

MB: Delayed Justice Is Ongoing Injustice.. And Putting off Implementation of Any Law Does Not Justify Delaying Justice



The decision to postpone the implementation of the new Criminal Procedure Code in Egypt puts the Egyptian justice system in front of an imperative of a thorough review of the law – one that extends beyond merely addressing the law's disastrous provisions, which had sparked widespread legal and human rights objections.

This review takes on greater urgency given the harsh humanitarian conditions within the Egyptian prisons amid the strikes and protests currently taking place there.

This necessitates listening to and addressing the detainees' legitimate and lawful demands, as well as immediately tackling the root causes of these actions, rather than reducing the issue solely to its security dimension.

The release of detainees and those held in pre-trial detention is an enforceable right, which does not require getting caught in the cycle of postponing implementation of laws that are fundamentally flawed. Therefore, the year of deferral should not be added to the ages of the detainees.

In fact, what the government views as a grace period to prepare for the law's implementation represents, for the detainees and their families, an entire year of life that can never be reclaimed – especially given that pretrial detention has shifted from an exceptional measure into a prolonged punishment imposed without a court verdict, a suffering further exacerbated by the practice known as 'recycling'.

At least, let this period serve as an opportunity for a genuine and serious review of the rule of law, the fairness of judicial proceedings, and the overall conditions within prisons.

Most significantly, detainees must not be made to pay the price for this year (during which the implementation of the law referred to has been postponed) with their own lives.

Delayed justice is a form of ongoing injustice. What is required – as a point of national consensus – is putting an end to the practice of ‘recycling’ detainees (into new cases) and to prolonged pre-trial detention.

It is also essential to rapidly lay the groundwork for the release of all detainees through a thorough and serious review of the justice system, encompassing legislation, practices, prison conditions, and fair trial guarantees.

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