



Organizing in Egypt

Legislative Fact Sheet

This fact sheet highlights some key pieces of legislation passed in Egypt since the January 25 Revolution that implicate and affect key rights at the heart of organizing on the ground and online, including the rights to freedom of expression, association, assembly, political participation, and access to information.

2011

MAR ○ **Decree Law No. 12 of 2011 Amending Law No. 40 of 1977 Regulating Political Parties**

These [amendments](#) to the Political Parties Law, the primary law governing the right to **political participation**, removed a number of previous restrictions on the creation, operation, and monitoring of political parties. The law [creates](#) a political parties committee to oversee this space; under the amendments, the members of the committee hail from the judiciary, creating greater distance from sitting government officials. Per these amendments, political parties meeting the requirements of the law are to submit a list of necessary documents to the committee; if the committee gives no response within 30 days, the party is considered established.

APR ○ **Decree Law No. 34 of 2011 Criminalizing Attacks on the Right to Work and Vandalizing Facilities**

[This decree-law](#), applicable during a state of emergency, was issued by the Supreme Council of the Armed Forces (SCAF) to prohibit participation in strikes that pause or obstruct the functioning and work of state institutions, public authorities, or public or private business entities. The decree implicates the right to **work, strike, and freedom of assembly** more broadly.

2013

SEPT ○ **Law No. 83 of 2013 Amending Provisions of the Criminal Procedure Code**

On September 23, 2013, then-interim President Adly Mansour issued this amendment to the provisions governing pretrial detention, specifically allowing for indefinite pretrial detention in cases where detainees have already been sentenced to death or life imprisonment and are appealing the sentence. The amendment marked the beginning of what has become an escalated reliance on pretrial detention used by prosecutorial and judicial authorities to punish individuals for the exercise of their **fundamental freedoms**, severely deteriorating the right to **due process** as a result.

NOV ○ **Law No. 107 of 2013 Regulating the Right to Public Meetings, Processions, and Peaceful Demonstrations, later amended on April 30, 2017**

[The Protest Law](#) was ratified by then-interim President Mansour on November 24, 2013. The Protest Law has significantly constrained the right to **free assembly**. It requires organizers of protesters made up of ten or more participants to notify the police; prohibits “violations of general security [or] public order”; and grants the Ministry of Interior the authority to cancel, postpone, or change the location of a protest if it first submits a judicial request based on credible information regarding a national security threat. The Protest Law authorizes security forces to use force in protest dispersal and sets forth punishments in the form of both jail time and fines.

2014

JAN

The Constitution

The [2014 Constitution](#) was passed in January following a popular referendum in the previous month. It replaced the 2012 Constitution, which was suspended when former President Muhammad Morsi was ousted in July 2013. While the Constitution does include provisions establishing the right to **freedom of thought and opinion**; the right to **organize**; the right to **peaceful protest**, and the right to **form political parties**, many of these protections are caveated by the phrase “in accordance with the law,” leaving the door open for restrictive implementing legislation. The Constitution has been critiqued for a number of other reasons, including for allowing civilians to be tried by military courts, normalizing **due process** violations as a result.

OCT

Law No. 136 of 2014 on Securing and Protecting Vital Public Facilities, *extended for a five year period on August 17, 2016*

[This law](#) authorizes the military, alongside the police, to oversee and secure public properties and institutions; and establishes that attacks on these properties and institutions be prosecuted by the military judiciary. The law went into effect for two years and was then renewed in 2016 for five years. It restricts the right to **free assembly** and **association**, and [has subjected](#) thousands of civilians to prosecution and sentencing by military court.

2015

FEB

Law No. 8 of 2015 Organizing the Lists of Terrorists and Terrorist Entities, *later amended on March 3, 2020*

On February 17, 2015, President Abdel Fattah El-Sisi ratified the [Terrorist Entities Law](#), which authorizes the Public Prosecution to issue a Terrorist List and a Terrorist Entities List, under which individuals and organizations can be designated for five-year periods as a result of previous court verdicts or as a result of a new request from the prosecution. The law has been critiqued for relying on a broadly-worded definition of terrorist entity that has encompassed individuals exercising **fundamental freedoms**, including but not limited to **expression, assembly, and association**.

AUG

Law No. 94 of 2015 on Countering Terrorism, *later amended on March 3, 2020*

[The Counterterrorism Law](#) went into effect on August 15, 2015. The law sets forth the official state definitions for a terrorist, terrorist act, and terrorist financing using vague language that is subject to broad interpretation. The Counterterrorism Law widens the scope of acts that can be tried as terrorism; in practice, it has subjected even nonviolent, constitutionally-protected action to terrorism prosecution and has contributed to a culture in which national security is used as pretense to restrict the rights to freedom of **expression, assembly, and association**. The law additionally expands monitoring and surveillance authority, violating **privacy and due process** protections.

2017

APR

Declaration of the State of Emergency, *in reliance on the Emergency Law (Law No. 162 of 1958)*

When protesters took to the streets in January 2011, Egypt [had already been](#) in a nationwide state of emergency since 1981 that would remain until May 31, 2012. On August 14, 2013, and following the Raba’a dispersal, a nationwide state of emergency was declared; it would last 90 days. Following the Palm Sunday Bombings, President El-Sisi issued Decree No. 157 of 2017, declaring a three-month nationwide state of emergency on April 10, 2017. The country has remained in a continuous state of emergency since. While the Egyptian Constitution establishes that a three-month state of emergency can be renewed only once, authorities have capitalized on a [technicality](#) to make the extensions. Because the state of emergency paves the way for greater surveillance, monitoring, and a parallel court system, it implicates a number of rights, including **privacy, due process, movement, assembly, expression**, and others.

2018

AUG

Law No. 180 of 2018 Regulating the Press, Media, and the Supreme Council for Media Regulation

[This law](#) creates the Supreme Council for Media Regulation (SCMR) to oversee and regulate the media industry. The law subjects outlets to a number of licensing requirements, including an involved permit process, and requires outlets to store and provide access upon request to content going back 12 months. The law also

grants authorities discretion to censor or block content that is found to meet a number of vaguely-phrased prohibitions, including those that violate public order and public morals. It prohibits media entities from publishing or broadcasting false news and treats personal social media accounts and websites with over 5,000 followers as media entities. The legislation implicates and restricts the right to freedom of **expression, press, and access to information**.

Law No. 175 of 2018 Combating Cybercrimes

Known as [the Cybercrime Law](#), this legislation requires service providers to store user data on online activity for a 180-day period; allows investigating authorities to submit judicial requests to censor or block websites; and penalizes online content that violates “the values and principles of Egyptian family and society,” among other vague prohibitions. The law has been applied in a manner that has violated the rights to freedom of **expression, press, information, and due process**, among others.

2019

AUG

Law No. 149 of 2019 Regulating the Pursuit of Civil Work

Popularly referred to as the [NGO Law](#), this legislation governs the process by which domestic and foreign nongovernmental organizations (NGOs) can achieve legal recognition and sets forth provisions on their activities, oversight and monitoring, funding, and sanctions for violations of the law. The law implicates **freedom of association**, but also has possible effects on **expression and due process**. Implementing regulations for the law were issued on January 11, 2021, nearly 11 months after they were required to be released per the legislation’s own provisions. This law replaces [Law No. 70 of 2017](#), widely-condemned by the international community and for which implementing regulations were never issued.

APR

2019 Constitutional Amendments

In April 2019, [a set of constitutional amendments](#) to the 2014 Constitution were approved in a referendum. The amendments extend presidential terms generally, as well as the term of sitting President El-Sisi; expand the role of the military; re-introduce a second chamber of parliament (the Senate); and empower the president to appoint the heads of a number of judicial and prosecutorial bodies. The amendments implicate the right to **due process** through their effect on judicial independence and the right to **political participation**; further, they threaten to restrict a number of **fundamental freedoms** by extending the mandate of a President whose government has overseen significant rights violations.

2020

MAY

Law No. 22 of 2020 Amending the Emergency Law

[These amendments](#) expand the authority of the military prosecution and add 18 powers to the president’s authorities during a state of emergency, including but not limited to the authority to suspend in-person education, to restrict public meetings and demonstrations, and to place private hospitals under government supervision. Though the provisions were passed during the COVID-19 pandemic, they extend well beyond the health space and are expected to have implications well after the threat of the pandemic has passed. In April 2017, this same law had been amended to expand detention authority during the state of emergency. Together these amendments underscore how a normalized state of emergency has reverberating implications for the systematic violation of **fundamental freedoms**.

In addition to the above, Egypt has passed other relevant laws. In 2016, for example, the [Church Construction Law \(Law No. 80 of 2016\)](#), which organizes the building and renovation of churches, was ratified. Although the legislation ushers in improvements to the legal system governing church construction, the law subjects **religious minorities** to a separate and unequal regulatory system; additionally, there have been issues with implementation, affecting **freedom of religion and belief**. Egypt has also continued to implement a number of laws passed prior to the January 25 Revolution in a manner that has restricted and impacted organizing on the ground and online; these laws include but are not limited to the [Assembly Law \(Law No. 10 of 1914\)](#), which continues to be used in some protest cases to restrict **freedom of assembly**; and old articles within [the Penal Code](#)—like those criminalizing blasphemy, publishing false news, and debauchery—which disproportionately affect **religious minorities, journalists and bloggers, and LGBTQ persons** respectively. ■

