

## **Freedom of association must be concretely implemented**

**Geneva-Paris, May 21, 2008. 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), expresses its deep concern with the non-implementation of an administrative decision ordering the registration of the Centre for Trade Union and Workers Services (CTUWS).**

As of May 20, 2008, the Egyptian authorities had still not implemented decision n°38381/61 issued by the Administrative Court of Cairo on March 30, 2008, stating that the decision of the Ministry of Social Solidarity to close down CTUWS[1] was “lacking justification” and that it was wasting “an essential constitutional right which is the right of association”.

The Observatory welcomes the March-30 decision, and considers it as an important step towards the reinforcement of freedom of association in Egypt.

The Observatory calls on the Egyptian authorities to immediately and unconditionally implement the decision of the court so as to enable CTUWS, which has been subjected to intensive harassment and mass-closure of premises over the past year[2], to fully carry out its human rights activities.

Furthermore, the Observatory remains concerned that the appeal procedure lodged by the Association of Human Rights and Legal Aid (AHRLA), a non-governmental organisation providing legal assistance to victims of torture, against an administrative decision of closure, has still not been heard[3].

The Observatory urges the Egyptian authorities to put an end to all forms of harassment against AHRLA and ensure in all circumstances that its members as well as of CTUWS are able to carry out their work freely without any hindrances, as well as to put an end to all forms of harassment against human rights defenders in Egypt.

Moreover, the Observatory calls upon the Egyptian authorities to fully respect international standards with regards to freedom of association, in particular the United Nations Declaration on Human Rights Defenders adopted by the UN General Assembly on December 9, 1998, which Article 5(b) states that “for the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels [...] to form, join and participate in non-governmental organizations, associations or groups” and Article 13 provides 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”.

The Observatory further recalls that Article 1 of the same Declaration reads 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” and that Article 12(1) states that “everyone has the rights, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms”.

More generally, the Observatory urges the Egyptian authorities to promote and ensure freedom of association in Egypt and ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with the Universal Declaration of Human Rights and with international and regional human rights instruments ratified by Egypt.

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[1] On March 29, 2007 the Naj-Hamadi branch of the CTUWS located in the Qena Governorate, in Upper Egypt, had been shut down by Administrative Decision No. 44 issued by the Chairman of the City, General Al Sherbeery Hasheesh. In particular, the Government had called for the discontinuance of the Naj-Hamadi branch citing that it was responsible for disruptive demonstrations and inciting strikes that took place in the Delta region of the country during the months of December 2006 and January 2007. Yet, although some demonstrators were CTUWS members, there was no evidence that the CTUWS did organise these strikes. On April 22, 2007, the police ordered the closure of the headquarters of the organisation (See Observatory Urgent Appeals EGY 001 / 0407 / OBS 035 and 035.1 and Joint Press Release with the EMHRN of April 2, 2008).

[2] On top of the closure of the premises, on October 11, 2007, Messrs. Kamal Abbas, CTUWS General Coordinator and Mohamed Helmy, his lawyer, had been sentenced to one year imprisonment by an Egyptian court for alleged defamation. The sentence was repealed on February 27, 2008 by the Southern Cairo Court of Appeal of Helwan (See Observatory Urgent Appeals EGY 001 / 0407 / OBS 035.2 and 035.3).

[3] The organisation was closed down in September 2007 subsequent to an order issued by the Ministry of Social Solidarity, alleging financial transgressions.

L'OMCT a son siège à Genève, en Suisse. Elle coordonne le réseau SOS-Torture composé de 282 organisations régionales et internationales dans 93 pays sur cinq continents.

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