

URGENT ACTION

UNJUSTLY JAILED LAWYER DENIED HEALTHCARE

On 5 March, an emergency court convicted human rights lawyer, Hoda Abdelmoniem on bogus charges stemming from her human rights work and sentenced her to five years' imprisonment following a grossly unfair trial. During a rare prison visit on 26 June, her family learned that her health has deteriorated further and she has developed inflammation of the nerves. Despite this and her additional serious health problems, including a kidney disease, a heart condition arterial thrombosis, and high blood pressure, the authorities continue to deny her the healthcare she needs.

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: @AlsisiOfficial

Your Excellency,

Human rights lawyer **Hoda Abdelmoniem**, aged 64, has been arbitrarily detained for four years and nine months, solely in relation to her human rights work. On 5 March, an Emergency State Security Court (ESSC) sentenced her to five years' imprisonment on charges of joining, financing and supporting a "terrorist group" and other bogus charges stemming from her human rights work. The court also ruled to add her 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. Her trial, referred to as the "The Egyptian Coordination for Rights and Freedoms case" by Egyptian media, which involved 30 others, was grossly unfair with defendants denied their rights to adequate defence, not to self-incriminate and to genuine review by a higher tribunal. Hoda Abdelmoniem was banned from meeting with her lawyer except in court. Verdicts by ESSCs are not subject to appeal. Only Your Excellency retains the power to authorize, quash or commute sentences or to order a retrial; the decision is pending.

On 8 June, Hoda Abdelmoniem's family learned that she has been transferred from al-Qanater prison for women to the 10th of Ramadan prison in Sharqia governorate. On 26 June, her husband and daughter were allowed to visit her for the first time in nearly a year. The visit, which lasted 30 minutes, took place in the presence of a security officer preventing them from speaking freely. She told her family that conditions at the 10th of Ramadan prison were better than in al-Qanater, but that she felt more isolated impacting her mental health. Her family learned during the visit that her health has deteriorated, and 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. Prison authorities continue to refuse her adequate healthcare, including transfer to an outside hospital if necessary for diagnosis and treatment, even though she has multiple other ailments including a heart condition, kidney disease, arterial thrombosis, and high blood pressure. They also deny her relatives access to her medical records which would have enabled them to consult with independent health professionals. On 13 July, Hoda Abdelmoniem's family tried to visit her again, but the prison authorities did not allow them without providing a reason.

I urge you to ensure that Hoda Abdelmoniem and others convicted in connection to the Egyptian Coordination for Rights and Freedoms case are immediately and unconditionally released and that their convictions and sentences are quashed as they stem solely from the peaceful exercise of their human rights. Pending her release, I call on you to ensure that she is provided with the regular access to her family and lawyers, and the healthcare she needs, including outside prison if necessary.

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, on 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, Hoda Abdelmoniem's 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 loved ones have been denied access to her medical records by prison authorities and therefore don'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 interior ministry 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, Hoda Abdelmoniem 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 Hoda Abdelmoniem 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 in 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. On 8 June, Hoda Abdelmoniem's 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. She added that she was feeling more isolated in the 10th of Ramadan prison as a result of no longer being abreast of news, sharing the cell with prisoners not held for political reasons and the prison authorities' banning her from exercising in the yard with other prisoners.

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. Proceedings in front of ESSCs are inherently unfair. Defendants are denied the right to appeal their convictions and sentences to a higher tribunal. Other documented fair trial violations include the right to have adequate time and facilities for the preparation of their defence, right to communicate with counsel of their own choosing and right to a public hearing. In addition, 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. Prosecutors and judges have also failed to provide copies of indictment orders to defendants and their lawyers, undermining their right to be informed of the exact nature and cause of charges against them. 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 Abdelmoneim 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: 15 September 2023

NAME AND PRONOUN: Hoda Abdelmoniem (she/her)

LINK TO PREVIOUS UA: www.amnesty.org/en/documents/mde12/6173/2022/en/