



AMNESTY INTERNATIONAL AND ARTICLE 19

Public Statement

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Lebanon: Concern over prosecution of human rights lawyer Dr Muhamad Mugraby

Joint Statement by Amnesty International and ARTICLE 19

Amnesty International and ARTICLE 19 have written to the Minister of Defence and the Minister of Justice in Lebanon urging them to drop the defamation charge brought against human rights lawyer Dr Muhamad Mugraby for remarks he made to a delegation of members of the European Parliament almost three years ago.

The two organizations expressed concern that Dr Mugraby, who is due to stand trial before Lebanon's Military Court on 17 April, could be imprisoned for up to three years and said that they would consider him a prisoner of conscience if he is jailed – on the grounds that he was exercising legitimately his right to freedom of expression when he spoke to members of the European Parliament.

Dr Mugraby was accused of slandering Lebanon's military establishment and its officers after he criticised the military court system at a meeting with the European Parliament's Mashreq Delegation on 4 November 2003 in Brussels. In particular, he criticised what he said was the inadequate legal training of the court's judges and its failure adequately to address allegations made by defendants that they were tortured in pre-trial detention to extract "confessions".

In their joint letter to the Lebanese ministers, ARTICLE 19 and Amnesty International said Dr Mugraby's prosecution breached Lebanon's obligations under the International Covenant and Civil and Political Rights to guarantee freedom of expression and Principle 23 of the UN Basic Principles on the Role of Lawyers, which guarantees lawyers the right to discuss "matters concerning the law, the administration of justice and the promotion and protection of human rights". In addition, it breaches the Euro-Mediterranean Association

Agreement between Lebanon and the European Union which came into force only two weeks ago, on 1 April 2006. Article 2 of the Agreement requires participating states to uphold “respect for human rights and democratic principles.”

The two organisations also expressed concern that Dr Mugraby’s current prosecution follows earlier attempts to prosecute him apparently because of his activities as a human rights defender and lawyer, and called on the Lebanese government to ensure that all those undertaking legitimate activities work in defence of human rights in Lebanon are able to do so free from harassment or persecution.

Background

Amnesty International has repeatedly expressed concern about the Lebanese military court system whose trials fall far short of international standards for fair trials. In particular, contrary to Lebanese legislation, military courts have been granted wide jurisdiction to try civilians; fail fully to explain their verdicts; use summary proceedings which undermine defence rights; and have judges who are predominantly military officers with inadequate legal training. The military courts’ proceedings are not subject to independent judicial review, an essential requirement for fair trial.

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