

REFERRING THE CRIMINAL PROCEDURES LAW BACK TO THE HOUSE OF REPRESENTATIVES FOR RECONSIDERATION IS A WELCOME STEP FORWARD



المركز العربي لاستقلال القضاء والمحاماة
THE ARAB CENTER FOR THE INDEPENDENCE OF
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(ACIJP)



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Referring the Criminal Procedures Law back to the House of Representatives for reconsideration is a welcome step forward

The Arab Center for the Independence of the Judiciary and the Legal Profession (ACIJLP) expresses its deep satisfaction with the directive of the President of the Republic to return the draft Criminal Procedures Law to the House of Representatives in light of a number of objections. These include the need to strengthen guarantees for the sanctity of the home, ensure greater safeguards for defendants throughout trial proceedings, expand alternatives to pretrial detention, eliminate ambiguities in the drafting, reinforce principles of governance, clarity, and practicality, and provide relevant ministries and institutions with sufficient time to prepare the mechanisms and models introduced in the draft law.

While commending this presidential initiative, the ACIJLP underscores the importance of complementing it with broader societal dialogue and the engagement of university professors and independent experts. Such contributions would help generate new formulations of the law's provisions that secure the aforementioned guarantees. It is essential to adopt a comprehensive philosophy for preparing a revised draft that meets the aspirations of both citizens and experts for legislation that protects and safeguards individual rights and ensures fair and equitable trials in line with international human rights law.

In reaffirming its view that the presidential decision represents a significant yet preliminary step, the ACIJLP renews its call for the urgent establishment of an independent expert committee composed of deans of law faculties in Egyptian universities or their representatives, alongside representatives of civil society organizations, professional unions, the legal profession, and the judiciary. This body would be entrusted with drafting legislation that both protects individual rights and balances the public interest with the guarantees of fair trial standards.

In this context, the ACIJLP further announces the continuation of its campaign, launched in 2017, against the draft law on criminal procedures until the law is redrafted in compliance with international human rights law, thereby safeguarding the rights and guarantees of individuals to a fair and just trial.