

Mr Abdel Fattah Al-Sissi
President of the Arab Republic of Egypt
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Post box 22 Cairo central
Egypt

E-mail: cairoaov@cairo.gov.eg

Geneva, 5 juin 2018

Re: Grave concerns about the situation of Mr Haitham Mohamedain

Dear Mr President,

I am writing to you on behalf of the *Ordre des avocats de Genève* (ODAGE), which represents more than 1,500 lawyers in Geneva. The ODAGE is member of the Swiss Federation of Lawyers, the *Union Internationale des Avocats* and the International Bar Association.

The ODAGE places great emphasis on the respect for human rights, the rule of law and the protection of lawyers in the exercise of their activity.

We are writing to you, considering the influence you have on the judiciary, to express our concern about the situation of human rights lawyers in Egypt.

We have been informed of the arrest of **Mr Haitham Mohamedain** at his home during the night from Thursday to Friday. He is prosecuted for « participation in the activities of a prohibited group » and « use of the Internet to incite terrorist acts ». Mr Haitham Mohamedain has already been arrested and imprisoned twice.

These proceedings appear to be further evidence of the continued judicial harassment against Mr Haitham Mohamedain, a human rights lawyer known for defending worker's rights and his activism in favour of victims of human rights violations.

The ODAGE remains profoundly concerned about Mr Haitham Mohamedain and other Human Rights Lawyers who face continuous harassment simply for the exercise of their mandate as citizens' rights defenders.

I respectfully draw your attention to the **1990 UN Basic Principles on the Role of Lawyers** which provide that the authorities guarantee that lawyers can perform all of their professional functions without intimidation, hindrance, harassment or improper interference and that they do not suffer, or be threatened with, prosecution for any action taken while carrying out their duties (**Principle 16**).

Furthermore, according to **Principle 23**, "*Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization.*"

The UN Basic Principles were adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1990, have a normative value under customary international law, and should be respected by Egypt, which was present at the Congress and voted in favour of their adoption.

Therefore, and in light of the above, I respectfully urge the Egyptian authorities to:

- **comply with the standards set forth by the Basic Principles on the Role of Lawyers as well as their obligations under International Human Rights Law and immediately and unconditionally release Mr Haitham Mohamedain and all human rights defenders who might have been arrested and detained only for peacefully promoting human rights observance in Egypt ;**
- **protect Mr Haitham Mohamedain and all lawyers and human rights defenders in the Egypt against any present or future harassment, intimidation and/or reprisal in the exercise of their profession and of legitimate human rights activities.**

I thank you for your attention to this very serious and urgent matter. ODAGE and I will continue to closely monitor this situation.

Respectfully yours,


Grégoire Mangeat

Copy to:

- **Mr Ibrahim Mehleb**, Prime Minister of the Arab Republic of Egypt, Magles El Shaab Street, Kasr El Aini Street, Cairo, Egypt (Email: primemin@idsc.gov.eg ; Fax: + 202 2735 6449 / 27958016)
- **General Mohamed Ibrahim Moustafa**, Minister of the Interior of the Arab Republic of Egypt, El-Sheikh Rihan Street, Bab al-Louk, Cairo, Egypt (E-mail : moi1@idsc.gov.eg ; Fax: +202 2579 2031 / 2794 5529)

- **Mr. Mahfouz Saber**, Minister of Justice of the Arab Republic of Egypt, Magles El Saeb Street, Wezaret Al Adl, Cairo, Egypt (E-mail: mojeb@idsc.gov.eg ; Fax: +202 2795 8103)
- **Counsellor Hisham Barakat Dar al-Qadha al-Ali**, Public Prosecutor, Ramses Street, Cairo, Egypt (Fax: +202 2577 4716)
- **Mr. Mohamed Fayeq**, President of the National Council for Human Rights (Email: nchr@nchr.org.eg ; Fax: + 202 25747497 / 25747670)
- **H.E. Wafaa Bassim**, Ambassador, Permanent Mission of Egypt to the United Nations in Geneva, 49, avenue Blanc, 1202 Geneva, Switzerland (Email: mission.egypt@ties.itu.int ; Fax: +41 22 738 44 15)
- **Egyptian Embassy in Switzerland**, Chancellerie, Elfenuweg 61, 3006 Berne, Switzerland (Email : embassy.bern@mfa.gov.eg; Fax 031 352 06 25)
- **Swiss Embassy in Egypt**, Embassy of Switzerland, 10, Abdel Khalek Sarwat Street, 11511 Cairo, Egypt (Email : cai.vertretung@eda.admin.ch; Fax +20 2 25 74 52 36)
- **Special Rapporteur on the Independence of Judges and Lawyers**, Office of the United Nations High Commissioner for Human Rights, United Nations Office at Geneva, 8-14, Avenue de la Paix, 1211 Geneva 10, Switzerland (Email SRindependenceJL@ohchr.org; Fax: +41 22 917 9006)