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PROCEDURES SPECIALES DU
CONSEIL DES DROITS DE L'HOMME

UNITED NATIONS
OFFICE OF THE UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS

SPECIAL PROCEDURES OF THE
HUMAN RIGHTS COUNCIL

Mandates of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; and the Special Rapporteur on the situation of human rights defenders

REFERENCE: AL G/SO 214 (67-17) Assembly & Association (2010-1) G/SO 214 (107-9)
EGY 5/2014

9 May 2014

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; and Special Rapporteur on the situation of human rights defenders pursuant to Human Rights Council resolutions 25/2, 24/5, and 25/18.

In this connection, we would like to bring to your Excellency's Government's attention information we have received concerning **the ban of the activities of the April 6 Youth Movement**.

The April 6 Youth Movement is a group of young activists who have defended human rights and civil liberties in Egypt through peaceful means since 2008. The movement works on issues such as economic and labour rights and freedom of expression.

The head of the April 6 Youth Movement was the subject of an urgent appeal to your Excellency's Government; on 3 December 2013 (EGY 16/2013) by the mandates of the Working Group on Arbitrary Detention; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the situation of human rights defenders; and the Special Rapporteur on violence against women, its causes and consequences. Furthermore, persons affiliated with the April 6 Youth Movement were subject to an urgent appeal on 24 December 2013 (EGY 19/2013) by the mandates of the Working Group on Arbitrary Detention; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the situation of human rights defenders; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

We thank your Excellency's Government for the response received to these two communications.

According to the information received:

On 28 April 2014, the Cairo Court for Urgent Matters issued an Expedited Decision which included "a ban on activities held by the April 6 Youth Movement in the Arab Republic of Egypt, as well as a ban on any committee or organization that belongs to it or is derived from it or funded by it."

Members of the April 6 Youth Movement were allegedly accused of a number of issues, including using the movement for financial and personal gain "to cause chaos and bloodshed", attacking the State Security building through a member called Mohamed Adel, abusing the media and causing chaos, using the influence of the United States of America as a major State to cut aid to the Arab Republic of Egypt and spreading chaos and threatening national security under the pretense of defending rights and liberties.

Concerns are expressed that the ban of the April 6 Youth Movement may be related to their peaceful work in defending human rights and civil liberties in Egypt.

In connection to the above alleged facts and concerns, please refer to the **Reference to international law Annex** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

It is our responsibility under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention. Since we are expected to report on these cases to the Human Rights Council, we would be grateful for your cooperation and your observations on the following matters:

1. Please indicate the legal grounds for the ban of the activities of the April 6 Movement.
2. Please indicate what measures have been taken to ensure that the legitimate right to freely associate is respected and that the physical and psychological integrity of those exercising this right is guaranteed.
3. Please indicate what measures have been taken to ensure that human rights defenders, including civil society and activists, can operate in a safe and enabling environment and can carry out their legitimate activities without fear of harassment, stigmatization or criminalization of any kind.

We would appreciate a response within sixty days. Your Excellency's Government's response will be made available in a report to the Human Rights Council for its consideration.

While waiting for your response, we urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of the above mentioned persons are respected and, in the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. We also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

Please accept, Excellency, the assurances of our highest consideration.

Frank La Rue
Special Rapporteur on the promotion and protection of the right to
freedom of opinion and expression

Maina Kiai
Special Rapporteur on the rights to freedom of peaceful assembly and
of association

Margaret Sekaggya
Special Rapporteur on the situation of human rights defenders

Annex

Reference to international human rights law

In connection to the above concerns, we wish to refer your Excellency's Government to articles 19 and 22 of the International Covenant on Civil and Political Rights, ratified by the Arab Republic of Egypt on 14 January 1982, which guarantee the rights to freedom of opinion and expression and to freedom of association.

- Article 19: "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice."

- Article 22: "Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests."

In this context we would like to refer to the principles enunciated by Human Rights Council Resolution 24/5, and in particular operative paragraph 2, which “reminds States of their obligation to respect and fully protect the rights of all individuals to assemble peacefully and associate freely ... including human rights defenders, seeking to exercise or to promote these rights, and to take all necessary measures to ensure that any restrictions on the free exercise of the rights to freedom of peaceful assembly and of association are in accordance with their obligations under international human rights law.”

We would also like to refer your Excellency's Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, and in particular articles 1 and 2, 5 a point a. which establishes the right to meet and assemble peacefully and 6 points b. and c. which refers to the freedom of opinion and expression.

With regards to youth defenders taking part in demonstrations, we would like to refer to the 2007 report to the General Assembly (of the Special Representative of the Secretary-General on the situation on human rights defenders) in which she recommends to “take steps to create a conducive environment that allows children and young adults to associate and express views on matters affecting them as well as on broader human rights issues. Student protests have a high educational value as they are among the first experiences of public participation and human rights defense of students. Ensuring a conducive environment for student protests is a social investment in addition to a legal obligation” (A/62/225, para. 101 b)