



13<sup>th</sup> December 2021

Hon. Remy Ngoy Lumbu  
Chairperson - African Commission on Human & Peoples 'Rights

Hon. Maya Sahli-Fadel  
Vice-Chairperson – African Commission on Human & Peoples 'Rights

Hon. Marie Louise Abomo,  
Working Group Chairperson - African Commission on Human & Peoples 'Rights

31 Bijilo Annex Layout, Kombo North District  
Western Region P.O. Box 673 Banjul  
The Gambia  
E-mail: [Au-Banjul@Africa-Union.org](mailto:Au-Banjul@Africa-Union.org)

Dear Honorable Commissioners,

We are deeply concerned by the severe delay in consideration of cases submitted to the Commission since 2014 on behalf of victims of serious human rights violations in Egypt.

We have repeatedly communicated to the Commission about the ongoing dangerous situation in Egypt. Systematic and serious human rights violations are committed in the Country and

impunity is widespread. While we commend the Commission's efforts to deal with Egypt's failure to comply with numerous interim measures, we are troubled that the Commission does not take more consistent and effective action to ensure the timely consideration of communications that have been lodged by individuals, groups of individuals or non-governmental organizations.

The failure to consider communications for long periods of time, often exceeding several years, by not proceeding to the admissibility and merits stages of these communications fosters impunity because Egypt continues to interfere with the human and peoples' rights of those under its jurisdiction. It also denies justice to victims whose lives and well-being often remain threatened and at risk. Some of the victims for who communications have been brought have been executed, others remain in deplorable conditions of detention and subject to inhumane, cruel, or degrading treatment.

Despite the numerous provisional measures issued by the Commission between 2014 and 2020, the Egyptian authorities have continued to arrest, prosecute, and imprison journalists, political opponents, and lawyers, for their legitimate activities in defense of human rights. The situation is getting worse as many of those detained are being tried before special tribunals with no right of appeal even while they are being held in detention conditions that are dangerous to their life and well-being.

While we appreciate that the Commission suffers from a lack of resources and a huge backlog of communications, the lack of progress on communications concerning Egypt and the continual deferral of consideration of these communications to later sessions because of translation issues, is putting multiple individuals' lives at risk and exposing victims to further abuses.

Possibilities for dealing with issues of translation have been repeatedly proposed to the Commission. Solutions to the issue of translation have included (i) holding oral hearings in which the Commission can make use of its own interpreters to provide the Egyptian government explanations in Arabic of any filings, (ii) providing victims the resources to translate materials into Arabic, (iii) requiring the Egyptian authorities to justify their request for English translations of documents when the Egyptian authorities themselves have communicated with the Commission in English in the past. In this respect, we note that a State Parties' reliance on a request for documents to be translated, that is unnecessary and ostensibly based on an effort to delay the consideration of a communication to the Commission, constitutes bad faith in that State's duty to abide by the provisions of the Charter protecting human and peoples' rights.

As the Egyptian authorities have exceeded the three-month time-limit for responding to allegations of interference with the human and peoples' rights of Africans in many cases, we urge the Commission to follow its own precedents and proceed to examine the communications on the basis of the information submitted by the victim. In undertaking this action, we urge the Commission to prioritize communications based on the seriousness of the allegations and the potential consequences for the lives of the victims.

Finally, we reiterate our commitment to working with the Honorable Commissioners to ensure the protection of human and peoples' rights for victims of abuse in Africa.

Respectful regards,

Signatories

1. International-Lawyers.Org (INTLawyers)
2. The International Service for Human Rights (ISHR)
3. Irish Rule of Law International
4. The Environment Shield (Uganda)
5. Freedom Initiative
6. Kenya Legal and Ethical Issues
7. Mena Rights Group
8. Committee for Justice