



# INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

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## COMMUNIQUE DE PRESSE - COMUNICADO DE PRENSA

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### **Lebanon: Human Rights Lawyer Did Not Receive Fair Trial**

Court hearings to challenge decisions of a Disciplinary Committee of the Beirut Bar Association to disbar Muhamad Mugraby, a Lebanese human rights lawyer, were manifestly unfair states the International Commission of Jurists' Centre for the Independence of Judges and Lawyers (ICJ/CIJL) in a report released today. The tribunal was not impartial and independent as two of the three judges also serve as assistant military prosecutors within the military justice system. The assumption of both roles by the appellate court judges is incompatible with the actual or perceived impartiality of the tribunal.

The ICJ/CIJL monitored the proceedings relating to Muhamad Mugraby at the 12<sup>th</sup> Appellate Panel of the Civil Court in Beirut.

The ICJ/CIJL also found that Dr. Mugraby's right to have counsel of his own choosing was violated as his lawyers themselves have been suspended for having represented him in a criminal action in which Dr. Mugraby was charged with "pretending to be a lawyer." Due to their suspension, Dr. Mugraby's two lawyers, Mr. Muhamed Fakh and Mr. Jihad Abu-Nader were unable to represent him in the appellate hearings. The striking of Dr. Mugraby's name from the members' roll as well as the punitive suspension of his lawyers by the Disciplinary Council of the Beirut Bar Association, constitutes a violation of the UN Basic Principles on the Role of Lawyers and sends a chilling message to other human rights lawyers.

The ICJ/CIJL furthermore condemns the attacks and threats against Dr. Mugraby's family and colleagues and believes that this lawyer's persecution is politically motivated and influenced by various factors such as: his public campaign denouncing corruption within the Lebanese judiciary; his vocal criticism of the presence of Syrian forces in Lebanon and the strong influence that Syria exerts over Lebanese political institutions; his on-going defense of victims of human rights violations, and his nomination for the presidency of the Beirut Bar Association.

The ICJ/CIJL urges the Government of Lebanon to respect its international obligations to guarantee the right to a fair trial, the right to have counsel of one's own choosing, and the right to freedom of expression. The ICJ/CIJL furthermore calls upon the Government to allow all lawyers to perform their professional functions without intimidation, hindrance, harassment or prosecution.

For further information, please contact: Linda Besharaty-Movaed at 41 22 979 38 09. The report is available on the website of the ICJ: [www.icj.org](http://www.icj.org)

The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

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