

Positive Step towards the Respect of Freedom of Association in Egypt but Concerns Remain

Copenhagen-Geneva-Paris, 2 April 2008. The Euro-Mediterranean Human Rights Network (EMHRN) and the Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), welcome the verdict issued on 30 March 2008 by the Egyptian judiciary, which allowed the Center for Trade Unions and Workers' Services (CTUWS) to continue its activities in Egypt.

In March and April 2007, the Egyptian authorities had ordered the closure of the CTUWS regional offices in southern and northern Egypt, as well as the CTUWS headquarters located in the industrial suburb of Helwan, in the South of Cairo. It had been claimed that the organization had not complied with the regulations into place in the Ministry of Social Solidarity regarding the registration of civil society organizations. CTUWS had also been blamed for disruptive demonstrations and incitation to strikes. Indeed, these events had taken place after the CTUWS, as a member of the National Civil Society Alliance to Monitor the Elections, monitored and followed up the results of the referendum which was made on March 26, 2007, on the amendments to the Constitution. The monitoring process included constituencies of Qena Governorate. Further, the CTUWS had issued a report on the results of the referendum including the infringements and the interventions that took place in all the monitored constituencies.

The EMHRN and the Observatory for the Protection of Human Rights Defenders acknowledge the positive step taken by the Egyptian judiciary in the protection of freedom of association, and encourage it to continue its efforts towards its respect and protection.

However, the EMHRN and the Observatory for the Protection of Human Rights Defenders remain concerned about the situation of the Association of Human Rights and Legal Aid (AHRLA), a non-governmental organisation providing legal assistance to victims of torture and which was closed down in September 2007 subsequent to an order issued by the Ministry of Social Solidarity, alleging financial transgressions^[1]. AHRLA has appealed against the Government's decision to an administrative court, which was at first due to rule on 21 October 2007. The appeal procedure has never taken place since then and has been regularly delayed. The latest date for the trial was fixed for 30 March 2008, but was once more postponed to May 2008.

The EMHRN and the Observatory for the Protection of Human Rights Defenders are deeply worried by the fact that AHRLA has been legally dissolved and is denied by the Government the right to exist and to carry on its activities as a civil society organization.

Therefore, the EMHRN and the Observatory for the Protection of Human Rights Defenders call upon the Egyptian authorities to:

- Put an end to all forms of harassment against AHRLA, repeal the decision to close it down and ensure in all circumstances that its members as well as of CTUWS are able to carry out their work freely without any hindrances;
- Put an end to all forms of harassment against human rights defenders in Egypt;
- Put their legislation in conformity with international and regional human rights standards concerning freedom of association, in particular with Article 13 of the Declaration on Human Rights Defenders adopted by the UN General Assembly on December 9, 1998, which states that “everyone has the right, individually and in association with others, to solicit, receive and utilise resources for the express purpose of promoting and protecting human rights and fundamental freedoms through peaceful means, in accordance with article 3 of the present Declaration”;
- Conform with the provisions of the UN Declaration on Human Rights Defenders, in particular its Article 1, which provides that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels”, Article 12(1) that provides “everyone has the rights, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms”, and its Article 13 above-mentioned;
- Promote and ensure freedom of association in Egypt and ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Egypt.

For further information, please contact:

- EMHRN: Marc Degli-Esposti, +45 32 64 17 16
- OMCT: Delphine Reculeau, + 41 22 809 49 39
- FIDH: Gael Grilhot, + 33 1 43 55 25 18

[1] The Ministry based its order on Article 17(2) of Law n° 84 (2002), which states that “in all cases no NGO is permitted to receive money from abroad whether from Egyptian or foreign persons or agencies or their representatives in Egypt, or sending money to persons or organisations abroad unless they obtain the permission of the Minister of Social Solidarity, except for books, newsletters and scientific and artistic journals”. In reality, even though the Association for Human Rights Legal Aid has always asked the Ministry for authorisation to receive grants from abroad, the Ministry has always refused to give its permission for long periods, therefore hindering human rights organisations from carrying out longstanding and sustainable activities, and thus violating international and regional human rights standards.