



The Tahrir Institute
for Middle East Policy

EGYPT PARLIAMENT QWATCH



Session Two Report
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INTRODUCTION

When Egypt's current legislature gathered under the dome of the parliament building on January 10, 2016, the country completed the final step in its "democratic road map." But simply convening as a parliament does not necessarily mean that body is truly engaging in democratic practice; further analysis is necessary to examine the function of the parliament and the ability of members to uphold their sworn oath to respect rule of law and the interests of the Egyptian people. Thus, the Tahrir Institute for Middle East Policy (TIMEP) launched its Egypt Parliament Watch project to assess the performance of Egypt's unicameral parliament, the House of Representatives, and the quality of the legislation it produces.

The project includes years of data collection and review of political developments in the country, and it builds on TIMEP's Parliamentary Elections and Legislation Tracker projects, which provided comprehensive analysis of the 2015 elections and legislation passed by executive decrees under President Abdel-Fattah El Sisi.

This report serves as the second full session report in the ongoing project. Along with the others in the Egypt Parliament Watch series, it provides analysis on the parliament with sections on parliamentary performance and legislation, along with appendices detailing a timeline of the second session and the report's methodology.

Performance Indicators

This section reviews the parliament's performance based on four key indicators, describing relevant developments and providing analysis and areas of concern.

The indicators include:

Balance of Powers: Was the parliament able to act as an effective check and balance to the executive, the judiciary, and other state institutions?

Accountability: Did members of parliament restrict their activity in accordance with existing statutes and bylaws, and did parliament implement equitable mechanisms to sanction members who did not?

Public Engagement and Transparency: Did the parliament make its activities known to the public and seek to engage with its constituencies to ensure effective representation?

Legislative Capacity: Was the parliament able to craft sound legislation in compliance with international and constitutional law?

Legislation Tracker

In line with TIMEP's previous legislation tracker project, this section provides an English-language register of laws and relevant information. This section also features a spotlight of substantive legislation, with legal and constitutional analysis.

It is TIMEP's hope that this report and the analysis found herein will be of use to those interested in Egypt's progress toward more democratic representation, which was and has been a key demand since the 2011 revolution. As with all of TIMEP's work, the report is intended to inform policies that will support the role of truly democratic institutions as part of a holistic policy program that holds human rights and rule of law as both inherently valuable and integral to security, stability, and prosperity.



EXECUTIVE SUMMARY

Egypt's House of Representatives began its second legislative session on October 4, 2016, by celebrating the 150th anniversary of parliamentary politics in Egypt. Unlike the first legislative session, about half of which was spent reviewing past presidential decrees and establishing the bylaws for the parliament, this second session was a full legislative session—the first since the former legislature was dissolved in 2013. During the second session, the parliament elected new committee leadership, passed 54 laws and amendments based on TIMEP's documentation, sent multiple delegations on local and international missions, and voted to remove a representative over perceived violations of the bylaws.

Performance Indicators

The performance indicators consider developments over the course of the session and analysis in the context of the parliament's stated mandate and international standards for democratic function.

Checks and Balances

- More parliamentary statements criticizing the performance of cabinet ministries were issued over the course of the second session than in the previous one. Nevertheless, the body rarely implemented Articles 129 and 136 of the Egyptian Constitution, which state that members of the executive branch are required to answer questions submitted to them by parliament and attend sessions when summoned. Members of parliament complained that the majority of government entities called upon ignored the requests, sent representatives instead of ranking members, or replied in writing weeks after requests for in-person briefings were issued.
- Article 131 of the constitution grants parliament the ability to hold votes of no confidence for any cabinet minister deemed to be unsatisfactory. Media statements by members of parliament called for the entire cabinet to be reshuffled, but the body only voted to replace the ministers of supply, agriculture, higher education, education, planning, transportation, parliamentary affairs, and local development.
- As in the first session, representatives of the Ministries of Interior, Defense, and Justice were never specifically summoned before parliament. Briefings on issues such as the national state of

SESSION I	SESSION II
TOTAL NUMBER OF LAWS PASSED	27
NUMBER OF GOVERNMENT-PROPOSED LAWS PASSED	18

¹ The EPW project considers genesis of a bill based on the authors of bills as they are recorded by the parliament.

24
out of
68

sessions did not achieve quorum

emergency, the Tiran and Sanafir Islands agreement, or laws relating to the purview of the aforementioned groups were given by representatives. However, **documented violations of domestic laws and international treaties did not result in interrogations by parliament**, despite other cabinet ministries receiving summons during the second session.

- Of the 54 laws whose formal passage by parliament in the second session was followed by TIMEP, 76 percent of them were wholly or mostly based on government-drafted bills.¹ This represents an increase from the 67 percent of laws passed in the first session that originated from government drafts.
- No votes on the predominantly government-drafted legislative agenda of the second session met significant opposition. (During the first session, the body voted only against the government's draft Civil Service Law.) Although debates over the Tiran and Sanafir agreement and the Judicial Authorities Law could be categorized as lively or contentious, and while constituents and other state bodies called to oppose this legislation, a general assembly of parliament passed both laws on their first vote.
- While representatives continued to trumpet their independence in media statements, in practice parliament operated more as a rubber stamp for government legislation than an independent body with a legal mandate to serve as a check and balance to the executive and judiciary branches of government.

Accountability

- Powerful members of parliament continued to employ the Ethics Committee as a tool to quash dissent. Muhammad Anwar al-Sadat, a representative who criticized the country's human rights record, was voted out of parliament for allegedly leaking a draft law to foreign embassies. Ahmed al-Tantawi, a member of the opposition 25-30 Bloc, was also investigated for his outspoken opposition to the Tiran and Sanafir agreement. On the other hand, Ethics Committee rulings against two representatives whose violations did not challenge official government policy have gone unimplemented.



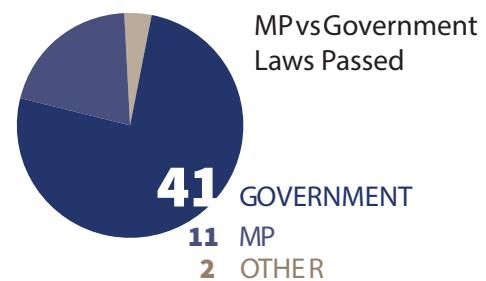
- The constitutional mandate that parliament pass a Transitional Justice Law before the end of the first legislative session was further ignored as drafts of the law did not even receive substantive debate during the second session. No penalties are outlined in the constitution for failing to comply, and no accountability measures were taken over the delay.
- During the second session of parliament, the body overlooked legal rulings and constituents' concerns in the cases of the Tiran and Sanafir agreement and Ahmed Mortada Mansour's Dokki/Agouza seat in parliament, which was occupied

illegally and actually won by Amr al-Shobaki. In both cases, members of parliament received legal notification and constituents voicing their opinion against the outcome. Nevertheless, representatives voted to approve the Tiran and Sanafir agreement and ignored the ruling stripping Mansour of his seat.

- **Members temporarily stacked competitive parliamentary committees to influence votes for leadership, in violation of the body’s bylaws.** The Housing Committee and Human Rights Committee elections for chairmen resulted in the addition of 29 and 30 members, respectively, to their rosters prior to the contentious votes; both committees had dropped by at least five and 14, respectively, mid-session. According to bylaws, members of parliament may not change committees outside of a set period, but no representatives were held accountable for this apparent misconduct.

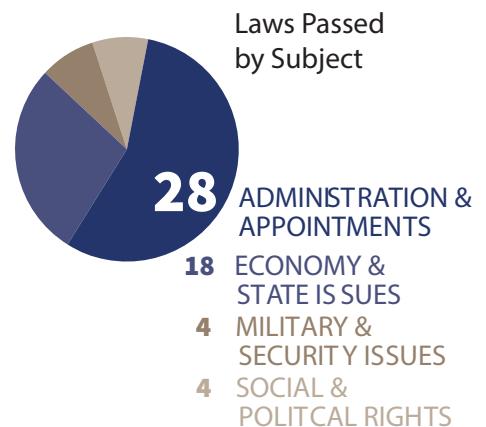
Public Engagement and Transparency

- Following a first session in which parliament released relatively little information about meetings, the second session featured more information about parliamentary procedures being made available to the public. However, this information still only represented a fraction of parliament’s agendas, draft bills, and committee reports. When these items were released, they were often not made available in a timely manner.
- **Parliamentary documents and information were given to the media asymmetrically during the second session.** Only outlets like Parlmany—a subsidiary of al-Youm al-Sabaa news corporation that is partially owned by Ahmed Abu Hashima, a donor to the explicitly pro-regime Nation’s Future Party—hosted multiple parliamentary meetings in its offices and was granted regular access to documents.
- Parliament’s official final report for the second session claimed that the body had passed 217 laws during the session. Yet the House of Representatives never produced any form of a list of these laws or any rubric for which legislative products constitute a law (TIMEP’s research only noted 54 laws passed in the second session). Conversely, parliament released a full list of the 27 laws passed in the first session within weeks of its end.
- Press coverage of parliament was not explicitly curtailed to the extent that it had been in the first session, though some journalists were still publicly threatened by representatives over negative coverage. Furthermore, representatives prioritized providing information and interviews to pro-regime media outlets.
- The House of Representatives did not return to using electronic votes or a live feed of general sessions of parliament in the second session, after a very brief adoption of these measures in the first session. Speaker of the House Ali Abdel ‘Al instead opted to continue holding votes by show of hands or standing in agreement. The brevity and confusion of this method, coupled with the fact that cameras covering the vote regularly pan away from parliamentarians during the action, make it impossible to determine the number of votes any law received or the voting record of any specific member during the second session.



Legislative Capacity

- TIMEP tracked and can account for 54 traditional pieces of legislation passed during the second legislative session, exactly twice as many as the first session. It should be noted that parliament did not begin legislating in earnest in the first session until April 2016, roughly halfway through the session, after the body's bylaws and review of previous laws were completed. **Parliament was then not meaningfully more productive when legislating in the second session than in the first session.**
- Over two-thirds of the draft bills submitted to parliament for debate in the second session came from parliamentarians. However, of the 54 laws eventually passed, TIMEP found that **three-quarters were authored by the government and only one-quarter were presented by a member of parliament.**
- **The 54 laws from the second session focused heavily on administrative and economic issues.** Twenty-eight of the laws were mainly concerned with administration and appointments. Eighteen of the laws were mainly concerned with the economy and state resources. Four laws were mainly concerned with military and security issues and the remaining four laws were mainly concerned with some aspect of social and political rights.



Legislation Tracker

The legislation tracker reviews the content and process for key pieces of legislation passed over the session, as well as features a register of laws passed.

Amendments to the Protest Law

- This law amends Article 10 of the Protest Law, which was ruled unconstitutional by the Supreme Constitutional Court. Articles 7, 8, and 19 were also challenged, but were upheld by the court.
- This amendment requires that the Interior Minister bring any request to prohibit, postpone, or change the protest to a judge (rather than make a unilateral decision as the original language allowed). Protest organizers are also now given the ability to appeal the decision.
- The amendment to Article 10 brings one of the problematic provisions of the Protest Law closer in line with Egypt's domestic and international legal obligations to protect the right to assembly. However, serious concerns about the repressive nature of the law remain.

Investment Law

- This law puts in place the framework for changes to the national investment scheme and seeks to attract more investment in the country by addressing loopholes and limitations in the previous investment process.
- The text of the law mandates that the government create an environment that encourages investment. It also promises more equitable treatment of investors, significant tax breaks, government support for new projects, and the restoration of private-sector zones exempt from taxes and customs, among other provisions.
- The executive regulations of the law, which were not finalized by the end of the second session, outline the specifics of these efforts and will largely define how the law is implemented going forward.

NGO Law

- This law was passed to replace Law No. 84 of 2002, which was approved under Hosni Mubarak's presidency, and to establish means to regulate the licensing, funding, and actions of nongovernmental organizations throughout Egypt. The law requires a lengthy registration process for any NGO wishing to work in Egypt, and stipulates consequences for work deemed to "harm national security, law and order, public morals, or public health." "Work of political nature" is also prohibited, which may prevent all advocacy efforts. Furthermore, organizations must ask government permission to accept international funds such as grants or to fundraise locally.
- After parliament voted to approve the law on November 29, 2016, it was reportedly edited for six months before being ratified by Sisi on May 29, 2017. While the constitution and the parliamentary bylaws stipulate that the president must act on a law within 30 days of being notified of the passage of the law, the executive claimed not to have been notified of its passage for the six-month period. While technically legal, the delay marks a violation of the spirit of the constitution.
- The law garnered condemnation from around the world throughout its drafting, approval, editing, and ratification process. Even after the law was ratified, it continued to be a point of contention when parliamentary figures met with foreign officials, no matter the purpose of their visit. This level of concern stems from the vagueness of the law's language and the potential for abuse by the state. Given the actions taken by the state against organiza-



tions supporting street children, torture victims, opposition parties, human rights activists, and alternative voices in society, the international community expressed unease with the state's total control over civil society under the new law.

Judicial Authority Law

- The judicial authority law changes the way in which the heads of the Court of Cassation, State Council, State Lawsuits Authority, and the Administrative Prosecution Authority are chosen. Under the new law, these bodies must present the president with a list of three candidates for the top position in each entity, and the president will choose the top judge for each body. Previously, the entities would reach a consensus on a candidate and would then present the candidate to the president for approval, which was largely viewed as symbolic.
- The way in which this law changes the relationship between the executive and the judiciary violates tenets of Articles 184 and 186 of the constitution, which enshrine the independence of the judiciary. The text and early implementation of the law demonstrate that it is intended to establish executive control over the judiciary.
- Top judicial bodies, unions, and clubs publicly opposed the law as it was being drafted. While the Court of Cassation, State Lawsuits Authority, and Administrative Prosecution Authority followed the protocol set forth by the new law, the State Council continued to oppose it by presenting a single consensus candidate for Sisi's approval. In response, Sisi bypassed the consensus candidate, the council's most senior judge, and instead appointed a judge ranking fourth in seniority.²



² The most senior judge on the State Council at the time was Yehia Dakrouri, who ruled against Sisi's Tiran and Sanafir agreement with Saudi Arabia.

PERFORMANCE INDICATORS

Checks and Balances

Inability to Hold State Bodies Accountable

In the second session, parliament was marginally more willing to publicly criticize cabinet ministers for poor performance in their respective portfolios. While no issues reached the scale seen in the first session, when Minister of Supply Khaled Hanafi was forced to resign while under investigation for corruption, several ministers were still summoned to discuss their perceived failures in front of parliament.³ However, throughout the session, representatives complained that only a minority of ministers answered parliamentary summons in person. The majority simply ignored the requests, sent others to represent them, or submitted written explanations in response. Parliament's inability to compel ministers to appear before it stands in contrast with Article 136 of the constitution, which states that it is "obligatory" for state officials to attend parliamentary sessions when requested. The House of Representatives' only constitutional recourse to being ignored by the cabinet is to hold a vote of no confidence and replace offending ministers, per Article 131.

Despite this explicit ability, parliament never effectively held any ministry accountable. During the second session, members of parliament called for everyone from the health minister to the supply minister to the full cabinet to be replaced, but never acted on these statements. Instead, the body waited until the government set a vote on a nine-minister cabinet reshuffle on February 14, 2017. The House of Representatives was not aware of the list of candidates the government was presenting for the positions until just hours before the vote, though the government had reportedly spent months convincing these candidates to accept positions in a cabinet that is regularly scapegoated. Once the names and positions to be voted upon were revealed, several representatives pushed back against the government's choice of agriculture

minister, Abdel Moneim al-Banna, over his history of corruption allegations. Yet, with the vote set and no viable alternatives available, parliament approved all of the government's suggested ministers on the first vote. The reshuffle did not include any of the ministers who had been under the most parliamentary scrutiny up to that point.

Additionally, while most cabinet ministers were excoriated for failures or disasters that fell within their purview, the defense, interior, and justice ministries, as well as the military, president, police, and state security apparatus, were never questioned



³ For example, the transportation minister was summoned over a train collision near Alexandria that killed 41 people; the finance minister was summoned when five shipping lines withdrew from Egypt and when members of parliament became concerned over the rising prices of basic goods; the sports minister was summoned after an Egyptian cyclist died of a heart attack while competing in the African Championship; and the health minister was summoned over reports of a mysterious virus striking Egypt and over the national lack of medication.

for their performance, continuing a trend from the first session. This played out despite ongoing issues including uncertain counterinsurgency progress in the Sinai Peninsula, the regular purchase of expensive military hardware during an economic downturn, and documented human rights abuses occurring under the aegis of these bodies. While representatives of these bodies did meet with parliament on rare occasions, it was always to correct misconceptions of poor performance or to provide an opinion on a topic before parliament would act on it. Examples of this included the minister of defense being summoned to speak about urban estates and multiple investigative delegations from the Human Rights Committee agreeing with officials that reports of abuse in Egyptian prisons were unfounded.

Lightweight Balance to Executive Power

Parliament also did not demonstrate an ability to balance against the executive's legislative agenda during the second session. In multiple cases, committees postponed discussions of laws to allow the government to present its own draft of the law for consideration over the existing drafts. This is notable because government drafts of laws accounted for only 31 percent of the total drafts presented during the second session, yet government drafts made up roughly 76 percent of the laws passed during the session. When committees decided to wait for the government to present a draft law, it almost always resulted in any and all drafts being sidelined for government versions.

The House of Representatives also failed to vote against any laws presented to them in the second session. Some representatives vociferously objected to laws, as was seen in the threats of at least 100 representatives to resign over the Tiran and Sanafir agreement. Nevertheless, representatives still approved Sisi's signing of the document, which was unpopular with their constituents and ruled unconstitutional by a court on the first vote, and referred Representative Ahmed al-Tantawi to the Ethics Committee for his exuberant opposition to the agreement. Parliament also chose not to push back against the late ratification of the NGO Law by Sisi and the notably late move of the International Monetary Fund loan to parliament. The loan was debated and passed on March 27, 2017, seven months after the agreement had been approved by the executive and at least four months after the loan money was reportedly disbursed.

More Active as International Emissaries of the Government

During the second session, parliament also increased its active campaigning on behalf of state policies abroad. The body still exchanged delegations with a myriad of friendly nations, with these exchanges often occurring around political or economic agreements being signed by civilian or military members of the government. However, the second session is notable in that the House of Representatives went beyond its perfunctory role in Egypt's foreign relations campaign. Examples of these efforts can be seen in the delegation of 14 representatives who visited the United States in June 2017 as part of the first official Egyptian parliamentary delegation to the country since 2008.⁴ The trip revolved around a series of meetings with officials from the administration of U.S. President Donald Trump, members of Congress, and policy institutions in Washington, in which the delegation sought to defend the image and policies of other state institutions with regard to the

⁴It should be noted that, of the dozens of representatives who made up these second session delegations, only one, Nadia Henri, could plausibly be noted as an "opposition" member. It is difficult to meaningfully ascribe the title of "opposition" to a member of a legislature that has not acted as a check on state power. However, the novelty of Henri's presence demonstrates the uniformity of such delegations, which could always be counted on to advocate on behalf of the state line.

much-maligned NGO Law, the national counter-terror strategy, and the safety of Copts following sectarian attacks. Representatives also served an important role in publicized state pressure on the U.S. following the issuance of a travel warning for Egypt. A group of representatives met with the U.S. ambassador in Cairo, explained the government's issues with the warning, and presented him with a signed letter to the U.S. Congress outlining their argument.

Analysis

Parliament's failure in the first session to serve as a meaningful check or balance on the other branches of government was repeated in the second session. Some representatives did attempt to hold government officials accountable by summoning cabinet ministers to account for crises affecting Egyptian citizens; however, the inability to turn these statements into meaningful outcomes demonstrates the degree to which parliament is not a check on the executive branch of the government. Despite having the constitutional power to censure ineffective officials and the legal mandate to force them to recognize parliament's requests, representatives failed to do so, resorting to repeated, hollow threats to resign from the body as their primary means of displaying their displeasure.

The second session further entrenched the rubberstamp nature of the House of Representatives. After an abbreviated first session under new bylaws, the second session was a full session with now experienced representatives. Members could have demonstrated improvements in their legislative and legal savvy during the second session, yet the parliament still ignored legal rulings from the highest courts, turned a blind eye to constitutional articles, and ignored its own draft laws in favor of the interests of security, intelligence, and executive bodies, serving as active agents of their own disempowerment throughout the second session. In this way, the session demonstrated parliament's acquiescence to its role as a subservient arm of the state.

Accountability

Selective Activation of Ethics Committee

The ultimate mechanism for enforcing accountability within parliament is the Ethics Committee, which was only selectively activated during the second session. At least 12 representatives were threatened with being sent before the committee for investigation. A number of others were also mentioned in connection to the committee in disparaging media statements. Only four representatives—Muhammad Anwar al-Sadat, Ilhami Ageina, Osama Shersher, and Ahmed al-Tantawi—actually met with the committee in the second session. Following disparate lengths of debate on each case, the committee issued strict rulings, though these were selectively implemented and only sanctioned those whose actions directly challenged regime interests: Sadat was the only representative to have the ruling against him implemented, when he was stripped of his seat for purportedly leaking a draft law to foreign embassies and forging signatures on bills. The committee postponed issuing a recommendation on Tantawi until the beginning of the third session, after he was referred to them for breaking a microphone and disturbing the order of a session in which he contested the government's decision to cede Tiran and Sanafir. Tantawi claimed that this postponement was illegal under the bylaws.

The committee recommended stripping Ageina of his seat for his comments supporting female genital mutilation, impugning the sexual prowess of Egyptian men, and calling for mandatory female virginity tests for college students, though this recommendation was ignored by parliament. The committee recommended banning Shersher for the second session for distributing sexual videos of another representative via a WhatsApp group, though this recommendation was also ignored by parliament. Similarly, Ageina and Shersher's charges before the Ethics Committee included harming the dignity of the parliament, though Representative Mortada Mansour, who has publicly called representatives Israeli spies and has been sued for libel over a dozen times since he began legislating, has not been censured for his impact on parliament's dignity.

Legally Unaccountable

Outside the activation of the Ethics Committee, the activity within the House of Representatives indicates that the constitution, existing legal rulings, and the parliamentary bylaws were not closely followed during the second session. Parliament once again failed to issue a Transitional Justice Law, which it was constitutionally mandated to do before the end of the first session in 2016. The law was never treated as a priority in the second session.

Parliament also chose to overlook rulings by several courts—including the Supreme Administrative Court, the highest court for cases involving government actions—declaring that the Tiran and Sanafir agreement had been implemented unconstitutionally. These rulings were made as long as five months before the House of Representatives decided to debate the law, but competing rulings from the Court of Urgent Matters issued throughout the debate period were used to justify parliament's ability to vote on it, even though the court has no jurisdiction on international border agreements and cannot overrule the Supreme Administrative Court.

The NGO Law was another legally questionable decision by the House of Representatives. Not only does the law potentially violate Article 75 of the constitution, which defines the rights of NGOs, but its implementation also exists in a legal gray area. According to Article 177 of parliament's bylaws and Article 123 of the constitution, the president is required to approve or veto laws within 30 days of being “notified” of the law by parliament. Yet 181 days passed between parliament's passage of the controversial law and its ratification by Sisi, reportedly because the president's office had not been “notified” of the law until then. Several representatives claimed that the law was being edited during this period, in which there was heavy international pressure on Sisi not to sign the law, though no notable edits were found in the ratified version. The NGO Law was the only law whose ratification was postponed in this manner during both the first and second sessions of parliament.

Similarly, the Judicial Authorities Law, which empowers the president to choose the heads of top state courts and legal bodies from three candidates put forward by the body, seems to violate several articles of the 2014 constitution (see the Legislation Tracker). The most prominent of these violations relates to Article 5, which mandates a separation of powers within the state. This obvious legal implications of this legislation led the State Council, High Judicial Council, and Judges Club to denounce it while the law was being drafted and debated.

Furthermore, the implementation of the IMF Loan is also highly legally problematic. Parliament's late vote on the loan violated Article 127 of the constitution, which states: “The executive authority may not contract a loan, obtain funding, or commit itself to a project ... except with the approval of the House of Representatives.”

Parliament Ignores Court Order to Install Amr al-Shobaki

Similarly, the House of Representatives continued to ignore the court ruling granting Amr al-Shobaki the seat of his electoral rival Ahmed Mortada Mansour, after Mansour's electoral victory was overturned by the Court of Cassation on July 20, 2016, following a recount. Four months later, the Constitutional Affairs Committee accepted this ruling, which parliament is legally mandated to enact, though no further action was taken. Low-level debate over the issue reached an impasse after Mansour's proponents claimed that the court order to unseat him was issued outside the electoral law's time limit for implementation of such a ruling, thereby creating a situation in which both sides continued to claim legal legitimacy. The leadership of parliament chose not to engage with the issue, leaving the situation and the legality of the hundreds of votes in which Mansour has participated in a legally precarious position.

Stacking Committees Before Leadership Votes

At the beginning of the second session, the elections for leadership of the Human Rights Committee and Housing Committee took place, and were stacked in favor of Alaa Abed of the Free Egyptians Party and independent Alaa Wali, demonstrating efforts to predetermine these elections. Given the number of candidates who still chose to contest these elections and the history of parties struggling to whip votes, it appears that a decision was made to stack some committees prior to the vote. The Human Rights Committee was the most notable, as its membership nearly doubled from 34 in the first session to 64 at the beginning of the second session. However, only five months after the vote, the number of representatives in the Human Rights Committee had fallen to 50, according to parliament's official website. Similarly, the Housing Committee saw its membership jump from 20 representatives to 49 representatives ahead of the vote, though it was reported to still have 44 members in February 2017. According to Articles 38 and 40 of parliamentary bylaws, representatives are allowed to change committees only during the preset period at the beginning of each session, and these positions must remain static, with representatives only able to vote in one committee for the duration of that session.

Quorum Violations

A large number of representatives also appeared to violate the sections of the bylaws stipulating attendance, independence, and voting procedures, but received no censure. As the House of Representatives continued to legislate without official vote tallies and release videos of sessions 24 hours after their end, the body's willingness to await quorum before a vote is the only measure the public has of whether quorum exists. Based on TIMEP's research, roughly 35 percent of general sessions of parliament (the meetings in which final votes on legislation are taken) were postponed or shortened for a lack of



quorum. Of the 68 general sessions that parliament reported holding during the second legislative session, TIMEP found evidence that 24 of those meetings were negatively impacted by a lack of quorum. The level of impact varied from session to session, with some being postponed by a half hour while others were postponed for five hours, though the average session only lasts four hours.

Many pieces of legislation require a two-thirds majority of parliament's approval to be enacted, and Article 362 of the bylaws only allows representatives to miss three sessions in a month before they are to be censured. Still, the House of Representatives consistently failed to attract or keep two-thirds of representatives inside the building, and in no instance was any member or body held to account for failure to attend session.

Analysis

The House showed negligible accountability for violations of court rulings, the constitution, and the bylaws written by parliament. These actions make a large number of parliamentary decisions legally questionable at multiple levels of the Egyptian legal system. The disinterest throughout the second session in implementing the Court of Cassation's ruling seating Amr al-Shobaki in the House of Representatives is blatantly illegal and has only become theoretically defensible through parliament's extended inaction. The vote by parliament on the Tiran and Sanafir agreement was certainly illegal based on the existing court rulings at the time. Even the legality of second-session laws that were not blatantly unconstitutional is up for debate, considering parliament's continued preference to vote by show of hands, which obfuscates whether votes achieve a required two-thirds majority to pass that threshold.

The body was further unaccountable to its own rules during the second session. The Ethics Committee continued to be used as a tool to threaten what little opposition exists in parliament. Notably only Muhammad Anwar al-Sadat, who openly criticized the parliament and the president, saw his Ethics Committee sentence implemented, despite three other formal committee rulings and multiple threats of committee investigations. This imbalance not only violates the bylaws, but also demonstrates the extent to which they are now treated as a political tool. Rule of law within parliament was sublimated to uniformity of voice.

Perhaps the only improvement in accountability over the second session came via the prioritization of the presence of quorum prior to votes, and an increased instance of postponement for lack of quorum. Even still, because of a lack of transparency, data is inconclusive as to whether these postponements accounted for all instances of lack of quorum.

Public Engagement and Transparency

Small Improvements in the Amount of Publicly Available Information

After a first session, in which parliament actively avoided transparent processes, there was a slight improvement in terms of the amount of information available to the public. Official parliamentary notes about the process of amending legislation were much more detailed in the second session and were available online. However, at the time of publication, parliament had not released a final list of the 217 laws that were purportedly passed in the second session on public or private portals, although a similar list was released following the first session.

The second session included a greater number of publicized committee hearings for draft laws. These sessions typically included citizens and government figures from relevant professions presenting their suggestions and fears surrounding draft laws to a specific committee. There is no documented evidence these suggestions were implemented in the legislative process. Nonetheless, select civil and military experts did have the opportunity to have their opinion noted and the general public had relatively more information about parliament than they did during the first session.

Unbalanced Journalistic Opportunities

Stories of journalists being barred from covering legislative issues within the parliamentary building became less frequent in the second session, though some parliamentarians discussed implementing greater control over media access to the House of Representatives during contentious debates. The overall trend for this session was for access to influential representatives and committee information to flow more readily toward supportive media members, though important events outside parliament, such as the majority Coalition in Support of Egypt meetings, were often still closed. Even as an increasing number of news outlets across the country came under pro-regime control, those outlets that had been previously allied with the pro-regime elements of the parliament, such as *al-Youm al-Sabaa*, were granted preferential access to the legislature. *Al-Youm al-Sabaa* is partly owned by Ahmed Abu Hashima, a well-connected steel magnate who funds the pro-regime Nation's Future Party. Parlmany, a subsidiary of *al-Youm al-Sabaa*, dedicated to covering parliament, hosted several meetings of representatives from the Coalition in Support of Egypt and powerful committees within parliament at *al-Youm al-Sabaa*'s headquarters. Journalists at other organizations were not explicitly denied access, though representatives did not make themselves as available to those outlets.

Alternately, journalists critical of the body were publicly pressured to shift their coverage. Prominent examples of this included Representative Mustafa Bakri convincing parliament to file a formal legal complaint against journalist Ibrahim Eissa for his coverage of parliament (Bakri also attempted to malign Eissa's wife in the process), and Representative Abdel Rahim Ali's being reprimanded after his newspaper published negative stories about parliament's conduct.

Legislating Lacks Basic Transparency

Some representatives, including several outside the traditional opposition, called for the live feed of parliamentary sessions to be reinstated in the second session, after being cut off just days into the first session. However, these suggestions were ignored and the idea received no substantive debate within the body. General assembly meetings were still filmed, and the recordings released 24 hours after the meeting had ended. Similarly, the first session decision to eschew electronic voting in favor of voting by a show of hands or by standing in agreement was not challenged in the second session. This process prevents vote tallies, representative voting records, and proving quorum for votes. Thus all power rests with Ali Abdel 'Al, the speaker of the House of Representatives, and his deputies, to determine whether a quorum is present and the final tallies of votes. The video evidence of the speed at which votes are taken calls into question how much of their judgments are based on pre-conceived notions of whether a bill should pass or not.

More Active in the Public Space

Individual representatives and parliamentary committees were more active in the public space during the second session than the first session. Several committees made official and occasionally unannounced fact-finding trips, including the Manpower Committee visit to factories, the Health Committee's visit to hospitals, the Social Solidarity Committee's visit to orphanages, the parliamentary delegation to document flooding in Red Sea governorates, the parliamentary delegations to assess issues in border governorates, and the Human Rights Committee visits to prisons. Each trip was meant to allow representatives to ascertain the state of affairs in these locations or gather feedback from the citizens associated with them, though in some cases the trips raised more concerns than they may have addressed, such as when the Human Rights Committee's prison visits did not uncover any of the well-documented human rights abuses occurring in Egyptian penal institutions.

Representatives also continued to make efforts to meet with their constituents when parliament was in recess. Some of these meetings were well-publicized. The publicized reports of discussions between representatives and their constituents appeared to focus on community services. Representatives including Abdel Hakim Massoud, of Beni Suef spoke of the ambulances, schools, mosques, and government funding brought to his community, and only in rare cases discussed national issues such as curbing corruption or the Church Construction Law.

Analysis

The House of Representatives did improve its transparency and public engagement, though it still fell short of being a truly transparent parliament. The relatively greater availability of information on parliament allows Egyptian citizens to follow some of the body's developments and question their representatives about them during the increasingly publicized meetings between representatives and constituents. This noted improvement is a step in the right direction, but it does not make up for the lack of a final list of laws, the intentional obfuscation of the legislative process surrounding the NGO Law, or the decision to eschew vote tallies. Parliament's decision to provide some forms of information while denying requests for others demonstrates an attempt to merely appear transparent by presenting large quantities of relatively low quality information that has been filtered through pro-state media channels. The result is a sanitized picture of the House as speaking on behalf of the people and fighting government corruption daily, and a failure to provide proper avenues to address grievances.

Parliament's increased public engagement in the second session is also somewhat of a mixed bag. It is promising that the body began taking fact-finding trips and activating a greater extent of its legislative powers, yet these trips often ended only with "proof" of the government line on the given topic—a line that has been repeatedly challenged with evidence from international observers and researchers. The few reports that were critical of the situations facing citizens never directly impacted the legislative agenda. In this way, the House of Representatives effectively served as an extension of the government's public relations campaign. The lack of follow up on any of the known or discovered problems facing citizens speaks to the parliament's disinterest in genuinely engaging with constituents.

Legislative Capacity

Relative Increase in Number of Laws Drafted by Representatives

The true legislative capacity of the House of Representatives is difficult to assess given the parliament had not compiled any public or private lists of the laws passed in the second session prior to the publication of this report. What information that was released by parliament about its second session stated that the body had passed 217 laws.⁵ This number was repeated and touted for its size multiple times by leaders of parliament. However, TIMEP's monitoring of the traditional legislation produced during this session noted only 54 laws passed.

The discrepancy between the number of laws that the House announced and those covered in the media may stem from the inclusion of memoranda of understanding, oil exploration concessions, and other executive decisions in the official count. Of the new laws or legal amendments that were discussed publicly, we see a similar pattern to the first session. The 54 known laws from the second session represent a 100 percent increase over the 27 laws passed in the first session, reflecting the fact that representatives did not begin legislating in earnest until the last five months of the first session, whereas the body had the full nine months of the second session to concentrate on legislation. With almost twice the amount of time in session, the parliament produced exactly twice as many laws, pointing to no overall change in that facet of the legislative process.

According to the House of Representatives' self-reported tally of second-session laws, 96 percent of the purported 217 pieces of legislation passed in the second session were drafted by the government. Of the 54 laws tracked by TIMEP, the percentage of government-drafted laws passed in the second session falls to roughly 76 percent. Eleven of the 54 new laws or amendments in the second session came from members of parliament and two laws had mixed origins that make it difficult to meaningfully assign them to either side. These numbers do not represent a large departure from the 5 of 27 laws in the first session that could be tied to a representative or mixed-origins draft law. Drafts presented by representatives were more plentiful than government drafts in the second session, with only 113 of the 368 presented drafts coming from the government. This means that government draft laws made up roughly one-third of drafts available for discussion and three-fourths of laws enacted, pointing to a clear preference for government-authored drafts.

Most Laws Focused on Powers of Government Bodies

During the second session, the vast majority of laws passed (85 percent) were mainly administrative or economic in nature. The 28 laws relating to administrative issues and appointments, such as the National Election Authority Law and the Judicial Authorities Law, dominated the House of Representatives' legislative efforts. This category, which included appointments, creation of government bodies and amending the powers of government entities, had the largest increase of any of the categories employed in this report, growing from 30 percent of total laws in the first session to 52 percent of total laws in the second session. Economically focused laws, such as the Civil Service Law and the Investment Law, also received notable parliamentary attention, but their number did not significantly increase as compared to the first session. In both sessions, roughly one-third of the legislation

⁵At the end of each session, the House produces a report on its activities throughout the session. On the final day of the second session, parliament published its session report, which stated that it had passed 217 laws over the nine-month period. The report gave no further details on the laws or where to find more information on this substantial increase from the 27 first-session laws. The style of the second session report differed from the first session report, which included a complete list of the legislation that had been passed and information on each law. In the absence of this official parliamentary list, TIMEP's analysis in this report relies on its long-term tracking of the legislation moving through parliament each session.

passed was geared toward improving the volatile economic situation in the country. Legislation relating to the military and security decreased the most between the sessions, in both relative and absolute quantity.

However, the seven percent of total legislation that focused on traditional military matters does not indicate a decrease in parliamentary support for Egypt's security efforts. The automatic approval and renewal of the local and national states of emergency, coupled with the amendments to the Emergency Law, provided national security forces with a vastly increased range of operations, despite these efforts only being listed as a single item on the final list of second session legislation.

The change in laws relating to social and political rights was negligible, however, as these issues received the least successful legislative effort during the second session. Despite totaling only seven percent of passed laws, the social and political laws, which include the amendment to the Protest Law and the NGO Law, arguably stirred the most controversy locally and globally.

Analysis

The House of Representatives' legislative capacity in the second session was notably weak, recreating a similar dynamic to past parliaments, where the majority of legislation is not drafted by the body.⁶ The 54 traditional pieces of legislation passed during that period also saw a decrease in the percentage of laws drafted by representatives being passed, when compared to the first session. In addition, during the drafting of the NGO Law during the second session, reports suggested that representatives had received completed draft laws or drafting instructions from state security bodies. Aside from lacking basic measures of transparency, this would suggest that some of the laws officially recorded as representative drafts are actually government drafts with hidden origins, and so the number of laws officially recorded as representatives' drafts may be inflated.

The breakdown of the types of laws that the House voted on during the second session is also somewhat misleading if taken at face value. It should be noted that, given Egypt's difficult economic conditions, focusing on economic issues by passing multiple cost of living and pension raises seems like a proper use of parliament's legislative powers. However, the percentage of highly controversial laws passed during the second session also rose compared with the first session. Take, for example, the Judicial Authorities Law, NGO Law, Media Bodies Law, amendments to the Criminal Procedures Law, and amendments to the Emergency Law, which, respectively, produced local protest, caused international outrage, and have questionable legality and constitutionality.

⁶The body reported that 96 percent of all its legislation had been drafted by the government; of the 54 substantive laws that TIMEP tracked, 76 percent were government drafts. As noted in the first session report, 94 percent of new laws were drafted outside parliament in 1984, 99 percent in 1987, and 100 percent in 1996–1997.

LEGISLATION TRACKER

Throughout the House’s second session, TIMEP documented the formal passage of 54 laws (see table later in this section). Of those, four are highlighted below to provide a deeper analytical window into the parliament’s adherence to its internal regulations, constitutional mandates, and international legal obligations. TIMEP selected these laws for the substantive changes they made to existing legal structure, significant social implications, problematic or praiseworthy text or process, or notable aberrances.

Protest Law Amendment

After Article 10 of Egypt’s Protest Law—which allowed the interior minister to prohibit, postpone, or change the location or route of a protest if serious information or evidence of security threats arose—was found unconstitutional by the Supreme Constitutional Court, the House of Representatives passed an amendment to the law changing the article in question. The amendment has since been ratified. The new article now allows the interior minister to bring his request to prohibit, postpone, or change the protest to a judge; authorizes the judge to make the determination in question; and allows protest organizers the ability to appeal the determination.

The new amendment to the Protest Law is commendable in that (1) it replaces unilateral authority initially handed to the interior minister with a formal judicial process and judicial review, and (2) in that it allows the protest organizer to appeal the decision. However, in light of an increasingly politicized judiciary, there is fear that determinations governing protests may not be litigated fairly and may be based on deference to Egyptian security authorities under the pretense of security and stability.

The amendment to Article 10 brings the country’s Protest Law closer in line with Egypt’s domestic and international legal obligations to protect the right to assembly. Although the International Covenant on Civil and Political Rights allows limited restrictions on freedom of assembly for the interests of national security and public safety, such restrictions must have a legal basis and must be “necessary in a democratic society.” Ultimately, it is the implementation of Article 10 and how rigorously and fairly the court reviews protests brought before it that will determine whether the country’s officials are appropriately safeguarding the right to freedom of assembly.

Investment Law

To streamline investments in the country and encourage additional investments, the House passed a long-awaited Investment Law—ratified by Sisi on June 1, 2017—with provisions aimed at more equitable treatment of domestic and foreign investors, significant tax breaks for projects areas needing development, government support for the cost of connecting utilities to new projects, and the restoration of private-sector free zones or areas exempt from taxes and customs, among others.

Per Articles 27 and 28 of the Egyptian Constitution, the economic system is committed to encouraging investment and the state commits to providing an environment that attracts investment. By passing legislation that seeks to address previous hiccups, loopholes, or limitations in the investment scheme, Egyptian authorities are attempting to meet these obligations and instill energy into the country’s suffering economy.

Observers are optimistic about the new Investment Law, but some have noted that much will be determined by the law's executive regulations, which will iron out the details and clarify how accessible the benefits presented by the law will be by the country's existing and prospective domestic and foreign investors.

NGO Law

In a mysterious and still unexplained process, Egypt's replacement for its Mubarak-era NGO Law (Law No. 84 of 2002), was seemingly approved by the House of Representatives on November 29, 2016, and not ratified by the president until May 29, 2017.

Law No. 70 of 2017, which has been referred to as "one of the most draconian civil society laws adopted in the Middle East if not worldwide," sets severe constraints on the right to freedom of association, clearly violating Egypt's domestic and international legal obligations to protect the right. The law makes registration for associations mandatory and requires extensive documentation to be submitted for registration to be complete; the Ministry of Social Solidarity is also granted expansive discretion to reject the registration in a 60-day period. Various activities conducted by associations require prior government permission and the law includes a vague prohibition on activities that "may harm national security, law and order, public morals, or public health." "Any work of political nature" is also prohibited, possibly implicating the ability of associations to partake in advocacy.

For an entity to receive and use foreign funding, it must receive permission from a newly created national regulatory agency; prior permission before domestic fundraising is conducted is also necessary. The government is granted significant oversight rights over an association's activities, effectively creating opportunities for authorities to intervene in the association's day-to-day work. Finally, the law sets imprisonment, a fine, or both as punishment for violations.

The text of the law is expected to be implemented at a time when Egypt is witnessing a severe crackdown on independent voices. Furthermore, the murky process by which the law was passed, raising questions on whether proper process was followed, brings to light serious questions on the House's willingness to safeguard the rights of Egyptians.

Judicial Authority Law

Despite public contention among the country's justices while the law was being drafted, the House of Representatives approved amendments to the Judicial Authority Law that have since been ratified. The law now mandates that the Court of Cassation, State Council, State Lawsuits Authority, and the Administrative Prosecution Authority present the president with a list of three candidates for the top position in each entity; thereafter, the president will choose from these three. Previously, the entities would reach a consensus for a candidate and would then present the candidate to the president for symbolic approval.

The law as amended raises significant questions on the independence of the judiciary and grants the president significant authority in determining the leadership of the top judicial entities across the country. Per Article 184 of the country's constitution, "the judiciary is independent," and per Article 186, "judges are independent." Enshrining a system which makes the appointment of the country's top justice's subject to the choice of the executive blurs the line of independence between two branches of government and is cause for concern at a time during which observers note the increasingly politicized nature of the Egyptian judiciary.

LEGISLATION TRACKER

Legislation Name	Description of Proposed Legislation	Genesis	Date Enacted	Type
Civil Service Law	Raises annual the salaries of state employees by seven percent, while introducing workplace performance reviews, the Civil Service Council, subsidy cuts, and a new tax system.	Government	10/4/16	Economy and Resources/ Administrative and Appointments
Amendments to Organizing and Encouraging Manufacturing Law	Is meant to stabilize the Manufacturing Federation and the manufacturing chambers by instituting the constitutional mandate that the prime minister be the official with the power to create them instead of the president. It also governs these bodies' powers in view of the law.	Government	1/4/17	Administrative and Appointments/ Economy and Resources
Amendments to the Criminal Procedures Law	Ensures that if a victim of rape has not reached 18 years of age or if the defendant is among those mentioned in the second article of Article No. 267, including those who have power over the victim either at work, family or school; pressured the victim; or committed the crime in a group of two persons or more, or if one of them possessed a weapon, the penalty should be between three to seven years in prison and a fine from LE50,000 to LE100,000.	Representative Suzy Nashed	1/4/17	Social and Political Rights
Workers Syndicate Head Council Term Law	Extends the Workers Syndicate head council's term for another six months.	Government	1/22/17	Administrative and Appointments
Importer Records Law	Recalibrates the minimum amount of capital necessary to register as an importer or importing LLC. Also adds a training course on the rules and regulations for those requesting to be added to the record.	Government	1/23/17	Administrative and Appointments/ Economy and Resources

Legislation Name	Description of Proposed Legislation	Genesis	Date Enacted	Type
Amendments to Conciliation Committees Law	Establishes the rules for conciliation committees to handle disputes with the financial stake not totaling more than LE40,000 in 30 days or less.	Government	1/23/17	Economy and Resources/ Administrative and Appointments
Amendments to Judicial Committees for Military Officers Law	Reforms the administrative judicial committees for military officers to include only legal members and not administrative members, who had previously been included.	Government	1/23/17	Military and Security Affairs/ Administrative and Appointments
Amendments to Legal Committees for Military Officers Law	Stipulates which ranks officers must hold to serve as chairmen or members of the legal committees that are empowered to rule on military administrative issues. Also stipulates that their rulings can be appealed to the Supreme Military Legal Committee within 60 days.	Government	1/23/17	Military and Security Affairs/ Administrative and Appointments
Specialized Ports Law	Allows the prime minister, instead of the president, to establish ports; stipulates that port creation must be cleared with the Ministry of Defense; shortens the length ports must be public facilities from 99 years to 15 years.	Government	2/26/17	Administrative and Appointments/ Economy and Resources
Amendment to the State Awards for Intellectual Achievement Law	Reforms the committees choosing state awards such as the Order of the Nile, the State Appreciation Award, the State Award for Excellence, and the State Encouragement Award. No one from the Board of Trustees or the Administrative Council bodies can be nominated for the prizes. Also increases the material reward for the prizes.	Representative Osama Heikal and 60 members of parliament	2/26/17	Administrative and Appointments
Amendment to High Culture Council Law	Activates the council to serve the state in cultural matters and in issues of granting state prizes for culture. Also reforms the council to include no more than 32 members and to be led by minister of culture. Members are to include the ministers of education, higher education, tourism, and youth in sports; the secretary-general of the Supreme Culture Committee; representatives from the Ministry of Planning and High Council of Universities; the leaders of the Writers Union, the Actors Syndicate, the Musicians Syndicate, the Cinema Syndicate, and the Sculptors Syndicate;	Representative Osama Heikal and 68 members of parliament	2/26/17	Administrative and Appointments/ Military and Security Affairs

Legislation Name	Description of Proposed Legislation	Genesis	Date Enacted	Type
	and the heads of Ministry of Culture departments and art houses. Also aims to raise levels of culture, combating hate speech, develop education programming, improving coordination among cultural bodies, creating a code of ethics in the profession, and fighting extremism in Egypt.			
Licensing Manufacturing Installations Law	Mandates that the Industrial Development Authority respond to a request for a license within 30 days of the request being filed. Offers industries licensing for entities on two tracks: (1) any heavy industry that carries significant environmental, health, safety, or security risks must apply for a license, receive prior approval from the IDA, and pay fees of up to LE20,000; (2) smaller, lower-risk manufacturers, who can simply inform the IDA of their intention to open a factory, for which they will receive temporary licenses for up to 90 days, after which they must meet the IDA's standards to receive a full permit, with a 180-day extension on that grace period will be granted if these standards are not met. Makes licensing fees much cheaper, at LE5,000, and grants small- and medium-sized enterprises a 50 percent discount on these fees. Tightens penalties so that violators could face up to a year in jail and fines up to LE10 million, depending on the licensing path.	Government	3/26/17	Administrative and Appointments/Economy and Resources
IMF Loan Agreement	Outlines the agreement for a loan between Egypt and the International Monetary Fund for \$12 billion, to be paid in six increments over a three-year period. Loan focuses on economic reforms that must occur in Egypt for specific industries within the time frame of the loan, and Egypt is required to repay the loan incrementally over 10 years; rates may increase if the conditions are not followed or payment is not received promptly.	Government	3/27/17	Economy and Resources

Legislation Name	Description of Proposed Legislation	Genesis	Date Enacted	Type
Amendment to Article 10 of the Protest Law	Stipulates that the minister of interior or any concerned official, such as a security director, has the right to demand that a judge annul, postpone, or move any protest if any information regarding potential threats to public safety surfaces prior to a planned protest taking place. The assigned judge would then issue a verdict on whether or not to postpone, move, or cancel the protest. Grants protest organizers the opportunity to appeal the decision.	Government	4/10/17	Social and Political Rights/Security and Military Affairs
Amendments to the Criminal Procedures Law	Aims to speed up court cases. Allows opposing side in appeals before the Court of Cassation to choose the names of the witnesses brought before the court, and allows the court to decide what it did or did not need to hear from those witnesses. Allows appeals to be heard over where the courts processes went wrong, but the whole case cannot be retried in another court. Does not allow the court to reexamine the case once it has been finalized. Allows the prosecutor-general to decide if and when to produce evidence collected on the defendant's involvement in terrorism. Requires lawyers of defendants to pay LE3,000 in bail for asking questions of the court.	Representative Salah Hassiballah	4/26/17	Administrative and Appointments/Social and Political Rights
Amendments to the Emergency Law	Delegate additional authority to the judicial system and security forces to detain individuals for suspected criminal behavior. Grant judicial officers the ability to arrest an individual demonstrating indications of committing a crime and search the extent of their property. Allow courts, through the office of the prosecutor-general, to initially detain a person for seven days during as authorities conduct investigatory searches, and prolong an individual's detention for a renewable period of one month after he or she is placed in custody.	Representative Tharwat Bekheit	4/26/17	Military and Security Affairs/Social and Political Rights
Investment Law	Includes tax breaks as high as 50 percent for investments in underdeveloped areas, rebates on land acquisition costs provided factories begin operations within two years, and infrastructure	Government	5/7/17	Economy and Resources/Administrative and Appointments

Legislation Name	Description of Proposed Legislation	Genesis	Date Enacted	Type
	subsidies to connect investments to utility grids. Brings back free zones run by the private sector. Specifics of law to be fleshed out in the executive regulations, which Prime Minister Sherif Ismail will write instead of Minister of Investment Sahar Nasr.	Government	5/7/17	Social and Political Rights/Security and Military Affairs
Sports Law	Stipulates that insulting or inciting against a person playing or protecting a sporting event may be punishable by arrest and a fine of LE5,000 to LE20,000, while sneaking into a sporting event incurs penalties of arrest and fine of LE500 to LE3,000.	Government	5/7/17	Economy and Resources/ Administrative and Appointments
10% Raise Law	Gives a 10 percent raise to those state employees not specifically entitled to the benefits of the Civil Service Law. The raise must be between LE65 and LE120 and is retroactive to July 2016.	Government	5/10/17	Administrative and Appointments
Amendment to the Combating Prejudicial Acts during Exams Law	Punishes anyone caught publishing or sharing school exams, such as the Thanawiya al-'Ama exam, with two to seven years in prison.	Government	5/29/17	Economy and Resources
Amendments to the Income Tax Law	Imposes a tax on buying and trading shares on the Egyptian stock market.	Government	5/29/17	Economy and Resources
Amendment to Stamp Tax Law	Includes a stamp tax that would impose a 0.125 percent duty that will gradually increase to 0.175 percent over a three-year span, on the purchase and sale of all capital market transactions, as well as a 0.3 percent duty on transactions in which 33 percent or more of a company's shares are being sold.	Government	5/29/17	Economy and Resources
2015–2016 Budget Report	Includes a detailed analysis of the budget for fiscal year 2015–16, which marked a formal conclusion for all public economic entities for this specific fiscal year. Includes separate measures incorporating the budgets for the National Authority for Military Production and the Ministry of Justice into the general state budget.	Representative Ahmed Sameer	5/31/17	Administrative and Appointments/ Economy and Resources

Legislation Name	Description of Proposed Legislation	Genesis	Date Enacted	Type
Amendments to the Commercial Registry Law	Will amend the law so that a person must have Egyptian nationality and obtain a license from the relevant chamber of commerce to register for commercial activities.	Representative Emad Saad Hamouda and government (both cited in newsletter final vote)	5/31/17	Administrative and Appointments/ Economy and Resources
Contracts and Procurement Law	Establishes the Supreme Commission for Compensation to determine how much in damages should be paid to companies constructing housing or public facilities for state contracts that were adversely affected by political decisions.	Representative Ayman Abul Alaa and 60 other members of parliament.	5/31/17	Administrative and Appointments
Health Product Advertising Law	Sets up a review board of the Ministries of Health, Social Solidarity, Interior, and Justice, with representatives from the Doctors' and Pharmacists' Syndicates to license health product advertisements.	Government	6/12/17	Economy and Resources
Amendments to the Income Tax Law	Raises the tax exemption from LE6,500 to LE7,200. Exempts public and private-sector employees making up to LE14,200 would be exempt (up from LE13,500). Includes the following features: Salary between LE7,200 and LE30,000 per year, currently taxed at 10 percent, will receive an 80 percent break, bringing the effective tax rate on that bracket to two percent; amounts between LE30,001 to LE45,000 a year, currently taxed at 15 percent, get a 40 percent break, making the new rate for the bracket nine percent; sums in the LE45,001 to LE200,000 bracket, currently taxed at 20 percent, will get a 5 percent break, for a new effective tax rate of 19 percent; amounts above LE200,000 will still be taxed at the full 22.5 percent rate.	Government	6/19/17	Economy and Resources/ Administrative and Appointments
10% Raise for 'State Employees Not Covered by the Civil Service Law' Law	Gives an additional 10 percent raise (between LE65 and LE130 per month) to state employees not covered by the Civil Service Law beginning on July 1, 2017. Is an addition and continuation of the 10% Raise Law, which provided the same raise beginning on July 1, 2016.	Government	6/19/17	Economy and Resources/ Administrative and Appointments

Legislation Name	Description of Proposed Legislation	Genesis	Date Enacted	Type
Amendment to Annual Cost of Living Law	Implements a seven percent raise with monthly caps between LE65 and LE130 for state employees covered under the Civil Service Law, going into effect on July 1, 2017.	Government	6/19/17	Economy and Resources/ Administrative and Appointments
Amendment to the Civil Service Law	Establishes parameters under the cost of living raise for individuals not covered by the Civil Service Law of 2016. These employees are entitled to a 10 percent raise, between LE65 and LE130 monthly.	Government	6/19/17	Economy and Resources/ Administrative and Appointments
Amendments to Social Insurance Law	Increases civilian pensions by 15 percent to at least LE150 per month, effective starting July 1, 2017.	Government	6/19/17	Economy and Resources/Military and Security Affairs
Increase Military Pension Law	Provides a 15 percent raise to military pensions as of July 1, 2017. The lowest rate will be LE150 monthly and the maximum rate is set out in the 1975 Social Insurance Law.	Government	6/19/17	Economy and Resources/ Administrative and Appointments
Special Funds to Budget Law	Transfers 15 percent of funds with over LE100 million to the national budget to help the state cover public costs, as well as 10 percent of funds between LE50 million and LE100 million, five percent of funds between LE20 million and LE50 million, and one percent of funds between LE5 million and LE20 million.	Government	6/20/17	Administrative and Appointments
Amendments to Personal Status Law	Stipulates how long people have to be missing before they can be declared dead, with different parameters for civilians and police.	Government	7/4/17	Administrative and Appointments
National Election Authority Law	Stipulates that the board of the National Election Authority (NEA) will include 10 members, comprising one head and nine senior judges affiliated with the Court of Cassation, the Court of Appeals, the State Council, the State Lawsuits Authority, and the Administrative Prosecution Authority. It is set to go into effect on May 1, no matter when it is passed. Amendments to Article 34 mean that judges will only have oversight of Egyptian elections until 2024.	Government	7/4/17	Administrative and Appointments/ Economy and Resources

Legislation Name	Description of Proposed Legislation	Genesis	Date Enacted	Type
Ending Land Tax Law	Stops the implementation of the land tax for agricultural workers for three years, but debts accrued prior to the enactment of the law must still be paid.	Government	7/4/17	Administrative and Appointments/ Military and Security Affairs
Organ Transplant Law	Tightens controls and increases penalties for those caught illegally harvesting or using organs. Includes penalties of imprisonment with hard labor and a fine of between LE500,000 and LE1,000,000 for violating the law and life imprisonment if the organ donor dies.	Government	7/4/17	Administrative and Appointments/ Social and Political Rights
Amendments to National Council for Human Rights	Formally outlines the role of the National Council for Human Rights and equip it to independently address issues pertaining to social, political, economic, and cultural rights. Establishes two four-year terms as the term limit for members. Allows the council to draft laws and visit prisons and detention centers. Mandates that the council draft and present a comprehensive annual report.	Government	7/4/17	Economy and Resources
2017–2018 Budget	Formally establishes the government's budget for the 2017–2018 fiscal year, which includes expenditures totaling roughly LE1.2 billion. The legislature referred multiple draft laws to the State Council per the constitution, including the economic and development plan for the fiscal year, the general state budget, a bill linking to the state budget to visas, and a bill linking the budget for the National Authority for Military Production to the general budget.	Representative Osama Heikal and 60 members of parliament	7/4/17	Administrative and Appointments
Amendment to High Culture Council Law	Empowers the council to take part in planning the state's culture policies, coordinate with other cultural bodies on these issues, and establish a code of ethics for work in various cultural fields.	Government	7/4/17	Administrative and Appointments/ Economy and Resources
Disposal of State Land Law	Outlines how relevant state bodies are to deal with state lands that have either been reclaimed or are being requested for by private citizens, including the contractual stipulations, fees, and timelines related to these procedures.	Government	7/5/17	Administrative and Appointments/ Economy and Resources

Legislation Name	Description of Proposed Legislation	Genesis	Date Enacted	Type
Oversight of Valuable Stones and Metals Law	Will regulate the precious metals mining industry and sets penalties for unauthorized mining at two to five years in prison and fines ranging from LE5 million to LE10 million.	Government	7/5/17	Administrative and Appointments/ Economy and Resources
Gas Market Law	Creates an authority to oversee the affairs of the gas market that follows the petroleum minister but has its own independent leadership. Tasks authority with overseeing all aspects of the market, including the quality of products, the protection of consumers, competition within the market, renewing licenses, and reviewing investment plans.	Government	7/5/17	Military and Security Affairs/ Administrative and Appointments
Amendments to the Police Bodies Law	Increases the maximum age of enrolling in security institutes from 23 to 25 years old and makes it easier for women to join.	Government	7/5/17	Administrative and Appointments/ Economy and Resources
Amendment to Special State Properties Law	Gives the Industrial Development Authority more autonomy to allocate land and accelerate industrial development. Also establishes a new commission to plan future developments in strictly urban areas.	Government	10/30/17	Economy and Resources/ Administrative and Appointments
Turning Bank of Development and Agricultural Credit to the Egyptian Agricultural Bank	Transforms Bank of Development and Agricultural Credit into Agricultural Bank of Egypt, making it a government-owned shareholding company based in Cairo.	Government	11/1/17	Administrative and Appointments
Amendments to Experience Before Courts Law	Replaces title of permanent undersecretary of the Ministry of Justice with first assistant to the minister of justice.	Government, but several amendments from representatives throughout discussions	11/29/17	Administrative and Appointments/ Rights and Freedoms

Legislation Name	Description of Proposed Legislation	Genesis	Date Enacted	Type
Media Bodies Law	Sets up new high media council, new national journalism body, and new national media body.	Government; newsletter says it has significant edits from members of parliament	12/14/17	Administrative and Appointments/ Rights and Freedoms
Media Members Syndicate Law	Creates, organizes, and regulates who can be considered a media member to join the syndicate, what their responsibilities are under the law as part of the syndicate, and what actions can be taken against them for violating these responsibilities.	Government	12/19/17	Economy and Resources
Amendments to Social Insurance Law	Sets out how much tax money is allotted for health insurance for students and children under school age. Parents now pay LE12 instead of LE8 and the government will pay LE15.	Government	1/2/17	Administrative and Appointments
Food Safety Law	Creates a National Food Safety Body empowered to monitor the quality of products for humans and set up standards to ensure food safety. This new government entity possesses the authority to manage imported and local food, develop risk management policies for food handling, express its opinions on laws related to food safety, and co-operate with local and international organizations concerned with food safety and human health.	Government	12/12/17	Administrative and Appointments/ Social and Political Rights/Security and Military Affairs
Illegal Immigration Law	Creates a National Oversight Committee to Combat Illegal Migration that replaces and takes on the rights and duties of the National Committee to Combat Human Trafficking.	Government	11/8/17	Social and Political Rights

Legislation Name	Description of Proposed Legislation	Genesis	Date Enacted	Type
NGO Law	<p>Amends law to extend re-registration time from six months to one year; requires LE50,000 in capital to establish a foundation instead of the previous requirement of LE10,000; requires legal residency and not just permanent residence to be a member or board member of a nongovernmental organization; places NGOs under Central Auditing Organization instead of Illicit Gains Authority; allows them to open accounts in five different banks if their annual expenditure exceeds LE5 million; for receiving money and donations from inside Egypt from Egyptians, stipulates that money going into account should be recorded, and that money be used for what it was gathered for; requires ministry to be informed of receipt of such money upon its receipt or collecting of donations within 30 working days; says that money cannot be spent until approval issued; funds in excess of LE10,000 cannot be received unless sent via bank check or via placement into the bank account that the association is known to work with.</p>	Representative Abdel Hadi al-Qasbi	Passed by parliament 11/29/2016; Ratified by Sisi 5/29/2017	Social and Political Rights
Judicial Authorities Law	<p>Compels the Court of Cassation, the State Council, the State Lawsuits Authority, and the Administrative Prosecution Authority to present the president with a list of three candidates for the top position in each court, from which the president will choose the new leader. (Previously, the courts would reach a consensus candidate and present that single candidate to the president for perfunctory approval.)</p>	Representative Ahmed Helmi al-Sharif	4/27/17	Administrative and Appointments

APPENDIX A: TIMELINE OF EVENTS

Second Session of Parliament

October 3, 2016 – Muhammad Zaki al-Suweidi, independent representative and former head of the Manufacturing Committee, was chosen to replace deceased representative Sameh Seif al-Yezal as the chairman of the majority Coalition in Support of Egypt.

October 4 – The House of Representatives reconvened for the second legislative session since it was reconstituted through elections in late 2015. During the first general assembly of this session, the Civil Service Law, which had been presented and debated throughout the first session, passed with 401 in favor, 26 opposed, and six abstaining.

October 9–10 – Parliament held a conference in Sharm el-Sheikh to celebrate the 150th anniversary of the introduction of parliamentary politics in Egypt. International delegations attended to mark the occasion. Parliamentarian Amira Ibrahim, who represented Shabeen Koum in Monofeya, died in a car accident on the way to the festivities.

October 17 – Reports emerge of committee leadership elections for the Human Rights and Housing Committees being stacked with temporary members to ensure predetermined results.

November 29 – Parliament voted to approve Representative Abdel Hadi al-Qasbi's draft of the controversial NGO Law, which was presented on October 20.

December 29 – The ministerial cabinet approved the Tiran and Sanafir agreement and reportedly sent the agreement to parliament for approval.

January 23, 2017 – The Ethics Committee recommended banning Representative Osama Shersher from attending all remaining parliamentary meetings in the second session over allegedly “sending sex videos of another representative on WhatsApp.” Shersher was referred for investigation on June 28, 2016.

February 13 – The Ethics Committee recommended stripping Representative Ilhami Ageina of his seat in parliament for insulting the parliament, Egyptian women, and society. Ageina was referred for investigation on October 4.

February 27 – After being referred for investigation on November 11 over allegedly leaking a draft of the NGO Law to foreign embassies, Muhammad Anwar al-Sadat was voted out of parliament.

March 26 – At least two parliamentary delegations and several unrelated groups of representatives traveled to the U.S. to meet with American Coptic groups and U.S. members of Congress to discuss designating the Muslim Brotherhood a terror group and to highlight Sisi's successes ahead of his first

official visit to the White House.

April 10 – The House of Representatives voted to approve the proposed amendments to Article 10 of the Protest Law, which was ruled unconstitutional by the Supreme Constitutional Court on December 3. President Sisi ratified the law on May 2.

April 26 – Parliament voted to approve the Judicial Authorities Law presented by Representative Ahmed Helmi al-Sharif on December 22.

May 7 – Parliament voted to approve the long-awaited Investment Law presented by the government.

May 29 – Sisi officially ratified the NGO Law that parliament had passed six months ago. The law had reportedly been under review for edits since its passage and had not reached the president. This exploited the loophole in the constitution and the parliamentary bylaws that states the president must act on a law within 30 days of receiving it from parliament.

June 10 – A delegation of 14 representatives came to the U.S. for seven days to meet with 21 members of Congress, including Ed Royce, Richard Burr, and Lindsey Graham. The delegation, the first of its kind since 2008, held a dinner attended by Graham and John McCain. The delegation also met with Robert Basinger, who runs a working group to combat terror funding. The think tanks they visited included the Washington Institute for Near East Policy, the London Center for Political Studies, and the Jewish Institute for National Security Affairs. The delegation intended to inform the American policy community on issues related to the NGO Law, the situation for Copts, terrorism, forced disappearances, pretrial detention, religious rhetoric, and restrictions on freedoms in Egypt.

June 11 – The House of Representatives received the Tiran and Sanafir agreement and sent it to the Constitutional Affairs Committee where the roughly 200 representatives in attendance for three days of meetings received presentations on the government's case for why the islands are Saudi territory, which included talks from a history professor, a geography professor, and the head of Sea Surveying. A large number of nonvoting members came to watch the committee meeting, including Foreign Minister Sameh Shoukry, Minister of Parliamentary Affairs Amr Marwan, and Coalition in Support of Egypt leader Muhammad al-Suweidi. During the meetings, members of the 25-30 Bloc clashed with Speaker of the House Ali Abdel 'Al and members of the coalition over whether the committee should even be discussing the agreement.

June 14 – One day after the Constitutional Affairs Committee passed the Tiran and Sanafir agreement, two-thirds of a general session of parliament voted to pass the agreement. Despite calls to televise the session and have representatives vote by name so that their constituents could know their vote, parliament voted by show of hands with no live video feed.

July 2 – The Ethics Committee recommended banning Representative Ahmed al-Tantawi from attending parliamentary meetings until the end of the session for allegedly breaking a microphone during the Tiran and Sanafir agreement debates. Parliament decided to postpone voting to accept his penalty until the third session, which Tantawi claimed was meant to subvert the parliamentary bylaws and allow the body to ban him for the entire third session instead of the remainder of the second session. Tantawi was referred for investigation on June 19.

July 6 – The second session of the House of Representatives officially came to a close.

APPENDIX B:

Methodology

The Egypt Parliament Watch report series was developed as part of a longer-term project to monitor and evaluate the function of the Egyptian House of Representatives. The project and the report address several fundamental research questions: What is the role of the Egyptian parliament in its political landscape? Does it embody the democratic entity that was envisioned as a final step in the transitional road map? How effectively does the parliament function per its constitutional obligations and international legal norms? Who are the main actors driving trends and developments in the political and legislative landscape, and what effect do they have on the previous questions?

To answer these questions, the Egypt Parliament Watch project draws on existing literature and praxis related to legislative monitoring, and it is based on TIMEP's independent and systematic media monitoring and analysis, legal review of legislation for compliance, review of official documents, and extensive consultation with policymakers, journalists, human rights practitioners, and experts in Egyptian and international law, politics, and civil society. Data collection for the project began in late 2014, at the time of the announcement of parliamentary elections, and is ongoing. Since that time, TIMEP has conducted daily media monitoring of local and international Arabic and English-language press and social media, collating and reviewing statements made by policymakers or Egyptian political figures. TIMEP conducted extensive background research into the platforms and ideologies of the political parties, and collected electoral data to conduct quantitative analysis related to its prior parliamentary elections project.

With Egypt Parliament Watch, TIMEP continues to monitor statements and media from within or about the House of Representatives, comparing this to existing research and data on political platform and ideology. The project also relies on the Official Gazette, parliamentary reports, and published legislation from the government; where possible, the project references data from these primary sources. To develop the key indicators used to assess the parliament's performance, TIMEP conducted a review of the seven leading parliamentary performance monitors' indicators, distilling a targeted list that was most appropriate to the Egyptian context. These four overarching indicators were broken into sub-indicators, with a series of questions outlined for each to ensure uniformity in assessing performance over time and to facilitate measurability for each subindicator. Further information and detail about these indicators or methodology is available upon request.



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EGYPT **PARLIAMENT WATCH**

Egypt Parliament Watch is the most comprehensive project on Egypt's elected legislature, providing analysis of the body's performance in fulfilling its constitutionally mandated tasks, the legislation it produces, and the political dynamics at play.