



BY AIRMAIL

President of the Arab Republic of Egypt,
H.E. Abdel Fattah el-Sisi,
Office of the President Al Ittihadia Palace
CAIRO, **EGYPT**

Amsterdam, 11 May 2016

Re: detained human rights lawyer Ms. Mahienour El-Massry

Your Excellency,

Lawyers for Lawyers is an independent and non-political Dutch foundation that seeks to promote the proper functioning of the rule of law by pursuing freedom and independence of the legal profession.

As we have written to you on previous occasions, we are concerned about the situation of our Egyptian colleague Ms. Mahienour El-Massry. Ms El-Massry has been imprisoned for a year today, and Lawyers for Lawyers has reason to believe that the case against her is connected to her legitimate activities as an attorney.

Ms. El-Massry is a human rights lawyer known for her activism in favour of judicial independence and prisoners' rights, by organising peaceful protests and using social media to denounce human rights violations.

On 31 May 2015 Ms. El-Massry was convicted by the Court of Appeal in Raml for, among other things, "assaulting security forces", and sentenced to one year and three months' imprisonment. This was after she and other lawyers went to Raml police station in March 2013 to provide legal assistance to three activists, upon which the lawyers were verbally assaulted by the police. The lawyers thereafter decided to take part in a peaceful protest sit-in at the police station.

Ms. El-Massry had been in preventive detention since the first appeal hearing on 11 May 2015.

Further, on 20 September 2015 the Court of Appeal rejected the application filed by Ms. El-Massry and others to suspend the execution of their sentences until the Court of Cassation decides on the merits of their appeal.

According to our information, the detention conditions of Ms El-Massry in Damanhour prison have deteriorated, with prisoners being put in overcrowded cells and without proper sanitary facilities; other difficulties for prisoners include limited access to clean water, food and basic hygiene supplies.



Lawyers for Lawyers suspects that the prosecution and conviction of Ms. El-Massry serves to curb her legitimate activities as a lawyer. We would like to draw your attention to the UN Basic Principles on the Role of Lawyers¹, and more in particular Principles 16, 17 and 18, which read:

16. Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference (...); and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

17. Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities

18. Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.

These principles are universally applicable. Therefore, your government is under an obligation to adequately protect and support its lawyers. Lawyers for Lawyers therefore urges you again to:

- i. drop all charges against Ms. El-Massry, immediately release her and put an end to all acts of harassment, including at the judicial level, against her;
- ii. guarantee in all circumstances the physical and psychological integrity of Ms. Mahienour El-Massry and all human rights lawyers in Egypt;

We thank you for your attention to this very important matter. We are confident of your sense of justice and will continue to monitor this case closely.

On behalf of the President of Lawyers for Lawyers, Phon van den Biesen,

Yours sincerely,

LAWYERS FOR LAWYERS

Adrie van de Streek
Executive Director

¹ The UN Basic Principles on the Role of Lawyers provide a concise description of international norms relating to the key aspects of the right to independent counsel. The Basic Principles were unanimously adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Havana, Cuba on 7 September 1990. Subsequently, the UN General Assembly "welcomed" the Basic Principles in their 'Human rights in the administration of justice' resolution, which was adopted without a vote on 18 December 1990 in both the session of the Third Committee and the plenary session of the General Assembly.