

05 April 2019

Egypt: Nubian human rights defenders on trial

On 7 April 2019, the Aswan Misdemeanour State Security Emergency Court will pronounce the final judgement in the case known as the “Dofof trial”, brought against **Seham Osman, Mohamed Azmy, Maysara Abdoun** and 29 other Nubian human rights defenders. The case refers to a peaceful protest held on 3 September 2017, during which Nubians demanded the right of return to their ancestral lands, a principle enshrined in the Egyptian Constitution.

[Seham Osman](#) is a Nubian activist and founding member of **Genoubia Hora**, the first organised feminist group in Aswan, located in southern Egypt. She founded the organisation in 2013 in response to what women human rights defenders refer to as “widespread acceptance” of both police violence and violence against women. Seham Osman was also a leading member of and one of the most active women in the Nubian Caravan, a protest movement campaigning for the right of the indigenous Nubian people to return to their land.

[Mohamed Azmy](#) is a lawyer and human rights defender, and is currently President of the General Nubian Union, based in Aswan. He advocates for the land rights and a fair resettlement of Nubian people to their historical homeland in the south of Egypt. The General Nubian Union is a recently founded movement actively promoting the right of return of the Nubian community to their ancestral land.

[Maysara Abdoun](#) is a Nubian human rights defender actively involved in the defence of minority and Nubian rights in the Aswan Governorate. He is the training coordinator at the Border Center for Support & Consulting (BSC), an organisation led by a group of young people with experience in community development and human rights.

On 3 September 2017, Nubian protesters organised a march to condemn the Presidential Decree 444/2014, which expropriated indigenous Nubian lands and granted property rights to the military, in clear contradiction with the Constitution. Security forces were deployed to suppress the peaceful protest and several people were arrested. On 3 October 2017, state security officials detained seven family members and supporters of the arrested protesters. On 7 November 2017, people took back to the streets after Nubian human rights defender [Gamal Sorour](#) had died in custody following a hunger strike, which the Nubian public saw as a direct result of medical negligence. More people were arrested by the authorities as a result. All 32 defendants in the case were then transferred to the State Security Emergency Court.

On 13 March 2018, a judge of the Aswan Misdemeanour State Security Emergency Court withdrew from presiding over the trial of Nubian human rights defenders. A different judge was authorised to examine the case on 15 April 2018. As the head of the judicial panel was absent from the court session held on 20 May 2018, the State Security Emergency Misdemeanour Court ordered a rehearing in the case by a third judicial panel, setting the

date of the first hearing for 1 July 2018. On 3 March 2019, pleadings were presented by the lawyers of the defendants. The court is due to pronounce the final judgement on 7 April 2019.

The UN Working Group on Arbitrary Detention issued a recommendation regarding the case, urging Egyptian authorities to immediately suspend the trial of Nubian protesters, guarantee their right to compensation protected in international law, and comply with their constitutional obligations towards the Nubian people. As stated in the recommendation, 'the violations of the fair trial rights of the Nubian activists have been of such gravity as to give their deprivation of liberty an arbitrary character'.

In the early 1900s, Egypt began constructing a set of dams near Aswan. The Nubian people were subjected to forced displacement as a result of various government-led projects such as the construction of the Aswan High Dam in the 1960s. By 1970, more than 50,000 Nubians had been forcibly relocated away from their homes by the Nile river. They lost their homes, farms, and livelihoods. In November 2016, Seham Osman and other Nubian rights defenders in Aswan organised the Nubian Caravan, driving dozens of cars towards their indigenous Nubian lands. As much of their territory has been placed under military control, the Nubian Caravan was caught between a series of check-points and forced to turn back after more than three days in the desert.

Front Line Defenders expresses concern about the ongoing judicial harassment of Nubian human rights defenders and believes that it is solely motivated by their peaceful and legitimate work in defence of human rights in Egypt.

Front Line Defenders urges the authorities in Egypt to:

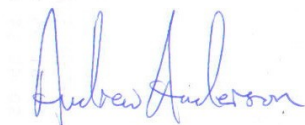
1. Immediately drop all charges against Nubian human rights defenders as it believes that they are solely motivated by their legitimate and peaceful work in defence of human rights;
2. Cease the targetting of human rights defenders in Egypt and guarantee in all circumstances that they are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions, including judicial harassment.

Front Line Defenders respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw attention to Article 6 (c): *"Everyone has the right, individually and in association with others: (c) To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters"*, and to Article 12 (2): *"The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary*

action as a consequence of his or her legitimate exercise of the rights referred to in the present declaration.”

Please inform us of any actions that may be taken with regard to the above case.

Yours sincerely,



Andrew Anderson

Executive Director

Front Line Defenders Board of Trustees

Denis O'Brien, Noeline Blackwell, Jim Conway, Mary Lawlor, Maria Mulcahy,
Kieran Mulvey, Mary Jane Real (Philippines), David Sykes, Arnold Tsunga (Zimbabwe)

Front Line Defenders International Advisory Council

James L. Cavallaro, Maryam Elahi, Michel Forst, Hina Jilani, Maina Kiai

Front Line, The International Foundation for the Protection of Human Rights Defenders trading as Front Line Defenders, is registered in Ireland as a company limited by guarantee and not having a share capital. Registered Office: Second Floor, Grattan House, Temple Road, Blackrock, Co Dublin, A94 FA39, Ireland.

Company No. 593190; Registered Charity No. 20045241; CHY 14029