

**Mandates of the Special Rapporteur on the situation of human rights defenders; the Working Group on Arbitrary Detention and the Working Group on Enforced or Involuntary Disappearances**

Ref.: AL EGY 2/2025  
(Please use this reference in your reply)

26 March 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights defenders; Working Group on Arbitrary Detention and Working Group on Enforced or Involuntary Disappearances, pursuant to Human Rights Council resolutions 52/4, 51/8 and 54/14.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the arrest without a warrant in September 2024 and the subsequent enforced disappearance of human rights defender Mr. Ahmed Mohamed Hamza Mohamed Hamza.**

Mr. **Ahmed Mohamed Hamza Mohamed Hamza** is a 22-year-old human rights defender working as a volunteer with the Egyptian Red Crescent Society in the Sinai city of Arish, helping provide medical and humanitarian assistance to Gaza. He is also a student at the Arish Faculty of Computer Science.

According to the information received:

On 23 September 2024, at around 11 p.m., at least seven men in civilian clothing forcibly entered Mr. Hamza's home. They reportedly did not show any identification or arrest warrant and claimed they were members of the Arish City Police Force. They asked for Mr. Hamza. When told he was not at home, one of the men reportedly pointed a gun at one of his family members and threatened that they would arrest some of his close relatives if they did not get Mr. Hamza home. Mr. Hamza's family called him and asked him to return. While there, the men reportedly searched the property and confiscated a computer and a hard drive.

Upon his return in the early hours of 24 September 2024, the men detained Mr. Hamza and reportedly told his family he would be back within a couple of hours, after they had interrogated him. They allegedly ordered his family not to watch them leave from the window. According to Mr. Hamza's neighbours, the men had arrived in a civilian minibus, a white taxi and a Nissan pickup truck bearing a police logo, parked at a distance from his home.

Two hours after his arrest, Mr. Hamza's family called his mobile phone, and a staff member at the Arish police station answered. The staff member told them that after Mr. Hamza had handed over his phone, he had been released. However, according to another detainee, Mr. Hamza was reportedly held at the Arish police station for three days before being transferred elsewhere. His fate and whereabouts remain unknown since then.

On 25 September 2024, Mr. Hamza's family sent a letter by telegraph to the Minister of Interior, the Northern Sinai Public Prosecutor, and the head of the National Council for Human Rights, providing information about Mr. Hamza's detention and subsequent disappearance and asking for their help in locating him. As of the time of writing, his family had not received a reply.

In the three days following Mr. Hamza's detention, his family visited the Arish police station, the National Security Agency office in Arish and a number of official detention centres to search for him, having declared him missing following his detention. Authorities denied having any knowledge about Mr. Hamza's deprivation of liberty or whereabouts. They reportedly did not undertake any meaningful effort to search for and to try to find him.

According to reports from a fellow detainee who was allegedly detained with him, Mr. Hamza was held at the National Security Agency headquarters in Arish in late September 2024 until early October 2024, after his alleged three-day stay at the Arish police station. During this time, Mr. Hamza was reportedly beaten by police officers. The fellow detainee reportedly lost contact with Mr. Hamza after that.

Without wishing to prejudge the accuracy of the information received, we would like to express serious concern about the abovementioned allegations, and in particular about the lack of due process in the arrest without a warrant of Mr. Hamza, and his subsequent enforced disappearance from 24 September 2024 up to the time of writing.

If confirmed, the allegations would appear to contravene with, among other norms, the International Covenant on Civil and Political Rights (ICCPR), ratified by Egypt on 14 January 1982. We would like to emphasise that the absolute prohibition of enforced disappearances and the corresponding obligations to investigate them have attained the status of *jus cogens*.

We also wish to recall that, under international law, a deprivation of liberty (including in the form of incommunicado detention), followed by the failure or refusal to acknowledge a deprivation of liberty by State agents or the concealment of the fate or whereabouts of the person, are constitutive elements of an enforced disappearance. This holds true regardless of the duration of the said deprivation of liberty or concealment.

While Egypt has not ratified the International Convention for the Protection of All Persons from Enforced Disappearance, it is bound by the Universal Declaration of Human Rights, the 1992 Declaration on the Protection of All Persons from Enforced Disappearance, and the ICCPR upon which the Convention is based. We also wish to note that in Egypt's last Universal Periodic Review on 28 January 2025, your Excellency's Government received seven recommendations to consider ratifying the Convention and to create accountability mechanisms to investigate enforced disappearance.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which

cites international human rights instruments and standards relevant to these allegations.

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 any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide detailed information on the fate and whereabouts of Mr. Hamza and on his state of health and well-being.
3. Please provide information on the measures taken by your Excellency's Government to carry out an inquiry or investigation into the abovementioned allegations regarding the arbitrary arrest and detention of Mr. Hamza and his subsequent enforced disappearance, both with a view at locating him and at identifying those responsible for the alleged crimes. If no search activity or inquiry took place, please explain why and how this is compatible with international human rights law and standards, including the International Covenant on Civil and Political Rights.
4. Please indicate what measures have been taken to ensure that Mr. Hamza and other human rights defenders in Egypt are able to carry out their peaceful and legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any kind.

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.

While awaiting a reply, we urge that all necessary interim measures be taken to prevent any irreparable damage to the life or personal integrity of Mr. Hamza, to halt the alleged violations and to 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(s) responsible for the alleged violations.

Further, we would like to inform your Excellency's Government that after having transmitted the information contained in the present communication to the Government, the Working Group on Arbitrary Detention may also transmit the case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. The present communication in no way prejudices any opinion the Working Group may render. The Government is required to respond separately to the allegation letter and the regular procedure.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press

release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

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

Mary Lawlor  
Special Rapporteur on the situation of human rights defenders

Ganna Yudkivska  
Vice-Chair on communications of the Working Group on Arbitrary Detention

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

## Annex

### Reference to international human rights law

In connection with above alleged facts and concerns, we would like to refer your Excellency's Government to article 9 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Egypt on 14 January 1982, which provide for the rights to liberty and security of the person, including the right not to be subjected to arbitrary arrest, be informed at the time of arrest of the reasons of the arrest and to be promptly informed of any charges against him, to be promptly brought before a judge. With regard to the alleged enforced disappearance, if confirmed, it would amount to violations of articles 6, 7, 9 and 16 of the ICCPR, read alone and in conjunction with article 2(3). Moreover, it would entail a violation of article 7, read alone and in conjunction with article 2(3) of the ICCPR with regard to the relatives of the disappeared person. In this respect, we also make reference to general comment No. 36 (2018) on article 6 of the ICCPR, which states, *inter alia*, that extreme forms of arbitrary detention that are themselves life-threatening, in particular enforced disappearances, violate the right to personal liberty and personal security and are incompatible with the right to life (para. 57), and that enforced disappearance constitutes a unique and integrated series of acts and omissions representing a grave threat to life, and States parties must take adequate measures to prevent the enforced disappearance of individuals, and conduct an effective and speedy inquiry to establish the fate and whereabouts of persons who may have been subject to enforced disappearance. (para. 58).

Furthermore, the United Nations Declaration on the Protection of All Persons from Enforced Disappearance, adopted by General Assembly resolution 47/133 on 18 December 1992, sets forth States' obligations to prevent and eradicate this practice. In particular, articles 2 and 3 state that no State shall practice, permit or tolerate enforced disappearances and that each State shall take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance in any territory under its jurisdiction.

We are further drawing your Excellency's Government's attention to the Declaration's absolute and non-derogable prohibition of enforced disappearances (articles 2 and 7), which has attained the status of jus cogens. Moreover articles 9-13 of the Declaration spell out the rights to a prompt and effective judicial remedy to determine the whereabouts of persons deprived of their liberty; to access of competent national authorities to all places of detention; to be held in an officially recognized place of detention, and to be brought before a judicial authority promptly after detention; to accurate information on the detention of persons and their place of detention being made available to their family, counsel or other persons with a legitimate interest; and to ensure that all involved in the investigations are protected against ill-treatment, intimidation or reprisal. Article 14 further establishes that States should take any lawful and appropriate action to bring to justice persons presumed to be responsible for acts of enforced disappearance. Furthermore, article 19 of the Declaration establishes the victims or family relatives have the right to obtain redress, including adequate compensation.

We also make reference to the Working Group's report on Standards and public policies for an effective investigation of enforced disappearances (A/HRC/45/13/Add.3) and recall the 2019 Guiding Principles for the Search for Disappeared Persons.

We would like to draw to the attention of you Excellency's Government 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, also known as the UN Declaration on Human Rights Defenders. In particular, we would like to refer to articles 1 and 2 of the Declaration which state that everyone has the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms. We further wish to refer to article 12 of the Declaration, affirming the responsibility of the State to "take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights".