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THE OBSERVATORY FOR THE PROTECTION OF HUMAN RIGHTS DEFENDERS (FIDH-OMCT) CAIRO INSTITUTE FOR HUMAN RIGHTS STUDIES (CIHRS) EGYPTIAN INITIATIVE FOR PERSONAL RIGHTS (EIPR)

EGYPT: The United Nations Working Group declares the detention of Yara Sallam as arbitrary and requests compensation

Cairo-Geneva-Paris, January 20, 2016 – A UN expert body, the Working Group on Arbitrary Detention (WGAD), declares the detention of human rights defender Yara Sallam, as arbitrary, and requests immediate compensation. Several human rights groups urge the Egyptian authorities to apply this Opinion in relation to the numerous similar cases of human rights defenders arbitrarily detained in application of the draconian Protest Law.

In August 2014, the Observatory for the Protection of Human Rights Defenders and the Cairo Institute for Human Rights Studies (CIHRS), referred the case of Ms. **Yara Sallam** to the United Nations (UN) Working Group on Arbitrary Detention (WGAD). Ms. Yara Sallam was the Transitional Justice Officer at the Egyptian Initiative for Personal Rights (EIPR). In December 2014, she was sentenced in appeal along with 22 other protesters including Ms. **Sanaa Seif**, a member of the “No to Military Trials for Civilians” movement, to two years of imprisonment and two years of police surveillance on charges of “breaching the protest law” under the “Anti-Protest Law”, “sabotaging public properties”, “possession of inflammable materials” and “taking part in showing off force with the objective of terrorising the public”. She was released on September 23, 2015, by presidential pardon.

In an opinion adopted in December 2015, the UN WGAD concluded that “Ms. Sallam has been deprived of liberty for having peacefully exercised her right to freedom of expression and freedom of association as guaranteed by Articles 19 and 20 of the Universal Declaration of Human Rights (UDHR) and Articles 19 and 22 of the International Covenant on Civil and Political Rights (ICCPR)”, the deprivation of liberty of Ms. Sallam thus falling within category II of the categories applicable to the consideration of cases submitted to the UN WGAD. Moreover, the UN WGAD also considered that “the non-observance of the international norms relating to the right to a fair trial and to liberty and security, established in article 9 of the UDHR and article 9 of the ICCPR in this case is of such gravity as to give the deprivation of liberty of Ms. Sallam an arbitrary character” the deprivation of liberty of Ms. Sallam also falling within category III of the categories applicable to the consideration of cases submitted to the UN WGAD. Accordingly, the UN WGAD requested “the Government to take the necessary steps to remedy the situation of Ms. Sallam and bring it into conformity with the standards and principles set forth in the UDHR and ICCPR”

“While our organisations welcome the opinion rendered by the UN WGAD, we would like to recall that many human rights defenders are still unjustly behind bars in Egypt. We reiterate our call to the Egyptian authorities for the immediate and unconditional release of all human rights defenders currently detained in violation of their right to freedom of expression and freedom of association and assembly”, said Karim Lahidji, FIDH President.

The case of Yara Sallam is an illustration of a wider trend of repression against human rights defenders in Egypt. The restrictive Protest Law (Law No. 107 of 2013), which bans gatherings of ten or more people without a permit issued by the authorities, has been repeatedly used by the authorities as a tool to harass and imprison human rights defenders that dare to speak out against governmental policies that violate human rights.

“As long as the 2013 Protest law will be in force, human rights in Egypt including the rights to freedom of expression and freedom of association and assembly will systematically and continuously be violated. The Egyptian authorities must absolutely amend this law and make it compliant with the country's international law obligations”, said Gerald Staberock, OMCT Secretary General.

“Yara Sallam’s case is not unique, throughout the past two years, several hundreds of individuals have been arrested and deprived from their liberties under similar circumstances to what the WGAD has ruled as arbitrary. It is important for the Egyptian government to understand that stability would be realized once authorities uphold the rule of law and the rights of their citizens. The WGAD decision on Yara is a reminder of this”, said Mohamed Zaree, Egypt Program Manager at CIHRS.

CIHRS, EIPR and the Observatory call upon the Egyptian authorities to implement the UN WGAD decision and remedy to the situation of Ms. Yara Sallam, and immediately and unconditionally release all human rights defenders in Egypt arrested under the repressive 2013 protest law, among others Ms. **Mahienour El-Massry**, Mr. **Youssef Shaban**, Mr. **Loay Mohamed Abdel Rahman**¹ and Mr. **Alaa Abdel-Fattah**².

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1 See Observatory Urgent Appeal EGY 001 / 0514 / OBS 045.8

2 See Observatory Urgent Appeal EGY 002 / 1113 / OBS 095.7