

URGENT ACTION

WORRYING ESCALATION IN THE CRACKDOWN ON NGOS

A spurious investigation into Egyptian human rights organizations has escalated. On 7 December, prominent women's rights defender and lawyer Azza Soliman was arrested and charged. On 12 December, a court hearing is expected to decide on the freezing of her assets. Separately, a new draconian NGO bill is awaiting the President's signature.

Politically-motivated Case 173 of 2011, known as the "foreign funding case", looking into the registration and funding of Egyptian human rights organizations has escalated. An investigative judge ordered the arrest of women's rights defender and lawyer **Azza Soliman**. Police forces arrived at her home, took her to a police station and then to the judge's office for questioning. She was faced with three preliminary charges, including "receiving foreign funding to harm the state's interest". She paid a bail of 20,000 Egyptian pounds (US\$ 1,108) to be released.

On 12 December, a court hearing is expected to decide on the freezing of Azza Soliman's personal and organisational bank accounts (her private law firm). She learned about it through the press, and was not officially informed of the hearing. Azza Soliman was verbally informed by her bank that they froze her accounts, and they have refused to give her an official document explaining why they took that measure. They have referred, instead, to a 17 November verdict by Cairo Criminal Court to freeze her assets by order of one of the judges in Case 173. The verdict occurred without Azza Soliman nor anyone from her law firm being summoned for any investigation. Azza Soliman has also been banned from travelling, which she learned about at the airport on 19 November.

President Abdel Fattah al-Sisi is due to sign a draconian new law on associations, which would give the government and security apparatus extraordinary powers over non-governmental organisations (NGOs).

Please write immediately in English, Arabic or your own language:

- Calling on Egypt's authorities to close politically motivated Case 173 of 2011 and end the harassment and intimidation of human rights defenders, including through arbitrary arrests, interrogations, travel bans, asset freeze and closure orders, and trumped-up charges;
- Calling on Egypt's authorities to ensure that the asset freezes imposed on human rights defenders and organizations, in relation to Case 173 of 2011, are immediately lifted;
- Calling on them to reject the new NGO bill, because it contravenes Egypt's 2014 constitution, as well as international law and standards on the right to freedom of association.

PLEASE SEND APPEALS BEFORE 20 JANUARY 2017 TO:

President

Abdel Fattah al-Sisi
Office of the President
Al Ittihadia Palace
Cairo, Arab Republic of Egypt
Fax: +202 2391 1441
Email: p.spokesman@op.gov.eg
Twitter: @AlsisiOfficial
Salutation: Your Excellency

Minister of Social Solidarity

Ghada Waly
Ministry of Social Solidarity
19 Maragahi Street, Agouza
Giza, Arab Republic of Egypt
Fax: +202 3337 5390
Salutation: Your Excellency

And copies to:

Deputy Assistant Minister of Foreign
Affairs for Human Rights
Laila Bahaa El Din
Ministry of Foreign Affairs
Corniche al-Nil, Cairo
Arab Republic of Egypt
Fax: +202 2576 7967
Email: Contact.Us@mfa.gov.org
Twitter: @MfaEgypt

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR NASSER AHMED KAMEL ALI, Embassy of the Arab Republic of Egypt, 26 South Street W1K 1DW, 020 7499 3304/2401, Fax 020 7491 1542, eg.emb.london@mfa.gov.eg and etembuk@hotmail.com

Please check with your section office if sending appeals after the above date. This is the sixth update of UA 81/16. Further information: <https://www.amnesty.org/en/documents/MDE12/4859/2016/en/>

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ADDITIONAL INFORMATION

On 17 September, a Cairo court upheld an asset freeze against five human rights defenders and three human rights organizations, ordered by the investigative judges in Case 173. The decision by the Zeinhom Criminal Court named investigative journalist Hossam Bahgat; Arabic Network for Human Rights Information director, Gamal Eid; Cairo Institute for Human Rights Studies (CIHRS) director, Bahey el-Din Hassan; Hisham Mubarak Law Center director, Mostafa al-Hassan; and Egyptian Center for the Right to Education director, Abdel Hafez Tayel. The court also froze the assets of three organizations, the CIHRS, the Hisham Mubarak Law Center and the Egyptian Center for the Right to Education, but rejected orders to freeze the assets of other NGO staff and the family members of some of the accused.

The five human rights defenders are likely to face prosecution and trial, along with other Egyptian human rights defenders (such as Azza Soliman) who are the subject of the same inquiry. They may face up to 25 years in prison and a fine of LE500,000 (US\$ 27,528) if convicted of the charge of receiving foreign funding to damage Egypt's "national interests", "peace", "unity" or "security", according to Article 78 of the Penal Code. Azza Soliman faces two additional charges of "establishment of an entity that conducts activities similar to that of associations' activities", punishable by Article 86 bis of the penal code with imprisonment, and "tax evasion".

The inquiry into NGOs has been stepped up over the last year with asset freezes being ordered against leading human rights defenders and organizations, NGO staff being interrogated, and several banned from travel. In November 2016 alone, five Egyptian human rights defenders were banned from travel: Egyptian Center for Economic and Social Rights director, Malek Adly; Ahmed Ragheb of the National Community for Human Rights and Law; Azza Soliman; Aida Seif El Dawla, co-founder of Al Nadeem Center for Rehabilitation of Victims of Violence; and Abdel-Hafez Tayel.

In February, the government ordered the closure of Al Nadeem Center, a clinic which provides hundreds of torture victims with vital services. The organization has continued to operate and challenged the government's decision before the courts. On 10 November, the clinic learned that its financial assets were frozen according to an order by the Central Bank of Egypt. On 16 November, Al Nadeem's bank account was unblocked after the organisation proved that it has operated as a registered clinic with the Ministry of Health and does not need to be registered under a repressive Mubarak-era law on associations (84 of 2002).

North Cairo Criminal court ruled on 15 June to freeze the assets of Al-Andalus Institute for Tolerance and anti-Violence Studies and its director Ahmed Samih. He found out about the asset freeze request on 12 June through a state-run newspaper. It said the request came from investigative judges in case 173. Other NGO founders and staff, who have been banned from travel as part of the case and wider crackdown on civil society, include Nazra for Feminist Studies director Mozn Hassan, CIHRS Egypt director Mohamed Zaree, Arab Center for the Independence of the Judiciary and the Legal Profession directors Nasser Amin and Hoda Abd el-Wahab, and Egyptian Commission for Rights and Freedoms director Mohamed Lotfy.

The right to freedom of association is established under Article 75 of Egypt's constitution and Article 22 of the International Covenant on Civil and Political Rights (ICCPR), to which Egypt is a State party. Freedom of movement is also guaranteed under Article 62 of the constitution and Article 12 of the ICCPR.

Further information on UA: 81/16 Index: MDE 12/5305/2016 Issue Date: 9 December 2016