

THE ADOPTION OF THE CRIMINAL PROCEDURES LAW IS A LEGISLATIVE CATASTROPHE FOR EGYPT'S JUSTICE SYSTEM



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



مؤسسة دعم العدالة
JUSTICE SUPPORT FOUNDATION (JSF)

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The Arab Center for the Independence of the Judiciary and Legal Profession (ACIJLP) expresses its profound concern and deep regret over the Egyptian parliament's approval, on ۲۹ April ۲۰۲۵, of the draft Criminal Procedures Law. The ACIJLP has consistently warned of the detrimental implications this legislation poses to Egypt's criminal justice system.

The ACIJLP reiterates its rejection of the amendments to the Criminal Procedures Law, which undermine the constitutional and legal rights of citizens to a fair and impartial trial in accordance with internationally recognized standards. These rights must be safeguarded throughout the entire judicial process—from the moment of arrest and investigation to trial and appeals. Of particular concern is the law's failure to uphold essential procedural safeguards related to home and personal searches, as well as the interception of private communications.

The Center asserts that the provisions of this legislation, and the rationale cited for its enactment, are fundamentally incompatible with Egypt's obligations under international law—most notably the International Covenant on Civil and Political Rights and its Optional Protocols, as well as the UN Basic Principles on the Role of Lawyers and the UN Guidelines on the Independence of the Judiciary. Moreover, the law contravenes all international instruments that guarantee the right of individuals facing criminal prosecution to legal defense, immediate access to counsel upon arrest, and protection from harassment or improper interference with their legal representation.

The ACIJLP notes with serious concern that the parliament's determination to pass this legislation—despite broad opposition from legal experts, members of the judiciary, bar associations, civil society organizations, and political entities—renders criminal court verdicts issued under this framework void of standards of fair and just trials. Such rulings are unlikely to satisfy the standards of due process under international law and, as a result, risk lacking international recognition or legitimacy.

In light of these grave concerns, the ACIJLP calls upon the President of the Republic to refrain from ratifying this legislation, to suspend its promulgation in the Official Gazette, and to return the draft law for societal dialogue to rectify the constitutional and legal deficiencies that afflict the current version of the law and to avert the serious harm it threatens to inflict on the administration of justice in Egypt.