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Joint Press Release on the Verdict against Sanaa Seif, Yara Sallam and 21 Other Co-accused in Egypt

The Special Rapporteur on Human Rights Defenders in Africa, **Ms Reine Alapini-Gansou**, the Special Rapporteur on Freedom of Expression and Access to Information in Africa, **Ms Faith Pansy Tlakula**, of the African Commission on Human and Peoples' Rights, and the United Nations Special Rapporteur on the situation of human rights defenders, **Mr. Michel Forst** express their deep concern following the harsh sentences handed down against human rights defenders **Sanaa Seif, Yara Sallam and 21 co-accused on Sunday, 26 October 2014** by the Heliopolis Misdemeanor Court in the Arab Republic of Egypt. They are reportedly appealing the ruling

The Court's ruling sentencing 23 activists to three years' imprisonment, a further three years' of police monitoring and a fine of more than 10,000 Egyptian Pounds for participating in a demonstration on 21 June 2014, is a violation of Article 12 of the 1998 United Nations Declaration on Human Rights Defenders which stipulates that: "... *everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms.*"

The said demonstration was part of a public demand for the repeal of Law No. 107 of 2013 on demonstrations and the release of people detained under this law. According to reliable sources, there were serious procedural errors in the trial and arrest of some of the demonstrators, who were exercising their legitimate right to demonstrate enshrined in the Constitution of the Arab Republic of Egypt.

In addition to prolonged pre-trial detention, it is reported that there were serious inconsistencies in police reports that were disregarded by the Judges. The reports and audio-visual material provided by the Prosecution presented no factual evidence to incriminate the human rights defenders and their co-accused, and the videos do not corroborate the police report about the use of weapons by the demonstrators. Moreover, it is reported that family members of the accused were denied access to the courtroom on several occasions.

The Special Rapporteurs note in this regard that the Arab Republic of Egypt has seriously failed in its obligations to guarantee the fundamental freedoms of its citizens enshrined in its new 2014 Constitution and to comply with its regional and international human rights commitments.

The Special Rapporteurs are deeply concerned about the failure by the Arab Republic of Egypt to adopt appropriate measures to comply with international standards and regional instruments, as laid down in Article 1 of the African Charter on Human and Peoples' Rights (the African Charter).

The Special Rapporteurs condemn the clampdown of human rights defenders, including the earlier imprisonment of the leaders of the 6 April Movement in Egypt and remind the Egyptian authorities that the above reported facts are a violation of Articles 6, 7, 9 and 11 of the African Charter. In this regard, the Special Rapporteurs would like to reiterate the provisions of Principle II (1) of the Declaration of Principles on Freedom of Expression in Africa (the Declaration) which stipulates that "no one shall be subject to arbitrary interference with his or her freedom of expression."

The Special Rapporteurs call on the Egyptian authorities to take the necessary measures to comply with the provisions of the **African Charter, United Nations Declaration on Human Rights Defenders, the Kigali Declaration, the Grand Bay Declaration, and the Declaration.**

The Special Rapporteurs call on the Egyptian authorities to release all persons who were arrested in connection with peaceful protests and to respect the rights of those persons guaranteed by international instruments and the African Charter, in particular the right of all persons to a fair trial.

The Special Rapporteurs encourage the Egyptian authorities to take the necessary measures to promote and protect human rights in Egypt.

Finally, the Special Rapporteurs remain committed to working with the Egyptian authorities towards finding appropriate and reassuring solutions for the conduct of the activities of human rights defenders in an environment that is conducive and free from any form of retaliation.

Banjul,

Geneva, 03 November 2014

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