendous pressures and threats, from death threats against a director and board member of the CIHRS to an administrative order shutting down the Nadeem Center for the Rehabilitation of Victims of Violence and Torture to arbitrary travel bans against numerous human rights defenders.

Signatory organizations:

1. Cairo Institute for Human Rights Studies
2. National Community for Human Rights and Law
3. The Egyptian Association for Community Participation Enhancement

4. The Land Center for Human Rights
 5. The Egyptian Center for Economic and Social Rights
 6. El-Nadeem Centre for the rehabilitation of victims of violence and torture
 7. Andalus Institute for Tolerance and Anti-Violence Studies
 8. ADALAH Center for Rights & Freedoms "ACRF"
 9. Masryoon Against Religious Discrimination
 10. Egyptian Commission for rights and freedoms
 11. Arab Penal Reform Organization
 12. Alhaqanya Foundation of Rights and freedoms
 13. The New Woman Foundation
 14. Association for Freedom of Thought and Expression
 15. Foundation Of The Victims Of Abduction And Forced Disappearance
 16. Center for Egyptian Women's Legal Assistance
 17. Nazra for Feminist Studies
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P.S.

* Source: Nazra for Feminist Studies. <http://www.siawi.org/article11163.html>