

URGENT ACTION

UNJUSTLY JAILED LAWYER FACES NEW CHARGES

On 31 October 2023, human rights lawyer, Hoda Abdelmoniem, was due to be released after serving her unjust five-year prison sentence stemming solely from the exercise of her human rights. Instead, the Supreme State Security Prosecution (SSSP) ordered her pretrial detention pending investigations into similar bogus terrorism-related charges in a separate case No. 730 of 2020. During a rare visit to 10th of Ramadan prison on 4 January, her family learned that her health continues to deteriorate and that she developed an ear infection, affecting her balance and sight. She must be immediately and unconditionally released.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

President Abdelfattah al-Sisi
Office of the President, Al Ittihadia Palace
Cairo, Arab Republic of Egypt; Fax: +202 2391 1441
Email: p.spokesman@op.gov.eg; Twitter: @AIsisiOfficial

Your Excellency,

Human rights lawyer Hoda Abdelmoniem, 64, has been arbitrarily detained for over five years, solely in relation to her human rights work. On 31 October 2023, Hoda Abdelmoniem, who was arrested on 1 November 2018, was due to be released after serving her five-year unjust prison sentence imposed by an Emergency State Security Court (ESSC), which convicted her of terrorism and other bogus charges following a grossly unfair trial in March 2023. Instead, on the same day, 31 October 2023, she was taken before a Supreme State Security Prosecution (SSSP) prosecutor, who interrogated her in relation to a separate case No. 730 of 2020 and ordered her pretrial detention for 15 days pending investigations into bogus terrorism-related charges. This abusive practice is commonly referred to as "rotation", when individuals held for political reasons are accused of similar charges in new cases to keep them detained indefinitely, even when prosecutors or judges order their release, or after they have served their sentence. On 9 January 2024, her pretrial detention was again renewed for 15 days.

On 4 January 2024, her family visited her in 10th of Ramadan prison and learned that she was diagnosed with an ear infection that impairs her balance and sight. This was the first time that authorities allowed her a family visit since 8 June 2023. Hoda Abdelmoniem's health has been deteriorating throughout her detention. She has developed inflammation of the nerves (peripheral neuropathy) which causes her sharp pain, numbness and the sensation of electric currents in different parts of her body. She has multiple other ailments including a heart condition, kidney disease, arterial thrombosis, and high blood pressure. While she told her family that her access to healthcare in prison improved since her transfer from Qanater prison to 10th of Ramadan prison in June 2023, prison authorities continue to deny her relatives access to her medical records which would have enabled them to consult with independent health professionals. They also continue to refuse transferring her to an outside hospital for specialized healthcare.

I urge you to ensure that Hoda Abdelmoniem is immediately and unconditionally released and that all charges against her dropped as they stem solely from the exercise of her human rights. Pending her release, I call on you to ensure that she is provided with access to the healthcare she needs, including outside prison if necessary, as well as regular access to her family and lawyer.

Yours sincerely,

ADDITIONAL INFORMATION

On 1 November 2018, National Security Agency forces (NSA) broke into the house of Hoda Abdelmoniem in Cairo at 1:30 am, ransacked it, and took her away blindfolded. She was subjected to enforced disappearance for three weeks after her arrest until she was brought to the Supreme State Security Prosecution (SSSP) for investigation. She was then taken back to an undisclosed location. Her family briefly saw her again on 24 and 28 November 2018 at the SSSP office. She was subjected to enforced disappearance again between 2 December 2018 and 14 January 2019, as authorities refused to disclose her whereabouts to relatives and lawyers. On the day of Hoda Abdelmoniem's arrest, 1 November 2018, the Egyptian authorities launched a series of raids, arresting at least 31 human rights defenders and lawyers; 10 women and 21 men. The Egyptian Coordination for Rights and Freedoms (ECRF), which documents enforced disappearances and the use of the death penalty, and provides legal aid to victims of human rights violations, was particularly targeted by the crackdown. In a statement published on 1 November 2018 announcing the suspension of its human rights work, ECRF cited the situation in Egypt as incompatible with human rights work and demanded the UN Human Rights Council to intervene.

On 30 November 2020, her family learned from other prisoners' relatives that she was taken to the prison hospital before being transferred to an external hospital after suffering from severe pain. While her family has been denied access to her medical records by prison authorities and therefore doesn't have detailed information about her condition, they were informed by other prisoners' families that one of her kidneys had failed, while the other was functioning poorly. On 1 December 2020, the Ministry of Interior publicly claimed that she has been provided with healthcare and does not suffer from serious medical conditions. During a court hearing held on 11 October 2021, she told the judges that the prison doctor said she required a cardiac catheterization and requested her release on medical grounds.

On 23 August 2021, the SSSP referred her as well as human rights defender and founder of the ECRF, Ezzat Ghoniem, Aisha al-Shater, daughter of Muslim Brotherhood leader Shairat al-Shater, and lawyer Mohamed Abu Horira, as well as 27 other defendants to trial in front of an Emergency State Security Court (ESSC). The SSSP indicted them on various charges, including membership of a 'terrorist' group (the Muslim Brotherhood), disseminating false news about human rights abuses by security forces through a Facebook page titled "the Egyptian Coordination for Rights and Freedoms", funding a terrorist group and possession of pamphlets to promote the terrorist group's objectives. On 5 March 2023, an ESSC convicted 30 defendants and sentenced them to prison terms ranging from five years to life; one defendant was acquitted. The court also ruled to add the 30 convicted defendants to the "list of terrorists" which leads to asset freezes and travel bans and place them on police probation for five years after prison. Hoda Abdelmoniem was sentenced to five years' imprisonment on charges of joining, financing and supporting a "terrorist group" and other bogus charges stemming from her human rights work, was added to the "list of terrorists" which leads to an asset freeze and travel ban and puts her on police probation for five years following her release from prison. She, as well as the other 30 defendants, were denied their rights to adequate defense, not to self-incriminate and to genuine review by a higher tribunal. Verdicts by ESSCs are not subject to appeal. Only the president retains the power to authorize, quash or commute sentences or to order a retrial.

On 8 June 2023, her family learned that she was transferred to 10th of Ramadan prison from al-Qanater women's prison; and were able to visit her for the first time since August 2022. She told them during the visit that prison authorities in al-Qanater women's prison confiscated all her belongings including medicine and a radio before the transfer. The confiscation of the radio means that she no longer has access to news in 10th of Ramadan prison.

On 25 October 2021, President Abdel Fattah Al-Sisi announced that he would not extend the state of emergency, in force since 2017, which allowed for the creation of ESSCs. Article 19 of the law governing the state of emergency stipulates that ongoing trials are to continue even after the state of emergency is no longer in force. Fair trial violations include the right to have adequate time and facilities for the preparation of their defence, right to communicate with counsel of own choosing and right to a public hearing. Further, judges at the ESSC routinely deny requests by lawyers to photocopy casefiles, which in some cases exceed 2,000 pages, instead instructing them to review them in court.

Hoda Abdelmoniem volunteered as a consultant for the ECRF and had been active in documenting human rights violations including cases of enforced disappearances. She is a former member of the National Council for Human Rights and of the Egyptian Bar Association. On 27 November 2020, the Council of Bars and Law Societies of Europe granted its 2020 Human Rights Award to Hoda Abdelmoniem and six other detained lawyers in Egypt.

PREFERRED LANGUAGE TO ADDRESS TARGET: Arabic or English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 21 March 2024

NAME AND PRONOUN: Hoda Abdelmoniem (she/her)

LINK TO PREVIOUS UA: www.amnesty.org/en/documents/mde12/7035/2023/en/