

June 26, 2014



The Law Society of
Upper Canada | Barreau
du Haut-Canada

President-Elect Abdel-Fattah El-Sisi
President-Elect of the Arab Republic of Egypt
Abedine Palace
Cairo
Egypt

Office of the Treasurer

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Dear President-Elect Abdel-Fattah El-Sisi :

Re: detention and sentencing of Mahienour El-Massry

I write on behalf of The Law Society of Upper Canada* to voice our grave concern over the detention and sentencing of human rights lawyer Mahienour El-Massry. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

On May 20, 2014, the Sidi Gaber Misdemeanour Court in Alexandria rejected the objection filed by Mahienour El-Massry, a human rights lawyer, regarding the sentence issued against her *in absentia* on January 2, 2014. The court convicted her to two years' imprisonment and a fine of EGP 50,000. She was sentenced for "protest without a permit" and "assaulting security forces". Afterwards, Mahienour El-Massry was immediately detained.

Mahienour El-Massry and seven others, including human rights lawyer Hassan Mustafa, were charged after they organized a protest on December 2, 2013. The protest was related to Khaled Saeed murder's retrial.

The Law Society is deeply concerned about situations where lawyers are targeted in the legitimate exercise of their duties. International human rights instruments, including the *Universal Declaration of Human Rights* and the *International Covenant on Civil and Political Rights* state that respect for human rights is essential to advancing the rule of law. Article 16 of the *United Nations Basic Principles on the Role of Lawyers* states "governments shall ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; are able to travel and to consult with their clients freely; and shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics". Article 18 states "lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions".

The Law Society urges the government of Egypt to,

- a. guarantee all the procedural rights that should be accorded to Mahienour El-Massry and other human rights defenders in Egypt;
- b. guarantee in all circumstances the physical and psychological integrity of Mahienour El-Massry;
- c. put an end to all acts of harassment against Mahienour El-Massry and other human rights defenders in Egypt;

- d. ensure that all lawyers can carry out their peaceful and legitimate activities without fear of physical violence or other human rights violations; and
- e. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

Yours very truly,

Janet E. Minor
Treasurer

**The Law Society of Upper Canada is the governing body for more than 46,000 lawyers and 6,300 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 by upholding the independence, integrity and honour of the legal profession for the purpose of advancing the cause of justice and the rule of law.