



International Network for Economic, Social & Cultural Rights
Red Internacional para los Derechos Económicos, Sociales y Culturales
Réseau international pour les droits économiques, sociaux et culturels
الشبكة العالمية للحقوق الاقتصادية و الاجتماعية و الثقافية

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4 June, 2014

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To:

President of the Arab Republic of Egypt, H.E. Abdel Fattah el-Sisi

CC:

Prime Minister, Mr. Ibrahim Mehleb

Minister of the Interior, General Mohamed Ibrahim

Minister of Justice, Mr. Neir Othman

Public Prosecutor, Counsellor Hisham Barakat Dar al-Qadha al-Ali

Mr. Mohamed Faye, President of the National Council For Human Rights

H.E. Ms. Wafaa Bassim, Ambassador, Permanent Mission of Egypt to the United Nations in Geneva

Embassy of Egypt in Brussels

UN Special Rapporteur on the Situation of Human Rights Defenders

UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

UN Special Rapporteur on freedom of religion or belief

UN Working Group on Arbitrary Detentions

President of the UN Human Rights Council

Your Excellency:

I am writing on behalf of the International Network for Economic, Social and Cultural Rights (ESCR-Net) to express the Network's collective concern regarding charges leveled against Mr. Karam Saber, a human rights defender working to protect the rights of farmers in Egypt and his potential and imminent imprisonment.

According to reports received, Mr. Saber, Director of the Land Center for Human Rights (LCHR), an organizational Member of ESCR-Net, was charged and sentenced in absentia in 2013 with contempt of religion, atheism, and inciting to sedition and bloodshed under Article 98 of the Egyptian Penal Code, also known as the Blasphemy Law. The charges, which were filed by the Beni Suif Governorate in April of 2011, followed the release of a book he had authored titled "Ayn Allah (Where is Allah?), which describes the lives and religious experiences of farmers in Egypt. Article 98(f) of the Penal Code imposes lengthy imprisonment and hefty fines for the alleged use of religion to incite strife, ridiculing or insulting a religion or a sect or "damaging national unity." We are concerned that these charges will be upheld during an upcoming trial planned for 5 June 2014, and that Mr. Saber may be sentenced to five years of prison by the Beba Court of Appeals, which would pose serious threats to his human rights.

We are further concerned that the charges filed against Mr. Saber come as a result of his activities, in connection with the Land Center for Human Rights, to promote and defend human rights in Egypt, including the rights of children and economic and cultural rights of farmers, and to put an end to corruption. Furthermore, the decision of the Beba Court to uphold the charges against Mr. Saber follows the submission of reports by human rights organizations in Egypt to the United Nations Human Rights Council in anticipation of the periodic review of Egypt planned to be held between late October and early November of the present year.

We wish to recall the obligations that Egypt has undertaken as a State Party to the International Covenant on Civil and Political Rights (ICCPR) which Egypt ratified in 1982. These include the

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rights to freedom of thought and religion (Article 18), to freedom of expression, including the right to hold opinions without interference (Article 19) and the right to a fair trial, including to be tried in one's presence, and to defend oneself (Article 14, 3 d). The ICCPR also recognizes the right to liberty and security of person and protection against arbitrary arrest or detention (Article 9). The conviction of Mr. Saber also runs counter to several tenets of the current Constitution of Egypt, including the right of freedom of belief (Article 64), the protection against lawsuits initiated against "any artistic, literary, or intellectual work, or against their creators" (Article 67), and the prohibition of applying imprisonment as a punishment for "publication or publicity crimes" (Article 71). These articles establish that no one can be imprisoned for contempt of religion. Finally, the UN Declaration on Human Rights Defenders recognizes the right of each person to promote the realization of human rights and provides protection "of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of" their rights as human rights defenders.

In light of the grave nature of these allegations, we call on the Government of Egypt to:

1. Ensure full respect for Mr. Saber's rights to freedom of thought and religion), freedom of expression and the right to a fair trial and ensure that Mr. Saber is not deprived of his liberty
2. Provide protection against persecution and retaliation for Mr. Saber and other human rights defenders in Egypt as a result of work to promote human rights
3. Take all necessary steps to ensure that the provisions of law and its application in Egypt serve to uphold, and in no way infringe upon fundamental human rights

Finally, we request that you keep us informed of the situation.

On behalf of ESCR-Net,



Chris Grove, Director