



ELDH European Association of Lawyers for Democracy & World Human Rights

WITH LAWYERS
IN 16 COUNTRIES

EJDM Europäische Vereinigung von Juristinnen & Juristen für Demokratie und Menschenrechte in der Welt
EJDH Asociacion Europea de los Juristas por la Democracia y los Derechos Humanos en el Mundo
EJDH Association Européenne des Juristes pour la Démocratie & les Droits de l'Homme
EGDU Associazione Europea delle Giuriste e dei Giuristi per la Democrazia e i diritti dell'Uomo nel Mondo

Equality Privacy Social Rights
No Racism Peace No Torture Civil Rights No War
Self-Determination of Peoples Democracy
Human Rights Rights of Migrants

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Press Release

EUROPEAN LAWYERS PROTEST AGAINST THE ABOLISHMENT OF DEMOCRACY IN EGYPT

As Lawyers for Democracy and Human Rights we express deep worries about the current attempts of the Egyptian administration to establish a non-secular constitution and to restrict basic Human Rights, Freedom of Expression and Independence of Justice.

On the 22nd of November 2012 President Morsi issued a constitutional declaration which leaves all his decisions immune to any juridical judgement. Following, all laws and decrees of the President, from his Taking office on the 30th of June 2012 until the adoption of the new constitution and the election of a new parliament, will be final. This declaration is a deep and unacceptable interference with the Independence of Jurisdiction and intolerable in any democratic state. The Supreme Judicial Council of Egypt has criticized the President's declaration "an unprecedented attack on the independence of the judiciary and its rulings".

As well, facing heavy protests of over 200.000 democratic and left-wing protesters and a strike of courts all over Egypt, including the Cassation Court of Egypt, today the constituent assembly, which is controlled by the Islamist Muslim Brotherhood and the Salafist Nour party, voted for a new constitution. This covers i.e. the following Articles:

- Article 2 determines sharia as the basic source of Jurisdiction
- Article 3 restricts Jews and Christians to private practicing of their Religion
- Article 44 restricts Freedom of Expression by criminalizing "Insults against any prophets"

The liberal, secular and Christian members of the assembly have left in protest before the vote.

These changes to constitution threaten in an unacceptable manner the religious Rights of Jews and Christians to practice their Religion publicly. It endangers especially Women and Homosexuals by declaring sharia to be the base of any jurisdiction. Furthermore, it threatens the basics of Human Rights by establishing a religious Code of Law. As well, it puts freedom of expression at risk by criminalizing "insults of any prophets", which may well be used to prosecute any secular opposition.

ELDH European Association of Lawyers for Democracy & World Human Rights
President: Professor Bill Bowring, London | E-Mail: bill.bowring@eldh.eu | Phone +44 (0)781 048 34 39
Présidente d'honneur: Professeure Monique Chemillier-Gendreau, Paris
Secretary General: Rechtsanwalt Thomas Schmidt, Düsseldorf | E-Mail: thomas.schmidt@eldh.eu |
Phone +49 (0)172 68 10 888
Postal address: ELDH | Thomas Schmidt | Platanenstrasse 13 | D - 40233 Düsseldorf (Germany)
Website: www.eldh.eu

ELDH expresses deep regret of this turnout of the Arab spring in Egypt. It expresses as well support with the democratic secular protesters in Egypt and our democratic colleagues on strike in Egyptian courts.

ELDH calls for an immediate annulment of the changes to the Egyptian constitution, as they contradict basic Human Rights and the Independence of Justice, which is essential for any democratic State.

ELDH expresses hope that the Egyptian people will vote down the new constitution in the public referendum and push for a real change towards Social Justice, Freedom and Human Rights. ELDH demands, that no pressure may be used on voters by the regime.

ELDH demands from the European Union and the United Nations that they should not abstain from the necessary protest against this betrayal of the objectives of the Egyptian revolution and the abolishment of this young democracy. The role of the Egyptian president in the negotiations of a ceasefire between the Hamas leadership and the Israeli Government should not be taken as a pretext for the tolerance of severe violations of human rights and democratic principles.