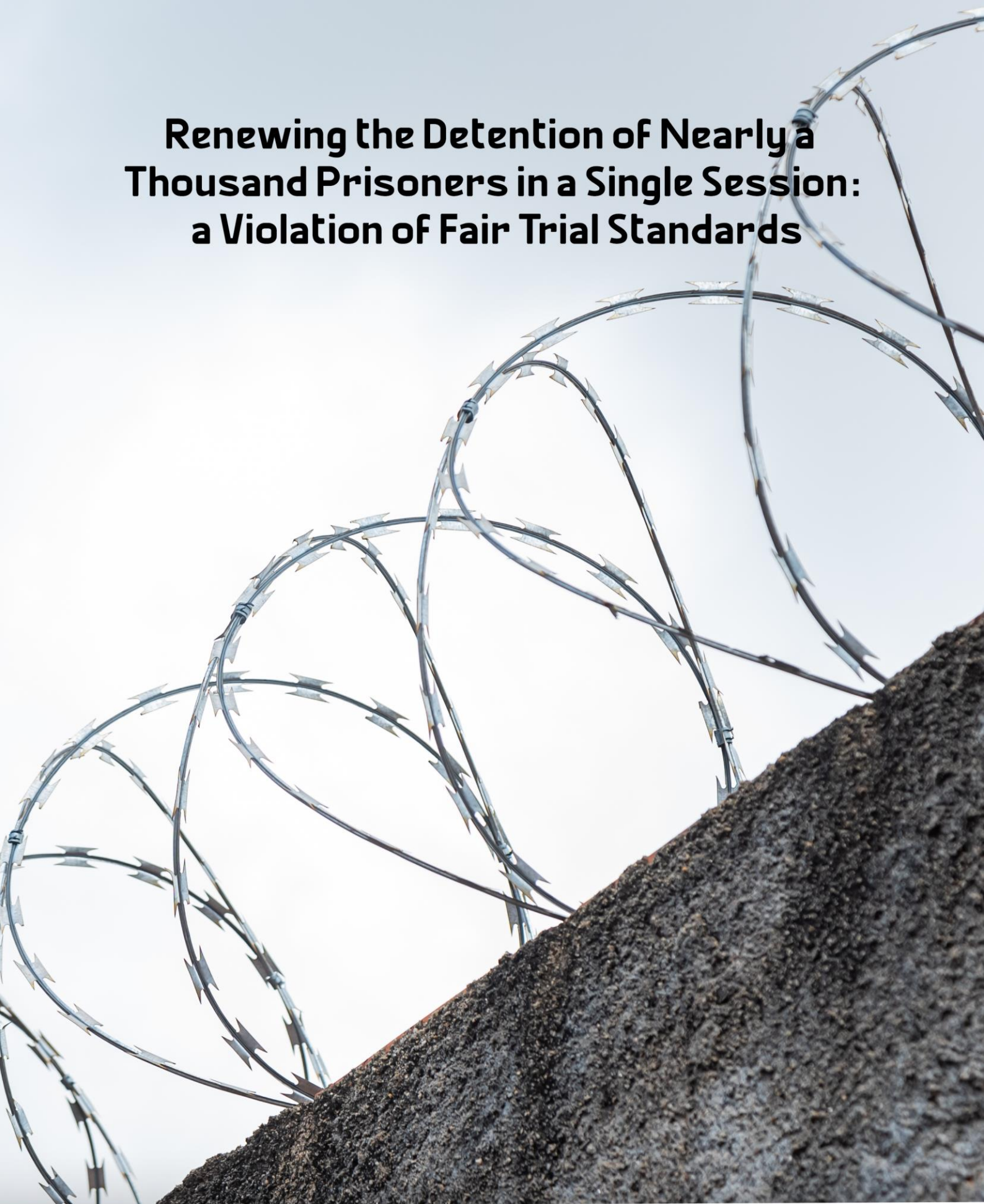


Renewing the Detention of Nearly a Thousand Prisoners in a Single Session: a Violation of Fair Trial Standards



المركز العربي لاستقلال القضاء والمحاماة
THE ARAB CENTER FOR THE INDEPENDENCE OF
THE JUDICIARY AND THE LEGAL PROFESSION
(ACILP)



مؤسسة دعم العدالة
JUSTICE SUPPORT FOUNDATION (JSF)

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The Justice Support Foundation affiliated with **the Arab Center for the Independence of the Judiciary and Legal Profession ACIJLP** expresses its deep concern and condemnation of the practices taking place in the terrorism circuits of the criminal courts at the Badr Courts Complex, which in their entirety represent a grave violation of the principles and standards of fair trials, as well as a waste of the right to defense, without which the trial of the accused loses an essential pillar of its fair foundations and justice. On June 29, more than a thousand defendants were presented for renewal of their detention before the Third Circuit of Cairo Criminal Courts, which led to the withdrawal of all lawyers from the circuit while automatically renewing the detention of the accused without the presence of their lawyers and without even enabling them of defending themselves. Moreover, the renewals were conducted via video conference.

The Justice Support Foundation views such practices as first and foremost violating the Egyptian Constitution, specifically Article no. 93 which affirms Egypt's commitment to international treaties concerning human rights, ratified by Egypt. Additionally, such practices violate Article no. 96 that emphasizes that the accused is presumed innocent until proven guilty in a fair trial that guarantees their right to defense. They also violate Article no.98 that addresses ensuring the right to defense, whether personally or through legal representation.

It goes without saying that reviewing the file and circumstances of each defendant requires much more time than just a few hours in a single day. This makes such sessions merely formal and symbolic, lacking the guarantees or standards of a fair trial. Judges cannot adequately grasp the complexities during such brief sessions, and each defendant is not provided with sufficient time or facilities to prepare his defense.

The Foundation has no doubt that reviewing over a thousand detention renewals in a single day constitutes a violation of all relevant human rights agreements and covenants signed by Egypt, which have become part of Egypt's legislative framework by virtue of the constitution, especially Article no. 14 of the International Covenant on Civil and Political Rights regarding standards for fair trials and the right to defense, as well as Articles no. (10) and (11) of the Universal Declaration of Human Rights.

The Foundation calls on the Bar Association to intervene with the state and the Ministry of Justice through its channels and mechanisms to ensure the guarantee of the right to defense and to ensure that lawyers have access to their accused clients. This is in compliance with the provisions of the constitution and in alignment with the principles of fair and just trials.



The Foundation also calls on the state and the ministry of justice to ensure that detention renewals are not to be conducted through video conference mechanism unless as an exception and in cases of necessity, to ensure that the accused has contact with his lawyer, as well as to ensure that there is a reasonable number of defendants at each session so that both lawyers and the court have time to study and examine each criminal case alone, which in turn ensures that there is sufficient time for each accused to defend himself through a lawyer of his choice in accordance with international human rights standards.