



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 والاجتماعية و الثقافية

TO:

Hon. Abdel Fattah el-Sisi, President of Egypt

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Mr. Mohamed Fayege, President of the National Council for Human Rights

Mr. Michel Forst, UN Special Rapporteur on the situation of human rights defenders

UN Working Group on Arbitrary Detention

Mr. David Kaye, UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

REF: Enforced disappearance of Mr. Tarek Hussein, human rights defender

10 July, 2017

Your Excellency,

The International Network for Economic, Social and Cultural Rights (ESCR-Net) is the largest global network of organizations and activists devoted to achieving economic, social and environmental justice through human rights, consisting of over 280 organizational and individual members in more than 75 countries.

We write to express our deep concern regarding the illegal detention of Tarek Hussein, human rights advocate and staff member at the Egyptian Center for Economic and Social Rights (ECESR).

According to credible information received, Mr. Hussein has been detained at Ain El-Shams Police Station since June 20, 2017, after a decision by the Public Prosecutor calling for his release of previous charges was issued on 18 June. Following that decision, Mr. Hussein was reportedly presented with over ten different criminal charges in connection with actions allegedly taken by individuals of a similar name. We understand that the burden of proof to demonstrate that he is not the person guilty of the aforementioned crimes was placed on his legal defense team. Following the presentation of their evidence in support of his innocence, Mr. Hussein allegedly disappeared, and the authorities of both prison facilities initially denied that he was present on their premises. Mr. Hussein was subsequently found on 9 of July at the 10.5 Km prison. The prison's administration denied his family a visit and did not provide his lawyer or family any reason for his detention.

Our Network's collective membership appreciates the work of Tarek Hussein to defend the rights of detainees in Egypt. He has also worked, more broadly, to support the mission of the ECESR to promote and protect economic and social rights, including via promoting human rights – including those related to education, health housing and social security – and economic policies that are consistent with internationally recognized human rights standards. The ECESR is a valued member

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of ESCR-Net and has contributed substantively to our collective efforts to build a global movement to make human rights and social justice a reality for all.

While particularly concerned about Tarek Hussein's condition, we also question the arbitrary detention of Mohamed Ramaden, another human rights defender based in Alexandria who is facing three charges in three different cases. He was convicted to ten years in prison, five years house arrest and five years being banned from using the internet following a trial *in absentia* whereby he was accused of misusing social media. Ramadan's house has reportedly been raided twice without permission from the prosecutor, leading up to his arrest on the 16th of June on allegedly fabricated charges of attempting to protest. Finally, he is one among of seven lawyers facing charges of protesting to apply judiciary rules concerning the Tiran and Sanafeer Islands. Given that Mohamed Ramdan had been a lawyer for most of the political activists in Alexandria, we are concerned that he is facing these charges in an effort to hinder his work in defence of human rights. We are also concerned about recent measures to prosecute Asmaa Naeem, another human rights defender and another of the seven above-mentioned lawyers in Alexandria.

We are further aware that this incident is one among a series of arrests and acts that have criminalized individuals recognized regionally and internationally for their legitimate work to advance and defend human rights in Egypt. We are alarmed at the prospects that the recently adopted Law No. 70, "The Law of Associations and Other Foundations Working in the Field of Civil Work," will further restrict the already constrained space for legitimate work of to defend human rights in Egypt. As a party to numerous international human rights treaties, the Government of Egypt has binding obligations to respect, protect and fulfil human rights; the active participation and critique of human rights and other civil society organizations is vital to the realization of these obligations. Law 70, in the words of the UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, runs counter to Egypt's obligations under international human rights law, placing "such tight restrictions on civil society that it effectively hands administration of NGOs to the Government" and breaches Egypt's human rights obligations.¹

In light of these developments, we respectfully remind Your Excellency that, as a party to the International Covenant on Civil and Political Rights (ICCPR), Egypt has guaranteed the right of everyone to liberty and security of person, and protection against arbitrary arrest or detention. Egypt must also ensure that all persons deprived of their liberty shall be treated with humanity and with respect for their inherent dignity.

The ICCPR also establishes the right of everyone to hold opinions without interference and the right to freedom of expression, including the freedom to seek, receive and impart information all kinds. Further, we recall Egypt's commitment to uphold the standards established by the UN Declaration on the Rights of Human Rights Defenders, including taking all necessary measures to ensure the protection of everyone against any violence, threats, retaliation, adverse discrimination, pressure or any other arbitrary action as a consequence of his or her actions to defend and promote human rights.

In light of the seriousness of the above-mentioned situation, we call on the Government of Egypt to:

- 1) Release Mr. Tarek Hussein, as well as Mohamed Ramaden and with all other human rights defenders arbitrarily detained in Egypt;

¹ Repressive new NGO law deeply damaging for human rights in Egypt – Zeid" (Geneva: United Nations Office of the High Commissioner for Human Rights 1 June 2017)

- 2) Drop the charges against Asmaa Naeem, Mohamed Ramaden and the six other lawyers; mentioned above
- 3) Repeal Law 70 of 2017, in line with the call of the UN High Commissioner for Human Rights, and all other legislation and executive decrees which serve to restrict the space for human rights advocacy and defence in Egypt, and
- 4) Ensure protection for all individuals and organizations in Egypt that work to promote, advance and defend human rights.

Finally, kindly inform us of any measures taken in this regards.

On behalf of ESCR-Net,

A handwritten signature in black ink, appearing to be 'C. Grove', written on a light-colored background.

Chris Grove
Executive Director