

INTERFERENCE IN THE AFFAIRS OF JUSTICE IS A CRIME NOT SUBJECT TO STATUTE OF LIMITATIONS



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 at the Arab Center for the Independence of the Judiciary and the Legal Profession expresses its profound concern and deep disquiet regarding circulating reports of directives issued by the executive authority seeking to abolish the Judges' Appointments Office at the Office of the General Prosecutor, assign the Military Academy responsibility for the training and appointment of new assistant prosecutors, and assume authority over judicial promotion files. This concern is further exacerbated by the fact that, as of the issuance of this statement, no official body has come forward to deny these reports.

The Foundation affirms that judges, as those entrusted with making final determinations affecting citizens' lives, freedoms, rights, obligations, and property, in accordance with the United Nations Basic Principles on the Independence of the Judiciary, are not defending a private or corporatist interest. Rather, judicial independence is a matter that directly concerns the fundamental rights and freedoms of citizens and the protection of both private and public property.

The Foundation further stresses that any attempt to subject matters related to the training, appointment, or promotion of judges to any institution subordinate to the executive authority constitutes a grave assault on justice and a flagrant violation of the United Nations Basic Principles on the Independence of the Judiciary. These principles prohibit any improper or unwarranted interference in judicial proceedings (Principle 4) and affirm judges' right to form associations representing their interests, advance their professional training, and safeguard their independence (Principle 9). Such attempts also contravene the provisions of the Beirut Declaration on Justice and the Cairo Declaration on the Independence of the Judiciary in the Arab Region.

The Foundation also affirms that the practices referred to in these reports amount to interference in the affairs of justice, which is expressly prohibited under the provisions of the Egyptian Constitution, particularly Article 184, which stipulates that "The judicial power is independent. It is exercised by the courts of all types and jurisdictions, and they shall issue their judgments in accordance with the law. The law defines their competencies. Interference in the affairs of justice or cases is a crime not subject to statute of limitations."

The Foundation asserts that this escalating trajectory of violations of the principle of judicial independence in Egypt—against which it has previously warned—is a natural outcome of unprecedented practices in recent years. These practices include the acceptance by members of the supreme judicial councils of subjecting their members to formative training courses at the Military Academy, an institution subordinate to the executive authority. Such practices must

cease immediately and unconditionally in order to safeguard the independence of the judiciary and to ensure citizens' rights to fairness and justice.

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