



CHAN.2026.007

The Permanent Mission of Egypt to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights (Special Procedures Branch), and with reference to the joint communication REF: AL EGY 7/2025, dated 13 November 2025;

The Permanent Mission of Egypt has the honor to attach herewith the reply of the Government of Egypt to the above-mentioned joint communication (10 pages).

The Permanent Mission of Egypt to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew the assurances of its highest consideration to the Office of the United Nations High Commissioner for Human Rights (Special Procedures Branch). [REDACTED]

Geneva, 12 January 2026



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(Translated from Arabic)

Reply of the Government of the Arab Republic of Egypt
to joint communication No. AL EGY 7/2025 from a group of special rapporteurs concerning
Mr. Shaker Mohamed Shaker Ahmed, Mr. Osama Abdulhakim Bioumy Samak, Mr. Abdrab
Al-Naby Abdullah Ismail and other lawyers

The Government of the Arab Republic of Egypt submits the present reply in affirmation of its deep and sincere desire to engage positively with communications from special rapporteurs of the Human Rights Council and in fulfilment of its international and constitutional human rights obligations. Egypt also reaffirms its unwavering commitment to the Constitution, the rule of law and the independence of the judiciary, as well as to its obligations under the International Covenant on Civil and Political Rights and other relevant international instruments to which it is a party. The reply also seeks to make information available to the public both internally and externally in order to achieve greater transparency and to correct opinions and understandings that might be based on erroneous information. The reply of the Government of Egypt to the allegations made in the communication in question is given below.

Introduction

Egypt has witnessed many internal developments over recent years, within the context of a highly unstable regional environment. In the light of the serious threats the country has faced from a number of national and regional terrorist organizations, following its revolution of 30 June 2013, and in the wake of tragic security incidents that have undermined the security and safety of citizens,¹ the State has adopted a comprehensive national strategy to combat terrorism and the financing of terrorism. Within the framework of that strategy, prosecutions and trials have been conducted and measures have been taken that are consistent with the gravity of the situation and the magnitude of the threats. Those actions reflect calls made by the United Nations Security Council and by Member States for balanced measures, consistent with international law, to address the causes of violent extremism and terrorism – both internally and externally – as set forth in the United Nations Global Counter-Terrorism Strategy.²

¹ The more serious of these terrorist incidents include the assassination of the Prosecutor General; the attempted assassinations of a former Minister of the Interior, a former Assistant Prosecutor General and a former Grand Mufti; bomb attacks against a number of security directorates, including the Capital Security Directorate, National Security Agency headquarters, police stations and checkpoints and the murder of security personnel there; a bomb attack against one of the largest churches in Egypt; bomb attacks and vandalism against foreign embassies and consulates in Cairo; countless attacks and acts of vandalism against law enforcement units and checkpoints, including the murder of security personnel there; and attacks against State infrastructure, including energy, electricity, water and gas networks.

² Statement by the President of the Security Council, 11 March 2020, “The Security Council urges Member States and the United Nations system to take measures, pursuant to international law, to address all drivers of violent extremism conducive to terrorism, both internal and external, in a balanced manner as set out in the United Nations Global Counter-Terrorism Strategy.” https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_prst_2020_5.pdf.

In this context, the Government can confirm that no person in Egypt is arrested, detained or prosecuted because of their profession, their opinions or their legal exercise of any lawful activity. This includes the legal profession and human rights work.

Criminal proceedings are initiated only on the basis of actions that constitute crimes under the law, pursuant to warrants issued by the competent judicial authorities and in line with constitutional and legal guarantees. It is important to emphasize, in this regard, that great care is taken to ensure that none of the procedures used when conducting arrests, searches, pretrial detention or criminal trials deviate from those stipulated in the Code of Criminal Procedure and the Anti-Terrorism Act.³

The Egyptian Government refutes the legal information contained in the communication relating to Mr. Shaker Mohamed Shaker Ahmed, Mr. Osama Abdulhakim Bioumy Samak and Mr. Abdrab Al-Naby Abdullah Ismail. Lawyers enjoy safeguards in the conduct of functions, in a just legal environment and in accordance with the Constitution and the law, as described in the following paragraphs.

* **Information concerning the legal status of the accused persons**

1. Shaker Mohamed Shaker Ahmed

The accused person, [REDACTED], has been charged with joining an unlawful terrorist group that was established with the aim of disrupting the Constitution and the law and that used terrorism as a means to achieve those goals, and with being implicated in actions to finance the terrorist activities of the group's members. Accordingly, the accused person was brought before the State Prosecution Office, which accorded him the right to a defence and to make statements during the course of the investigation. His defence lawyer was present during questioning, in accordance with the Code of Criminal Procedure. The State Prosecution Office then issued a warrant for the person in question to be remanded in pretrial custody pending investigation in Supreme State Security Case No. 1772/2025. He is currently being held at the Badr 1 correctional and rehabilitation centre.

2. Osama Abdulhakim Bioumy Samak

The accused person, [REDACTED], has been charged in Supreme State Security Criminal Case No. 435/2024 with joining an unlawful terrorist group and with being implicated in actions to finance the terrorist activities of the group's members for the purpose of causing chaos by disrupting public security, arousing panic among citizens and preventing State institutions from carrying out their functions. The State Prosecution

³ Article 93 of the 2014 Constitution stipulates: "The State shall be bound by the international human rights treaties, conventions and instruments ratified by Egypt, which are to have force of law once they have been published in accordance with the prescribed norms."

Office first questioned the individual concerned in the presence of his lawyer then charged him for the actions attributed to him, all of which are punishable under the Criminal Code. He was given the opportunity to make his defence and to deliver statements. Having concluded its investigations, the State Prosecution Office issued a warrant for the person in question to be remanded in custody pending Case No. 435/2024. He is currently being held at the Badr 3 correctional and rehabilitation centre.

3. **Abdrab Al-Naby Abdullah Ismail Salem**

The accused person, [REDACTED], was arrested under a warrant issued by the State Prosecution Office for being implicated in actions to finance the terrorist activities of members of the [REDACTED] terrorist group. Prosecutors began questioning the individual in question only after having first invited his lawyer to attend the proceedings, and he was then charged for the actions attributed to him, all of which are punishable under the Criminal Code. He was given the opportunity to make his defence and to deliver statements. Having concluded its investigations, the State Prosecution Office duly charged him – in connection with Supreme State Security Criminal Case No. 998/2024 – with joining an unlawful terrorist group established with the aim of disrupting the Constitution and the law, using terrorism as a means to achieve those goals. Prosecutors also issued a warrant for the person in question to be remanded in custody.

* ***As concerns their state of health:*** Reviews of their medical files and medical examinations indicate that their vital signs are normal, and their general condition is stable. They receive proper care (healthcare and social care) and, like all other inmates, are granted regular daily exercise.

* ***As concerns the claim that the individuals in question have not received any visits:*** This allegation is false, and the persons in question receive regular visits. [REDACTED]
[REDACTED]
[REDACTED]

* Lastly, it should be pointed out that the three accused persons are all registered with the Bar Association as practising lawyers.

* In addition to the foregoing, the following information should also be noted:

- The charges brought against these individuals have no bearing on their exercise of the rights addressed in the communication, or their deprivation of such rights. Rather, the charges concern the commission of criminal offences and the infraction of laws that exist to regulate those rights, the violation of which is prohibited under international treaties. The persons in question were placed in detention under judicial warrants and orders, and prison administrators have allowed them to fulfil their legal requests by enabling them to appoint lawyers, issuing authorizations for visits and

allowing them to attend their court hearings. It should be noted, furthermore, that all court hearings were held in public and in the presence of their families.

- Egyptian laws governing criminal investigations and court proceedings envisage comprehensive fair trial safeguards. Proceedings are conducted in public and in accordance with international standards for criminal justice, as set forth in the international human rights treaties to which Egypt is a party.
- The State Prosecution Office is responsible for the conduct of investigations and prosecution proceedings. In Egypt, in fact, the State Prosecution Office is a branch of the judiciary and members of the Office have enjoyed judicial immunity since 1984. This is in line with the United Nations Guidelines on the Role of Prosecutors.
- The rights and freedoms enjoyed by individuals have been enshrined in successive Egyptian Constitutions. The most recent Constitution, issued in January 2014, explicitly conferred constitutional protection on all the rights and freedoms guaranteed under international human rights treaties, also surrounding them with numerous safeguards that form a robust protective barrier.

Safeguards for lawyers under the Constitution and the law

- The Government particularly wishes to point out that the legal profession in the Arab Republic of Egypt is one of the pillars undergirding the entire edifice of justice. It acts as a partner in the attainment of justice, serves to defend rights and freedoms and helps to level the scales between the two sides in a dispute. Respect for the legal profession has been evident throughout the history of Egypt, and legislators have included safeguards and immunities for lawyers in several constitutional and legislative texts, which have binding power and stand as fundamental pillars of the rule of law. Indeed, the strength and independence of the legal profession represent an authentic safeguard for the right to defence, the dignity of litigants and the overall credibility of the justice system. Lawyers do not play an individual or self-serving role, but undertake a national legal mission, and their freedom to exercise their profession is an essential component of the proper administration of justice. The most significant safeguards in this regard are described in the following paragraphs.

1. Safeguards for lawyers in the 2014 Constitution

The Constitution of Egypt contains clear and explicit provisions that uphold the right to defence and the independence of the legal profession. These include:

Article 98, which guarantees the non-derogable right to a defence, either in one's own name or via a legal representative.

Article 198, which stipulates that the legal profession is a free vocation that works with the judiciary in order to achieve justice. The article also envisages protection for lawyers while they are

performing their functions before the courts or investigative authorities, and it prohibits their arrest or detention, save in cases of flagrante delicto.

2. Safeguards and rights enshrined in Act No. 17 of 1983 regulating the exercise of the legal profession, as amended

The Act regulating the exercise of the legal profession includes a body of safeguards to enable lawyers to perform their duties freely and independently, most notably:

- (i) Article 47, which concerns immunities and according to which lawyers cannot be held criminally or civilly liable for any oral or written pleadings they may present, provided that such statements are within the bounds of the right to defence.
- (ii) Article 49, which states that lawyers are to be treated with the respect due to their profession before the courts and other authorities.
- (iii) Article 50, which concerns protection for lawyers and prohibits their arrest or detention during the performance of their functions.
- (iv) Article 50 bis, which is an amendment of 2019 that extends protection so as to cover lawyers during investigations and evidence-gathering, and that imposes the requirement that any incidents are to be notified to the senior public prosecutor attached to the court of appeal.
- (v) Article 51, which concerns the inviolability of lawyers' offices and states that, in order to protect the confidentiality of clients, such premises may not be searched save in the presence of a public prosecutor and the President of the Bar Association, or the President's representative.
- (vi) Article 54, which penalizes any assault against a lawyer and states that such acts are to be considered as equivalent to an assault against a member of the court.

- The Government wishes to make it clear that, despite the special measures to combat terrorist offences envisaged in the Anti-Terrorism Act, legislators in Egypt have nonetheless recognized that the seriousness of a crime does not obviate the need for judicial safeguards, and they have therefore been careful to maintain the fundamental minimum rights to defence and guarantees for lawyers, in accordance with the Constitution.

- In the light of the foregoing, the overarching safeguards that lawyers enjoy under the Constitution and the law demonstrate the invalidity of the allegations made in the communication. The truth is that the safeguards were put in place by legislators, and they are rigorously applied by the courts in the interests of justice and of the citizens and residents of Egypt. The existence of such explicit legal texts and their clear purpose invalidates any claim that persons practising the law are being penalized.

Conclusion

The Government of Egypt wishes to underscore the pivotal role that lawyers play within the justice system and reaffirms its commitment to ensuring their right to exercise their profession without intimidation or restriction, within the framework of the law. Lawyers do not face criminal liability simply for defending their clients, unless it emerges that the lawyers themselves have committed actions that constitute crimes under the law, unrelated to the legitimate practice of their profession.

Furthermore, pretrial detention is strictly regulated under Egyptian law, which stipulates maximum periods for such detention. It also subjects any extension to periodic review by the courts, which take due account of the nature of each case, the gravity of the alleged offences and the complexity of the investigations.

Under the law, the State Prosecution Office can open independent investigations if new facts or evidence emerge pointing to the commission of other crimes. This takes place under the oversight of the competent court and within a legitimate legal framework.

The Egyptian Government categorically rejects allegations of any policy or practice of enforced disappearance. All detained persons are held in officially designated and well-known places of detention that are supervised by the competent courts and oversight authorities. Any complaints of ill-treatment or abuse are taken very seriously, all credible reports are duly investigated and persons found to be responsible are held accountable in accordance with the law.

Lastly, the Government wishes once again to reaffirm its commitment to the promotion and protection of the human rights of all citizens, without discrimination. No person can be punished save for committing an offence that is penalized under Egyptian law. In the present case, the charges levelled against the persons in question are consistent with the Constitution and the law, as well as with the international obligations of Egypt, including those arising from the African Charter on Human and Peoples' Rights (arts. 4, 6, 7, 8 and 16) and the International Covenant on Civil and Political Rights (art. 9 (2) and (3)).

The Egyptian State continues to combat terrorist organizations within the limits of the Constitution and the law while upholding the fundamental principles of a democratic State. The Government believes that all countries have a positive obligation to hold terrorists to account and to eliminate the threat they pose to the security and safety of society as well as to members of society and their freedoms. To claim otherwise would be to undermine the purpose of international instruments on combating terrorism, notably the United Nations Global Counter-Terrorism Strategy according to which effective measures to combat terrorism and protect human rights are not inconsistent with one another but complementary and mutually reinforcing.

The Government of Egypt remains committed to cooperating with all stakeholders in order to promote joint efforts to advance human rights around the world. In that regard, the Government reaffirms its commitment to promoting and protecting the human rights of all citizens and residents on national territory, without discrimination, including prison inmates and persons in pretrial detention. According to the Constitution, in fact, the Government is responsible first and foremost to the people of Egypt. The independent Egyptian judiciary is the sole authority with competence to safeguard rights, ascertain the veracity of alleged violations, hold perpetrators accountable and guarantee redress for the victims.