

OPEN LETTER - THE OBSERVATORY

Ms. Reine ALAPINI-GANSOU
ACHPR Special Rapporteur on human Rights
Defenders in Africa
Email: rsddh.achpr@gmail.com

Mr. Michel FORST
UN Special Rapporteur on the situation of human
rights defenders
Email: defenders@ohchr.org

Mr. Mads ANDENAS
Chair-Rapporteur of the UN Working Group on
Arbitrary Detention
Email: wgad@ohchr.org

Mr. David KAYE
UN Special Rapporteur on the promotion and
protection of the right to freedom of opinion and
expression
Email: freedex@ohchr.org

Mr. Maina KIAI
UN Special Rapporteur on the rights to [freedom of
peaceful assembly and of association](#)
Email: freeassembly@ohchr.org

Paris-Geneva, December 19, 2014

Re: Request for urgent action ahead of appeal verdict hearing on Yara Sallam

Dear Ms. Alapini-Gansou, Dear Mr. Forst, Dear Mr. Andenas, Dear Mr. Kaye, Dear Mr. Kiai,

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), are submitting this urgent request for your consideration in the hope that you will act upon it to ensure the protection of human rights defender Ms. **Yara Sallam**, Transitional Justice Officer at Egyptian Initiative for Personal Rights (EIPR), who is facing a appeal verdict hearing on 28 December 2014.

Ms. Sallam was arrested by security forces on the evening of 21 June 2014 along with her cousin, Shehab Fakhry Ismail, as they were buying drinks from a kiosk in Heliopolis in the vicinity of a protest dispersed by security forces. Ms. Yara Sallam, Ms. **Sanaa Seif**, a member of the "No to Military Trials for Civilians" movement and sister of the blogger Mr. Alaa Abdel Fattah, and 21 human rights defenders and peaceful protesters, including one minor, were arrested on 21 June 2014 in relation to a demonstration against the 'Protests Law' and were accused of breaching the 'Protests Law' by demonstrating without a permit, committing acts of violence, possession of inflammable material and Molotov cocktails, blocking a road, sabotaging public and private property, and belonging to the banned group 'April 6'. On 26 October 2014, Cairo Misdemeanours Court sentenced Ms. Yara Sallam together with the 22 human rights defenders and peaceful protesters to 3 years' imprisonment, a further 3 years' police monitoring, a fine of 10,000 Egyptian Pounds (approx. €1,098) each, and the payment of compensation for the damages caused.

The Observatory believes that the arrest, prosecution and verdict are related solely to the human rights defenders' peaceful and legitimate activities, particularly to protect the rights to freedom of assembly and expression.

Ms. Sallam is a recognised human rights defender. She worked as the Director of the Women Human Rights Defenders program at Nazra for Feminist Studies and as legal assistant at the African Commission on Human and Peoples' Rights (ACHPR) in The Gambia. She was awarded the North Africa HRD Shield 2013. Even though Yara was not arrested while protesting but rather in a side-street, she has been targeted and detained because of her human rights work, as she was interrogated about EIPR's activities and management. Her cousin, Shehab Fakhry Ismail, who was arrested with her under the same circumstances, was released on the same day without any charges.

Her case is symbolic of the Egyptian authorities increasing crackdown against human rights organizations¹ and human rights defenders, based on the Law 107 of 2013 on demonstrations and public rallies (the "Anti-Protest Law"). Other human rights defenders have also been targeted.

Several of the charges in this case violate human rights law; defendants are charged, fundamentally, with exercising their right to peaceful protest. Several other charges are based on criminal law provisions that use excessively vague and broad language, violating the basic principle of legality (such as charges of « endangering general security and public order », « terrorizing passersby », and « endangering general peace »). In addition, the prosecution failed to provide any evidence that Ms. Sallam, Ms. Sanaa Seif and the 21 others have done anything other than exercise their right to peaceful protest.

Given the gravity of the situation of human rights defenders in Egypt and the highly emblematic character of this case, we strongly believe that your mandates should take the following measures :

- publish a joint statement to request the acquittal and release of Ms. Yara Sallam, Ms. Sanaa Seif and the 21 other human rights defenders and peaceful protesters
- conduct a trial observation mission or an emergency mission at the occasion of the appeal verdict hearing on 28 December 2014

Please do not hesitate to contact us if you have any questions or if we can provide you with any additional information you may need.

Yours sincerely,



Karim LAHIDJI
FIDH President

Gerald STABEROCK
OMCT Secretary General

¹ Independent human rights organisations are currently facing an imminent risk of shut-down and prosecution in particular, after the authorities issued a dissolution ultimatum in July 2014 and an amendment to the Penal Code in September 2014 that criminalizes the sending or receiving of foreign funding that aims to harm national security. For more information, see <https://www.fidh.org/International-Federation-for-Human-Rights/north-africa-middle-east/egypt/16403-egypt-ongoing-human-rights-violations-amidst-a-widespread-crackdown>