



# INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

*" dedicated since 1952 to the primacy, coherence and implementation of international law and principles that advance human rights "*

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## **LEBANON: ICJ welcomes decision of Military Court of Cassation to drop charges against Dr Mugraby**

The International Commission of Jurists (ICJ) today welcomed the decision of the Military Court of Cassation to drop charges against lawyer Dr Muhamad Mugraby, who was to appear before court on Monday 17 April. The ICJ had sent an observer to monitor the trial.

Two days before the scheduled trial date, the Military Court of Cassation dropped the charges against Dr Mugraby after concluding that military courts did not have jurisdiction over the case. Dr Mugraby had been accused of "defaming the military establishment and its officers" following a presentation he made before the European Parliament in October 2003. After the lower court, the permanent military tribunal, rejected Dr Mugraby's petition on 20 March 2006, he appealed to the Military Court of Cassation citing several grounds, including lack of jurisdiction of military courts.

Following the decision of the Military Court of Cassation, the trial, scheduled for Monday 17 April, was cancelled.

While the ICJ welcomed this latest development, it notes that Dr Mugraby should not have been charged in the first place. "Satisfaction and relief that Dr Mugraby will not face the ordeal of this trial does not remove the fact that he should never have been prosecuted for exercising his right to freedom of opinion and expression", said the ICJ.

The organization called on the Lebanese authorities to build on this decision by fully implementing the recommendations of the UN Human Rights Committee after its examination of Lebanon's report under the International Covenant on Civil and Political Rights in 1997. In its conclusions, the Committee called on the authorities to review the jurisdiction of the military courts.

"The decision of the Military Court of Cassation is a step in the right direction, but much more still remains to be done to bring Lebanon's justice system in line with international obligations", said the ICJ.

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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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