



INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

" dedicated since 1952 to the primacy, coherence and implementation of international law and principles that advance human rights "

For immediate release

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EGYPT: IMMUNITY OF JUDGES CRITICAL OF VOTE RIGGING LIFTED

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The International Commission of Jurists (ICJ) today wrote to President Mubarak and the Minister of Justice to express its serious concerns regarding the lifting of immunity of seven judges in order to interrogate them for having reported voting irregularities during the November 2005 parliamentary elections.

The seven judges - the president of the Court of Cassation and six deputies - are members of the Judges' Club, a professional association of judges that denounced irregularities during the parliamentary elections in November and December 2005. The Club refused to endorse the election results after more than 100 judges reported irregularities at the polling stations they were monitoring. The seven judges are also said to have accused other judges of complicity in concealing vote rigging, and called on the Prosecutor General to open an investigation into the irregularities they reported.

The ICJ is concerned that instead of investigating the allegations, the Prosecutor General decided to question the very judges who denounced the voting irregularities for having "mention[ed] words and sentences representing an abuse by members of the judiciary and suggesting doubt about the integrity of some of them and about the Supreme Judiciary Council."

In its letter, the ICJ recalled that judges, like any other individuals, are entitled to the universal right to freedom of opinion and expression, enshrined not only in the Universal Declaration of Human Rights but also specifically in the UN Basic Principles on the Independence of the Judiciary. "It is inconsistent to demand that members of the judiciary monitor elections while preventing them from reporting on the process, including possible irregularities", noted also the ICJ.

In its letter, the ICJ also emphasized that although the authorities transferred the questioning from the Prosecutor of the Supreme State Security Court to a normal court, the mere fact of investigating the judges for having reported voting irregularities continues to represent an unacceptable attack on the right to freedom of opinion and expression. "The Egyptian authorities should immediately and unconditionally cancel any legal proceedings against this group of judges," stressed the ICJ. The use of Supreme State Security Courts to try civilians in Egypt was denounced several years ago by the Human Rights Committee as a blatant violation of the International Covenant on Civil and Political Rights.

The ICJ also called on the authorities to ensure that the committee drafting a new Judicial Authority Law consults all members of the judiciary in a timely and effective manner. Judges have complained that the drafting process is shrouded in secrecy. The ICJ emphasized that it was "crucial to ensure that the final version of the law complies with international standards on the administration of justice and the independence of the judiciary, which needs to be substantially strengthened in Egypt."/>

The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations