

November 9, 2021

Via email to: p.spokesman@op.gov.eg

President Abdel Fattah el-Sisi
Office of the President
Al Ittihadia Palace
Cairo, Arab Republic of Egypt

Your Excellency:

Re: Arrest and detention of lawyer Mohamed El-Baqer

I write on behalf of the Law Society of Ontario to voice our grave concern over the arrest and detention of lawyer Mohamed El-Baqer. When lawyers, paralegals, judges, and human rights advocates have suffered from fundamental injustices, we advocate for the protection of their rights.

Mohamed El-Baqer is a lawyer, and the founder and director of the Adalah Center for Rights and Freedoms. Throughout his career, Mr. El-Baqer has focused on providing pro bono legal aid services to detainees, and he has a long history of providing assistance to protesters and civilians tried in military courts.

In September 2019, Mr. El-Baqer was detained while representing a client in a legal proceeding and transferred to Tora prison, a complex for criminal and political detainees. Since his initial arrest, Mr. El-Baqer has been subjected to cruel and inhumane treatment, including being denied access to bathroom facilities for an extended period of time. He has also been brought before your government's Supreme State Security Prosecution and charged without evidence provided to his lawyers. Your government has repeatedly renewed his detention, which has already exceeded the maximum length of pre-trial detention allowed under article 143 of the Code of Criminal Procedure of Egypt.

In light of these circumstances, the Law Society urges Your Excellency to comply with the Arab Republic of Egypt's obligations under international human rights laws, including the United Nations' *Universal Declaration of Human Rights*, and *Basic Principles on the Role of Lawyers*.

Article 5 of the *Universal Declaration of Human Rights* states:

No one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment.

Article 9 states:

No one shall be subjected to arbitrary arrest, detention or exile.

Article 11 states:

Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

Article 19 states:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 18 of the *Basic Principles on the Role of Lawyers* states:

Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions

Article 21 states:

It is the duty of the competent authorities to ensure lawyers have access to appropriate information, files and documents in their possession or control in sufficient time to enable lawyers to provide effective legal assistance to their clients. Such access should be provided at the earliest appropriate time.

Article 23 states:

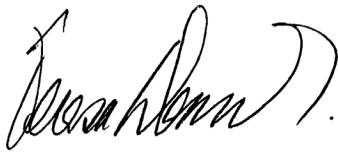
Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or 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.

The Law Society urges the Arab Republic of Egypt to:

- a. immediately and unconditionally withdraw all charges against lawyer Mohamed El-Baqer;
- b. immediately and unconditionally release lawyer Mohamed El-Baqer;
- c. pending his release, ensure that during his detention, lawyer Mohamed El-Baqer is treated in accordance with applicable international standards;
- d. ensure that all lawyers and judges are free from arbitrary arrest or detention;

- e. ensure that all lawyers are free from arbitrary interference in their privacy, family, home, or correspondence, and from attacks upon their honour and reputation;
- f. ensure that all lawyers, paralegals and human rights defenders in the Arab Republic of Egypt can carry out their professional duties and activities without fear of reprisals, physical violence or other human rights violations; and
- g. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

Yours truly,



Treasurer

**The Law Society of Ontario is the governing body for more than 55,000 lawyers and 9,000 paralegals in the province of Ontario, Canada. The Treasurer is the head of the Law Society.*

The mandate of the Law Society is to govern the legal profession in the public interest, and the Law Society has a duty advance the cause of justice and the rule of law.

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Kenneth Roth, Executive Director, Human Rights Watch

Sophie de Graaf, Executive Director, Lawyers for Lawyers

David F. Sutherland, Chair, Lawyers' Rights Watch Canada

Mary Lawlor, Special Rapporteur on the situation of human rights defenders, Office of the United Nations High Commissioner for Human Rights

Diego García-Sayán, Special Rapporteur of the Human Council on the independence of judges and lawyers, Office of the United Nations High Commissioner for Human Rights

Marina Brilman, International Human Rights Policy Adviser, The Law Society of England and Wales