

**Mandates of the Working Group on Arbitrary Detention; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on the situation of human rights defenders**

REFERENCE:  
UA EGY 1/2019

12 February 2019

Excellency,

We have the honour to address you in our capacity as Working Group on Arbitrary Detention; Working Group on Enforced or Involuntary Disappearances; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and Special Rapporteur on the situation of human rights defenders, pursuant to Human Rights Council resolutions 33/30, 36/6, 34/18 and 34/5.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **arrest and alleged enforced disappearance of journalist and human rights defender, ██████████**.

██████████ is a journalist and human rights defender. His work has appeared in Masr Alarabia, Al-Araby Al-Jadeed, and Aljazeera. He has been a vocal advocate for freedom of expression and the release of imprisoned journalists in Egypt.

According to the information received:

Mr. ██████ was arrested in December 2013 while filming incidences of use of force by the police against protesters in Al-Azhar University in Cairo. The charges against him included assaulting police officers, vandalism and illegal assembly. He remained in pre-trial detention for 16 months during which he was allegedly subjected to physical violence and torture. He was released in April 2015 following a trial which acquitted him of all charges.

In the second half of 2018, Mr. ██████ was attending a six-month long media course in Tunisia. He returned to Egypt on 29 January 2019 to finalise his membership application for the Egyptian Press Syndicate. Upon his arrival at Cairo International Airport, he was arrested and interrogated by members of the Egyptian Security Forces. His fate and whereabouts remain unknown to date. Egyptian authorities have reportedly refused to release information about his location.

We express serious concern at the alleged arrest and enforced disappearance of Mr. ██████, which we fear is directly related to his work as a journalist. Furthermore, we

are concerned at his physical and psychological integrity and security, in particular in light of his detention at an unknown location.

The arrest and enforced disappearance of Mr. [REDACTED] would be inconsistent with the right of every individual to life, liberty and security and not to be arbitrarily deprived of his or her life as set forth in Articles 6, 9 and 14 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Egypt on 23 September 2003, and, if found to be connected to his dissenting voice and his work as a journalist, to the right to freedom of opinion and expression as set forth in Article 19 of the ICCPR. We reiterate our concerns raised at the reported crackdown on media workers by the Egyptian authorities.

We further note that the above-mentioned allegations appear to violate Articles 2, 3, 7, 10 and 13 of the Declaration on the Protection of all Persons from Enforced Disappearance, Articles 2 and 10 of which specifically set out necessary protection by the State; in particular, that no State shall practice, permit or tolerate enforced disappearances (Article 2), that any person deprived of liberty shall be held in an officially recognised place of detention (Article 10.1), accurate information on the place of detention shall be made promptly available to family members and their counsel (Article 10.2), and that an official up-to-date register of all persons deprived of their liberty shall be maintained in every place of detention (Article 10.3). We further note that Article 54 of the Egyptian constitution stipulates that all persons whose freedom is restricted shall be permitted forthwith to contact their relatives and lawyer and shall be brought before the investigating authority within 24 hours of the time their freedom was restricted.

We would also like to refer to 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, also known as the UN Declaration on Human Rights Defenders, in particular Articles 1, 2 and 6.

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned person in compliance with international instruments.

As 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, we would be grateful for your observations on the following matters:

1. Please provide information about the fate and whereabouts of Mr. [REDACTED] including the location of his detention.

2. Please provide information on the allegation that Mr. [REDACTED] has not been able to promptly contact his family and lawyer following his arrest on 29 January 2019, and explain how this is compatible with Egyptian law and international legal standards.
3. Please provide information about the reasons for the arrest and detention of Mr. [REDACTED] on 29 January 2019, including information about the date on which he was brought before an investigating authority and whether any charges have been brought against him.
4. Please provide information about measures taken to ensure his physical and psychological integrity.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

We would like to inform your Excellency's Government that after having transmitted an urgent appeal to the Government, the Working Group on Arbitrary Detention may transmit the case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. Such appeals in no way prejudice any opinion the Working Group may render. The Government is required to respond separately for the urgent appeal procedure and the regular procedure.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

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

Elina Steinerte

Vice-Chair of the Working Group on Arbitrary Detention

Bernard Duhaime

Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances

David Kaye

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

Michel Forst

Special Rapporteur on the situation of human rights defenders

