

Le Bâtonnier

Mister Abdul FATTAH AL-SISSI
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Geneva, 18 May 2015

Ref: Grave concerns about the situation of Mr Malek ADLY

Dear Mister President of the Arab Republic of Egypt,
Your Excellency,

I am writing to you on behalf of the Ordre des avocats de Genève (ODAGE), which represents more than 1,500 lawyers in Geneva. The ODAGE is member of the Swiss Federation of Lawyers, the Union Internationale des Avocats and the International Bar Association.

ODAGE places great emphasis on respect for human rights and the rule of law.

ODAGE is particularly concerned by the situation of human rights defenders in the world.

We have been informed of the arrest of **Mr Malek ADLY**, human rights lawyer, as well as others fellow lawyers, as in relation to Egypt's decision to transfer two Red Sea islands to Saudi Arabia and of human rights abuses that seems to have been committed by Egyptian security forces. In particular, according to the information at our disposal Mr Malek ADLY was ordered to be held in custody for 15 days, pending an investigation into a list of allegations, including attempts to overthrow the government.

The ODAGE is profoundly concerned about Mr Malek ADLY and other human rights lawyers who face continuous harassment simply for the exercise of their mandate as citizens' rights defenders.

I draw your attention to the **1990 UN Basic Principles on the Role of Lawyers**. This states that Egyptian authorities have an obligation to ensure that lawyers can perform all of their professional functions without intimidation, hindrance, harassment or improper interference and that they do not suffer, or be threatened with, prosecution for any action taken while carrying out their duties (Principle 16).

Furthermore, according to Principle 23, "*Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization.*"

I remind you that the UN Basic Principles were adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1990, have a normative value under customary international law, and should be respected by Egypt, which was present at the Congress and voted in favour of their adoption.

I remind you also that the freedom of expression is also enshrined by the **Universal Declaration of Human Rights**.

Therefore, and in light of the above, I respectfully urge the Egyptian authorities to:

- **comply with the standards set forth by the Basic Principles on the Role of Lawyers as well as their obligations under International Human Rights Law and immediately release Mr Malek ADLY and all lawyers and human rights defenders who might have been arrested and detained only for peacefully promoting human rights observance in Egypt.**
- **protect Mr Malek ADLY and all lawyers and human rights defenders in Egypt against any present or future harassment, intimidation and/or reprisal in the exercise of their legitimate human rights activities.**

I thank you for your attention to this very serious and urgent matter. ODAGE and I will continue to closely monitor this case.

Respectfully yours,



Grégoire MANGEAT
Chairman

Copy to:

- **Mr Ibrahim MEHLEB**, Prime Minister of the Arab Republic of Egypt, Magles El Shaab Street, Kasr El Aini Street, Cairo, Egypt (E: primemin@idsc.gov.eg; F: +20 2 27 35 64 49)
- **Mr Mahfouz SABER**, Minister of Justice of the Arab Republic of Egypt, Males El Saeb Street, Wezaret Al Adl, Cairo, Egypt (E: mojeb@idsc.gov.eg; F: +20 2 27 95 81 03)
- **Egyptian Bar Association**, 49A Ramses Street Cairo, Egypt (F: +20 2 74 74 88)
- **Egyptian Embassy in Switzerland**, Chancellerie, Elfenauweg 61, 3006 Berne (E: embassy.bern@mfa.gov.eg ; F: 031 352 06 25)
- **Swiss Embassy in Egypt**, Embassy of Switzerland, 10, Abdel Khalek Sarwat Street, 11511 Cairo, Egypt (E: cai.vertretung@eda.admin.ch ; F: +20 2 25 74 52 36)