Egypt | Joint Statement: Mohamed El-Baqer: 1000 days of arbitrary detention

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June 23, 2022 – Human rights defender Mohamed El-Baqer must be released immediately and unconditionally, stated 20 human rights organisations. His detention is arbitrary, aimed at punishing him for his legitimate human rights work and is only putting his life and psychological well-being at serious risk.
June 25, 2022 will mark 1,000 days of Mohamed El-Baqer's arbitrary detention. El-Baqer, is a human rights defender and lawyer and Director of Adalah Centre for Rights and Freedoms, is currently detained in Cairo's Tora High Security Prison 2, which is notorious for its cruel and inhuman conditions. He is forbidden to leave his cell to walk or see the sun, and is denied access to adequate healthcare, a bed or mattress, and hot water. His relatives are only allowed to visit him once a month and cannot provide Mohamed with family photos as he is not allowed to keep them.

On September 29, 2019, El-Baqer was performing his duties as a human rights lawyer at the State Security Prosecution premises in Cairo representing blogger and activist Alaa Abdel Fattah, who had been arbitrarily arrested earlier that day, when he was himself arrested.

They were both accused within Criminal Case 1356/2019 of vague and unfounded charges that have been broadly used to criminalise dissenting voices in Egypt such as: "joining a terrorist group," "funding a terrorist group," "disseminating false news undermining national security," and "using social media to commit a publishing offense".

Nearly one year later, on August 30, 2020, El-Baqer was brought in for questioning and added to Case No. 855/2020 on nearly identical charges, a practice by Egyptian authorities commonly known as ''rotation.'' Only three months later, in November 2020, El-Baqer along with 27 other activists, including Alaa Abdel Fattah, was added to Egypt's "terrorist list" for a period of five years in connection with State Security Case 1781/2019. As a result of this designation, El-Baqer is subject to a travel ban, his assets are frozen, and he is prohibited from engaging in political or civic work for five years. On November 18, 2021, the Court of Cassation rejected the appeal presented by his lawyers against the decision to include him in the "terrorist list".

After more than two years in pre-trial detention, the Misdemeanours Emergency State Security Court sentenced El-Baqer to four years in prison, and Alaa Abdel Fattah to five years, on charges of "spreading false news undermining national security" in yet another criminal case: Criminal Case 1228 of 2021. Rights defender and blogger Mohamed Oxygen was also sentenced to four years of imprisonment under the same case. They were all convicted for spreading false news on social media, as the prosecution claims that they posted or shared false news on their social media

accounts in 2019. The verdict is not subject to appeal.

Mohamed El-Baqer's right to due process has been continuously violated through countless and unjustified renewals of his pretrial detention by both the Supreme State Security Prosecution and Cairo Criminal Court. His lawyers were not allowed to have a copy of the case files ahead of and during the trial and were hence de facto prevented from presenting their defence. The verdict is not subject to appeal. Moreover, while in detention, he has been subjected to threats and acts of ill-treatment.
Despite numerous international calls for the release of all human rights defenders arbitrarily detained in Egypt, including public statements by the UN Special Rapporteur on Human Rights Defenders and two European Parliament resolutions on the situation of human rights defenders in Egypt, the authorities have turned a blind eye to these demands. Additionally, the European Union's failure to set concrete and measurable human rights benchmarks as criteria for progress in the EU-Egypt bilateral relationship has contributed to the impunity for human rights violations in Egypt.

Egyptian authorities routinely employ repressive tactics such as prolonged pre-trial detention, recycling cases against dissidents, enforced disappearance, torture, unjust trials and judicial harassment to silence all critical voices, including through unfounded investigations for national security and counter-terrorism related charges.

Therefore, the undersigned urge authorities to immediately and unconditionally release Mr. Mohamed El-Baqer and all human rights defenders arbitrarily detained in Egypt, including Alaa Abdel Fattah and Mohamed Oxygen, and to put an end to all types of harassment against them.

Finally, we call on the United States and the EU and its member states to strongly condemn the crackdown on rights defenders, journalists and political activists in Egypt and to use all instruments at their disposal to address the human rights crisis in the country, in order to comply with their own human rights commitments.

Signatories:

ACAT-France

Cairo Institute for Human Rights Studies (CIHRS)

CIVICUS

Committee for Justice (CFJ)

Democracy for the Arab World Now (DAWN)

Egyptian Commission for Rights and Freedoms (ECRF)

Egyptian Front for Human Rights (EFHR)

Egyptian Human Rights Forum (EHRF)

Egyptian Initiative for Personal Rights (EIPR)

EgyptWide for Human Rights

El Nadeem Centre

FIDH, within the framework of the Observatory for the Protection of Human Rights Defenders

Front Line Defenders

HuMENA for Human Rights and Civic Engagement

International Service for Human Rights (ISHR)

Lawyer for Lawyers

PEN International

Project on Middle East Democracy (POMED)

The Tahrir Institute for Middle East Policy (TIMEP)

World Organisation Against Torture, within the framework of the Observatory for the Protection of Human Rights Defenders

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